

IN THE MATTER OF

DELANEY CONSTRUCTION CORPORATION
Prime Contractor

and

THE DELANEY GROUP, INC.
Successor/Substantially owned-affiliated Entity
A & I, INC.,

and

RICELLI ENTERPRISES, INC.

and

M.P. JONES COMPANIES, INC.
Subcontractor

and

MICHAEL P. JONES
Individually as President of
M.P. JONES COMPANIES, INC

A proceeding pursuant to Article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

**DEFAULT
DETERMINATION
&
ORDER**

Prevailing Rate Case
03-06392 Onondaga County

WHEREAS a hearing was held in the above-captioned matter; and

WHEREAS the Hearing Officer submitted the annexed Default Report & Recommendation dated April 9, 2009:

NOW, THEREFORE, upon review of the Hearing Officer's Default Report & Recommendation, the Notice of Hearing and evidence submitted in support thereof, and upon the Respondent's failure to appear to controvert any of the allegations set forth in the Notice of Hearing, or to serve an Answer raising any denials or defenses thereto, or to tender any evidence contesting any of the foregoing, and upon the entire record of this proceeding, it is

ORDERED that the Hearing Officer's findings and conclusions be, and hereby are, adopted; and it is further

ORDERED that the Hearing Officer's recommended determinations and orders be, and hereby are, adopted, and they shall constitute the final **Determination & Order** of the Commissioner of Labor as if fully set forth herein.

Dated: April 10, 2009
Albany, New York



M. Patricia Smith
Commissioner of Labor
State of New York