

RECEIVED NOV 07 2016

U.S. Department of Labor

Employees' Compensation Appeals Board
200 Constitution Avenue, N.W.
Washington, D.C. 20210



November 2, 2016

Mr. Paul H. Felser
7393 Hodgson Memorial Drive
Suite 102
Savannah, GA 31406

Docket Number:

OWCP File No.:

Dear Mr. Paul H. Felser:

Please note that the caption of any decision and/or order issued on or after August 1, 2006, will display only your initials, docket number and issue date for the decision. (This change in policy is prospective only and is not based upon any legal requirement.)

Enclosed is a copy of the Board's ORDER, which is self explanatory.

By direction of the Board,

A handwritten signature in black ink, appearing to read "Thomas O. Shepherd, Jr." The signature is written in a cursive, flowing style.

Thomas O. Shepherd, Jr., Esq.
Clerk of the Appellate Boards

Enclosure(s)

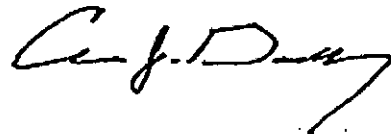
cc:

was not in posture for decision, and additional development was required to properly determine appellant's rate of pay.

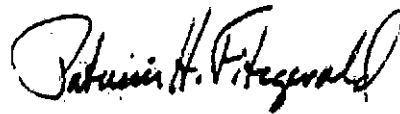
In view of the Board's finding as to the pay rate, the June 29, 2016 overpayment decision is not in posture for decision. The correct pay rate has not been determined, and OWCP should properly develop the evidence in accord with the Board's July 27, 2016 decision. Once a proper determination is made as to the correct pay rate, OWCP may then address an overpayment issue if necessary. The case will be remanded to OWCP to properly resolve the issues regarding pay rate and a possible overpayment of compensation. After such further development as is deemed necessary, OWCP should issue an appropriate decision.

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated June 29, 2016 is set aside and the case remanded to OWCP for further action consistent with this order of the Board.


Issued: November 2, 2016
Washington, DC



Christopher J. Godfrey, Chief Judge
Employees' Compensation Appeals Board



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



Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

CERTIFICATE OF SERVICE

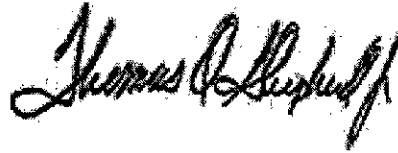
ECAB-2016-1437 Mr.

v. Federal Aviation Administration

I certify that the parties below were served this day.

11/02/2016

(DATE)



Thomas O. Shepherd, Jr., Esq.
Clerk of the Appellate Boards

Counsel for Claims and Compensation
USDOL SOL FEEWC
200 Constitution Ave NW
Washington, DC 20210
--Electronic

Mr. Paul H. Felser
7393 Hodgson Memorial Drive
Suite 102
Savannah, GA 31406
--Certified

Office of Workers' Compensation Programs
Division of Federal Employees' Compensation
Attn: Director OWCP-DFEC
Washington, DC 20210
--Electronic