New Jersey Department of Labor and Workforce Development, **Petitioner,** **v.** **Fenton Tile Company,** **Respondent.**	**STATE OF NEW JERSEY** **DEPARTMENT OF LABOR** **and** **WORKFORCE DEVELOPMENT** **FINAL ADMINISTRATIVE ACTION** **of the** **COMMISSIONER**
OAL DKT. NO. LID 14272-2013 S **AGENCY DKT. NO. DOL 13-051**	**Issued: May 12, 2014**

The appeal of Fenton Tile Company concerning an unemployment and temporary disability contributions assessment was transmitted to the Office of Administrative Law (OAL) for determination as a contested case. The record indicates that the matter was scheduled for a hearing on April 9, 2014 before Administrative Law Judge Ronald W. Reba (ALJ). The record also reflects that the respondent did not appear at the hearing and has not offered any explanation for his non-appearance. Thus, pursuant to N.J.A.C. 1:1-3.3(b), the ALJ returned the matter to the Department of Labor and Workforce Development for appropriate disposition.

A review of the Department of Labor and Workforce Development's records indicates that respondent has, to date, failed to offer any explanation for his failure to appear at the scheduled OAL hearing. As a result, I find that the appeal of this matter should be dismissed.

ORDER

Therefore, it is ordered that the appeal of Fenton Tile Company be dismissed and that Fenton Tile Company immediately remit to the Department the entire amount assessed for unpaid unemployment and temporary disability contributions for the years 2004, 2005, 2006 and 2007, totaling $136,121.41, along with applicable interest and penalties.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE COMMISSIONER,
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

Harold J. Wirths, Commissioner
Department of Labor and Workforce Development

Inquiries & Correspondence:

David Fish, Executive Director
Legal & Regulatory Services
Department of Labor and Workforce Development
PO Box 110 – 13th Floor
Trenton, New Jersey 08625-0110