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December 14, 2020

**Memorandum to All Clients
of Stewart Greenblatt Manning & Baez**

**THE NEW YORK STATE WORKERS' COMPENSATION BOARD
HAS IMPLEMENTED A PILOT PROGRAM REGARDING
SECTION 32 SETTLEMENT AGREEMENTS**

Pursuant to this program, all stakeholders are permitted to participate including self-insured employers, Workers' Compensation insurance carriers, third-party administrators and self-insured employers whose claims are administered by a third-party action administrator. Stewart, Greenblatt, Manning & Baez has contacted the Workers' Compensation Board advising that we will be participating in the Pilot Program since the program is available to all stakeholders. The Board has provided us with a brief overview of the process as follows:

1. The Board has formatted a spreadsheet which the Board will accept via email forwarded to the Section 32 Coordinator, Mr. Ed Klehr. Edward.Klehr@wcb.ny.gov.
2. The spreadsheet must contain a minimum of seven cases for different claimants in order for the Board to schedule the Virtual Section 32 Calendar.
3. The email spreadsheet is to be sent twenty (20) business days before hearing date with case documents uploaded concurrently. The Board will not accept email attachments and all cases on the spreadsheet MUST all be from the same District.

4. The Board will require additional language to be added to the Section 32 Settlement Agreements as follows:
 - a. All parties and representatives agree that participation in the hearing to consider the proposed Waiver Agreement shall be remote access only, with no in-person appearances at any Board office.
 - b. The claimant shall retain a copy of the fully executed Waiver Agreement, and it shall be in his or her physical possession during the hearing. Failure to have the Agreement in his or her physical possession may result in adjournment or disapproval of the Waiver Agreement.
5. If a case does not pass review, a letter will be issued advising why.
6. If there are insufficient cases for a virtual calendar, a letter will be issued advising there are not enough cases for a virtual calendar and the cases will be heard on the regular Section 32 calendar. As indicated above, there must be a minimum of seven (7) cases for different claimant's in order for the Board to schedule the virtual calendar.

This program has been implemented by the Board in order to streamline and expedite the Section 32 Settlement process.

Stewart, Greenblatt, Manning & Baez has implemented this process and we will be forwarding emails to Mr. Klehr containing seven (7) cases or more requesting that the Board assign a settlement day for the cases to be heard. Please note that even if you don't have seven (7) cases at once we will be able to bundle them with our other client's cases in the same district to insure a prompt resolution of all claims.

Should there be any questions, please contact the undersigned at your convenience.

Very truly yours,
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