

UPDATE: Governor Pritzker's Latest Executive Order Requires Employers with Employees On-Site to Post IDPH Workplace Safety Guidance

Labor & Employment Law Update

By John Hayes on May 1, 2020

In an update to our previous blog on Illinois extending its stay-at-home order through May 30, 2020, Governor Pritzker's latest Executive Order on COVID-19 (Executive Order No. 2020-32), issued April 30, 2020, mandates that all businesses that have employees physically reporting to a work-site must post the guidance from the Illinois Department of Public Health (IDPH) regarding workplace safety during the COVID-19 emergency.

The guidance is found on the IDPH website, and informs employees that their employer *should*:

- Make sure that employees can maintain at least 6 feet of physical separation between themselves and others around them, including co-workers and customers.
- Mark with signage or tape 6-foot spacing for employees and customers to maintain appropriate distance from one another.
- Provide face coverings to employees, especially when it is not possible to maintain at least 6 feet of space between you and another person.
- Provide handwashing stations with soap, clean water, and single use paper towels and encourage frequent handwashing for 20 seconds or longer.
- Provide hand sanitizer (with at least 60% alcohol) and sanitizing products for employees and customers.
- Regularly clean high-touch surfaces including doorknobs, light switches, shared equipment, toilet handles, sink faucets, and clock in/out areas.

The guidance also tells employees not to report to work if they are experiencing symptoms of COVID-19 including fever (100.4° or above), cough, shortness of breath, sore throat, chest tightness, extreme fatigue, loss of sense of taste or smell, diarrhea, muscle aches, or headaches.

Additionally, the poster informs the employee that if they have concerns that their employer is not allowing for safe social distancing or that it is not maintaining a safe and sanitary work environment to minimize the risk of spread of COVID-19, to contact the Illinois Attorney General's Office. It also informs employees that if they believe that two or more employees at their workplace have COVID-19, to notify their local public health department.

While most of the health and safety information contained in the IDPH guidance is not new, the requirement to post it is, along with encouraging employees to report suspected violations of the guidance by their employer. Employers with employees physically reporting to their work-site should be aware of the IDPH guidance and make every effort to comply with the Executive Order and post the guidance in their place of business as soon as possible. Because there is no "one size fits all" approach with COVID-19, employers must pay careful attention to all local and state guidelines and mandates unique to their geographic footprint.

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