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## There's a reason why SWA is still languishing

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The Illinois Manufacturers Association, one of Illinois' oldest (115-years) and most respected business associations, distributes a weekly "Springfield Highlights" to its members every Friday when the Illinois General Assembly is in session.

On May 16, IMA reported:

"For the fifth consecutive week, proponents of the Structural Work Act were unable to muster enough votes to pass HB 2094 and the bill continues to sit on Second Reading. Sponsored by Rep. John Fritchey (D-Chicago), the measure would allow an injured worker and their trial attorney to seek damages under both the Workers' Compensation system and Structural Work Act."

There is a good reason (actually, several) why Fritchey's SWA revival is still sitting in the House: it's bad legislation, a bad idea, and even some legislators who normally would follow the bidding of the Illinois Trial Lawyers Association realize they would put themselves at risk among constituents by casting an "aye" vote.

Thousands of telephone calls and e-mails have been sent to legislators by constituents who are furious that an outdated law that was repealed 13 years ago has been put on the legislative agenda once again.

While much of the contact with legislators

has been prompted by organizations and interests that oppose the proposed return of the SWA, the fact is that calls and e-mails are being made by constituents of the legislators and in an election year, that has an impact.

AS IMA reported, it has been five weeks since the SWA amendment was introduced and the supporters thought it would have clear sailing.

But constituent pressure, editorials in opposition by some significant newspapers, including the Chicago Tribune, and the extensive personal contact in Springfield by dozens of business, professional and civic representatives have been successful in blocking it.

The trial lawyers have not lessened their efforts, and no wonder about that. The current president of the Illinois Trial Lawyers Association, Bruce Kohen, is credited with negotiating the highest settlement in Illinois history for a personal injury case under the Structural Work Act.

Kohen and his allies -- including his friends in the General Assembly -- don't want to give up on this one and since the pace of activity has slowed down as other issues take center stage in Springfield, there is likely to be another serious run on behalf of the Structural Work Act while opponents are focused on other issues.

We can't let that happen. So you may be getting encouraged once again to contact your legislator(s) and when you are, please heed the call.