

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

M.G., Appellant)
and) Docket No. 25-0786
DEPARTMENT OF VETERANS AFFAIRS,)
W.G. (BILL) HEFNER VA MEDICAL CENTER,)
Salisbury, NC, Employer)
Issued: September 9, 2025

Appearances:

Appellant, pro se

Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge

PATRICIA H. FITZGERALD, Deputy Chief Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On August 19, 2025 appellant sought an appeal from a November 5, 2024 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 25-0786.

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 (FECA).¹ For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.²

The 180th day following the November 5, 2024 decision was May 4, 2025. As this fell on a Sunday, appellant had until the next business day, Monday, May 5, 2025, to file the appeal.³ As

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), which 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 20 C.F.R. § 501.3(f). *See also Order Dismissing Appeal, S.K.*, Docket No. 22-0356 (issued February 28, 2022).

appellant did not file an appeal with the Board until August 19, 2025, more than 180 days after the November 5, 2024 OWCP decision, the Board finds that the appeal docketed as No. 25-0786 was untimely filed. The Board is, therefore, without jurisdiction to review the appeal. Appellant has not explained the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances. Because there is no final adverse decision issued by OWCP within 180 days of the filing of the instant appeal, the Board concludes that the appeal docketed as No. 25-0786 must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0786 is dismissed.

Issued: September 9, 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 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).