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SUPREME COURT, APPELLATE DIVISION, THIRD DEPARTMENT, NEW YORK

Matter of Jason Covert, Claimant

v.

Niagara County, Appellant

Decided January 5, 2017

Facts: The claimant, a public assistance recipient, filed a claim while assigned to work for Niagara County as part of a work experience program. The case was established and the claimant was not awarded benefits based upon insufficient medical evidence. The Board also determined that payments made to the claimant for the work experience program were wages. The County appealed that decision.

Holding: Dismissed.

Discussion: The Court noted that the Board's decision was interlocutory because it did not dispose of all substantive issues. The County can seek review of the issues presented, if and when the Board issues a final determination awarding the claimant benefits.