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

R.R., Appellant	
and	) Docket Nos. 25-0462 & 25-0090
DEPARTMENT OF VETERANS AFFAIRS, PITTSBURGH VA MEDICAL CENTER, Pittsburgh, PA, Employer	) Issued: May 6, 2025 ) ) )
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

## ORDER DISMISSING APPEAL IN DOCKET NO. 25-0462 AND DISMISSING PETITION FOR RECONSIDERATION IN DOCKET NO. 25-0090

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

On April 2, 2025 appellant sought an appeal from a purported January 31, 2025 final adverse decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 25-0462.

The Board has duly considered the matter and notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act (FECA). This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed his appeal. The January 31, 2025 decision being appealed, however, was a Board decision assigned Docket No. 25-0090. There is no final adverse decision issued by OWCP within 180 days of the filing of this appeal. As there is no final adverse decision issued by

<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> Docket No. 25-0090 (issued January 31, 2025).

OWCP within 180 days of the filing of this appeal over which the Board may properly exercise jurisdiction,<sup>4</sup> the Board finds that the appeal docketed as No. 25-0462 must be dismissed.

To the extent that appellant's April 2, 2025 appeal may be construed as a timely petition for reconsideration of the Board's January 31, 2025 decision under Docket No. 25-0090, the Board notes that its decision became final upon the expiration of 30 days from the date of issuance.<sup>5</sup> As appellant did not file her disagreement with the Board's January 31, 2025 decision until April 2, 2025, this submission may not be deemed as a timely petition for reconsideration as it was filed in excess of 30 days from the date of issuance.<sup>6</sup> Thus, the petition for reconsideration of the January 31, 2025 Board decision in Docket No. 25-0090 must be dismissed as untimely filed. Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0462 is dismissed.

**IT IS FURTHER ORDERED THAT** the petition for reconsideration in Docket No. 25-0090 is dismissed as untimely filed.<sup>7</sup>

Issued: May 6, 2025 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

<sup>&</sup>lt;sup>4</sup> Supra note 2.

<sup>&</sup>lt;sup>5</sup> 20 C.F.R. § 501.6(d).

<sup>&</sup>lt;sup>6</sup> See id. at § 501.7(a).

<sup>&</sup>lt;sup>7</sup> The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." *Supra* note 5.