

STEWART, GREENBLATT, MANNING & BAEZ

ATTORNEYS AT LAW

MADGE E. GREENBLATT (RET.)
ROBERT W. MANNING
RICARDO A. BAEZ
DAVID J. GOLDSMITH
PETER MICHAEL DeCURTIS
LAURETTA L. CONNORS
JOHN K. HAMBERGER
LISA LEVINE
ANDREA L. De SALVIO
KRISTY L. BEHR
RAYMOND J. SULLIVAN
LUKE R. TARANTINO
THOMAS A. LUMPKIN
DIANE P. WHITFIELD

6800 JERICHO TURNPIKE

SUITE 100W

SYOSSET, NY 11791

516-433-6677

FAX 516-433-4342

DONALD R. STEWART (1949-2021)

KAFI WILFORD (2003-2010)

MICHAEL H. RUINA (1992-2016)

JAMES MURPHY
OF COUNSEL

Supreme Court, Appellate Division, Third Department, New York

In the Matter of the Claim of Andrezej SZYMANSKI, Appellant

v

ABA TECH INDUSTRIES, Respondent

and

WORKERS' COMPENSATION BOARD, Respondent

April 21, 2022

Facts: The claimant requested a penalty based upon a claim that the carrier paid an award late. An initial decision in January 2020 found the claimant was entitled to a binaural hearing loss award. The Carrier sought an administrative review of same. During the pendency of that appeal, the Law judge amended the decision and on June 2, 2020 the Board affirmed the decision as amended. The award was paid within 10 days of that Board decision.

Holding: *Affirmed.*

Decision: The Court confirmed the award was paid timely, within 10 days following the Board panel decision.