

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 717
SENATE BILL 106

AN ACT TO AUTHORIZE APPEAL OF PERSONNEL COMMISSION DECISIONS
AWARDING ATTORNEY FEES IN GRIEVANCE PROCEEDINGS.

The General Assembly of North Carolina enacts:

Section 1. Article 8 of Chapter 126 of the General Statutes is amended by adding a new section to read:

"§ 126-41. **Attorney and witness fees.**—The decision of the Commission assessing or refusing to assess reasonable witness fees or a reasonable attorney's fee as provided in G.S. 126-4(11) is a final agency decision appealable under Article 4 of Chapter 150A of the General Statutes. In addition to the grounds set out in G.S. 150A-51, the reviewing court may reverse or modify the decision of the Commission if the decision is unreasonable or the award is inadequate. The reviewing court shall award court costs and a reasonable attorney's fee for representation in connection with the appeal to an employee who obtains a reversal or modification of the Commission's decision in an appeal under this section."

Sec. 2. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 12th day of July, 1985.