United States Department of Labor
Employees' Compensation Appeals Board

J.P., Appellant	)	
and	)	**Docket No. 26-0341**
	)	**Issued: September 4, 2026**
DEPARTMENT OF COMMERCE, U.S. CENSUS BUREAU, ADMINISTRATIVE AND CUSTOMER SERVICES DIVISION, HEALTH AND SAFETY BRANCH, Bethesda, MD, Employer	)	

Appearances:
Alan J. Shapiro, Esq., for the appellant[1]
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

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

On February 27, 2026 appellant, through counsel, filed a timely appeal from a December 18, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0341.

The Clerk of the Appellate Boards then served the Director of OWCP with a copy of appellant's appeal and requested that OWCP transmit the case record to the Board in accordance with the Board's *Rules of Procedure*.[2] OWCP subsequently forwarded the case record to the Board.

[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] 20 C.F.R. § 501.4.

By decision dated September 18, 2025, OWCP denied appellant's request for reimbursement of travel expenses on May 6 and June 24, 2025, finding that she did not obtain prior authorization for mileage exceeding 100 miles roundtrip or prior authorization for lodging.

On September 24, 2025 appellant, through counsel, requested a review of the written record from a representative of OWCP's Branch of Hearings and Review. By decision dated December 18, 2025, OWCP's hearing representative affirmed the September 18, 2025 decision.

The case record transmitted to the Board did not include medical travel refund request (Form OWCP-957) claims.

On June 17, 2026 the Board issued an order to complete the record within 30 days.[3] Upon inspection of the case record, however, the Board finds that the Director of OWCP has not produced the complete case record or shown cause for not complying. As the Board is unable to render a fully informed adjudication of the case, it will remand the case to OWCP, as set forth in the June 17, 2026 order, for reconstruction and proper assemblage of the case record, to be followed by the issuance of a *de novo* decision. Accordingly,

IT IS HEREBY ORDERED THAT the December 18, 2025 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: September 4, 2026
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

[3] *Order To Complete Record Within 30 Days,* Docket No. 26-0341 (issued June 17, 2026).