

The Board approves DOL's motion for withdrawal of the minimum wage order and petitioners' withdrawal of the petition challenging the penalty order, and having no orders to review, the proceeding is dismissed.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The minimum wage order issued by respondent on December 18, 2014 against petitioners Vito DeFeo and Viajo's Inc. is withdrawn; and
2. The January 2, 2015 petition contesting the penalty order is withdrawn; and
3. The proceeding is hereby dismissed 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.