

**United States Department of Labor
Employees' Compensation Appeals Board**

_____)	
T.L., Appellant)	
)	
and)	Docket No. 22-0881
)	Issued: December 14, 2022
U.S. POSTAL SERVICE, FENKELL POST)	
OFFICE, Detroit, MI, Employer)	
_____)	

Appearances: *Case Submitted on the Record*
*Alan J. Shapiro, Esq., for the appellant*¹
Office of Solicitor, for the Director

ORDER DISMISSING APPEAL

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On May 23, 2022 appellant, through counsel, sought an appeal from a purported April 7, 2022 decision of the Office of Workers' Compensation Programs (OWCP).² The Clerk of the Appellate Boards assigned Docket No. 22-0881.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act (FECA).³ This jurisdiction encompasses any final decision issued by OWCP within 180 days of

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on an appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

² The case record also contains a March 31, 2022 merit decision of OWCP. As counsel did not appeal from this decision, the Board will not consider it in this appeal. *See* 20 C.F.R. § 501.3; *see also D.E.*, Docket No. 21-0531 (issued June 16, 2021).

³ 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§501.2(c) and 501.3(a).

the date appellant filed her appeal.⁴ The Board notes that the case record does not contain a final adverse decision of OWCP dated April 7, 2022.⁵

As there is no final adverse decision of OWCP, appealed by counsel within 180 days of the filing of this appeal, the Board concludes that the appeal docketed as Docket No. 22-0881 must be dismissed.⁶ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 22-0881 is dismissed.

Issued: December 14, 2022
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board

⁴ 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of OWCP."

⁵ *See Order Dismissing Appeal, J.H.*, Docket No. 21-1193 (issued March 15, 2022).

⁶ The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).