

**SSB 5613 - H AMD 531**

By Representative Condotta

NOT ADOPTED 4/09/2009

1 On page 2, after line 31, insert the following:

2 "(6) If an employer prevails in an appeal before the board of  
3 industrial insurance appeals or on judicial review, the board or  
4 court, as the case may be, shall award to the employer actual damages,  
5 costs, and reasonable attorneys' fees. For purposes of this  
6 subsection, "actual damages" means all economic loss suffered by the  
7 employer for any day or days during which work was stopped due to a  
8 stop work order, including lost profits, lost wages, penalties paid,  
9 and interest."

10

11 Renumber the sections consecutively and correct any internal  
12 references accordingly.

13

**EFFECT:** Provides that an employer who prevails before the Board of Industrial Insurance Appeals or a court is entitled to actual damages, reasonable attorneys' fees, and costs. Defines actual damages to mean all economic loss suffered for any day or days during which work was stopped due to a stop work order, including lost profits and wages, penalties, and interest.

--- END ---