



In the matter of the appeal of

Research Works, Inc.

FINAL ORDER 16-26

From a denial of certification as a Woman-Owned Business Enterprise pursuant to Executive Law Article 15-A

This order arises from an administrative action brought by Research Works, Inc. ("RWI") pursuant to 5 NYCRR Section 144.4. Appellant, Dr. Kathleen Toms, Ph.D, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division") dated November 6, 2015 to deny RWI certification as a Woman-Owned Business Enterprise ("WBE").

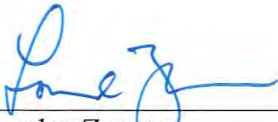
Appellant submitted a notice of appeal on December 4, 2015. This appeal was scheduled for April 26, 2016 and assigned to Administrative Law Judge Daniel P. O'Connell. The hearing convened as scheduled. On June 22, 2016, the Division received from Administrative Law Judge O'Connell a Recommended Order that recommended reversing the Division's determination to deny the application by Dr. Toms to certify RWI as a WBE.

The issue on appeal was whether Dr. Toms demonstrated that she enjoyed the customary incidents of ownership and shared in the risk and profits in proportion with her ownership interest in RWI.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with respect to the findings and conclusions of the Recommended Order.

It is hereby **ORDERED** that the decision to deny certification to RWI as a WBE, dated November 6, 2015, is reversed. Accordingly, RWI will be listed in the Division's directory of certified Minority and Women-Owned Business Enterprises.

June 23, 2016



Lourdes Zapata
Executive Director
Division of Minority and Women's
Business Development