

COURT ORDERS: UNDOCUMENTED WORKERS ARE ENTITLED TO WORKERS' COMPENSATION IN ILLINOIS!

Most undocumented or illegal workers who have been injured on the job are scared to report that injury because they are afraid of being deported, have been told that they do not have rights, provided their employer with false papers, or that they will suffer other legal repercussions. However, the Workers Compensation Court and an Illinois Appellate Court on December 9, 2008, in the case of Economy Packing Company vs. the Illinois Workers' Compensation Commission, ruled that ALL employees who are injured or get sick from doing their job – even undocumented workers – are covered under the Illinois workers' compensation law.

In the case, the employer argued that since an undocumented worker can not work legally in the United States, they can not have the protection of the Illinois workers' compensation law. However, the Courts refused to agree with the employer's arguments and awarded compensation to the injured undocumented worker. The Courts reasoned that if Illinois Workers' Compensation law does not apply to ALL workers, regardless of immigration status, employers would have an incentive to not maintain and keep a safe work environment when they hire undocumented workers. The bottom line is that employers must maintain a safe work environment and provide workers' compensation insurance to ALL employees, regardless of whether or not they are documented.

If you are injured on the job and do not have papers, you should contact a qualified and experienced workers' compensation attorney immediately to learn more about your rights.

About the Author: Charles N. Therman is a highly experienced and successful injury lawyer located in the Chicago land area who only concentrates on all types of injury and accident cases. The information you obtain from this article is not, nor is it intended to be, legal advice. You should consult an attorney for advice regarding your individual situation. I invite you to contact us at (773)545-8849 and welcome your calls, letters and electronic mail.