



**Policy Document Supporting the Anti-Retaliation Ordinance**

**Last Updated June 6, 2020**

**Introduction**

The Anti-Retaliation Ordinance prohibits Employers from taking adverse action against a Covered Employee for obeying certain orders issued by the Mayor, the Governor, the Chicago Department of Public Health, or, in certain cases, a treating healthcare provider.

The Anti-Retaliation Ordinance incorporates the definitions of Chapter 1-24 of the Municipal Code of Chicago pertaining to Minimum Wage and Paid Sick Leave. This Policy Document is updated periodically.

**Certification of Orders**

An Employer may require certification of an order under the Anti-Retaliation Ordinance.

Ordinance Section:	Covered Employee ordered to:	Order issued by:	Certification:
2(a)(1)	Stay at home to minimize the transmission of COVID-19	The Mayor, the Governor of Illinois, or the Chicago Department of Public Health	Not applicable
2(a)(2)	Remain at home while experiencing COVID-19 symptoms or sick with COVID-19	Treating healthcare provider	Rule MW 3.14 applies: Employer may request certification after the Covered Employee is absent for more than three consecutive workdays
2(a)(3)	Obey a quarantine order issued to the Covered Employee	Treating healthcare provider	Rule MW 3.14 applies: Employer may request certification after the Covered Employee is absent more than three consecutive workdays
2(a)(4)	Obey an isolation order issued to the Covered Employee	Treating healthcare provider	Rule MW 3.14 applies: Employer may request certification after the Covered Employee is absent for more than three consecutive workdays
2(a)(5)	Obey an order issued by the Commissioner of Health regarding the duties of hospitals and other congregate facilities	Chicago Department of Public Health	Not applicable
2(a)	An Employer may not take adverse action against a Covered Employee for caring for an individual subject to subsections (a)(1) through (a)(3)	Pursuant to subsection	Employer may request certification pursuant to the subsection and order to which the individual being cared for is subject, as outlined in this Policy Document.

## **General Considerations**

“Individual” contemplates someone who lives in the same residence as the Covered Employee.

Nothing in the Anti-Retaliation Ordinance shall be construed to limit the ability of an Employer to take any legitimate business action with respect to a Covered Employee.

The Ordinance does not preempt federal law.

## **Complaints**

Complaints regarding violations of the Anti-Retaliation Ordinance may be submitted to the Office of Labor Standards by:

1. Calling 311
2. Using the CHI 311 mobile application
3. Downloading and mailing a complaint form to the Office of Labor Standards, Department of Business Affairs and Consumer Protection, 121 North LaSalle Street, City Hall, Room 805, Chicago, IL 60602
4. Downloading and emailing a complaint form to the Office of Labor Standards at [bacplaborstandards@cityofchicago.org](mailto:bacplaborstandards@cityofchicago.org)

The complaint form can be found online at <http://www.chicago.gov/laborstandards>.