

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :  
 :  
ROMICK K. ADAMS T/A RKA PIPING AND :  
HEATING, :  
 :  
Petitioner, :  
 :  
 :  
To Review Under Section 101 of the Labor Law: :  
An Order to Comply with Articles 6 and 19 of the Labor :  
Law, dated December 4, 2018, : RESOLUTION OF DECISION  
 :  
 :  
- against - :  
 :  
THE COMMISSIONER OF LABOR, :  
 :  
 :  
Respondent. :  
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DOCKET NO. PR 19-012

**APPEARANCES**

*Romick K. Adams*, petitioner pro se.

*Pico P. Ben-Amotz*, General Counsel, NYS Department of Labor, Albany (*Benjamin T. Garry* of counsel), for respondent.

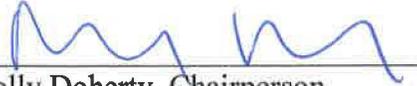
**WHEREAS:**

This proceeding commenced on January 28, 2019, when petitioner filed with the Industrial Board of Appeals (hereinafter “Board”) a petition for review pursuant to Labor Law § 101 and the Rules of Procedure and Practice (Board Rules) (12 NYCRR) Part 66, challenging an Order to Comply with Articles 6 and 19 of the Labor Law, (hereinafter “order”) issued against him by respondent Commissioner of Labor. On January 28, 2019, the Board served the petition on respondent. On February 26, 2019, respondent moved to dismiss the petition, pursuant to Board Rules (12 NYCRR) § 66.3 (e), which requires that a petition “state clearly and concisely the grounds on which the matter to be reviewed is alleged to be invalid or unreasonable, omitting conclusions of fact or law.” By letter dated March 1, 2019, the Board advised petitioner that it must file a written response to the motion on or before March 29, 2019. Petitioner did not respond to the motion.

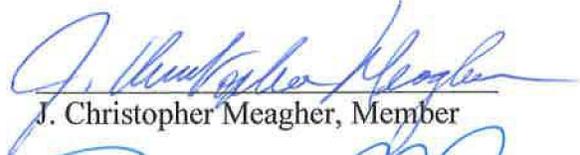
The petition alleges that the order under review is invalid or unreasonable because: “I was in contact with the agent from the Labor Department and sent him or her the requested information. I am also challenging the civil penalties assessed.” The petition is deficient because it fails to state the grounds on which the matter to be reviewed is alleged to be invalid or unreasonable (Board Rules [12 NYCRR] § 66.3 [e]). Therefore, the Board grants respondent’s motion to dismiss, which petitioner never opposed.

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

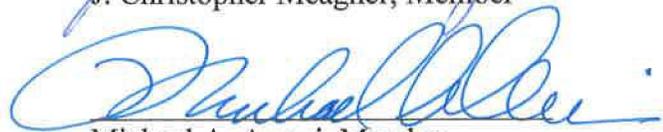
The petition for review be, and the same hereby is, dismissed in accordance with the Board's Rules.



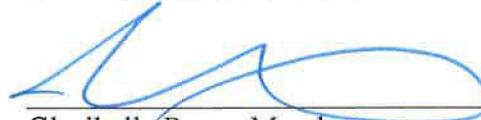
Molly Doherty, Chairperson



J. Christopher Meagher, Member



Michael A. Arcuri, Member



Gloribelle Perez, Member

Dated and signed by the Members  
of the Industrial Board of Appeals  
in New York, New York,  
on May 29, 2019.