



**STIPULATION FOR PAID FAMILY LEAVE  
DISCRIMINATION / RETALIATION CLAIM**

Paid Family Leave • PO Box 9030, Endicott, NY 13761-9030

PFL Case Number(s):	Claimant Name (Last, First, MI):
Employer Name:	

Is the claimant's representative requesting a fee?  Yes  No

If Yes, then a Form OC-400.1 that has been properly served on the claimant must be included with this stipulation. Upon approval of this stipulation by the Workers' Compensation Board, the appeal filed on \_\_\_\_\_, is hereby withdrawn.

**Facts/Proposed Findings**

The undersigned hereby stipulate to the above facts or proposed findings. Each party is aware of the legal effect of stipulating to the above facts or proposed findings, and have affixed their signature to said stipulation of their own free will. If approved by the Workers' Compensation Board, this stipulation shall be incorporated into a decision of the Board and shall be binding on all parties.

Claimant - Please Print	Claimant - Signature	Date
_____	_____	_____
Claimant's Attorney/Lic. Representative - Please Print	Claimant's Attorney/Lic. Representative - Signature	Date
_____	_____	_____
Employer - Please Print	Employer - Signature	Date
_____	_____	_____
Employer's Attorney/Lic. Representative - Please Print	Employer's Attorney/Lic. Representative - Signature	Date
_____	_____	_____

WC LAW JUDGE or CONCILIATOR SIGNATURE  
**Signature required if this form is submitted at a hearing.** \_\_\_\_\_ Date \_\_\_\_\_

## **12 NYCRR 300.5 Decisions by Workers' Compensation Law Judges:**

(a) In controverted claims the Workers' Compensation Law Judge shall make a reasoned decision upon the contested points. This decision, outlining the evidence supporting said determination, may be made by an oral statement which shall be entered upon the minutes of the hearings, or may be in a written and signed statement which shall be filed with the papers in the record.

(b)(1) Parties to any claim before the Board may stipulate to uncontested facts or proposed findings. When a claimant is represented, a stipulation may be made either as an oral statement on the record at a hearing or, in writing outside of a hearing. A written stipulation must be submitted using the form or format prescribed by the Chair. The stipulation must indicate that each party to the stipulation:

(i) has been advised of the legal effect of stipulating to the facts or proposed findings contained in said stipulation; and

(ii) has affixed their signatures to said stipulation of their own free will. If the stipulation is presented at a hearing, a Workers' Compensation Law Judge shall verify the foregoing through questioning.

(2) A stipulation made at a hearing and approved by a Workers' Compensation Law Judge shall be incorporated into the decision of the Workers' Compensation Law Judge and shall be binding upon the parties. A written stipulation made outside of a hearing entered into by a represented claimant and the employer or carrier shall be reviewed and if approved by a Workers' Compensation Law Judge or conciliator shall be incorporated into a decision of the Board. Such stipulation, as incorporated into a decision of the Workers' Compensation Law Judge, shall be subject to the provisions of Section 23 of the Workers' Compensation Law and Section 300.13 of this Part, and to Sections 22 and 123 of the Workers' Compensation Law. The Chair may direct that stipulations properly submitted in the prescribed format and approved by a Workers' Compensation Law Judge or conciliator constitute the decision of the Workers' Compensation Law Judge.

(3) When a claimant is not represented, he or she shall give a sworn statement on the record at a hearing indicating an understanding of the facts agreed to and the legal effect of the oral or written stipulation.

(4) The provisions of this subdivision shall not be applicable to agreements settling upon and determining claims for compensation pursuant to section 32 of the Workers' Compensation Law and Section 300.36 of this Part.