

State Employment Law Tracker, ¶20,166D, Modified stay-at-home order extended through May — ILLINOIS — State news, (Apr. 27, 2020)

Based on data from scientists and health experts and after consulting with stakeholders across the state, Illinois Governor JB Pritzker on April 23 stated that he will sign a modified version of the state's stay at home order that will go into effect on May 1 and extend through the end of the month. The modified order includes increased flexibility for residents and provides relief to non-essential businesses but will require that individuals wear face masks in public.

The Governor referred to modeling put together by top academic institutions and researchers in Illinois that predicts the course of coronavirus in the state over the coming months. According to the Governor, using the current trajectory, the state is projected to see a peak or plateau of deaths per day between late April and early May, but if the stay at home order were lifted this week, the model anticipates a second wave of the outbreak in Illinois starting in May, which would claim tens of thousands of lives and greatly exceed the state's hospital capacity.

"Make no mistake, Illinois has saved lives. By staying home and social distancing, we have kept our infection and death rates for the months of March and April thousands below the rates projected had we not implemented these mitigation strategies," said Governor JB Pritzker. "I know how badly we all want our normal lives back. But this is the part where we have to dig in and understand that the sacrifices we've made as a state to avoid a worst-case scenario are working—and we need to keep going a little while longer to finish the job."

Modified stay-at-home order. Lifting mitigation measures is only possible with widespread availability and access to COVID-19 testing, tracing and treatment. The data show that if the state were to lift mitigations abruptly this week, this would result in a second wave of infections, hospitalizations and deaths.

After consulting with doctors, scientists and experts in Illinois and across the world, the Governor has announced he will sign a modified version of the state's stay at home order that will go into effect on May 1 and extend through the end of the month. The modified order will strengthen the state's social distancing requirements while allowing residents additional flexibility and provide measured relief to non-essential businesses in the safest way possible.

The new executive order will include the following modifications effective May 1:

Outdoor Recreation: State parks will begin a phased re-opening under guidance from the Department of Natural Resources. Fishing and boating in groups of no more than two people will be permitted. A list of parks that will be open on May 1 and additional guidelines can be found on the Illinois Department of Natural Resources website. Golf will be permitted under strict safety guidelines provided by the Illinois Department of Commerce and Economic Opportunity (DCEO) and when ensuring that social distancing is followed.

New Essential Businesses: Greenhouses, garden centers and nurseries may re-open as essential businesses. These stores must follow social distancing requirements and must require that employees and customers wear a face covering. Animal grooming services may also re-open.

Non-Essential Retail: Retail stores designated as non-essential businesses and operations may re-open to fulfill telephone and online orders through pick-up outside the store and delivery.

Face Coverings: Beginning on May 1, individuals will be required to wear a face-covering or a mask when in a public place where they can't maintain a six-foot social distance. Face-coverings will be required in public indoor spaces, such as stores. This new requirement applies to all individuals over the age of two who are able to medically tolerate a face-covering or a mask.

Essential Businesses and Manufacturing: Essential businesses and manufacturers will be required to provide face-coverings to all employees who are not able to maintain six-feet of social distancing, as well as follow new requirements that maximize social distancing and prioritize the well-being of employees and customers. This will

include occupancy limits for essential businesses and precautions such as staggering shifts and operating only essential lines for manufacturers.

Schools: Educational institutions may allow and establish procedures for pick-up of necessary supplies or student belongings. Dormitory move-outs must follow public health guidelines, including social distancing.

The Illinois Department of Public Health will also be issuing guidance to surgi-centers and hospitals to allow for certain elective surgeries for non-life-threatening conditions, starting on May 1. Facilities will need to meet specific criteria, including proper PPE, ensuring enough overall space for COVID-19 patients remains available, and testing of elective surgery patients to ensure COVID-19 negative status.

Source: State of Illinois, Office of the Governor, News Release, April 23, 2020.