

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:
	:
ANTHONY GRIGOLI AND SAFEWAY	:
INDUSTRIES,	:
	:
Petitioners,	:
	:
To Review Under Section 101 of the Labor Law:	:
An Order to Comply # 16-00351	:
	:
- against -	:
	:
THE COMMISSIONER OF LABOR,	:
	:
Respondent.	:
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DOCKET NO. PR 16-129

RESOLUTION OF DECISION

APPEARANCES

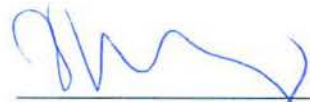
Anthony Grigoli, petitioner pro se, and for Safeway Industries.

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 (12 NYCRR Part 66) on November 10, 2016, seeking to appeal an order to comply # 16-00351 issued by respondent Commissioner of Labor; and
2. The petition is deficient because the order or orders to be reviewed are not attached as required by Board Rule 66.3 (d); and
3. By letter dated November 17, 2016, the Board notified petitioners that an amended petition that conforms with Board Rule 66.3 must be filed by December 19, 2016, or the petition may be dismissed without further notice; and
4. Pursuant to Board Rule 65.14, "the failure to file any pleading pursuant to these rules when due may . . . constitute a waiver of the right to further participation in the proceeding"; and
5. Petitioners have not filed an amended petition as directed by the Board; and
6. The petition, therefore, must be dismissed for failure to comply with Board Rule 66.3 (d).

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

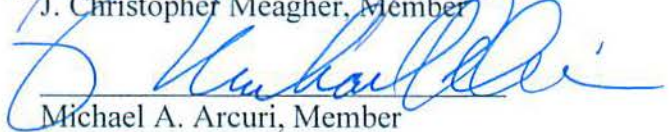
The petition for review is dismissed in accordance with the Board's Rules.



Vilda Vera Mayuga, Chairperson



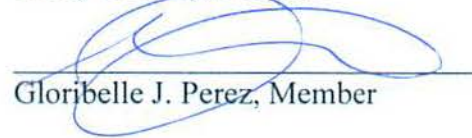
J. Christopher Meagher, Member



Michael A. Arcuri, Member

Absent

Molly Doherty, Member



Gloribelle J. Perez, Member

Dated and signed by the Members
of the Industrial Board of Appeals
in New York, New York on
January 25, 2017.