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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 612

Session of  
1985

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INTRODUCED BY HASAY, CAWLEY, BELARDI, JAROLIN AND TIGUE,  
MARCH 20, 1985

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REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 20, 1985

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AN ACT

1 Amending the act of June 21, 1939 (P.L.566, No.284), entitled  
2 "An act defining the liability of an employer to pay damages  
3 for occupational disease contracted by an employe arising out  
4 of and in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder;  
7 imposing duties on the Department of Labor and Industry, the  
8 Workmen's Compensation Board, Workmen's Compensation  
9 Referees, and deans of medical schools; creating a medical  
10 board to determine controverted medical issues; establishing  
11 an Occupational Disease Fund in custody of the State  
12 Workmen's Insurance Board; imposing upon the Commonwealth a  
13 part of the compensation payable for certain occupational  
14 diseases; making an appropriation; and prescribing  
15 penalties," further providing for the award of attorney fees.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. The act of June 21, 1939 (P.L.566, No.284), known  
19 as The Pennsylvania Occupational Disease Act, is amended by  
20 adding a section to read:

21 Section 435. All counsel fees agreed upon by the claimant  
22 and his attorneys for services performed in matters before any  
23 referee or the board shall be approved by the referee or the  
24 board, as the case may be. Under no circumstance shall any

1 counsel fee exceed twenty per centum of each periodic payment to  
2 be paid to the claimant as his award of compensation under this  
3 act with no counsel fees to be collected on any payments made  
4 after the expiration of three (3) years of periodic payments.

5       Section 2. This act shall apply to claim petitions filed on  
6 and after the effective date of this act.

7       Section 3. This act shall take effect in 60 days.