

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

E.M., Appellant)

and)

DEPARTMENT OF HOMELAND SECURITY,)
TRANSPORTATION SECURITY)
ADMINISTRATION, FEDERAL AIR)
MARSHAL SERVICE, East Elmhurst, NY,)
Employer)
_____)

**Docket No. 24-0743
Issued: September 4, 2024**

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge

On July 3, 2024 appellant sought an appeal from a purported May 29, 2024 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0743.

The Board, having duly considered the matter, notes that it has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.¹ This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed his 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 Although the case record contains a notice of proposed reduction from OWCP to

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."

³ *Id.*

appellant dated May 29, 2024, this does not constitute a final adverse OWCP decision. 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 Docket No. 24-0743 must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as Docket No. 24-0743 is dismissed.

Issued: September 4, 2024
Washington, DC

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

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

⁴ 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).