

**Minutes of the June 24, 2020
Board Meeting of
The NYS Industrial Board of Appeals**

CALL TO ORDER

The regularly scheduled meeting of the Industrial Board of Appeals was held on June 24, 2020 by video conference. The Board's Chairperson, Molly Doherty, called the meeting to order at 10:11 a.m.

ATTENDANCE

New York City

Molly Doherty, Chairperson
Gloribelle J. Perez, Member
Patricia Kakalec, Member
Najah Farley, Member
Jean Grumet, Administrative Law Judge
Jane M. Ipanaque, Secretary for NYC

Utica

Michael A. Arcuri, Member

Albany

Anne Hohenstein, Managing Attorney
Benjamin A. Shaw, Counsel
Matthew Robinson-Loffler, Associate Counsel

MINUTES

On motion by Mr. Arcuri, duly seconded by Ms. Perez, and unanimously carried, the minutes of the previous meetings held on January 29, 2020 and April 10, 2020 were approved.

REPORTS

Reports showing statistics and case status were distributed to Board Members and staff. The monthly report reflecting activity for January 2020 through May 2020 was reviewed and discussed.

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	YTD 2020	YTD 2019
NEW PROCEEDINGS COMMENCED:	15	31	12	10	6	74	78
Section 101 - Review Petitions	15	29	10	10	6	70	
Section 27-A - Public Employer Safety	0	2	2	0	0	4	
Section 104 - Corporate Documents	0	0	0	0	0	0	
Stay Applications	0	0	0	0	0	0	
HEARINGS HELD:	3	12	1	0	0	16	34
VIDEO HEARINGS HELD:	3	5	0	0	0	8	22
Capital District	0	1	0	0	0	1	
Upstate	0	0	1	0	0	1	
Downstate	0	0	0	0	0	0	
New York City	3	11	0	0	0	14	
HEARINGS SCHEDULED/NOT HELD:	25	16	26	33	15	115	55
Postponed	14	9	22	33	15	93	
Resolved Prior to Hearing	11	7	4	0	0	22	
Administratively Closed	11	7	5	0	1	24	
BOARD RESOLUTIONS	8	0	0	0	0	8	41
CASES CLOSED:	8	0	0	0	0	8	41
Section 101	5	0	0	0	0	5	
Section 27-A	2	0	0	0	0	2	
Section 104	1	0	0	0	0	1	

Section WB	0	0	0	0	0	0	
INTERIM RESOLUTIONS:	0	0	0	0	0	0	0
Stay Applications	0	0	0	0	0	0	
Interim Decisions	0	0	0	0	0	0	

CONSIDERATION OF RESOLUTIONS & DELIBERATION

On motion by Ms. Perez, duly seconded by Ms. Kakalec, and unanimously carried, the meeting was moved into quasi-judicial deliberation at 10:17 a.m.

Section 101:

Docket No. Name

- PR 17-065 Tak Yuet Kong and Yu Fu Zhang and King’s Rice, Inc. (T/A King’s Rice Restaurant, Inc.)
- PR 18-078 Michelle Barnett Occhino a/k/a Michelle Yvette Occhino and Michelle Barnett Occhino Agency, Inc.
- PR 19-028 Ricardo Enrique Barba and Global Service Construction Corp.
- PR 19-041 Pamela S. Costa and Platinum Design Corp.
- PR 19-060 Rubin J. Pitarka and Uscana Construction Corp.
- PR 19-101 Cristobal Bonilla and Juquila Mexican Cuisine Corp.
- PR 19-104 Samir Z. Dhanani and Queens Dollar Inc. T/A 99 Cents Rush
- PR 19-132 Jaime Cesareo Illescas aka Jimmy Illescas Guzman and 1 The New Tropical Deli 2 Inc. T/A New Tropical Deli
- PR 19-154 Mohamed K. Alsaïd

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the Resolutions of Decision under Section 101 were adopted.

Section 27-A:

Docket No. Name

- PES 18-001 Paul F. Harrington

On motion by Mr. Arcuri, duly seconded by Ms. Perez, and unanimously carried, the Resolution of Decision under Section 27-A was adopted.

Section 104:

Docket No. Name

- CI 19-007 North Tonawanda Registered Nurses Association, Inc.

On motion by Ms. Kakalec, duly seconded by Ms. Farley, and unanimously carried, the Resolution of Decision under Section 104 was adopted.

On motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the Rules for Electronic Filing were extended to August 31, 2020.

On motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and unanimously carried, the meeting moved out of quasi-judicial deliberation at 11:51 a.m.

DISCUSSION

The Board was provided with materials and discussed the following topics:

- A. Mandatory training for Covid-19
- B. Extend electronic filing rules until 8/31/20

- C. Update on the virtual IBA
- D. NYC office move

UPCOMING BOARD MEETING DATES AND LOCATIONS

Wednesday, August 12, 2020, Board Meeting at 10:00 a.m., NYC room D

Wednesday, September 30, 2020, Board Meeting at 10:00 a.m., NYC room D

Wednesday, November 18, 2020, Board Meeting at 10:00 a.m., NYC room D

ADJOURNMENT

There being no further business, upon motion by Ms. Perez, duly seconded by Ms. Farley, and unanimously carried, the meeting was adjourned at 12:30 p.m.