United States Department of Labor Employees' Compensation Appeals Board

C.S., Appellant)
and) Docket No. 24-0177 Issued: March 5, 2024
U.S. POSTAL SERVICE, LITTLE ROCK PROCESSING & DISTRIBUTION CENTER,) issued. Watch 3, 2024)
Little Rock, AR, Employer)
Appearances: Appellant, pro se	Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge VALERIE D. EVANS-HARRELL, Alternate Judge JAMES D. McGINLEY, Alternate Judge

On December 14, 2023 appellant filed an appeal from a November 9, 2023 notice of proposed termination by the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0177.

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. This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed her appeal.²

On November 9, 2023 OWCP proposed to terminate appellant's wage-loss compensation and medical benefits because the medical evidence established that she no longer had disability or residuals causally related to the accepted September 3, 2022 employment injury. It afforded her 30 days to submit additional evidence or argument challenging the proposed termination. The November 9, 2023 notice, therefore, does not constitute a final adverse decision regarding

Office of Solicitor, for the Director

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

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."

termination of appellant's wage-loss compensation and medical benefits. Section 501.2(c)(2) of the Board's *Rules of Procedure* provides: "There will be no appeal with respect to any interlocutory matter decided (or not decided) by OWCP during the pendency of a case."³

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 No. 24-0177 must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 24-0177 is dismissed.

Issued: March 5, 2024 Washington, DC

> Alec J. Koromilas, 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

 $^{^{3}}$ *Id.* at § 501.2(c)(2).

⁴ 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).