As many of you may have realized, the media coverage of the workers' compensation changes in Illinois has been very one-sided. While the media is reporting the perspective of various business interests and legislators, they have failed to seek input from the people truly affected by this new law – the workers in Illinois who are injured in the course of their employment.

The changes to the Illinois Workers' Compensation Act do not offer one benefit for workers who are injured while doing their jobs. In fact, the changes significantly limit both their rights and benefits when injured. The Workers' Compensation Act now restricts access to quality medical care, as well as limits the choice of who will treat an injured worker following an industrial accident. The Act further caps the benefits an injured worker can receive when they suffer permanent disability as a result of a work-related injury.

The perspective of certain business interests and legislators is that these changes do not go far enough. For example, these individuals want the public to believe that workers everywhere are receiving workers' compensation benefits for injuries that did not occur on the job. What they fail to tell the public is that the law in Illinois has been and continues to be that an injury must "arise out of one's employment" to be compensable. To arise out of one's employment, the injury must be associated with a risk specific to the employment, and not a risk to which the general public is exposed. This standard ensures that only work-related injuries are compensated under the system.

The workers' compensation system was created to protect injured workers. The recent Amendment to the Illinois Workers' Compensation Act does the opposite, decreasing the likelihood that injured workers will recover completely from their injuries and return to full employment as productive citizens.

To read the full text of the new law, click here. To read our interpretation of your rights under the new Illinois Workers' Compensation Act, click here.