

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :

EAST END STEEL FABRICATIONS, INC. :

Petitioner, :

DOCKET NO. PR 18-013

To Review Under Section 101 of the Labor Law: :

An Order To Comply With Article 19 of the Labor Law, :  
dated March 2, 2018, :

RESOLUTION OF DECISION

- against - :

THE COMMISSIONER OF LABOR, :

Respondent. :

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**APPEARANCES**

*Wilson & Chan LLP*, New York (*Henry C. Chan* of counsel), for petitioner.

*Pico P. Ben-Amotz*, General Counsel, NYS Department of Labor, Albany (*Benjamin T. Garry* 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 Industrial Board of Appeals Rules of Procedure and Practice (Board Rules) (12 NYCRR) Part 66 on March 8, 2018, seeking to appeal an order issued by respondent Commissioner of Labor on March 2, 2018, against Joseph G. Martins AKA Jose G. Martins and East End Steel Fabrications, Inc.; and
2. Respondent filed an application with the Board on April 25, 2018, for an order directing petitioner to file an amended petition because the petition filed on March 8, 2018, failed to state grounds upon which relief could be granted; and
3. We granted respondent's application and directed petitioner by letter dated April 26, 2018, to file an amended petition by May 29, 2018, stating clearly and concisely the grounds on which the orders being appealed are invalid or unreasonable (Board Rule [12 NYCRR] § 66.3 [e]); and
4. Petitioner has failed to file an amended petition as directed by the Board; and

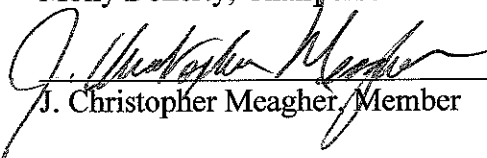
5. The petition is deficient because it fails to state the grounds on which the orders being appealed are invalid or unreasonable as required by Board Rule (12 NYCRR) § 66.3 (e) and must be dismissed.

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

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

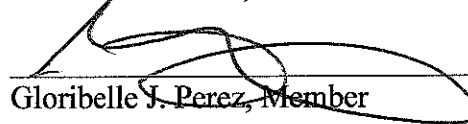


Molly Doherty, Chairperson



J. Christopher Meagher, Member

Michael A. Arcuri, Member



Gloribelle J. Perez, Member

Dated and signed by the Members  
of the Industrial Board of Appeals  
in New York, New York,  
on August 8, 2018.

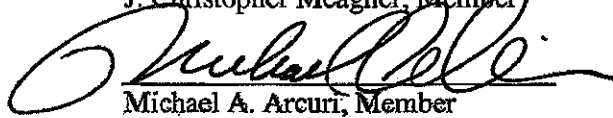
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Molly Doherty, Chairperson

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J. Christopher Meagher, Member

  
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Michael A. Arcuri, Member

~~Dated and signed by a Member~~  
of the Industrial Board of Appeals  
in Utica, New York,  
on August 8, 2018.

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Gloribelle J. Perez, Member