

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :  
: BRYAN ZASLOW AND JCBSTYLE NY LLC, :  
: Petitioners, : DOCKET NO. PR 16-030  
: :  
To Review Under Section 101 of the Labor Law: : INTERIM  
Order to Comply No. 15-01080, : RESOLUTION OF DECISION  
: GRANTING RECONSIDERATION  
: - against - :  
: THE COMMISSIONER OF LABOR, :  
: Respondent. :  
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**APPEARANCES**

Bryan Zaslow, petitioner pro se, and for JCBStyle NY LLC.

Pico Ben-Amotz, General Counsel, NYS Department of Labor (Kathleen Dix of counsel), for respondent.

**WHEREAS:**

On March 31, 2016, petitioners filed a petition for review of orders issued by respondent Commissioner of Labor (Commissioner); however, copies of the orders were not attached. By letter dated April 4, 2016, pursuant to the Board's Rules of Practice and Procedure (Rules) (12 NYCRR 66.3), the Board directed petitioners to file an amended petition and a copy of the orders sought to be reviewed in accordance with the Rules. The letter directed petitioners to file their amended petition on or before May 4, 2016, or the appeal may be dismissed without further notice.

By Resolution of Decision dated May 25, 2016, the Board dismissed this matter due to petitioners' failure to comply with the Board's directive. Petitioners filed a motion for reconsideration on June 14, 2016 stating that petitioners did not receive the Board's letter directing them to file an amended petition. On June 24, 2016, respondent Commissioner of Labor responded and raised no objection to the Board granting petitioners' motion for reconsideration.

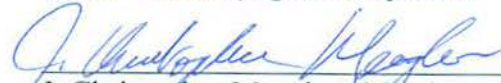
Since the original petition appears to have been timely filed, we grant the motion for reconsideration (*see Matter of Ruppert*, PR 10-383 [Jan. 30, 2012]).

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

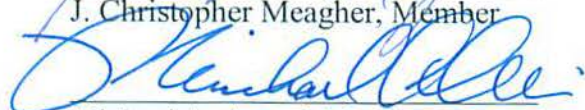
1. Petitioners' motion for reconsideration is granted; and
2. The Board's Resolution of Decision in this matter issued May 25, 2016 is revoked; and
3. Pursuant to Rule 66.3, petitioners are directed to file an amended petition in the form of an original and three copies of the petition with a complete copy of the order or orders at issue attached to each within 30 days of the service of this Interim Resolution of Decision; and
4. The Board will serve the amended petition on the Commissioner in accordance with the Rules; and
5. The Commissioner of Labor's response to the petition shall be filed with the Board in accordance with Rule 66.5



Vilda Vera Mayuga, Chairperson



J. Christopher Meagher, Member



Michael A. Arcuri, Member



Molly Doherty, Member



Gloribelle J. Perez, Member

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