

New York State
Industrial Board of Appeals

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Chairman

Susan Sullivan-Bisceglia
J. Christopher Meagher
Mark G. Pearce
Jean Grumet
Members



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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

JOSEPH P. DOYEN AND DARSI L. DOYEN D/B/A
DARSI'S
(T/A DARSI'S GRAPE COUNTRY KITCHEN),

Petitioners,

To Review Under Section 101 of the Labor Law:
Two Orders to Comply with Article 19 of the Labor
Law, dated June 2, 2008,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 08-135

RESOLUTION OF DECISION

WHEREAS:

1. On August 26, 2008, the Board received a single copy of a Petition in the above-captioned matter enclosed in an envelope post-marked August 21, 2008, seeking review of two Orders issued by the Commissioner of Labor on June 2, 2008.
2. Labor Law § 101 provides that a petition for review must be filed with the Board no later than sixty days after the issuance of the Order to be reviewed. Therefore, the Petition in this matter was not timely filed.
3. By letter dated September 10, 2008, the Board requested that the Petitioners provide a written explanation supported by proof by September 26, 2008 as to why the Petitioners contend that the Petition in this matter is not untimely.

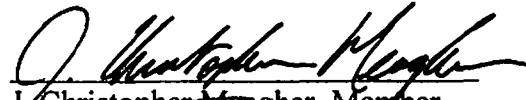
4. To date the Board has received no response to its letter of September 10, 2008.
5. The Petition in this matter is dismissed as untimely.

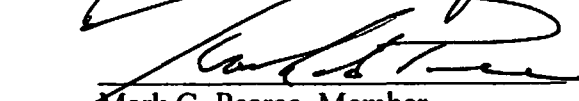
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

This proceeding be, and the same hereby is, dismissed in accordance with the Rules.


Anne P. Stevason, Chairman

Absent
Susan Sullivan-Bisceglia, Member


J. Christopher Mcagher, Member


Mark G. Pearce, Member


Jean Grumet, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
January 28, 2009.

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Three handwritten signatures in cursive script, arranged vertically in the center-right portion of the page.



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