



Ankin Law Office LLC

Protecting the Rights of Injured Workers

162 W Grand Ave
Chicago, Illinois 60654, United States
Tel: 312-346-8780 or 800-442-6546
Fax: 312-346-8781
Email: howard@ankinlaw.com
Website: www.ankinlaw.com
Blog: www.thechicago-injury-lawyer.com

Workers' Compensation Protects You

The workers' compensation system was designed to provide certainty for injured workers in the event of a [workplace injury](#). In exchange for certain benefits, the law does not allow a direct lawsuit against the employer at common law. The unfortunate truth about [Workers' Compensation](#) cases is that employees often times find themselves pitted against the interest of employers. Insurance companies handling the claim have been retained by the employer; their goal is to deny or minimize claims to realize a cost savings, frequently at the expense of the [injured worker](#).

While workers' compensation law provides a statutory recovery against employers for workplace injuries, injured workers may also have a [personal injury](#) lawsuit against other parties who share responsibility for the accident, also known as "[third party defendants](#)". A "third party cause of action" means that if someone other than your employer is responsible for the accident that caused your injury, you may sue the third party in addition to bringing a [workers' compensation claim](#). A third party claim can be made against the manufacturer of a product or the company that installed a piece of equipment, controlled a work site, maintained land or caused a motor vehicle accident.

Workmen's compensation is considered to be a no fault system that allows injured or sick employees to receive expenses and lost wages while not suing employers. Benefits to the employee include: 100% of your medical care is paid for, the right to choose the doctor of your choice, 2/3 of your salary or wages are tax free while you recover from the accident until Maximum Medical Improvement (MMI).

If you are wondering, when should you report an injury? Report as soon as you realize that you have an injury. It's impossible to understate the importance of notification when it comes to a work related injury. You want to be on record with your employer immediately; your employer should have you fill out Form 45, the state Workers Compensation form. Illinois allows 45 days to file a claim. Failure to do so may provide justification for a workers compensation carrier to deny benefits, even if the workplace injury is very serious. Besides contacting your boss or benefits director (typically an HR function), you should consult an attorney at [Ankin Law Offices](#). Our attorneys will assist you in filling out the forms, talk with you about your claim and explain your rights. The [Illinois Workers Compensation law](#) is structured so that attorneys are not paid unless there is a settlement. It is in your benefit to consult an attorney immediately if you have an injury and enter into an Attorney's Representation Agreement. Our [attorneys](#) will help facilitate the settlement and/or request a formal hearing as well as preparing the evidence and taking depositions in preparation for trial.

Don't forget to document what caused the accident as it is important in filing a claim. Provide your employer and attorney with the following information if the injury was the result of a specific accident: the names of all witnesses, the description of how, when, and where the accident and injury occurred, and any other information that will help resolve the claim.

After the claim has been filed, you are assigned an arbitrator and a case number. During the status call, you can request a trial or make other emergency requests. This bi-monthly review process can continue until your claim reaches the red line which is about three years at which point the Arbitrator could dismiss the claim for failure to prosecute if you are still not treating at that time.

To assure that you are getting the best settlement for your injury it is important to contact us for a consultation regarding your claim and rights. Below are links to different types of injuries associated with [Worker Compensation claims](#).

[Warehouse/Factory Worker Injuries](#)

[Healthcare Worker Injuries](#)

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