

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :  
 :  
AHMED MOSID AND BEST DELI GROCERY :  
CORP., :  
 :  
 :  
Petitioners, : DOCKET NO. PR 15-308  
 :  
To Review Under Section 101 of the Labor Law: : RESOLUTION OF DECISION  
An Order to Comply with Article 19 and an Order :  
Under Articles 5 and 19 of the Labor Law, both dated :  
August 7, 2015, :  
 :  
 :  
- against - :  
 :  
THE COMMISSIONER OF LABOR, :  
 :  
Respondent. :  
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**APPEARANCES**

Ahmed Mosid, petitioner pro se and for Best Deli Grocery Corp.

Pico Ben-Amotz, Esq., General Counsel, NYS Department of Labor (Steven J. Pepe 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 Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66) on September 29, 2015; and
2. Respondent Commissioner of Labor filed an answer to the petition on November 5, 2015; and
3. Upon notice by the Board to the parties dated December 2, 2015, a hearing was set for March 11, 2016; and
4. Petitioners failed to attend or otherwise appear at the hearing; and
5. 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
6. 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

7. Petitioners have not made any application for reinstatement.

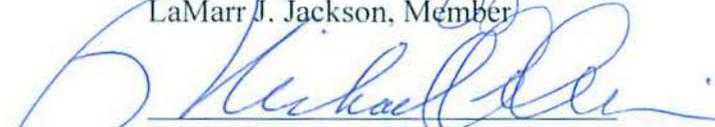
**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:**

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

  
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Vilda Vera Mayuga, Chairperson

  
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J. Christopher Meagher, Member

  
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LaMarr J. Jackson, Member

  
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Michael A. Arcuri, Member

Dated and signed by the Members  
of the Industrial Board of Appeals  
at Albany, New York  
on April 13, 2016.