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PRACTICE AREAS

Workers' Compensation
Personal Injury
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Sexual Harassment
Family Medical Leave Act
(FMLA)
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Factory Worker's Wages from Union position included in the average weekly wage

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Katz, Friedman lawyers received an important decision from the Illinois Workers' Compensation Commission regarding calculating the average weekly wage of a union official who is paid by his employer to be an assembler and by his union when he is representing the union membership. The Commission held that the wages paid by the union should be included in the average weekly wage when the assembler was injured on his regular job. The union officer was required to clock out from his job as an assembler whenever he performed his union work. Including the wages from his union work follows a long established principle that when an employer is aware that an employee has a second job, the earnings from that second job must be included in the average weekly wage for calculating temporary total disability benefits and any settlement/award for permanent partial or total disability under the Illinois Workers' Compensation Act.