

YOU HAVE A RIGHT TO WORKER'S COMPENSATION

El Derecho Del Pueblo

Columna de comentario [Socialización de Riesgo laboral](#) abogado y maestro Matthew "Mateo" Katz.

The People's Right

A column of social commentary [Destiny](#) and legal advice by attorney and teacher Matthew "Mateo" Katz.

Imagine that you've worked for seventeen years at local factory, always diligent, on time, focused on your job and on doing the right thing. The only complaint you've ever had is that safety could be taken more seriously at the factory. There are very few signs marking the danger zones at the workplace. Sharp objects protrude along many walkways and the machines go far too long without safety inspections.

One day, as you load metal sheets into a cutting machine, the pulling mechanism jerks awkwardly and grabs at the metal way too quick; you try to grab one of the levers to slow it down and, what happens next? The metal is shot back at you at rapid speed, slicing a huge gash into your arm, permanently reducing the movement ability of your entire limb.

Next, your boss tells you to stay "hush hush" and to return to work as soon as the factory medical clinic sews you up and bandages your wound. "You can use your other arm, only, today," your boss commands as though he's doing you a favor!

In these situations, what are your rights? What can you do? There exists a very important law on the books called the Workers' Compensation Act, at Chapter 820 Illinois Compiled Statutes (ILCS) Act 305/1-30. This law serves to provide a relatively straight-forward process by which workers who are injured on the job, whether through the employer's negligence or their own, can be compensated reasonably for their injuries.

At 100 W. Randolph St., within the State of Illinois Building, is the office of the Illinois Industrial Commission, soon to be named the Illinois Workers' Compensation Commission in office

8-200, which implements the Workers' Compensation Act. This organization is the "administrative agency" of the State of Illinois which employs administrative law judges to determine, based upon the provisions of the law that relate to your specific case, how much compensation a worker should receive for a workplace injury. This agency is not court, per se, but is a government office whose decision can be appealed to the Circuit Court if you feel you were treated unfairly. You can review the Workers' Compensation Commission's information at <http://www.state.il.us/agency/iic/>.

The Workers' Compensation Act's passing was a compromise agreement between workers' advocates and employers' representatives because it gave workers an expedited method of receiving compensation and employers a predictable amount of liability, or money they will be liable for where their workers are injured on the job. The Act sets very specific amounts for various types of injury: e.g., a worker is compensated 70 weeks worth of their average wage for a lost thumb, 190 weeks for a lost hand, and, yes, even a specific compensation for a lost testicle: 50 weeks, with 150 weeks payment for both testicles.

What employers lost with the passing of the Act was the ability to escape liability for a workplace accident by showing the worker was negligent. What workers lost with the passing of the Act was the possibility of higher compensation for their loss, which trial courts often afforded.

If you have questions, you can call the Commission toll-free at (866) 352-3033.