Ex. 6

AGC Oregon Columbia Chapter
ASSOCIATED GENERAL CONTRACTORS

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November 16, 2026

Joy Dougherty, Board Chair
Workers' Compensation Board
2601 25th St. SE, Ste. 150
Salem, OR 97302

Re: Biennial Attorney Fee Review – Comments

Dear Chair Dougherty and Members of the Workers' Compensation Board:

Associated General Contractors Oregon-Columbia Chapter (AGC) appreciates the opportunity to provide comments as part of the Board's biennial review of attorney fees.

AGC supports the Board's efforts to maintain a workers' compensation system that is fair, efficient, and predictable for all stakeholders.

Regarding the proposal to expand the bifurcation process to additional attorney fee statutes, AGC encourages the Board to carefully evaluate whether such expansion is warranted based on demonstrated use and demand. Given the limited utilization of the current bifurcation process, AGC believes additional information should be considered before expanding the process to other attorney fee provisions.

AGC agrees that timely resolution of attorney fee disputes is an important objective. However, bifurcation remains an optional process, and the Board must balance efficiency with the need to thoroughly evaluate the parties' arguments and issue well-reasoned decisions. AGC encourages the Board to continue exploring administrative efficiencies where appropriate, including review of extension practices that may contribute to delays.

AGC also encourages the Board to consider attorney fee trends and overall system impacts using a measured approach. Comparisons between defense costs and claimant attorney fees should recognize the differing functions and expenses associated with each and should not be viewed as directly comparable.

Finally, AGC agrees that the Board's attorney fee orders serve an important role in creating a clear and defensible record for potential judicial review. The quality and consistency of those decisions should remain a priority.

Thank you for your consideration of these comments and for your continued work on this review.

Sincerely,

Maggie Gerlicher
Public Affairs Manager
Associated General Contractors Oregon-Columbia

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