



## Illinois Department of Commerce & Economic Opportunity

JB Pritzker, Governor

# FAQ on Face Covering and Vaccination Requirements

September 3, 2021

On September 3, 2021, the Governor signed [Executive Order 21-22](#) which requires all individuals over the age of 2 and who can medically tolerate a face covering to wear a face covering when in indoor public places. The Executive Order also requires health care workers, school personnel, higher education personnel and students, and employees and contractors of state-owned or operated congregate facilities to be fully vaccinated, as described in the Order.

## Face Covering Guidance

### Who is required to wear a face covering indoors?

- All individuals the age of 2 or over who can medically tolerate a face covering are required to wear a face covering over their nose and mouth when in an indoor public place.
- All employees must wear face coverings in indoor workplaces.

### What is a public indoor place?

- Public indoor places refer to indoor events, facilities, or premises in which community/persons visit or work. Public indoor places include but are not limited to businesses, retail establishments, office buildings, entertainment venues, hotel meeting rooms and ballrooms, lobby areas, indoor sports complexes, and other places of leisure.

### Does the face covering requirement apply to employees who wear other safety equipment on their heads or faces?

- There are circumstances when wearing a face covering may not be possible. According to [CDC guidance for wearing masks](#), face coverings should not be worn by a person for whom wearing a face covering would create a risk to workplace health, safety, or job duty as determined by the [workplace risk assessment](#).

### Does this guidance apply to public outdoor places?

- As recommended by the [CDC](#), individuals are encouraged, but not required, to wear face coverings in crowded outdoor settings and for activities that involve close contact with others who are not fully vaccinated, especially in communities with [higher numbers of COVID-19 cases](#).

**Do I have to wear a face covering indoors if I'm able to maintain six feet of physical distancing some or most of the time?**

- Yes. Individuals in indoor public places must wear a face covering at all times, unless they can consistently maintain six feet of distance (such as when working in an office or cubicle).
- All employees in indoor workplaces must wear a face covering.

**Should an employee wear a face covering while working in an office or cubicle?**

- Face coverings may be removed by workers at workplaces when they can consistently maintain six feet of distance, such as when workers are in their office or cubicle space.

**Do manufacturing employees need to wear face coverings?**

- Face coverings may be removed by workers at workplaces when they can consistently maintain six feet of distance.

**Do people have to wear face coverings in health and fitness centers if they can stay six feet apart?**

- Face coverings must be worn at all times when inside a health and fitness center, including while exercising.

**What about retail settings?**

- All employees and customers, regardless of vaccination status and ability to physically distance, must wear face coverings in a retail setting.

**Can customers sitting inside at bars or restaurants remove their face coverings when eating and drinking?**

- Yes. Customers can remove their face coverings when actively eating and drinking but should wear face coverings at all other times when inside a bar or restaurant. It is recommended that tables be arranged so that seated patrons are a minimum of six feet away from patrons at other tables.

**Are tents considered public indoor places?**

- Tents, including those used for weddings, must have at least 50% of the sides open in order to be considered an outdoor area. Tents that do not have at least 50% of the sides open are considered public indoor places and occupants must wear face coverings, regardless of vaccination status or physical distancing.

**What does it mean for a person to have a medical condition that prevents the person from wearing a face covering?**

- A person who [cannot wear a mask or cannot safely wear a mask](#) because of a disability as defined by the Americans with Disabilities Act (ADA) (42 U.S.C. 12101 et seq.) is not required to wear a face covering pursuant to the Executive Order. Employers should discuss the possibility of [reasonable accommodation](#) with workers who are not fully vaccinated, who are unable to wear a mask, or who have difficulty wearing certain types of masks because of a disability.

- A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations is not required to wear a face covering while working.
- Persons who cannot medically tolerate a face covering are exempt from the Order.

### **What if a customer is unable to wear a face covering due to a medical condition?**

- Persons who cannot medically tolerate a face covering are exempt from the Order. Individuals and businesses might consider the following alternatives:
  - Allow a person to wear a scarf, loose face covering, or full-face shield instead of a face covering;
  - Allow customers to order online, by phone, with curbside pick-up or no contact delivery in a timely manner;
  - Allow a person to wait in a car for an appointment and enter the building when called or texted; and/or
  - Offer appointments by telephone or video calls.

### **Should businesses and venues post signage for patrons and the public?**

- Yes. Businesses and venues should post clear signage for patrons and the public instructing them on face covering requirements. Signage should be posted at places of ingress and in various locations throughout the premises, especially those where individuals may congregate.

### **In addition to wearing face coverings, what can individuals do to help prevent the spread of COVID-19?**

- All individuals should consider vaccination. Additionally, individuals should take [extra precautions](#) when around large crowds, especially in an indoor setting. The CDC recommends:
  - Avoid crowds and poorly ventilated areas;
  - Maintain physical distance; and
  - Monitor your daily health and avoid leaving your home if you experience COVID-19 symptoms.

### **Can a municipality or business impose face covering restrictions that are stricter than those contained in the Executive Order?**

- Yes. Local jurisdictions and business owners may impose face covering requirements that are stricter than the EO.

### **Do I have to wear a face covering on public transportation?**

- All individuals, including those fully vaccinated and in areas of all levels of transmission, are required to wear a face covering when:
  - On public transportation and in transportation hubs;
  - In congregate facilities such as correctional facilities and homeless shelters;
  - In healthcare settings; and
  - Where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.

### **Who is responsible for enforcing the Executive Order?**

- All Illinoisans should follow the Order so that they can protect themselves, their families, and their communities from COVID-19. Local police and local health departments may utilize their traditional police powers and public health authority to address matters of non-compliance.

### **Does the face covering requirement apply in churches and places of worship?**

- No. The free exercise of religion is exempted from the face covering requirement. However, to protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health. Religious organizations are encouraged to take precautions for their congregants and visitors to ensure physical distancing, the use of face coverings, and implementation of other public health measures.

## **Vaccination Requirements**

### **Who is required to get vaccinated?**

- Health care workers, school personnel, higher education personnel and students, and state-employees and contractors who work at state-owned or operated congregate facilities are required to be fully vaccinated.

### **Are there any exemptions from the vaccination requirement?**

- Any individual who is not fully vaccinated, regardless of the reason, must undergo weekly testing. State and federal law requires exemptions for certain medical and religious reasons. Employees who are exempted from the vaccine requirement due to a medical or religious reason must still undergo weekly testing, as set out in the Order.

### **Can health care workers, school personnel, higher education personnel, and higher education students choose to be tested rather than be vaccinated, even if they do not meet the requirements for a medical or religious exemption?**

- Yes. Individuals covered by the requirement to be vaccinated can choose to be tested on a weekly basis, rather than be vaccinated, regardless of the reason that they choose not to be vaccinated. However, an employer may choose to impose stronger health and safety requirements beyond the requirements of the Executive Order, such as permitting exceptions and weekly testing only for individuals with a medical or religious exemption.

### **When do health care workers, school personnel, higher education personnel, and higher education students need to be vaccinated?**

- Health care workers, school personnel, higher education personnel, and higher education students must receive their first dose of a two-dose COVID-19 vaccine series or a single dose vaccine by **September 19, 2021**, and if applicable, receive the second dose in a two-dose vaccine series within **30 days** (no later than **October 19, 2021**).

**Do employers have to exclude an employee from the premises if they are not fully vaccinated?**

- Yes, unless they undergo weekly testing and can provide confirmation of a negative test result on a weekly basis.

**Are employers required to pay for testing for employees who are not vaccinated?**

- The Executive Order does not require employers to pay for testing if an employee is not fully vaccinated. However, we encourage all employers to consider making it as easy as possible for employees to get vaccinated and tested for the safety of all workers.
- Pursuant to a federal Executive Order and guidance from CMS, Department of Labor, and Department of Treasury, health plans must provide coverage for COVID-19 diagnostic tests for individuals who are asymptomatic and who have no known or suspected exposure to COVID-19. Such testing must be covered without cost sharing, prior authorization, or other medical management requirements. More information is available here: <http://dph.illinois.gov/testing>.

**Section 6(b) of the EO states that nothing prohibits any entity from implementing vaccination or testing requirements for personnel, contractors, students, or *other visitors*. Can we get clarification that this allows facilities to require proof of vaccination status of visitors?**

- Entities covered by the Executive Order may choose to develop more rigorous policies or standards that impose higher vaccination or testing requirements for any individuals, including visitors.

## **Health Care Workers and Health Care Facilities**

**Who is considered a “health care worker”?**

- “Health Care Worker” means any person who (1) is employed by, volunteers for, or is contracted to provide services for a Health Care Facility, or is employed by an entity that is contracted to provide services to a Health Care Facility, and (2) is in close contact (fewer than 6 feet) with other persons in the facility for more than 15 minutes at least once a week on a regular basis as determined by the Health Care Facility.
- Examples of Health Care Workers include physicians, nurses, nursing assistants, physician assistants, pharmacists, EMS personnel (including first responders with certification as EMS personnel), chiropractors, optometrists and staff, dentists and hygienists, public health personnel, aides, staff and other personnel working in a health care facility who come into regular close contact with others at a Health Care Facility.
- “Health Care Worker” does not include someone who is present at the Health Care Facility for only a short period of time and whose moments of close physical proximity to others on site are fleeting (e.g., contractors making deliveries to a site where they remain physically distanced from others or briefly entering a site to pick up a shipment). The term *Health Care Worker* does not include any person who is employed by, volunteers for, or is contracted to provide services for any State-owned or operated facility.

**Do health care workers, such as a receptionist at a clinic, have to get vaccinated, or does the mandate apply only to healthcare workers who see patients?**

- If they are employed at a facility that provides health care and are present and in close contact with individuals at the facility for more than 15 minutes on a regular basis, then they must be vaccinated or test at least weekly.

**What is a “Health Care Facility”?**

- A “Health Care Facility” means any institution, building, or agency, or portion of an institution, building or agency, whether public or private (for-profit or nonprofit), that is used, operated or designed to provide health services, medical treatment or nursing, or rehabilitative or preventive care to any person or persons.
- Examples of Health Care Facilities include pharmacies, ambulatory surgical treatment centers, hospices, hospitals, physician offices, dental offices, free-standing emergency centers, urgent care facilities, birth centers, post-surgical recovery care facilities, end-stage renal disease facilities, long-term care facilities (including Skilled and intermediate long-term care facilities licensed under the Nursing Home Care Act, the ID/DD Community Care Act or the MC/DD Act), Specialized Mental Health Rehabilitation Facilities, assisted living facilities, supportive living facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day care centers.
- The term “Health Care Facility” does not include any State-owned or operated facilities.

**If a specific medical practice is not identified in the EO, does that mean they are not covered?**

- No. All health care settings must conduct their own assessment whether they fall under the requirements of the Executive Order and others not identified as examples may still be covered by the Executive Order. We encourage all practices and practitioners who work in the health care field to get vaccinated or be tested on a regular basis.

**Are health care facilities required to provide testing on site for their unvaccinated staff?**

- Health care facilities are not required to provide testing on site for their unvaccinated staff. Such testing for healthcare workers who are not fully vaccinated against COVID-19 must be conducted on site at the health care facility **or** the health care facility must obtain proof or confirmation from the health care worker of a negative test result obtained elsewhere.

**Are health care facilities required to permit staff to take leave/time off due to vaccine requirements?**

- Facilities may permit leave/time off to staff based upon their own benefit time policies.

## **Testing Requirements**

**If a person has not been already vaccinated, what is the requirement for testing?**

- Beginning on September 19, 2021, those who are unable or unwilling to be vaccinated will be required to get tested for COVID-19 at least once per week until they can prove that they are fully vaccinated.

### **What type of test for COVID-19 should employees receive?**

- Individuals testing to comply with the requirements in Executive Order 2021-22 should seek viral testing, preferably a PCR test if available. Tests must have Emergency Use Authorization by the FDA or be operating per the Laboratory Developed Test requirements by US CMS.
- [Viral tests](#) indicate whether an individual has a current infection. There are two types of viral tests: [nucleic acid amplification tests](#), including the gold-standard PCR test, and antigen tests.
- Antibody tests should not be used to diagnose a current infection and are not recommended to meet the requirements of Executive Order 2021-22.

### **What resources are available for institutions and individuals covered by the Executive Order to meet the testing requirement?**

- Visit the IDPH website to review the list of [COVID-19 testing sites](#). Individuals can get tested at state-supported community-based testing sites, which are free and open to all regardless of symptoms.
- The University of Illinois is also sponsoring sites using SHIELD saliva tests and community-based clinics that offer COVID-19 testing with no charge to patients. Some local health departments also perform COVID-19 testing at no charge to patients. Contact your [local health department](#) for more information.

### **How can an employee provide proof of a negative test?**

- Health care workers, school personnel, higher education personnel, and higher education students must be tested on site at their workplace or submit proof or confirmation of a negative test obtained elsewhere. Such proof should include a paper or electronic copy of the negative test result for review by the employer. There should be sufficient personally identifiable information on the test result for the facility or school to ensure the specimen and result do in fact apply to the individual required to test.

### **How can Schools, Health Care Facilities and Higher Education Institutions verify an employee's or student's negative test results?**

- The [CDC](#) has provided guidance for verifying a qualifying test result for air travelers that have been modified below as a guide. Those test results must be in the form of written documentation (paper or electronic copy) and must identify the following:
  1. Type of test (indicating it is a NAAT or antigen test)
  2. Entity issuing the result (e.g. laboratory, healthcare entity, or telehealth service)
  3. Specimen collection date.
  4. Information that identifies the person
  5. Test Result

### **When is a CLIA waiver needed for testing?**

- Schools and other community-based testing sites do not need a Clinical Laboratory Improvement Amendments (CLIA) waiver when collaborating with a testing provider for screening, such as SHIELD Illinois. The testing provider will be responsible for obtaining a CLIA waiver.

**What happens if an employee undergoing at least weekly testing for COVID-19 receives a positive result?**

- Individuals who test positive should immediately isolate at home and follow any isolation orders as directed by the local health department.
- For most adults with COVID-19 illness, isolation and precautions can be discontinued 10 days after symptom onset and after resolution of fever for at least 24 hours, without the use of fever-reducing medications, and with improvement of other symptoms.
- For adults who never develop symptoms, isolation and other precautions can be discontinued 10 days after the date of their first positive RT-PCR test result for SARS-CoV-2 RNA.