

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Railroad Employees Medical Treatment Act.

6 Section 5. Definitions. As used in this Act:

7 "Commission" means the Illinois Commerce Commission.

8 "Discipline" means to bring charges against in a  
9 disciplinary proceeding, suspend, terminate, or make a note of  
10 reprimand on an employee's record.

11 Section 10. Railroad employee access to first aid or  
12 medical treatment.

13 (a) A railroad shall make a good faith effort to provide  
14 prompt medical attention for a railroad employee who is injured  
15 in the course of his or her employment.

16 (b) It is unlawful for a railroad or person employed by a  
17 railroad to:

18 (1) deny, delay, or interfere with medical treatment or  
19 first aid treatment to an employee of that railroad who has  
20 been injured during employment; or

21 (2) discipline or threaten discipline to an employee of  
22 a railroad who has been injured during employment for (i)  
23 requesting medical or first aid treatment or (ii) following  
24 the orders or treatment plan of his or her treating  
25 physician.

26 (c) Nothing in this Section shall be construed to require a  
27 railroad or railroad employee to perform first aid or medical  
28 care.

29 (d) This Section does not prevent an employer from:

30 (1) noting in an employee's record that an injury  
31 occurred; or

1           (2) offering light duty or an alternate work assignment  
2           to an injured employee if the light duty or alternate work  
3           assignment does not conflict with the orders or treatment  
4           plan of the employee's treating physician.

5           (e) The Commission has exclusive jurisdiction to determine  
6           violations of this Section. If, after a proper complaint and  
7           hearing, the Commission determines that a violation has  
8           occurred, the Commission shall impose, for each violation, a  
9           penalty in an amount not exceeding \$10,000. This penalty is the  
10          exclusive remedy for any violation of this Section. The  
11          Commission shall give priority to any complaint alleging a  
12          violation of this Section and shall issue its decision as  
13          promptly as possible.