

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

J.B., Appellant)	
)	
and)	Docket Nos. 25-0763 &
)	24-0946
U.S. POSTAL SERVICE, MEDFORD POST OFFICE, Medford, MA, Employer)	Issued: September 19, 2025
)	

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

Case Submitted on the Record

**ORDER DISMISSING APPEAL IN DOCKET NO. 25-0763 AND
DISMISSING PETITION FOR RECONSIDERATION
IN DOCKET NO. 24-0946**

Before:

ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On August 1, 2025 appellant filed an appeal from a June 6, 2024 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 25-0763.

The Board, having duly considered this 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 from the date appellant filed the appeal.² The Board notes that appellant previously appealed the June 6, 2024 OWCP decision to the Board. By a November 4, 2024 decision in Docket No. 24-0946, the Board affirmed the June 6, 2024 merit decision of OWCP, as well as a September 19, 2024 nonmerit decision.³ The Board concludes that there is no final adverse decision issued by OWCP within 180 days of the filing of this appeal over which the Board may properly exercise

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."

³ Docket No. 24-0946 (issued November 4, 2024).

jurisdiction.⁴ The Board finds, therefore, that the appeal docketed as No. 25-0763, must be dismissed.

To the extent that appellant's August 1, 2025 appeal may be construed as a timely petition for reconsideration of the Board's November 4, 2024 decision under Docket No. 24-0946, the Board notes that its decision became final upon the expiration of 30 days from the date of issuance.⁵ As appellant did not file his disagreement with the Board's November 4, 2024 decision until August 1, 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.⁶ Thus, the petition for reconsideration of the November 4, 2024 Board decision in Docket No. 24-0946 must be dismissed as untimely filed. Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0763 is dismissed.⁷

IT IS FURTHER ORDERED THAT the petition for reconsideration in Docket No. 24-0946 is dismissed as untimely filed.

Issued: September 19, 2025
Washington, DC

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

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

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

⁴ *Supra* note 2. The Board notes that the record contains a December 23, 2024 nonmerit decision of OWCP denying a hearing. However, as this decision was not issued by OWCP within 180 days of the filing of this appeal, the Board lacks jurisdiction to review it.

⁵ 20 C.F.R. § 501.6(d).

⁶ See 20 C.F.R. § 501.7(a).

⁷ 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).