

● WORKERS' COMPENSATION ACT

STATUTORY CITATION: 820 Ill. Comp. Stat. §§ 305/1 – 305/30

GENERAL SUMMARY: The Workers' Compensation Act requires most classes of employers in Illinois to insure the payment of medical expenses and income benefits to their employees who are injured on the job, by (1) filing an application with the state as a self-insurer, (2) furnishing a bond or other security guaranteeing payment by the employer of the required compensation, or (3) purchasing a prescribed policy of workers' compensation insurance.

Employers whose workers are fully insured for compensation benefits through one of these three options are not liable for damages stemming from injury or death to any worker in a job-related accident. At the same time, the Act provides covered workers with a state-supervised claims process which expedites the payment of benefits to a worker or a worker's surviving dependents without the need for court action and without regard to questions of negligence.

PROVISIONS APPLICABLE TO AGRICULTURE: Every agricultural employer in Illinois who employed at least 400 worker-days of agricultural labor (other than immediate family members) in all four calendar quarters of the preceding calendar year is subject to the Workers' Compensation Act. Farmworkers employed by such agricultural establishments are generally entitled to workers' compensation benefits in the event of on-the-job injury.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Illinois Workers' Compensation Commission, Chicago, Illinois 60601 (312-814-6611)*. The Commission is charged with administering the Workers' Compensation Act and in that role is responsible for assuring that subject employers comply with the insurance or self-insurance obligation for the protection of their workers. A worker who suffers an accident on the job must notify the employer as soon as practicable, but no later than 45 days after the accident takes place. The employer is responsible for assuring the payment of compensation benefits to eligible claimants and must report to the Commission all occurrences which result in the loss of more than 3 scheduled workdays and indicate what benefits have been provided to each such injured worker.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.