

**NYS Industrial Board of Appeals
Board Meeting Minutes
of November 15, 2023**

CALL TO ORDER

The regularly scheduled meeting of the Industrial Board of Appeals was held on November 15, 2023, by video conference. The Board’s Chairperson, Molly Doherty, called the meeting to order at 10:06 a.m.

ATTENDANCE

Molly Doherty, Chairperson	Benjamin A. Shaw, Counsel
Michael A. Arcuri, Member	Jacob Korder, Administrative Law Judge
Patricia Kakalec, Member	Christina Drew, Administrative Assistant
Najah Farley, Member and Deputy Counsel	Jane M. Ipanaque, Executive Assistant
Sandra Abeles, Member	

MINUTES

On motion by Ms. Farley, duly seconded by Ms. Abeles, and unanimously carried, the minutes of the previous meeting held on September 20, 2023, were adopted.

REPORTS

An overview reflecting activity for September and October 2023, was provided.

Total Open Cases:	232	<i>PR/188</i>	<i>PES/19</i>	<i>CI/1</i>	<i>ART-78/24</i>	
<u>New Cases</u>	<u>September</u>		<u>October</u>		<u>YTD</u>	
	2023	2022	2023	2022	2023	2022
PR	11	13	7	13	127	103
PES	1	1	2	2	15	7
CI	0	0	0	0	7	6
WB	0	0	0	0	0	0
ART-78	0	0	0	0	8	0
Total	12	14	9	15	157	116
<u>Closed</u>	<u>Sept</u>		<u>Oct</u>			
PR	28	8				
PES	4	0				
CI	3	0				
ART	2	0				
Total	37	8				
<u>Hearings</u>	<u>Sept</u>		<u>Oct</u>		<u>Total</u>	
Scheduled	9	19			28	
Held	5	14			19	
Adjourned	4	5			9	
Settled	1	2			3	

<u>Filed by</u>	<u>Sept</u>	<u>Oct</u>	<u>Total</u>
Mail	1	1	2
Email	7	4	11
Web	4	4	8

In quasi-judicial deliberation

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

CONSIDERATION OF RESOLUTIONS & DELIBERATION

Section 101:

Docket No. Name

- PR 20-033 Cezary Sikora and Williamsburg Auto Center Inc. T/A Williamsburg Hand Wash and Detail Center
- PR 21-017 Zafar Abullaev and Great Tim Construction Inc.
- PR 21-028 Sean O'keefe and Homewood Mart, LLC T/A Homewood Mart
- PR 21-032 Llaulin Cruz and Isidro Cruz and Llaulin Grocery Corp.
- PR 21-057 Mamunur R. Khan, Sr. A/K/A Mamunur Rahman Khan
- PR 22-125 Jose Vallejo, Jose Vallejo Enterprises, and Jose Vallejo Construction
- PR 23-032 Mohammad Aslam Dhillon and A1 Paris Construction Corp. T/A Paris Construction
- PR 23-052 Hamdi Erturun
- PR 23-065 Trevor Wilson and Prestige Management Inc.
- PR 23-081 Amsterdam Nursing Home Corp.
- PR 23-093 American Legion
- PR 23-100 Ikjoon Jo and JI Sysco Inc.
- PR 23-101 Ismail Ahmed
- PR 23-119 Jesse Weinlein

With the exception of Docket No. PR 23-081, on motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and the Board unanimously carried, the remaining Resolutions of Decision under Section 101 were adopted.

Ms. Kakalec recused herself from participating in the discussion or voting on the decision for Docket No. PR 23-081. Ms. Kakalec was excused from the meeting at 10:31 a.m. On motion by Mr. Arcuri, duly seconded by Ms. Farley, and the remaining Board Members unanimously carried, the Resolution of Decision for Docket No. PR 23-081 under Section 101 was adopted. Ms. Kakalec rejoined the meeting at 10:40 a.m.

Section 27-A:

Docket No. Name

- PES 19-017 New York City Fire Department

Ms. Abeles recused herself from participating in the discussion or voting on the decision and was excused from the meeting at 10:43 a.m. On motion by Ms. Kakalec, duly seconded by Ms. Farley, and the remaining Board Members unanimously carried, the Resolution of Decision under Section 27A was adopted. Ms. Abeles rejoined the meeting at 11:08 a.m.

Section 104:

Docket No. Name

CI 23-007 National Association of FSA County Office Employees, Inc.

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

Out of quasi-judicial deliberation

On motion by Mr. Arcuri, duly seconded by Ms. Abeles, and the Board unanimously carried, the meeting moved out of quasi-judicial deliberation at 11:09 a.m.

DISCUSSION

The Board discussed the following topics:

- A. Mandatory training

UPCOMING BOARD MEETING DATES AND LOCATIONS

Wednesday, January 17, 2024, Board Meeting at 10:00 a.m., via Zoom

Wednesday, March 13, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, April 17, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, June 5, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, July 24, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, September 18, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, October 30, 2024, Board Meeting at 10:00 a.m., TBD

Wednesday, December 11, 2024, Board Meeting at 10:00 a.m., TBD

ADJOURNMENT

There being no further business, upon motion by Mr. Arcuri, duly seconded by Ms. Kakalec, and the Board unanimously carried, the meeting was adjourned at 11:14 a.m.