

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :
 :
FABIAN BRAVO AND IFK HANDBAGS CORP., :
 :
 : Petitioners, : DOCKET NO. PR 15-034
 :
To Review Under Section 101 of the Labor Law: An : RESOLUTION OF DECISION
Order to Comply with Article 19 and an Order Under :
Article 19 of the Labor Law, both dated December 11, :
2014, :
 :
 : - against - :
 :
THE COMMISSIONER OF LABOR, :
 :
 : Respondent. :
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APPEARANCES

Fabian Bravo, petitioner pro se, and for IFK Handbags Corp.

Pico Ben-Amotz, General Counsel, NYS Department of Labor, Albany (*Fredy Kaplan* of counsel), for respondent.

WHEREAS:

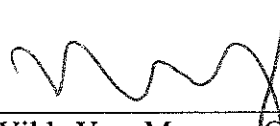
1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Industrial Board of Appeals' Rules of Procedure and Practice (Board Rules) (12 NYCRR) § 66 on February 5, 2015; and
2. Respondent Commissioner of Labor filed an answer to the petition on March 12, 2015; and
3. Upon notice to the parties, dated March 25, 2015, a hearing was scheduled for August 20, 2015; and
4. Petitioners failed to attend or otherwise appear at the hearing on August 20, 2015; and
5. Pursuant to Labor Law § 103 and Board Rule (12 NYCRR) § 65.30, the burden of proof is on petitioners to prove that the orders under review are not valid or reasonable; and
6. Pursuant to Board Rule (12 NYCRR) § 65.24, "the failure of a party to appear shall be deemed a waiver of all rights except the rights to be served with a copy of the decision of the

Board and to request Board review” pursuant to Board Rule (12 NYCRR) § 65.41, unless application for reinstatement is made within five days after the scheduled hearing; and


7. Petitioners have not made any application for reinstatement.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

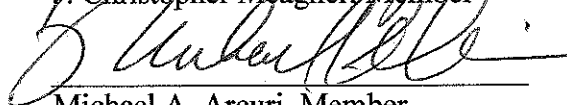
This proceeding be, and the same hereby is, dismissed in accordance with the Board’s Rules.



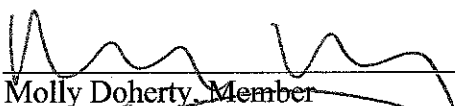
Vilda Vera Mayuga, Chairperson



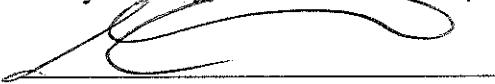
J. Christopher Meagher, Member



Michael A. Arcuri, Member



Molly Doherty, Member



Gloribelle J. Perez, Member

Dated and signed by the Members
of the Industrial Board of Appeals
in New York, New York
on March 1, 2017.