



## Illinois Department of Commerce & Economic Opportunity

JB Pritzker, Governor

# Essential Businesses & Operations Frequently Asked Questions

UPDATED 5/2/20

[Executive Order 2020-32](#) issued a new Stay at Home Order effective May 1.

## Summary of New Order

### Businesses and activities that may increase services and operations:

- Non-essential retail stores may reopen to fulfill telephone and online orders through pickup outside the store and delivery. Employees working in these stores must follow the Social Distancing Requirements and must wear a face covering when they are unable to keep six feet distance from another employee or a customer.
- Greenhouses, garden centers and nurseries may operate as essential businesses, following the distancing requirements for essential stores.
- Pet Groomers are essential businesses.
- Golf courses can reopen if these [guidelines](#) are followed.
- Fishing and boating in groups of two or less is permissible.

### Social Distancing Requirements for Essential Stores

Retail stores (including, but not limited to, stores that sell groceries and medicine, hardware stores, greenhouses, garden centers, and nurseries) designated as Essential Businesses and Operations under this Order shall to the greatest extent possible:

- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- cap occupancy at 50 percent of store capacity, or, alternatively, at the occupancy limits based on store square footage set by the Department of Commerce and Economic Opportunity;
- If possible, set up store aisles to be one-way to maximize spacing between customers and identify the one-way aisles with conspicuous signage and/or floor markings. The exception to one-way aisles is for front, back, and middle aisles;
- communicate with customers through in-store signage, and public service announcements and advertisements, about the social distancing requirements and requirement to wear a face covering as set forth in this Order (Social Distancing Requirements); and
- discontinue use of reusable bags.

## Requirements for Essential Manufacturing

Manufacturers that continue to operate pursuant to this Order must follow Social Distancing Requirements and take appropriate precautions, which may include:

- providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- staggering shifts;
- reducing line speeds;
- operating only essential lines, while shutting down non-essential lines;
- ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
- downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.

## Requirements for all Businesses

All businesses must evaluate which employees are able to work from home and are encouraged to facilitate remote work from home when possible. All businesses that have employees physically reporting to a work-site must post the [guidance](#) from the Illinois Department of Public Health (IDPH) regarding workplace safety during the COVID-19 emergency.

## What businesses and operations are considered essential?

EO 2020-32 identifies the following as essential businesses and operations:

- Healthcare and Public Health Operations (includes businesses in the supply chain)
- Animal care and grooming
- Human Services Operations
- Essential Infrastructure
  - Food production, distribution and sale; construction, building management and maintenance, airports, utilities, distribution centers, transportation.
- Essential Government Functions
  - First responders, emergency personnel, law enforcement, safety and welfare.
- Stores that sell groceries and medicine
- Garden centers, greenhouses and nurseries
- Food, beverage and cannabis production and agriculture
- Charitable and social services
- Media
- Critical trades
  - Plumbers, electricians, exterminators, cleaning and janitorial staff, security, etc.
- Mail, post, shipping, logistics, delivery and pick-up services
- Educational institutions
- Laundry services
- Restaurants for consumption off-premises
- Supplies to work from home
- Supplies for essential businesses and operations
- Transportation (airlines, taxis, ride-sharing)
- Home-based care and services
- Residential facilities and shelters
- Professional services (legal, accounting, insurance, real estate)
- Day care centers for employees exempted by the Executive Order

- Gas stations and businesses needed for transportation
- Financial institutions
- Hardware and supply stores
- Manufacture, distribution, and supply chain for critical products and industries
- Critical labor union functions
- Hotels and motels
- Funeral services

**My business is essential. Can I require my employees come to work?**

- All businesses must evaluate which employees are able to work from home and are encouraged to facilitate remote work from home when possible.
- All businesses that have employees physically reporting to a work-site must post the [guidance](#) from the Illinois Department of Public Health (IDPH) regarding workplace safety during the COVID-19 emergency.
- The intent of the EO is to ensure that the maximum number of people stay home to avoid risk of infection to themselves and others. Even essential businesses and operations should promote telecommuting whenever possible.
- Consider alternating work schedules to minimize the number of employees in the office at the same time.
- To the greatest extent feasible, essential businesses and operations shall comply with social distancing requirements, including maintaining six-foot social distancing for both employees and members of the public at all times. They must also take the following practice measures wherever possible:
  - Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
  - Having hand sanitizer and sanitizing products readily available for employees and customers;
  - Implementing separate operating hours for elderly and vulnerable customers;
  - Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

**I'm not sure if my business falls within one of those categories**

Please read the Executive Order as it provides much more information of what businesses and operations are essential. If after this review you still are not sure, you can reach out to DCEO at 1-800-252-2923 or CEO.support@illinois.gov. Please be prepared to answer the following questions:

- What general industry are you in?
- What products do you make/what services do you perform?
  - What is the end use and who are the end users of your products or services?
  - Which specific medical or other essential business do you supply products or provide services to?
  - Is there a pending order or a routine schedule for shipments?
  - If you produce durable equipment, has demand for that equipment by essential businesses increased?
- Can any of your business functions be performed remotely?
- How many employees do you have?

- Can your employees work remotely?
- If some or all of the employees must be at the place of business, can operations be modified so that employees work in shifts (one week at home; one week at the place of business)?
- What is the physical layout of the facility where people work?
  - How will you be able to ensure proper distancing?
  - Do you have hand sanitizer available?
  - Are restrooms cleaned frequently and stocked with soap?
  - Where do employees eat? Is that cleaned frequently and is there room to social distance?
- Explain why you believe your business falls within one of the essential business categories.

## **General Questions**

### **My business is not considered an “Essential Business,” does this order require the business to shut down my facility?**

You and your employees are allowed to perform “Minimum Basic Operations” at your work place, so long as employees maintain a distance of six feet from one another to the greatest extent feasible. Minimum Basic Operations include maintaining the value of inventory, payroll, ensuring security, and ensuring that employees can work remotely. Additionally, retail stores not designated as Essential Businesses and Operations may re-open for the purposes of fulfilling telephone and online orders through pick-up outside the store and delivery.

### **Are there requirements for how to implement curbside pick-up and drop-off?**

Non-essential retail stores may re-open for the purpose of fulfilling telephone and online orders through pick-up outside the store and delivery. To the extent feasible and to minimize contact, these orders should also be paid for online or over the telephone. Businesses are encouraged to schedule a pick-up or drop-off to ensure compliance with social distancing requirements. Staff within the business or facility should be limited to the minimum number of staff required to fulfill orders, and to the number that can safely practice social distancing. Customers should not enter the business or facility.

### **Can beauty salons and barbershops reopen under the new executive order?**

No. These businesses cannot maintain the six-foot social distancing guidelines set forth in the Executive Order and should remain closed. However, these businesses may sell consumer products through online and telephone orders for curbside pickup or delivery.

### **My technology company provides products and services that the public needs to access critical services. Is my company being completely shut down?**

No. However, most employees of such companies will need to work from home. Anyone who must work onsite to maintain “Essential Infrastructure” for the community or to maintain “Minimum Basic Operations” as described in the Order may continue to work in the workplace so long as they are maintaining social distancing.

### **Are tobacco/vape/CBD shops considered essential?**

No. Retail tobacco, CBD and vape stores are not considered essential under the Executive Order.

**Are stores that sell primarily vitamins and supplements but not medicine or other medications not requiring a prescription, considered essential businesses?**

No. Stores that primarily sell vitamins and supplements, like GNC, do not fall within Section 12(a). These stores generally do not sell the types of food identified in that section, and vitamins and supplements are generally not considered medicine, or medications that do not require a medical prescription.

**Are florists considered essential?**

Florists are non-essential businesses, but they can process online and phone orders for curbside pickup and delivery.

**Can people who reside in Illinois but perform manufacturing or supply chain work outside the state (where there is no such order in place) be able to travel to their jobs?**

Yes. This order covers businesses in Illinois and their operations; it does not cover businesses that are located outside of Illinois.

**Is photography an essential business?**

Photography businesses will be permitted to operate in outdoor settings only. These outdoor shoots shall not exceed the 10-person limit. Photographers must ensure that they are maintaining 6-foot social distancing with clients during the photoshoot. Photography businesses may not have indoor photo shoots during the shelter-in-place order. There is no exception for special occasions, only gatherings of 10 people or less are permitted.

**The EO says that boating is permitted pursuant to DCEO guidance. What is that guidance?**

Boating is permitted in groups of no more than 2 persons.

**What are Minimum Basic Operations for a marina?**

Minimum number of workers necessary to open marinas and harbors to boat owners. Workers necessary for the operation of safe harbors and marinas to provide refuge for boaters when conditions making boating on open water unsafe and operations related to safety services such as fuel, emergency dockage and sanitary pump-out stations and workers providing tender or boat transportation services. If there is a restaurant or other facilities that prepare and serve food, they may operate utilizing the restrictions contained in Section 12(1).

**Are drive-in movie theatres permissible?**

Drive-in movie theatres can operate on a limited basis. Cars must be parked in every-other spot to ensure a minimum six-foot distance between cars. Patrons are not allowed to sit outside of their vehicles to view the movie. To the extent possible, reservations and payments for the theatre should be made in advance online or over the phone. To the extent possible, concessions should be ordered online or over the phone and be available for curbside pickup. Restrooms should have sufficient soap and hand sanitizer, and shall be regularly sanitized. Drive-in theatres should also follow the social distancing guidelines set forth in the order.

**May a horse that is boarded at a facility separate from where the owner lives be visited by the owner of said horse? Can they ride the horse for exercise?**

Yes. Horses need exercise and to be “worked out” to keep their muscle. Minimum activity, such as riding the horses, is allowed. But, the stables should not be open as a business for sales or recreational opportunities.

**Is a watch/jewelry repair store essential?**

Watch and jewelry repair stores can operate in a similar fashion to non-essential retail stores. Customers can drop off the jewelry curbside to be repaired.

**My business is non-essential. Can I have an employee come to the building each day to pick up the mail?**

Yes. Retrieving mail is considered a minimum basic operation that non-essential businesses can continue to perform.

**Would manufacturers that produce products for the transportation and construction sectors qualify under Sec. 12(t) of Essential Businesses? (e.g. supply products or parts for street/highway signs and construction sites)**

This depends on how directly and closely linked the manufactured products are to critical infrastructure, public health, and/or essential businesses. You will need to answer additional questions such as: what products are you producing? Do you currently have orders to supply an essential business such as a restaurant, grocery store, or health care facility? Do you currently have orders to supply firms or governments that are building or maintaining critical infrastructure such as roads, railroads, airports, or electrical power plants? If after conducting an analysis guided by the questions above you are still not sure, you can reach out to DCEO at 1-800-252-2923 or [CEO.support@illinois.gov](mailto:CEO.support@illinois.gov).

**Are car dealerships considered essential businesses?**

Car dealerships can remain open for repair services. They can also remain open for car sales on an appointment-only basis. Showrooms must remain closed.

**Can residential and commercial lawn service remain open?**

Yes. Many landscape projects will fit under an exemption such as construction, agriculture, or public works. Outdoor landscape projects generally will provide for good social distancing that poses little risk of transmission, but it still is important to ensure the ability to wash or sanitize hands and take other precautions.

**Is residential remodeling an essential business?**

Generally yes, residential remodeling falls within Section 9 of the Executive Order. However, residential remodeling companies must ensure social distancing compliance during their work.

**Are car washes considered an essential business?**

Car washes where workers and customers are able to safely social distance, and following the other requirements of the Executive Order, are permissible.

**Are moving companies considered essential?**

Yes. They fall under Section 12(i) as shipping, delivery and pick-up services.

**Are sprinkler contractors considered “essential business”?**

Yes. Sprinkler contractors fall within Section 9 of the Executive Order as essential infrastructure (construction and building maintenance).

**Are fire alarm system contractors and fire protection/suppression system contractors considered “essential businesses”?**

Yes. Fire alarm and fire protection/suppression systems are deemed critical trades under Section 12(h) of the Executive Order as they ensure the safety of residences, Essential Activities and Essential Businesses and Operations

**Are building security systems contractors considered “essential businesses.”**

Yes. Building security systems contractors are deemed critical trades under Section 12(h) of the Executive Order as they ensure the safety of residences, Essential Activities and Essential Businesses and Operations.

**Are businesses licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act deemed essential?**

Yes. Section 12(h) provides that "security staff" is a critical trade and an essential business and operation that may continue in operation and is not subject to the stay-at-home directive. The Department deems private detectives, private detective PERCs, private alarm contractors, private alarm contractor PERCs, private security contractors, private security contractor PERCs, fingerprint vendors, canine handlers, locksmiths, locksmith PERCs, and security officers of a registered armed proprietary security force holding active licenses under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor and Locksmith Act to be "security staff" as referenced in Section 12h of the Executive Order and not subject to the stay-at-home directive.

**Are bicycle shops considered essential?**

Yes. Bicycle shops are deemed essential under 12(e) of the Executive Order.

**Can doggy daycares remain open?**

Yes. Kennels are deemed essential under section 12(b) of the Executive Order and doggy daycares, by extension, are also deemed essential.

**Is candy manufacturing allowed?**

Food and beverage manufacturing is considered essential under 12(b) of the Executive Order. While candy manufacturers thus are encompassed by the Executive Order, they are encouraged to consider whether a voluntary pause in operations during the emergency would be the better course in the interest of public health and safety.

**Are real estate open houses and showings permitted?**

It depends. Open houses are not permitted. Showings of occupied rental properties are not permitted. Showings of vacant or owner-occupied units are permitted if necessary and scheduled

in advance (virtual showings are preferred) but limited to no more than 4 people. For additional guidance for Real Estate Licensees, [click here](#).

**Are stores that sell primarily cosmetics and beauty supply stores considered essential?**

No. Stores that sell primarily personal care products are not considered essential under Section 12(a). These stores can fulfill online and telephone orders for curbside pickup and delivery

**Are campgrounds and KOAs deemed essential?**

Generally no. Campgrounds and RV parks (example: Kampgrounds of America) are considered recreational activities and are not essential. However, if a campground or RV park is your primary residence, then the campground or RV park can remain open as lodging (if sole or primary residence).

**Are power washing businesses permitted?**

Yes. Power washing businesses are considered essential. The business assists with sanitation of structures for owners.

**Can I alternate my “staying at home” between my primary home and my vacation property?**

No – traveling back-and-forth to a vacation home is not Essential Travel.

**Are chiropractors considered essential?**

Yes. Chiropractors are included in Section 7 of the Executive Order (Healthcare and Public Health Operations).

**Are massage therapists considered essential?**

No, unless the massage treatment is being performed pursuant to a physician’s order.

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

State and local law enforcement are charged with enforcing the Executive Order.

**Are firefighting and EMT trainings essential services?**

Yes.



# Energy Sector FAQs

## **Will public utilities and other utility service providers be subject to movement and business operations restrictions?**

- The energy sector maintains multiple types of facilities that must remain operational for the remainder of the duration of the Gubernatorial Disaster Proclamation.
- Individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair “Essential Infrastructure,” including the operations and maintenance of electrical generation, provided that they carry out those services or that work in compliance with Social Distancing Requirements.
- The definition of Essential Businesses and Operations in Governor Pritzker’s Executive Order is meant to encompass the workers identified in the Memorandum issued by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, on March 19, 2020, which can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>
- Utilities should prioritize essential services and use best judgement when deciding to proceed with infrastructure upgrades and movement and business operations.

## **How should essential employees identify themselves? Will they be able to present their company badges to law enforcement and allowed to proceed home or to work? How will this be communicated to local law enforcement?**

- Law enforcement officials should not stop residents who are on their way to or from work.
- To preserve public health and safety throughout the state and ensure that our healthcare delivery system is capable of serving those who are sick, we recommend that utilities identify absolutely essential staff – those who ensure basic power plant operations and cannot do their work remotely.
- Individuals that are not subject to movement and business operations restrictions should wear appropriate badging (where available) and carry company identification (if available).
- Individuals may also display other documentation or orders that clearly indicate their role or purpose matches the exceptions to any movement and business operations restrictions.

## **Is the state prioritizing power plants with supply chain needs, for items such as cleaning supplies and surgical masks?**

- The state's reserve of personal protective equipment (PPE) is currently prioritized for health care workers and first responders.

## **What is the protocol for commercial transportation if mechanical equipment is needed for power plant operations?**

- “Essential Travel” includes any travel related to the provision of or access to Essential Activities.
- Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in the Executive Order.
- Transportation of mechanical equipment necessary for plant operations will still be allowed.

**Will rail carriers be subject to the movement and business restrictions?**

- Individuals employed by, contracted with, or operating on behalf of railroads are not subject to the movement and business operations restrictions when providing products and services necessary to maintain safe and efficient train operations in the furtherance of community relief and sustained supply chains.

**Will the vendors or contractors relied upon by public utilities and other utility service providers be subject to movement and business operations restrictions?**

- Individuals employed by or working on behalf of establishments that provide parts, repair and service, fuel, security, or other products or services necessary for the operation of “Essential Infrastructure” or electrical generation are not subject to these restrictions.
- This includes, but is not limited to, individuals employed by entities that sell any of the following to essential businesses or infrastructure: IT and telecommunication equipment; electrical, plumbing and heating material; automotive fuel; domestic fuel.

**What other guidance do you have for utility companies and their workers?**

- If you must do work at a customer’s home, practice social distancing.
- If you are sick and have respiratory symptoms, such as fever, cough, and shortness of breath, stay home unless you need medical attention. Remain in your home until you feel better and have no symptoms.
- Keep in mind there is no treatment for COVID-19 and people who are mildly ill can isolate at home. While at home, as much as possible, stay in a specific room and away from other people.
- Those who need medical attention should contact their health care provider who will evaluate whether they can be cared for at home or need to be hospitalized.
- Additional guidance can be found on IDPH's site: <http://www.dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus>

**Will collateral recovery agencies be subject to the movement and business restrictions?**

- Yes. Under the Governor’s Executive Order 2020-16, repossession of vehicles has been deemed contrary to the interest of preserving public health and should be suspended while the Order is in effect.

**Will relocation towing be subject to the movement and business restrictions?**

- Relocation towing from private property may only occur in relation to maintaining the essential operation of residences, activities, and businesses and operations as defined under the Executive Order.

**Will safety towing of damaged or disabled vehicles from public roadways be subject to the movement and business restrictions?**

- No. Towing damaged or disabled vehicles from public roadways is necessary for essential travel.