

Restore Illinois: State Government Issues Return-to-Work Guidance to Illinois Employers

Governor J.B. Pritzker released Restore Illinois, a five-phased plan to reopen the state of Illinois on Tuesday, May 5. In conjunction with this plan, the Illinois Department of Public Health (IDPH) issued [several resources](#) with recommendations and best practices for Illinois businesses in an effort to reduce the impact of COVID-19 outbreak conditions on businesses, workers, customers, and the public. Summarized below are key provisions from the government-issued guidance for businesses.

Government-Recommended Prevention Measures for Illinois Businesses

The IDPH [recommends](#) employers implement certain prevention measures, with an emphasis on good hygiene practices, as well as exploring whether they can establish policies and practices such as flexible worksites (e.g., telecommuting) and flexible work hours (e.g., staggered shifts) to increase social distancing. Specifically, the IDPH recommends the following good hygiene and infection-control practices:

- Promote frequent and thorough hand washing, including by providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol.
- Encourage workers to stay home if they are sick.
- Encourage respiratory etiquette, including covering coughs and sneezes.
- Provide customers and the public with tissues and trash receptacles.
- Explore whether they can establish policies and practices, such as flexible worksites (e.g., telecommuting) and flexible work hours (e.g., staggered shifts), to increase the physical distance among employees and between employees and others if state and local health authorities recommend the use of social distancing strategies.
- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment. When choosing cleaning chemicals, employers should consult information on Environmental Protection Agency (EPA)-approved disinfectant labels with claims against emerging viral pathogens. Products with EPA-approved emerging viral pathogens claims are expected to be effective against SARS-CoV-2 based on data for harder-to-kill viruses.
- Follow the manufacturer's instructions for use of all cleaning and disinfection products (e.g., concentration, application method, and contact time, PPE).

Government-Recommended Contingency Planning for Illinois Businesses

The IDPH further explains that employers should develop policies and procedures for the prompt identification and isolation of sick people. Such policies and procedures should remain flexible as the circumstances around COVID-19 are constantly evolving. Recommended steps include:

- Promptly identify and isolate potentially infectious individuals to protect workers, customers, visitors, and others at a worksite.
- Inform and encourage employees to self monitor for signs and symptoms of COVID-19 if they suspect possible exposure.
- Develop policies and procedures for employees to report when they are sick or experiencing symptoms of COVID-19.
- Develop policies and procedures for immediately isolating people who have signs and/or symptoms of COVID-19, and train workers to implement them. Move potentially infectious people to a location away from workers, customers, and other visitors. Although most worksites do not have specific isolation rooms, designated areas with closable doors may serve as isolation rooms until potentially sick people can be removed from the worksite.
- Take steps to limit spread of the respiratory secretions of a person who may have COVID-19.
- Provide a face mask, if feasible and available, and ask the person to wear it, if tolerated.
- If possible, isolate people suspected of having COVID-19 separately from those with confirmed cases of the virus to prevent further transmission—particularly in worksites where medical screening, triage, or healthcare activities occur, using either permanent (e.g., wall/different room) or temporary barrier (e.g., plastic sheeting).
- Restrict the number of personnel entering isolation areas.
- Protect workers in close contact with (i.e., within six feet of) a sick person or who have prolonged/repeated contact with such persons by using additional engineering and administrative controls, safe work practices, and PPE.

The IDPH provided additional guidance for workers whose activities involve close or prolonged/repeated contact with sick people. This is addressed further in later sections covering workplaces classified at medium and very high or high exposure risk.

Clarifying Guidance From IDPH on Face Masks

Employers are encouraged, but not required to provide face coverings to employees. The IDPH's [FAQ](#) regarding the application of the face covering requirement in Executive Order 2020-32 provides additional guidance for employers on the governor's face covering mandate. This FAQ highlights possible accommodation and discrimination issues that employers should be sensitive to when enforcing the face covering policy in the workplace.

Additional Guidance for Illinois Employers With Chicago Operations

For those employers that also operate within the City of Chicago, the Chicago Department of Public Health has provided a similar [guidance](#) document for businesses and employers to help maintain a healthy work environment.

© 2020 Perkins Coie LLP

Authors



Sara W. Davey

Counsel

SDavey@perkinscoie.com [312.324.8520](tel:312.324.8520)

Explore more in

[Labor & Employment](#)

Related insights

Update

[Employers and Immigration Under Trump: What You Need To Know](#)

Update

[‘Tis the Season... for Cybercriminals: A Holiday Reminder for Retailers](#)