United States Department of Labor
Employees' Compensation Appeals Board

W.R., Appellant	)	
and	)	
DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT AND REMOVAL OPERATIONS, West Valley City, UT, Employer	)	**Docket No. 26-0883** **Issued: October 19, 2026**

Appearances:
Appellant, pro se
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 September 25, 2026 appellant filed an appeal from a March 17, 2026 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0883.

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] 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 March 17, 2026 decision was Sunday September 13, 2026. When the last day to file an appeal falls on a Saturday, Sunday, or federal holiday, the 180-day

[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."

period runs until the close of the next business day.[3] As September 13, 2026 fell on a Sunday, appellant had until the next business day, Monday, September 14, 2026 to file this appeal.[4] As appellant did not file an appeal with the Board until September 25, 2026, more than 180 days after the March 17, 2026 OWCP decision, the Board finds that the appeal docketed as No. 26-0883 is untimely filed.[5] 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. 26-0883 must be dismissed.[6] Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 26-0883 is dismissed.

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

[3] 20 C.F.R. § 501.3(f)(3).

[4] *See id*. *See also T.T.,* Docket No. 21-1278 (issued March 29, 2022).

[5] 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.

[6] 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).