
CITY OF CHICAGO

RULES



Rule Pertaining to COVID-19 and Chapter 1-25 of the Municipal Code of Chicago




Mayor Lori E. Lightfoot

Commissioner Rosa Escareño

BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION PURSUANT TO CHAPTERS 2-25 AND 4-276 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING COVID-19 AND CHAPTER 1-25 OF THE MUNICIPAL CODE OF CHICAGO ARE HEREBY ADOPTED.

By Order of the Commissioner:

Signed: 
Rosa Escareno,
Commissioner

Date: May 12, 2020

Published: May 12, 2020

Effective: July 1, 2020

WHEREAS, Beginning in late 2019, a new and highly communicable type of Coronavirus, now commonly known as COVID-19, emerged and began to spread rapidly, including throughout Chicago and the State of Illinois; and

WHEREAS, On March 18, 2020, acting pursuant to Section 2-4-110 of the Municipal Code ("Code"), the Mayor declared that a state of emergency exists in Chicago and issued Emergency Executive Order No. 2020-1; and

WHEREAS, It is vital that City government continue to act swiftly and effectively to help and support our residents, businesses, and employees during this public health emergency caused by COVID-19, and

WHEREAS, The COVID-19 pandemic has ravaged our business community by preventing many businesses from operating and curtailing the operations of many others; and

WHEREAS, The City seeks to protect the welfare of its citizens and businesses by protecting the partnership between workers and employers through promoting predictability and flexibility during these turbulent times; and

WHEREAS, The Fair Workweek Ordinance will go into effect on July 1, 2020; now, therefore,

Pursuant to the authority vested in me by Sections 2-25-030, 2-25-050(b)(12), and 2-25-120 of the Municipal Code of Chicago, I, Rosa Escareño, Commissioner of Business Affairs and Consumer Protection, do hereby issue the following rule:

Section 1-25-050(d)((1)(D) provides that the requirements of Section 1-25-050 of the Chicago Fair Workweek Ordinance do not apply when a Work Schedule change is because of a pandemic. For purposes of this rulemaking, the current COVID-19 outbreak qualifies as a “pandemic” under the ordinance. The Commissioner finds that a pandemic commenced upon the promulgation of Emergency Executive Order No. 2020-1 and will remain in place until it is repealed.

The Department will consider a Work Schedule change to be “because” of the pandemic only when the pandemic causes the Employer to materially change its operating hours, operating plan, or the goods or services provided by the Employer, which results in the Work Schedule change. The exception in Section 1-25-050(d)(1)(D) only applies in the Work Schedule during which the event changes the Work Schedule and the Work Schedule immediately following.