



Ankin Law Office LLC

Protecting the Rights of Injured Workers

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Work Place Fights Are A Common Occurrence

[Work place fights](#) are a common occurrence. The question that commonly comes up is whether or not you can receive workers' compensation for injuries sustained in a fight at the workplace. There is no simple answer as each claim has its own particular facts such as was there neglect by the employer, or a hostile work environment. All of the answers to these questions are taken into account when assessing this type of claim.

Generally speaking, when a fight occurs in the workplace, the instigator in the fight is barred from receiving workers' compensation benefits. The idea behind this is that the injured employee, as the aggressor, should not benefit from their own poor choices. Determining who started the fight is not always very clear and could require an investigation and analysis.

Even if you did not instigate or start the fight, you do not automatically qualify for [workers' compensation](#) benefits. To be eligible for workers' [compensation benefits](#), you must show that the fight "arose out of and in the course" of your employment. For example, if a co-worker attacks you because he simply does not "like" you, it is unlikely that benefits will be awarded. However, if a co-worker attacks you because you took a 30 minute break instead of a 15 minute break, you could possibly be awarded workers' compensation benefits. It is a fine line between being able to recover and not being able to recover workers' compensation in fight cases.

Workplace fights can be a tricky; if you have been in a fight at work because of a coworker's or customer's act of violence, please contact our office for answers about [worker's compensation](#) and your rights under the law.

By [Admin - LB](#)
May 1, 2011