United States Department of Labor
Employees' Compensation Appeals Board

B.B., Appellant	)	
and	)	**Docket No. 26-0687**
	)	**Issued: October 19, 2026**
DEPARTMENT OF HOMELAND SECURITY, TRANSPORTATION SAFETY ADMINISTRATION, MANCHESTER-BOSTON REGIONAL AIRPORT, Manchester, NH, Employer	)	

Appearances:
Linda M. Zalinskie, for the appellant[1]
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On December 5, 2025,[2] appellant, through her representative, filed an appeal from a February 4, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP).[3] The Clerk of the Appellate Boards docketed the appeal as No. 26-0687.

[1] In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

[2] The electronic AB-1 Form indicates a filing date of July 10, 2026. The electronic filing data, however, indicates that appellant initially filed this appeal on December 5, 2025.

[3] The Board notes that, while the electronic filing data indicates that appellant intended to appeal from a purported September 4, 2025 decision of OWCP, the case record reflects that the document is a demand letter under the Debt Collection Act, over which the Board does not have jurisdiction. *See M.A.*, Docket No. 26-0163 (issued September 11, 2026).

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.[4] 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.[5]

The 180th day following the February 4, 2025 decision was August 3, 2025. As appellant did not file an appeal with the Board until December 5, 2025, more than 180 days after the February 4, 2025 OWCP decision, the Board finds that the appeal docketed as No. 26-0687 is untimely filed.[6] The Board is 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. 26-0687 must be dismissed.[7] Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 26-0687 is dismissed.

[4] 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

[5] 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."

[6] 20 C.F.R. § 501.3(f) indicates that a notice of appeal is considered to have been filed only if received by the Clerk of the Appellate Boards.

[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).

Issued: October 19, 2026
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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