

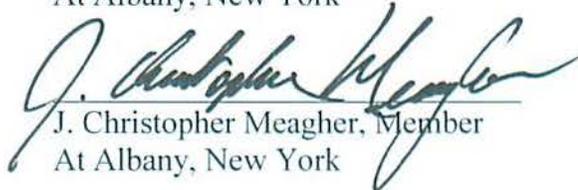
4. Petitioners did not oppose the motion; and
5. The Board, by an Interim Resolution of Decision dated April 29, 2015, approved the issuance of the amended orders as requested by the respondent, effective the date of the decision, but suspended any interest that had accrued between February 23, 2015, and the date the respondent files an answer with the Board and ordered service of the amended orders on petitioners in accordance with Labor Law § 33 within 30 days of the service of the decision; and
6. The Interim Resolution of Decision was served on respondent on May 8, 2015; and
7. By letter dated September 8, 2015, the Board advised respondent that to date, proof of service of the amended orders had not been filed, and further advised that if the orders were not served and proof thereof filed with the Board within 30 days of the date of the letter, the Board would issue a resolution of decision granting the petition (*see Matter of Donigan et al.*, PR 14-192 [July 22, 2015]); and
8. On October 19, 2015, the Board received proof that respondent served petitioners with amended orders dated October 15, 2015. Respondent offered no justification for the lateness and was on notice that proof of service filed later than June 8, 2015, would be untimely; and
9. We grant the petition, because without cause respondent failed to provide the Board with timely proof of service of the amended orders as ordered.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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



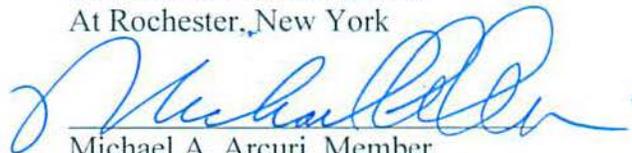
Vilda Vera Mayuga, Chairperson
At Albany, New York



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.