

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :

THE KOREAN-AMERICAN NAIL SALON :
ASSOCIATED OF NEW YORK, INC., :

Petitioner, :

DOCKET NO. WB 20-001

To Review Under Section 657 of the Labor Law: :
An Order to Engage in Rulemaking to Modify the :
Minimum Wage Order for Miscellaneous Industries :
and Occupations dated December 31, 2019 :

RESOLUTION OF DECISION

- against - :

THE COMMISSIONER OF LABOR, :

Respondent. :
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APPEARANCES

Donald Yu for petitioner.

Pico P. Ben-Amotz, General Counsel, NYS Department of Labor, for respondent.

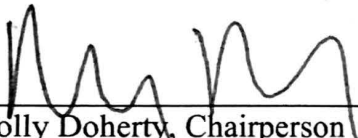
WHEREAS:

1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 657 and Part 70 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 70) by petitioner The Korean-American Nail Salon Associated of New York, Inc. on March 22, 2020.
2. Respondent Commissioner of Labor was served with the petition on March 24, 2020.
3. Pursuant to Board Rule 65.15, "[a]t any stage of a proceeding, a party may withdraw his petition or application, subject to the approval of the Board"; and
4. On March 29, 2020, petitioner stated in writing that it wants to withdraw its petition without prejudice to file a new petition at a later date if the Commissioner of Labor issues new or amended regulations related to her December 31, 2019 order on appeal here.
5. Respondent filed no objection to the petition being withdrawn.

6. The Board approves petitioner's withdrawal of the petition in this matter and this proceeding is discontinued.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

This proceeding on behalf of petitioner The Korean-American Nail Salon Associated, Inc. be, and the same hereby is, discontinued in accordance with the Board's Rules.



Molly Doherty, Chairperson
New York, New York

Patricia Kakalec, Member
New York, New York

Michael A. Arcuri, Member
Utica, New York

Najah Farley, Member
New York, New York

Gloribelle J. Perez, Member
New York, New York

Dated and signed by the members
of the Industrial Board of Appeals
on April 10, 2020.

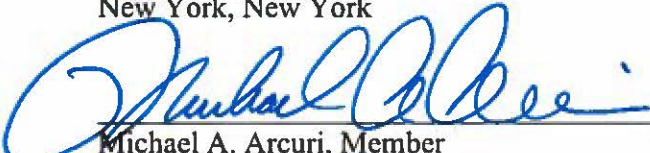
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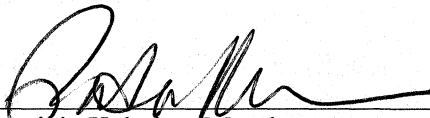
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