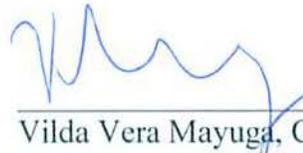


The orders sought to be reviewed were issued on March 28, 2014, and therefore, any petition for review filed with the Board with a postmark after May 27, 2014 is untimely (*id.*; Board Rules of Procedure and Practice 65.5 [d] [12 NYCRR 65.5 (d)]) and must be dismissed. Petitioners argue, in relevant part, that the petition was timely filed because the sixty-day period begins the day after the date of the orders at issue, and because Board Rule 65.3 permits the addition of time to the prescribed period. While it is correct that the sixty-day period begins the day after the date of the orders, the additional time allowed by Board Rule 65.3 (c) and (d) is expressly not applicable to the filing of petitions to commence a proceeding as is this case. Petitioners do not dispute that their petition was filed on May 28, 2014. Accordingly, as the petition in this proceeding was postmarked after May 27, 2014, it was filed late and must be dismissed.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The Commissioner of Labor's motion to dismiss the petition for review is granted, and the petition for review be, and the same hereby is, dismissed.



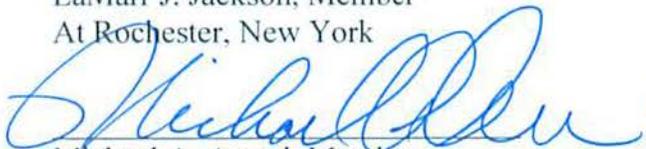
Vilda Vera Mayuga, Chairperson
At Albany, New York



J. Christopher Meagher, Member
At Albany, New York

Absent

LaMarr J. Jackson, Member
At Rochester, New York



Michael A. Arcuri, Member
At Albany, New York

Dated and signed by the Members
of the Industrial Board of Appeals
on October 28, 2015.