

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

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<b>O.M., Appellant</b>	)	
	)	
<b>and</b>	)	<b>Docket No. 24-0676</b>
	)	<b>Issued: June 26, 2024</b>
<b>U.S. POSTAL SERVICE, BEDFORD PARK</b>	)	
<b>POST OFFICE, Bedford Park, IL, Employer</b>	)	
_____	)	

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:  
ALEC J. KOROMILAS, Chief Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On June 10, 2024 appellant sought an appeal from a purported March 16, 2023 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0676.

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.<sup>1</sup> This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed his/her appeal.<sup>2</sup> Appellant appealed from a March 16, 2023 notice of proposed termination. The Board concludes that the notice is not a final adverse decision as OWCP afforded appellant an opportunity to submit additional evidence prior to issuing a final decision.

Section 501.2 (c)(2) of the Board's *Rules of Procedure* provides: "There will be no appeal with respect to any interlocutory matter decided (or not decided) by OWCP during the pendency

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<sup>1</sup> 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>2</sup> 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 OWCP."

of a case.”<sup>3</sup> Consequently, the case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal. As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 24-0676 must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 24-0676 is dismissed.

Issued: June 26, 2024  
Washington, DC

Alec J. Koromilas, Chief Judge  
Employees’ Compensation Appeals Board

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

James D. McGinley, Alternate Judge  
Employees’ Compensation Appeals Board

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<sup>3</sup> *Id.* at § 501.2(c)(2).

<sup>4</sup> The Board’s decisions and orders are “final upon the expiration of 30 days from the date of their issuance.” *Id.* at § 501.6(d).