



CITY OF CHICAGO • OFFICE OF THE MAYOR



**FOR IMMEDIATE RELEASE**

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**MAYOR LIGHTFOOT INTRODUCES ORDINANCE PROTECTING WORKERS AMID  
COVID-19**

*New protections for employees to ensure that following public health directives will not result in an employee's termination or demotion*

**CHICAGO** – Mayor Lori E. Lightfoot today introduced a landmark ordinance to protect workers from termination or demotion if they are unable to work due to a public health directive. The proposed COVID-19 Anti-Retaliation Ordinance will ensure that employees will be able to remain at home if they have COVID-19 symptoms or are subject to a quarantine isolation order without fear of being fired. This groundbreaking piece of legislation builds on Chicago's Paid Sick Leave Ordinance to give extra protections to essential workers during this critical time.

“As I have made clear throughout this crisis, staying home means saving lives. An employee should never be in a position where they have to choose between staying home with COVID-19 symptoms or their job,” said Mayor Lightfoot. “This ordinance guarantees that an employer cannot fire an employee for following the directions of public health officials.”

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
- Have been ordered to quarantine or isolate due to exposure to someone with COVID-19

“To prevent the spread of COVID-19, employers and employees must all understand that individuals should prioritize their own health and the health of their fellow Chicagoans. No one should be forced to decide between observing a public



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health order or keeping their job, and this ordinance will ensure that no one will have to make that choice,” said CDPH Commissioner Allison Arwady, MD, MPH.

Under the proposed ordinance, any individual who is fired or demoted for following one of these directives may submit a complaint to the Office of Labor Standards within the Department of Business Affairs and Consumer Protection (BACP). Violations of the ordinance 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.

"It is unfortunate that this Ordinance is necessary, but I have already spoken to a number of constituents that have had to choose either their family's health or their job. I applaud the Mayor for standing up for our workers. No one should be fired for protecting their family," said Ald. Gil Villegas (36<sup>th</sup> Ward).

The COVID-19 Anti-Retaliation Ordinance would not penalize businesses that mistakenly, but in good faith, believe their conduct follows public health directions. If the business learns of a violation and cures it within 30 days, the business is not liable under the ordinance. 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.

“We can’t lose sight of the essential workers that keep Chicago running – and this ordinance makes sure that they won’t be forced to choose between their job or their health. I am proud to stand with the Mayor, the City Council, and Chicago’s workers in supporting this ordinance,” said Ald. Scott Waguespack (32<sup>nd</sup> Ward).

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. The proposed Anti-Retaliation 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 34 complaints related to retaliation against workers since the COVID-19 outbreak began.

Throughout the COVID-19 crisis, Mayor Lightfoot has prioritized workers and small businesses with a series of measures:



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- 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 6,000 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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