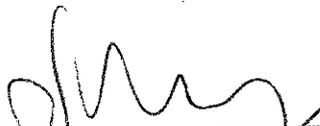


was no longer representing petitioners and that he had provided petitioners with the Hearing and Pre-Hearing Notice; and

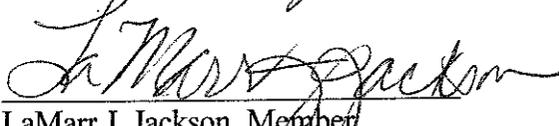
6. Petitioners failed to participate in the prehearing conference on March 14, 2016; and
7. Because petitioners failed to participate in the prehearing conference, we sent a letter dated March 16, 2016 to petitioners' address of record giving them an opportunity to reschedule the pre-hearing conference. This letter also reminded petitioners of the scheduled hearing on May 4, 2016, and stated that failure to appear at the hearing would result in a default decision by the Board; and
8. Petitioners sent a letter to the Board dated May 2, 2016, which the Board received on May 4, 2016, stating that they would not be attending the hearing; and
9. Petitioners failed to attend or otherwise appear at the hearing; and
10. Pursuant to Labor Law § 103 and Board Rule 65.30, the burden of proof is on petitioners to prove that the orders under review are not valid or reasonable; and
11. Pursuant to Board Rule 65.24, "the failure of a party to appear at a hearing shall be deemed to be 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 Rule 65.41," unless application for reinstatement is made within five days after the scheduled hearing; and
12. Petitioners have not made any application for reinstatement.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The petition for review be, and the same hereby is, dismissed in accordance with the Board's Rules.


Vilda Vera Mayuga, Chairperson


J. Christopher Meagher, Member


LaMarr J. Jackson, Member

Michael A. Arcuri, Member

Dated and signed by the Members
of the Industrial Board of Appeals
at New York, New York
on May 25, 2016.

was no longer representing petitioners and that he had provided petitioners with the Hearing and Pre-Hearing Notice; and

6. Petitioners failed to participate in the prehearing conference on March 14, 2016; and
7. Because petitioners failed to participate in the prehearing conference, we sent a letter dated March 16, 2016 to petitioners' address of record giving them an opportunity to reschedule the pre-hearing conference. This letter also reminded petitioners of the scheduled hearing on May 4, 2016, and stated that failure to appear at the hearing would result in a default decision by the Board; and
8. Petitioners sent a letter to the Board dated May 2, 2016, which the Board received on May 4, 2016, stating that they would not be attending the hearing; and
9. Petitioners failed to attend or otherwise appear at the hearing; and
10. Pursuant to Labor Law § 103 and Board Rule 65.30, the burden of proof is on petitioners to prove that the orders under review are not valid or reasonable; and
11. Pursuant to Board Rule 65.24, "the failure of a party to appear at a hearing shall be deemed to be 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 Rule 65.41," unless application for reinstatement is made within five days after the scheduled hearing; and
12. Petitioners have not made any application for reinstatement.

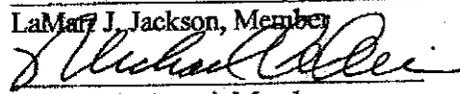
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The petition for review be, and the same hereby is, dismissed in accordance with the Board's Rules.

Vilda Vera Mayuga, Chairperson

J. Christopher Meagher, Member

LaMar J. Jackson, Member


Michael A. Arcuri, Member

Dated and signed by a Member
of the Industrial Board of Appeals
at Utica, New York on
May 25, 2016.