In the Matter of the Petition of:
SERGEY IGOREVICH BEZRUKOV,
Petitioner,

To Review Under Section 101 of the Labor Law:
Orders to Comply with Article 6 and Article 19 of the Labor Law dated August 5, 2019,

- against -

THE COMMISSIONER OF LABOR,
Respondent.

APPEARANCES

Jill Archambault, Acting General Counsel, NYS Department of Labor, Albany (Kevin E. Jones of counsel), for respondent.

WHEREAS:

1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Industrial Board of Appeals’ Rules of Procedure and Practice (hereinafter “Board Rules”) (12 NYCRR) Part 66 on October 4, 2019; and

2. Respondent filed an answer to the petition on November 7, 2019; and

3. Upon notice to the parties, dated December 4, 2020, the hearing was scheduled for January 28, 2021; and

4. Petitioner failed to attend or otherwise appear at the January 28, 2021 hearing; and

5. Pursuant to Labor Law § 103 and Board Rules (12 NYCRR) § 65.30, the burden of proof is on petitioner to prove that the orders under review are not valid or reasonable; and

6. Pursuant to Board Rules (12 NYCRR) § 65.24, “the failure of a party to appear at a hearing shall be deemed to be a waiver of all rights except the rights to be served with a copy of the decision of the Board and to request board review pursuant to section 65.41,” unless application for reinstatement is made within five days after the scheduled hearing; and

7. Petitioner has not made any application for reinstatement.
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

Dated and signed by the Members of the Industrial Board of Appeals on February 24, 2021.

Molly Doherty, Chairperson
New York, New York

Michael A. Arcuri, Member
Utica, New York

Gloribelle J. Perez, Member
New York, New York

Patricia Kakalec, Member
Brooklyn, New York

Najah Farley, Member
Brooklyn, New York