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# New York Industrial Board of Appeals Upholds Fast Food Wage Order

Article By:

Noel P. Tripp

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In an eight-page decision dated today, ***New York's Industrial Board of Appeals*** (the "IBA," an arm of the state Department of Labor) upheld the Commissioner of Labor's [Fast Food Wage Order](#). In so doing, the IBA rejected challenges to the Order from the National Restaurant Association based on: 1) the composition of the Fast Food Wage Board; and 2) the Wage Board's analysis of the designated fast food "industry" in reaching its conclusion.

The IBA declined to address the constitutionality of the Wage Order, likely to be addressed in a court challenge by the NRA on an expedited basis in light of the currently scheduled effective date. Watch this space for further developments.

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