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

A.D., Appellant	)
and	) Docket No. 22-0416 ) Issued: February 8, 2023
DEPARTMENT OF HOMELAND SECURITY, U.S. SECRET SERVICE, Washington, DC, Employer	) ) ) ) )
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

## ORDER DISMISSING APPEAL

## Before:

ALEC J. KOROMILAS, Chief Judge PATRICIA H. FITZGERALD, Deputy Chief Judge JAMES D. McGINLEY, Alternate Judge

On January 27, 2022 appellant filed an appeal from a purported January 13, 2022 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 22-0416.

The Board, having duly considered the matter, notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act.<sup>1</sup> This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed this appeal.<sup>2</sup> The January 13, 2022 decision was a Board decision, not a decision of OWCP.<sup>3</sup> The most recent final adverse decision issued by OWCP was dated March 11, 2021, which is more than 180 days from the date appellant filed this appeal. As there is no final adverse

<sup>&</sup>lt;sup>1</sup> 5 U.S.C. § 8101 et seq.; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>&</sup>lt;sup>2</sup> 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 the OWCP."

<sup>&</sup>lt;sup>3</sup> 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). To the extent that this appeal constitutes a timely petition for reconsideration of the Board's January 13, 2022 decision in Docket No. 21-1205, the Board will address the petition by separate order.

OWCP decision over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 22-0416 must be dismissed. Accordingly,

## IT IS HEREBY ORDERED THAT the appeal docketed as No. 22-0416 is dismissed.

Issued: February 8, 2023 Washington, DC

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

> Patricia H. Fitzgerald, Deputy Chief Judge Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge Employees' Compensation Appeals Board