

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

N.A., Appellant)

and)

DEPARTMENT OF VETERANS AFFAIRS,)
PUGET SOUND HEALTHCARE SYSTEM,)
SEATTLE VA MEDICAL CENTER, Seattle, WA,)
Employer)

Docket No. 23-0894
Issued: November 27, 2023

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

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

On June 15, 2023 appellant filed an appeal from a November 25, 2022 nonmerit decision and purported June 14, 2023 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 23-0894.

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.¹ This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed his appeal.² The decision dated June 14, 2023 was a Board decision assigned Docket No. 23-0220, which affirmed June 28 and November 25, 2022 OWCP merit and nonmerit decisions, respectively. As such, 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 over which the Board may properly exercise jurisdiction. As there is no final

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

² 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."

adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 23-0894 must be dismissed.³ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 23-0894 is dismissed for lack of jurisdiction.

Issued: November 27, 2023
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

³ To the extent that appellant's appeal constitutes a timely petition for reconsideration of the Board's June 14, 2023 decision, the petition for reconsideration will proceed separately under Docket No. 23-0220.