



New York State  
Department of Economic Development  
Division of Minority and Women's  
Business Development

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In the matter of the appeal of

**Superior Workforce Solutions, Inc.**

FINAL ORDER 17-19

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

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This order arises from an administrative appeal brought on behalf of Superior Workforce Solutions, Inc. ("Superior Workforce") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Lynn Marie Finn, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated March 31, 2016, to deny Superior Workforce certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Ms. Stacey Moar, Esq., counsel to Appellant, submitted a written appeal on July 25, 2016. Mr. Phillip Harmonick, Esq. submitted a response on behalf of the Division on December 23, 2016. The respective submissions of the parties are contained in the appeal record.

The issue on appeal was whether Superior Workforce was a small business pursuant to section 310(15)(f) of the New York State Executive Law.

On March 13, 2017, the Division received from Administrative Law Judge Garlick a Recommended Order that recommended affirmation of the Division's March 31, 2016 denial on each of the denial grounds identified in the denial letter.

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, dated March 31, 2016 is affirmed. Accordingly, Superior Workforce will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

March 23, 2017



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