



# Section on Workers' Compensation Law

## The Mission of the [ISBA Workers' Compensation Law Section](#):

To promote improvement in the workers' compensation system and the administration of justice under the Illinois Workers' Compensation Act and Illinois Occupational Disease Act; to enhance the professional capabilities of lawyers who practice before the Industrial Commission of Illinois by disseminating information relevant to the practice to make recommendations on proposed legislation; to conduct conferences and seminars on topics important to section members; and promote communications between the bar and all personnel of the Industrial Commission.

## General:

- ◆ Section fees are \$25 per year.
- ◆ To join, go to [www.isba.org/sections](http://www.isba.org/sections)

## [Continuing Legal Education](#)

The Section sponsored or co-sponsored two programs during the year:

- ◆ **Advanced Workers' Compensation – Fall 2015** (Oct. 12, 2015)
- ◆ **Workers' Compensation Update 2016** (Feb. 15, 2016)

Section members also receive discounts on section-sponsored CLE programs.

## [Legislation](#)

The Section Council reviews proposed legislation that may affect their members' practice area. Highlights of the most recent legislative session include:

1. Number of bills reviewed: 19
2. Significant legislation:
  - a. Senate Bill 3043 - Medical providers
  - b. House Bill 4248 – Causation

## Other

- ◆ The [ISBA Workers' Compensation Law Discussion List](#) allows section members to pose questions and share information with fellow section members from around the state.

## [Newsletters](#)

Delivered electronically unless otherwise requested. During 2015-16 the Section published three newsletters. Articles include:

- ◆ Are flight attendants always traveling employees? (Apr. 2016)
- ◆ Can't have your cake & eat it too! (Apr. 2016)
- ◆ Does the circuit court have jurisdiction regarding the settlement of a third-party claim and his subsequent filing of an Application for Adjustment of Claim by the injured worker? (Sept. 2015)
- ◆ Does your client's workers' compensation benefits abate if your client dies of causes unrelated to the workplace injury? (Sept. 2015)
- ◆ Editor's notes (Dec. 2015)
- ◆ Editor's notes (Sept. 2015)
- ◆ Editor's note: Malpractice alert (Apr. 2016)
- ◆ Editor's notes (Apr. 2016)
- ◆ Employers maintain their right to waive lien subsequent to adverse judgment (Apr. 2016)
- ◆ Good faith third-party settlement and section 5(b) attorney fees on "suspended future medical payments" (Dec. 2015)
- ◆ How inclusive is the exclusive remedy? (Sept. 2015)
- ◆ If the arbitrator awards permanent total disability, does petitioner's failure on review to argue for a wage differential award in the alternative defeat the wage-differential claim under 8(d)1? (Sept. 2015)
- ◆ Independent truck driver vs. employee (Sept. 2015)
- ◆ Section 13-217 of the Code of Civil Procedure does not apply to Illinois workers' compensation cases that are dismissed for want of prosecution (Apr. 2016)
- ◆ Semi truck driver found to be an independent contractor of transportation company (Apr. 2016)
- ◆ Will we ever be able to go on vacation again? (Apr. 2016)
- ◆ Can the Circuit Court hold commissioners in contempt of court for failing to write a decision in the manner demanded by the Court? (Sept. 2015)
- ◆ Case analysis of *Di Benedetto v. Illinois Workers' Compensation* 2015 IL App (1st) 133233WC (Dec. 2015)
- ◆ Claimant's left knee injury while sitting on a chair and welding "arises out of his employment" (Dec. 2015)
- ◆ The Commission may find disability when the impairment rating is zero, but is an impairment rating required in all cases before the Commission can determine the nature and extent of an injury? (Dec. 2015)
- ◆ When do you qualify as a traveling employee? (Sept. 2015)