

## Illinois Issues "Shelter in Place" Order with Exception for "Essential Businesses"

On March 20, 2020, Illinois issued a shelter in place order in an effort to contain COVID-19. Under the order, individuals are required to remain in their homes and businesses and operations are required to cease. The order currently extends through April 7, 2020.

Importantly, the order contains exceptions that allow "Essential Businesses" to remain open as long as they continue only "minimum basic operations." The order is also clear that it does not prevent employers from requiring their employees to work from home.

The order deems the following businesses, among others, to be "essential." This is not a comprehensive list, so if your business does not fall clearly within one of the following categories but you believe your business may be essential, we can help evaluate further.

- Providers and producers of medical services and products
- Stores that sell groceries and medicine
- Food, beverage and agriculture
- Gas stations and businesses needed for transportation
- Financial institutions
- Hardware and supply stores
- Critical trades, including plumbers and electricians, among others
- Laundry services
- Telecommunication and internet providers
- Restaurants for off-site consumption
- Businesses that supply products that individuals need to work from home
- Businesses that sell, manufacture or supply other Essential Businesses with the support and materials needed to operate

There is no process to register or obtain pre-clearance with any government authority as an "Essential Business." Rather, businesses need to self-evaluate whether they fall within the definition and can continue operations. It is unclear at this time how this will be enforced and what the penalties for non-compliance would be.

In addition, the requirement to maintain only "minimum basic operations" in the

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workplace means that even businesses that are "essential" should reduce the number of personnel on-site. This means that employees of Essential Businesses who can reasonably work from home should do so.

If your business can remain open under the order, consider communicating to your main vendors that you remain open, why you are an essential business and that your vendor may also be an essential business. You may also consider a similar correspondence to your employees to provide assurance that they can and should continue to travel to work. In addition, if you are an essential business not located in Illinois but you have key suppliers who are, you should confirm they intend to continue operations.

If you have any questions about the Illinois order, please contact a member of the [Corporate Law Practice](#), or your Reinhart attorney.

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