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The lawyers-get-work act

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If you're a worker in Illinois and you're injured on the job, chances are you will be fairly compensated. Illinois has what is widely regarded as an excellent worker's compensation system. But that's not good enough for the trial lawyers lobby. That doesn't make them enough money.

House Speaker Mike Madigan is pushing to revive something called the Structural Work Act, which was enacted in 1907 and abolished in 1995.

That law was created to allow workers to go to court for compensation when they got hurt on the job. At the time, they had no other easy recourse. But the law was rendered unnecessary in 1911, when the legislature passed the worker's compensation system.

The worker's compensation system is fair, and relatively quick and inexpensive. It works.

But the court system—well, that gave lawyers a chance to sue everybody—the owners of the building site, contractors, suppliers, designers—who had the slightest connection to the place where an injury occurred.

The legislature abolished the Structural Work Act because it was unneeded and presented an enormous cost of doing business in this state. Lawsuits took months, sometimes years, to be resolved. That left businesses not knowing what their ultimate expenses would be. They had to prepare to defend themselves in two venues, the courts and the worker's compensation system.

The trial lawyers and trade unions want to revive the Structural Work Act. They argue that it provides a safer work environment. But there's scant evidence of that. In fact, Illinois workplaces have become much safer in the years since the Structural Work Act was abolished. The number of injuries has declined. The number of worker's compensation claims has fallen. Meanwhile, Illinois businesses saved tens of millions of dollars in insurance costs.

The worker's compensation system protects workers and gives them fair compensation when they are hurt. The only reason to revive the Structural Work Act is to give trial lawyers a new opportunity to hit the jackpot.

That might be good for the lawyers, but it's bad for Illinois.