



Lawmaker revives contentious work rule

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By Lorene Yue
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(Crain's) — A contentious proposal allowing injured workers to file certain lawsuits has resurfaced after being squelched more than a decade ago.

State Rep. John Fritchey, D-Chicago, on Tuesday introduced — at the request of House Speaker Michael Madigan — an amendment that would reinstate the Structural Work Act. The legislation, now called the Construction Safety Act of 2008, was repealed in January 1995 to the delight of the business community, which viewed it as a financial burden.

“All I'm looking to do is restore the protections Illinois workers had for a century,” Mr. Fritchey said. “Now is as good a time as any.”

The proposal was scheduled Wednesday for a hearing in the House Civil Judiciary Committee, which Mr. Fritchey chairs.

“I am hopeful that my colleagues on either side of the aisle will support this issue,” he said.

The Structural Work Act was first passed in 1907 and allowed injured workers to sue companies other than their own employer that were involved in a workplace accident, even if the incident was the fault of the injured party. The law also allowed injured workers to seek damages from other parties while collecting workers compensation.

An attempt to reinstate the law in 2003 failed to gain traction.

When in place, the law drew the ire of the business community, which said it subjected businesses to more lawsuits and escalated insurance costs.

Gregory Baise, president and CEO of the Illinois Manufacturers' Assn., said he was perplexed by the timing of the proposed reinstatement.

The bill is not in Mr. Madigan's interest if his goal is to create “a better economic climate in Illinois,” Mr. Baise said.

Mr. Fritchey said he was bracing for opposition to passage of the act.

“Any good piece of legislation should be able to withstand vigorous debate, and this one is no different,” he said.

(Crain's Chicago Business columnist Greg Hinz contributed to this report.)