

## **U.S. COVID-19: ILLINOIS EMPLOYERS TAKE NOTE: KEY EMPLOYMENT PROVISIONS OF THE ILLINOIS COVID-19 EXECUTIVE ORDER EFFECTIVE MAY 1, 2020**

May 04, 2020

On April 30, 2020, Governor Pritzker issued Executive Order 2020-32, effective May 1, extending social distancing requirements and, among other things, issuing new guidelines for Illinois employers.

The key employment-related aspects of the Executive Order are as follows:

- All employers are required to evaluate which employees are able to work from home, and are encouraged to facilitate remote working when possible.
- All employers that have employees who are physically reporting to a work site must post guidance from the Illinois Department of Public Health and the Office of the Illinois Attorney General regarding workplace safety during the pandemic.
- When working, all individuals who are able to medically tolerate a face covering (which includes “a mask or cloth face-covering”) are required to cover their nose and mouth with a face covering when in a public place and unable to maintain a six-foot social distance. This includes public indoor spaces such as stores.
- All employers operating Essential Businesses and Operations and engaged in Minimum Basic Operations must take proactive measures to ensure compliance with “Social Distancing Requirements.”
  - Social Distancing Requirements include: “maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.”
  - In addition, employers should, where possible:
    - Provide employees with “appropriate face coverings” and require that employees wear face coverings where a six-foot social distance cannot be maintained at all times.

- Provide employees with other PPE in addition to face coverings “[w]hen the work circumstances require.”
- Designate with signage, tape or other means six-foot spacing for employees to maintain appropriate distance.
- Have hand sanitizer and sanitizing products readily available for employees.
  
- Specific requirements apply to certain types of employers:
  - Manufacturers: All manufacturers that continue to operate must follow Social Distancing Requirements and take appropriate precautions, which may include:
    - Providing face coverings to employees who are not able to maintain a six-foot social distance at all times;
    - Staggering shifts;
    - Reducing line speeds;
    - Operating only essential lines (shutting down non-essential lines);
    - Ensuring that all spaces where employees gather (including locker rooms and lunchrooms) allow for social distancing;
    - Downsizing operations to extent necessary to allow for social distancing and to provide a safe workplace.
  
  - Retail Stores:
    - All essential retail stores (grocery, hardware, etc.) must provide face coverings to employees who are not able to maintain a six-foot distance at all times;
    - All retail stores not designated as “essential” may re-open for the limited purpose of fulfilling online and phone orders, which are now considered “minimum basic operations” and which must be transferred to customers through pick-up or delivery only; employees must adhere to social distancing requirements and must wear face coverings when coming within 6 feet of a customer or other employee.

In addition, the Executive Order reminds employers that, under the Illinois Whistleblower Act, employers are prohibited from retaliating against an employee for disclosing information where the

employee has reasonable cause to believe that the information discloses a violation of the Order.

## MEET THE TEAM



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