

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

EITAN SROR,

Petitioner,

To Review Under Section 101 of the Labor Law:
An Order to Comply with Article 6 of the Labor Law,
an Order to Comply with Article 19 of the Labor Law,
and an Order Under Articles 6 and 19 of the Labor
Law, all dated June 29, 2015,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 15-263

RESOLUTION OF DECISION

APPEARANCES

Rita Pasarell, Esq., for petitioner.


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

WHEREAS:


1. The above proceeding was commenced on August 28, 2015, when petitioner filed 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) of the orders issued by respondent Commissioner of Labor against him on June 29, 2015; and
2. The petition alleges that petitioner was at no time an "employer" within the meaning of New York Labor Law for the period covered by the order and with respect to the named claimant; and
3. By letter dated October 8, 2015, respondent stated that the order incorrectly included petitioner Eitan Srer as a responsible party and the Board, therefore, grants the petition.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:


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



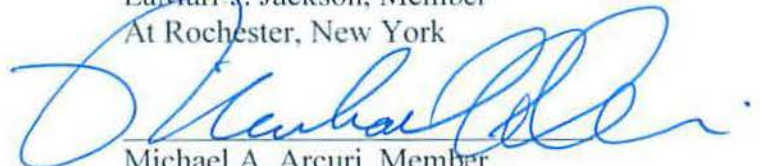
Vilda Vera Mayuga, Chairperson
At Albany, New York



J. Christopher Meagher, Member
At Albany, New York



LaMarr J. Jackson, Member
At Rochester, New York



Michael A. Arcuri, Member
At Albany, New York

Dated and signed by the Members
of the Industrial Board of Appeals
on October 28, 2015.