

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

K.C., Appellant)	
)	
and)	Docket No. 24-0953
)	Issued: October 28, 2024
DEPARTMENT OF VETERANS AFFAIRS,)	
FRESNO VA MEDICAL CENTER,)	
Fresno, CA, Employer)	
)	

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 30, 2024 appellant filed an appeal from June 27 and August 20, 2024 merit decisions of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0953.

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 Act¹ (FECA). This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed the appeal.² 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.³ The June 27, 2024 decision is an acceptance of the claim, and the August 20, 2024 decision is an expansion of OWCP's acceptance of the claim to include an additional condition.

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 OWCP."

³ *Id.*

Therefore, these decisions are not adverse to appellant and are not subject to appeal.⁴ 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. 24-0953, must be dismissed.⁵ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 24-0953 is dismissed.

Issued: October 28, 2024
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

⁴ 20 C.F.R. § 501.3.

⁵ 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).