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News & Types: 雇用／労働法／福利厚生関連情報

職場で6フィートの社会的距離を常時確保できない雇用主に、従業員へのフェイスカバー供給および着用強制が義務付けに

5/1/2020

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Practices: 雇用／労働法／福利厚生

Executive Summary

Late yesterday afternoon Governor Pritzker issued Executive Order 2020-32 (“EO”), which generally requires all Illinois employers to provide employees with face coverings and require employees to wear such face coverings when maintaining a six-foot social distance is not possible at all times. In addition to the face covering requirement, the EO contains several other provisions that affect Illinois businesses, including the need to evaluate remote working and the need to post a new notice to be provided by the Illinois Department of Public Health. The EO requirements are effective today, May 1, 2020. Because several EO provisions appear to provide both commands and suggestions, we have summarized the key sections below and encourage you to contact your relationship attorney with any questions. We have provided a link to the full EO (link).

Effective May 1, 2020, the EO requires Illinois employers to comply with the following:

1. **Wearing a face covering in public places or when working.** Any individual who is over age two and able to medically tolerate a face-covering (a mask or cloth face-covering) **shall be 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.
2. **Requirements for manufacturers.** Manufacturers that continue to operate pursuant to the EO must follow the Social Distancing Requirements and take appropriate precautions, which **may include:**

- providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- staggering shifts;
- reducing line speeds;
- operating only essential lines, while shutting down non-essential lines;
- ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and

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- downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.

3. **Requirements for all businesses. All businesses must evaluate which employees are able to work from home** and are encouraged to facilitate remote work from home when possible. All businesses that have employees physically reporting to a work-site **must post the guidance** from the Illinois Department of Public Health and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency. The guidance will be posted on the IDPH webpage.

4. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of the EO, Social Distancing Requirements include maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty 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.

- Required measures. Essential Businesses and Operations and businesses engaged in Minimum Basic Operations **must take proactive measures** to ensure compliance with Social Distancing Requirements, **including where possible:**

1. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
2. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
3. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
4. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.
5. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings when maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.

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