

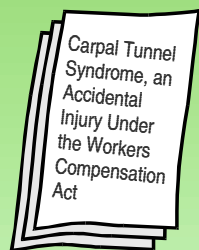


LAW OFFICES OF DOUGLAS RALLO, P.C.

FALL 2005

FREE ARTICLE

An article written by Douglas Rallo and orthopedic surgeon Dr. Charles Frank entitled "Carpal Tunnel Syndrome, an Accidental Injury Under the Workers Compensation Act" has been published by the Illinois Trial Lawyers Association. If you would like to learn about your rights to monetary compensation for carpal tunnel syndrome from on-the-job activities, as well as the causes, symptoms and medical treatment for this condition, call 847-816-8780 for your free copy.



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\$400,000 IRONWORKER SETTLEMENT

A union ironworker associated with Local 1 has received a \$400,000 workers compensation settlement negotiated by his Libertyville attorney, Douglas Rallo.

In the middle of this claim, the employer's workers compensation insurance company was placed into liquidation. When that happens, the insurers obligations are usually taken over by the state insurance "guarantee fund". Insurance companies are required by law to contribute to this fund to protect injured workers if an insurer becomes insolvent. "Despite the significant difficulties associated with the insurance company going out of business, we overcame those hurdles and obtained an excellent settlement for our client", said Rallo.



MOTOROLA EMPLOYEE WINS AT TRIAL

Attorney Douglas Rallo of Libertyville has won a workers compensation trial where the employer argued that the claimant sustained no injuries in a 1996 work

accident. The claimant was a factory worker who was struck on his left shoulder by a robotic arm, knocking him to the floor. "X-rays of his neck at the hospital were negative, and the claimant was diagnosed with bruises and a strain", said Rallo. "The employer also argued at trial that the 51 year old claimant had pre-existing arthritis in the left shoulder and that his surgery was not caused by the accident. The employer felt very strongly that the claimant was not entitled to workers compensation benefits and offered nothing to settle the claim", said Rallo. However, court precedent allows a person to recover where there is an aggravation of a pre-existing condition, such as arthritis, and states that a person can receive benefits even if the work accident was only a partial cause of the medical problem. "The judge agreed with me and awarded \$95,618 to the claimant. I had hoped for a reasonable settlement, but if I have to go to trial to get what my clients deserve, then that's what I'll do," said Rallo.



\$310,000 FOR UNION CARPENTER

A journeyman carpenter affiliated with Carpenters Local 13 has received a \$310,000 workers compensation settlement according to his lawyer, Douglas Rallo of Libertyville. The claimant was injured while reaching backwards and heard a "pop" in his left shoulder. After shoulder surgery to repair torn cartilage, the claimant received vocational retraining, where he obtained a home inspectors license. Where an employee's disability prevents him from performing his regular occupation, Illinois law obligates the employer to provide reasonable "vocational rehabilitation" to assist him in finding other work. This can include job search assistance, interview skills training and formal education or schooling, said Rallo. Now embarking on a new career, this union carpenter wrote that "I will always be grateful to you for the hard work and dedication you put towards my case. You always found the time to listen to my questions, gripes, worries and showed sincere concern for my family's well-being. The outcome exceeded our expectations and our future looks much brighter. Thanks so much, Doug!".

CHANGES TO WORKERS COMPENSATION LAW

The state agency that handles workers compensation claims has a new name. The Illinois Industrial Commission is now known as the Illinois Workers Compensation Commission. This change was made so that people would have an easier time locating it, and to eliminate confusion with other governmental agencies. The new Internet address is <http://www.iwcc.il.gov>.

There are new administrative changes, too. There are now 35 arbitrators, up from 22 just a couple of years ago. As a result of this increased staffing, each arbitrator's caseload has been reduced to approximately 3,300 cases. Other procedural changes reduce continuance delays from three months to two months, and give precedence to parties requesting trials, all of which will move cases through the system more quickly than before.

Governor Blagojevich also signed important substantive changes to worker's compensation law. Some of those changes went into effect on July 20, 2005, and others will be effective on February 1, 2006. The new law increases the amount of compensation that can be obtained for injuries to specific body parts and where an employee claims wage loss from a job change; requires the employer to pay supplemental benefits when the employee works light duty (either full or part time) and earns less than what he would be earning in his regular job; changes the rules to make it easier to admit medical records and bills into evidence at trial; and prevents healthcare providers from attempting to recover from the employee the difference between the healthcare providers charge and the amount paid by the employer or insurer on a compensable injury.

TRIAL VICTORIES KEEP EMPLOYEE'S MEDICAL BENEFITS OPEN FOR LIFE

Generally, when a person settles a workers compensation case, he or she gives up the right to have medical expenses in the future paid by the employer. However, if an injured worker proves his case at trial and shows that the injury arose out of, and was sustained in the course of the employment, the employer remains obligated to pay future medical expenses associated with the injury as long as treatment is required, according to Douglas Rallo. "This is one of the provisions of the workers compensation law", said the Libertyville personal injury attorney. "Many years ago I represented a union machine operator who was injured when a backhoe retracted without warning and crushed his foot. As a result, he had to wear custom crafted shoes with special inserts.

The employer offered a small sum of money which would have only paid for a few pairs. I was never going to let the employer walk away from its responsibilities, so I took the case to trial. I won the case with a large award for permanent disability, and the employer's been paying for my client's custom footwear ever since".

Rallo gives other examples of cases he has taken to trial to protect his clients' future medical needs. "An ornamental ironworker client of mine had a crate of glass tip over and strike his lower leg while working at Gurnee Mills.

The doctor said that his knee might need treatment in the future, so I tried the case and won. About six years later, he needed surgery and, because I preserved my client's rights, the employer paid for it 100%."

In another case, a speck of wood struck a client in the eye while cutting grass without goggles. He developed glaucoma which requires him to follow up with his ophthalmologist regularly for life, and which may result in treatment and surgery for his condition. "As a result of our work, those lifetime needs and expenses will be paid for by workers compensation insurance", according to Rallo.



\$165,000 FOR BURN VICTIM

An Abbott Labs employee has received a \$165,000 workers compensation settlement for burns to his hands and ankles, according to his attorney Douglas Rallo. Acidic liquid splashed on him while he was disconnecting a chemical hose from the transfer station.

The right lawyer *does* make a difference.