

COVID-19 Updates Impacting Employers

Amundsen Davis Alert

April 24, 2020

In the last few days, there have been a number of recent, important updates impacting our clients across all industries, as outlined below:

Face Masks. Governor Pritzker intends to modify and extend the “Stay at Home” Order. The revised Order goes into effect May 1, 2020 and ends May 30, 2020. While the Order exempts some new businesses and recreational activities, the most important revision requires employers to provide face coverings to all employees that cannot maintain a six-foot distancing requirement while working. If your employees are unable to meet that requirement, purchase face coverings now so they can be in place by the May 1, 2020 deadline.

Workers’ Compensation Rule. After the Illinois Workers’ Compensation Commission issued an **Emergency Rule** declaring that any employee in an “essential industry” that contracts COVID-19 will be rebuttably presumed to have contracted COVID-19 at work, various trade associations filed a lawsuit to prevent the implementation of the Emergency Rule, arguing that the Commission exceeded its authority in adopting the Rule. On April 23, 2020, a Judge issued a temporary restraining order enjoining the implementation of the Rule. State officials now have until April 30, 2020 to respond to the temporary restraining order. This battle is just getting started.

COVID-19 Testing and ADA Compliance. With the CDC and others instructing employers to test employees for fever and other COVID-19 symptoms, many employers were concerned about ADA-related issues. Recently, both the EEOC and the agency enforcing civil rights laws have **approved** taking employees’ temperatures and/or testing them for COVID-19 before allowing them to work.

We will continue to monitor and report on all COVID-19 related updates impacting our clients.

PROFESSIONALS

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