

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

C.M., Appellant)	
)	
and)	Docket No. 21-0177
)	Issued: July 18, 2023
U.S. POSTAL SERVICE, AMES POST OFFICE,)	
Omaha, NE, Employer)	
)	

Appearances: *Case Submitted on the Record*
Stephanie N. Leet, Esq., for the appellant¹
Office of Solicitor, for the Director

ORDER DISMISSING APPEAL

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
JAMES D. MCGINLEY, Alternate Judge

On November 23, 2020 appellant, through counsel, sought an appeal of a purported October 27, 2020 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 21-0177.

The Board, having duly considered the matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.² This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed her appeal.³ The October 27, 2020 decision was a Board decision assigned

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 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 5 U.S.C. § 8101 *et seq.* 20 C.F.R. §§ 10.5102.2(c) and 501.3(a).

³ 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."

Docket No. 19-1610, which affirmed a January 25, 2019 OWCP decision.⁴ As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as 21-0177 must be dismissed.

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0177 is dismissed.

Issued: July 18, 2023
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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

⁴ Docket No. 19-1610 (issued October 27, 2020), *petition for reconsideration denied*, Docket No. 19-1610 (issued March 3, 2022).