

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

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S.S., Appellant )

and )

DEPARTMENT OF HOMELAND SECURITY, )  
TRANSPORTATION SECURITY )  
ADMINISTRATION, Bloomington, MN, )  
Employer )  
\_\_\_\_\_ )

**Docket No. 23-0305  
Issued: June 27, 2023**

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:

PATRICIA H. FITZGERALD, Deputy Chief Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On December 7, 2022 appellant filed an appeal from a purported decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 23-0305.

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 (FECA).<sup>1</sup> This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed her appeal.<sup>2</sup> The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.<sup>3</sup> As there is no final adverse decision issued by OWCP over which the

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

<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>3</sup> *Id.* The Board notes that the most recent OWCP decision is dated May 16, 2022, in which OWCP accepted appellant's claim for various conditions. Thus, this decision does not constitute a final adverse decision as contemplated by 20 C.F.R. §§ 501.2(c) and 501.3.

Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 23-0305 must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 23-0305 is dismissed.

Issued: June 27, 2023  
Washington, DC

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

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

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

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<sup>4</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).