



CITY OF CHICAGO • OFFICE OF THE MAYOR



FOR IMMEDIATE RELEASE

May 20, 2020

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**CITY COUNCIL APPROVES ORDINANCE TO PROTECT CHICAGO'S WORKERS
AMID COVID-19**

New measures ensure that employees will not be fired or demoted for following public health directives

CHICAGO – City Council today approved a landmark ordinance introduced by Mayor Lori E. Lightfoot to ensure that employees will be able to remain at home if they have Coronavirus-2019 (COVID-19) symptoms or are subject to a quarantine or isolation order without fear of being fired. Building on Chicago's Paid Sick Leave Ordinance to give extra protections to essential workers during this critical time, this ordinance protects Chicago's workers from termination or demotion if they are unable to work due to a public health directive or COVID-19 related illness.

"No employee should ever have to choose between staying home with COVID-19 symptoms or keeping their job," said Mayor Lightfoot. "With the passage of this new ordinance, we can now ensure that employees will not be fired for following the directions of public health officials by staying home and saving lives.

Under the COVID-19 Anti-Retaliation Ordinance, an employer cannot terminate or demote an employee for staying home from work due to a public health order issued by the Mayor, the Governor of Illinois, the Chicago Department of Public Health, or a healthcare provider. Under current Public Health Orders, this includes anyone that is staying home because they:

- Are sick with symptoms of COVID-19;
- Work at a business deemed non-essential by Governor Pritzker's Stay at Home Order; and,
- Have been ordered to quarantine or isolate due to exposure to someone with COVID-19.

"Our public health orders are designed to prevent the spread of COVID-19 and save the lives of our fellow residents," said CDPH Commissioner Allison Arwady, MD, MPH. "And with this new measure, we are further ensuring that no one will have to



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decide between doing what is right and observing a public health order or keeping their job.”

Individuals who are fired or demoted for following one of these directives may now submit a complaint to the Office of Labor Standards within the Department of Business Affairs and Consumer Protection (BACP). Violations of the new law can lead to fines of up to \$1,000 per offense per day. Additionally, employees that are wrongfully terminated may file a civil lawsuit for up to three times the full amount of wages they would have been owed.

“Too many residents in my ward have had to choose either their family's health or their job,” said Ald. Gil Villegas (36th Ward). “I’m proud to stand with Mayor Lightfoot to further ensure that no resident in Chicago can be fired for protecting their family.”

Businesses that mistakenly, but in good faith, believe their conduct follows public health directions would not be penalized under the new ordinance. If the business learns of a violation and rectifies it within 30 days, the business is not liable. While this ordinance leaves no room for bad actors to ignore expert advice and public health guidance, it makes sure that businesses reasonably attempting to follow the rules will not be liable.

“Chicago’s essential workers and first responders are risking their health and safety every single day to keep this city running. These brave women and men must have stringent workplace protections to keep themselves, their families, and their communities safe,” said Bob Reiter, President of the Chicago Federation of Labor. “We applaud the city for adopting this ordinance to strengthen worker protections, and we look forward to continuing to find ways to ensure Chicago’s workers are safe on the job.”

Co-sponsored by Aldermen Villegas, Sawyer, Garza, and Waguespack, the COVID-19 Anti-Retaliation Ordinance builds on a record of worker-focused policy, including Chicago’s Paid Sick Leave Ordinance. Under existing law, Chicago workers earn at least one hour of paid sick leave for each 40 hours worked. Employees can use this paid time off if they are sick, if they are taking care of a sick family member or if their child’s school is closed due to a public health order.

“It is more important now than ever to ensure the highest level of protections are in place for our workers,” said Rosa Escareno, BACP Commissioner. “Critical workers are keeping our city running during the COVID-19 outbreak, and this measure will ensure that our workers are able to keep themselves and their families’ safe.”



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Following its passage today, the ordinance expands on existing protections to guarantee that workers will not be terminated for staying home under a public health order, even if they are out of paid sick time. To date, the Office of Labor Standards has fielded 100 complaints related to retaliation against workers since the COVID-19 outbreak began.

“Our essential workers have been a lifeline for the city throughout the COVID-19 crisis, and they continue to work day-in and day-out to keep our communities moving forward,” said Ald. Scott Waguespack (32nd Ward). “Today and every day, I am proud to stand with the Mayor, the City Council, and Chicago’s workers to pass this monumental ordinance.”

Today’s measures build on Mayor Lightfoot’s ongoing efforts to prioritize workers and small businesses throughout the COVID-19 crisis, including:

- Conducted multiple webinars for workers and businesses to know their rights and responsibilities under COVID-19, including paid sick time provisions of the U.S. Families First Coronavirus Response Act.
- Dedicated additional resources within BACP to support the Office of Labor Standards and the Business Compliance and Enforcement teams in their enforcement of worker protections and the Stay at Home Order.
- Individually contacted over 15,000 businesses to communicate the requirements of the Stay at Home Order and advice of other protections in place for workers, including social distancing requirements.
- Introduced updated procedures to address complaints of Minimum Wage and Paid Sick Leave violations to identify and address workplace trafficking and retaliation due to COVID-19.

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