

ILLINOIS

Chicago Requires Time Off for COVID-19 Vaccinations

As of **April 21, 2021**, a new Chicago ordinance requires employers in the city to give employees time off work to receive the COVID-19 vaccine.

In addition, employers that require their employees to receive the COVID-19 vaccine must pay employees their regular rate of pay for up to four hours per dose. If an employer does **not** mandate the vaccine, an employee's time off to get the vaccine may be unpaid. However, employees who have accrued paid sick leave must be given the option of using it for this purpose.

All employees must be allowed to get the vaccine during their regular work shifts. Employers may not require employees to schedule it around work.

Existing Anti-retaliation Law

The new ordinance builds on an existing local law, known as Chicago's COVID-19 Anti-Retaliation Ordinance, that was enacted in May 2020. That law prohibits employers from taking any adverse action—such as termination, demotion, layoff or punitive schedule changes—based on an employee being away from work to obey certain local, state or health-provider orders related to COVID-19. The new ordinance extends that same prohibition to time off for the vaccine.

Enforcement

The Chicago Office of Labor Standards enforces the city's anti-retaliation provisions. Employers that violate these provisions, including the new vaccine-related prohibitions and requirements, may face fines of between \$1,000 and \$5,000 per offense.

Employees who are affected by an employer's violation may also sue the employer in court. In these actions, employers may be ordered to pay triple the amount of any lost wages plus the actual amount of other damages.

Highlights

Time Off Requirement

All Chicago employers must allow employees to take time off work to receive the COVID-19 vaccine.

Vaccine Mandate Rules

Employers that require employees to receive the COVID-19 vaccine must pay them for the time to get it (up to four hours per dose).

Penalties

Employers that violate Chicago's COVID-19 anti-retaliation provisions may be fined up to \$5,000 and sued for triple damages in civil court.

Chicago's COVID-19 rules now include vaccination among reasons employers must provide time off.



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