United States Department of Labor Employees' Compensation Appeals Board

S.B., Appellant)
)
and) Docket No. 21-1177
) Issued: August 20, 2021
U.S. POSTAL SERVICE, POST OFFICE,)
Rock Island, IL, Employer)
	_)
Appearances:	Case Submitted on the Record
Appellant, pro se	
Office of Solicitor, for the Director	

ORDER DISMISSING APPEAL

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
PATRICIA H. FITZGERALD, Alternate Judge

On July 28, 2021 appellant filed an appeal from a January 25, 2021 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 21-1177.

The Board has duly considered the matter and 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 January 25, 2021 decision was July 24, 2021. As this fell on a Saturday, appellant had until Monday, July 26, 2021 to file the appeal.³ As appellant did not file an appeal with the Board until July 28, 2021, more than 180 days after the January 25, 2021 OWCP decision, the Board finds that the appeal docketed as No. 21-1177 is untimely

¹ 5 U.S.C. § 8149; 20 C.F.R. §§ 501.2(c) and 501.3(a) (2009).

² *Id.* at § 501.3(e).

³ *Id.* at § 501.3(f)(2).

filed. The Board is without jurisdiction to review the appeal. Appellant has not offered a reason to explain the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances.

The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance."

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-1177 is dismissed.

Issued: August 20, 2021 Washington, DC

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

> Janice B. Askin, Judge Employees' Compensation Appeals Board

Janice B. askin

Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

⁴ *Id.* at § 501.6(d).