

## LEGISLATIVE BILL 169

Approved by the Governor February 26, 1973

Introduced by Richendifer, 16

AN ACT to amend section 48-125, Reissue Revised Statutes of Nebraska, 1943, relating to the Nebraska Workmen's Compensation Court; to provide for attorneys' fees on rehearings; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-125, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-125. Except as hereinafter provided, all amounts of compensation payable under the provisions of this act shall be payable periodically in accordance with the methods of payment of wages of the employee at the time of the injury or death; Provided, fifty per cent shall be added for waiting time for all delinquent payments after thirty days' notice has been given of disability. Whenever the employer refuses payment, or when the employer neglects to pay compensation for thirty days after injury, and proceedings are held before the compensation court, a reasonable attorney's fee shall be allowed the employee by the court. In the event the employer files an application for a rehearing before the compensation court en banc from an award of a judge of the compensation court or appeals to the district court from the award of the compensation court, or any judge thereof, and fails to obtain any reduction in the amount of such award, the compensation court sitting en banc or the district court may allow the employee a reasonable attorney's fee to be taxed as costs against the employer for each such rehearing or appeal, and the Supreme Court shall in like manner allow the employee a reasonable sum as attorney's fees for the proceedings in that court.

Sec. 2. That original section 48-125, Reissue Revised Statutes of Nebraska, 1943, is repealed.