

**Cook County Department of Public Health**  
**Mitigation Order 2021-11 - Frequently Asked Questions**

When does the Mitigation Order go into effect?

- January 3, 2022

Who must provide proof of vaccination to enter indoor settings that are covered by Order 2021-11?

- Any patron 5 years old and older must provide proof that they are fully-vaccinated to enter.

What does “fully-vaccinated” mean?

An individual is considered fully-vaccinated:

- Two weeks after their second dose in a 2-dose series with an approved COVID-19 vaccine, such as the Pfizer or Moderna vaccines, or
- Two weeks after a single-dose series with an approved COVID-19 vaccine, such as Johnson & Johnson’s Janssen vaccine.
- This is based on the current CDC definition and may change according to CDC guidelines.

What is an approved COVID-19 Vaccine?

- An approved COVID-19 Vaccine is a vaccine has been authorized or approved by either the Food and Drug Administration or the World Health Organization to prevent COVID19, whether for emergency use or otherwise.

What types of businesses are covered by the Order?

- **Indoor dining establishments**, including bars, breweries, wine / spirit tasting rooms, restaurants, private clubs, country clubs, banquet halls, dining areas within any public business that is ancillary to the main business (cafes within grocery stores, other retail, etc.) coffee shops, food courts and food halls;
- **Event spaces**, including hotel ballrooms and commercial event and party venues and nightclubs.
- **Recreation and entertainment venues** in areas where food or beverages are served, including movie theaters, live performance spaces, including live theater and live music, sports arenas, skating rinks, adult entertainment venues, arcades, bowling alleys, play spaces, family entertainment centers, billiard halls, and venues for card playing; and
- **All indoor settings for recreation and exercise**, including health clubs, gyms, fitness centers, hotel fitness centers, recreation centers, yoga studios, cross-fit

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studios, cycling studios, dance studios, fieldhouses, boxing and kickboxing gyms, and other facilities conducting group fitness classes indoors.

How can I show proof of vaccination?

- People can provide proof of vaccination by showing
  - A CDC COVID-19 Vaccination Record Card; or
  - An official immunization record from the jurisdiction, state, or country where the vaccine was administered; or
  - An 'app' that provides a digital record of vaccinations; or
  - A digital or physical photo of such a card or record that includes the individual's name, the vaccine brand administered, and the date the vaccination was administered.

Do all employees need to show proof of vaccination?

- Vaccination is encouraged for all employees. Employee proof of vaccination must be documented by the employer. For any employee who is not fully-vaccinated or chooses not to provide proof of vaccination, weekly negative COVID-19 tests are required. It remains mandatory for all employees to wear masks while in the workplace.

Will CCDPH supply a template I can use to document my business's compliance with the order?

- A template is available for download on our website [here](#).

Are there exceptions to this order?

- Yes.
  - Individuals entering an establishment for less than 10 minutes for ordering and carrying out food; making a delivery; or using restroom facilities.
  - Individuals who have previously received a medical exemption, as long as proof of the medical exemption and a COVID-19 test administered by a medical professional within the last 24 hours prior to entering a business covered by the Order are provided to the business upon entry.
  - A nonresident performing artist or nonresident person accompanying the artist who is not regularly performing in a business where the Order applies, but only while in the business for the duration of the performance.
  - A nonresident professional athlete or nonresident person accompanying the athlete, who enters a covered location as part of their regular employment for purposes of the professional athletic or sports team competition.
  - An individual 18 years of age or younger who enters a business subject to this Order to participate in a school activity or after-school program offered by any pre-kindergarten through 12<sup>th</sup> grade public or non-public school.

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- Any person entering a business subject to this Order for the purposes of voting in a municipal, state, or federal election; or, pursuant to law, assisting or accompanying a voter or observing such elections.

What businesses with indoor, on-premises food consumption are exempt from the Order?

- Houses of worship do not need to require proof of vaccination, but are strongly encouraged to consult and follow [CDC recommendations for Communities of Faith](#). Religious organizations are strongly encouraged to take steps to ensure social distancing, and implementation of other public health measures.
- K-12 schools, preschools, and child care centers.
- Indoor locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.
- Charitable food service establishments, such as soup kitchens.

Are masks still required indoors?

- Yes. Masks are required: Any individual aged two and older and able to medically tolerate a mask shall be required to wear a mask when indoors in a public place, regardless of vaccination status. Indoor public spaces include any common or shared space in: (1) a residential multi-unit building or (2) any non-residential building, including but not limited to retail stores, restaurants, bars/taverns, health and fitness clubs, museums, hotels, personal services, performance venues, movie theaters, commercial buildings, event venues, healthcare settings, congregate facilities, on public transportation and in transportation hubs.

Do I need to post signage on doors that are not used by the public?

- Signage must be posted at all entrances used by patrons.

Will CCDPH provide a sign that my business can post to meet the requirement?

- Yes. Signs are available on the CCDPH webpage [here](#).

If a park district is running/managing a program that is inside a school, is that program exempt?

- Yes.

Do I need to check the vaccination status of someone coming to a recreation facility just to pick up a participant, if they are in the building for less than 10 minutes?

- No. This is similar to a person entering an establishment for fewer than 10 minutes in order to pick up or place a carryout order, or a person entering for delivery purposes. A business would not need to check vaccination status of this person.

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How can I report a violation of this order?

- Please go to the [“file a complaint page”](#) on the CCDPH website. From there, [use this link](#) for general complaints about compliance. If you are an employee and believe your employer is not following COVID mitigation guidelines or the provisions of this order, use [this form](#).

I have a question that isn’t addressed here. How can I get an answer?

- Please email [healthycook@cookcountyhhs.org](mailto:healthycook@cookcountyhhs.org). Staff will work on answering your question as soon as they can via email and will add questions to future versions of the FAQ.

Do hotel guests need to show proof of vaccination in order to stay at a hotel?

- No. Hotel guests must only provide proof of vaccination to enter the breakfast room, restaurant or any eat on-site location in the hotel, or to use the fitness center.
- Hotel guests attending an event at a hotel where food or drink is provided for on-site consumption must provide proof of vaccination.

Would any CBAs override the vaccine mandate?

- No, language in a CBA cannot override a public health order. Employers should consult with their labor attorneys to determine what may be required in further dealings with their unions in this situation.

Can businesses retain copies of employee vaccine cards?

- There is nothing prohibiting an employer from retaining copies of vaccination cards if employees are made aware of the employer’s policy to do so, and with such notice, the employees willingly provided their cards. However, the order does not require that the employer maintain copies, but only confirm vaccination status or require weekly testing of those employees who fail to confirm vaccination status. The CCDPH Business Vaccination Compliance plan includes a documentation template that allows businesses to record that status is documented and meets the requirements without making card copies necessary. That plan is [available here](#).

Are swimming pools covered by the Order?

- Yes. Individuals must show proof of vaccination to use swimming facilities.

Are tennis clubs covered by the Order?

- Yes. Tennis clubs are covered by the Order.

Are hospital cafeterias covered by the Order?

- Yes. Hospital cafeterias are covered by the Order.

If a business that is otherwise exempt from the vaccination requirements of the Order rents out party rooms where users can bring in food and drink, does the business need to require vaccination for party room use if food will be served?

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- Yes. Vaccination is required for participants in a rental party room if food and drink are being served for on-premises consumption.

I am holding a community recreation center event in a school – but it is not school-sponsored. Will I need to ensure that the student athletes are vaccinated to participate?

- Yes. Participants and spectators will need to show proof of vaccination.

When will the Order be lifted? What information will you be monitoring to make this decision?

- CCDPH will be looking at COVID-related metrics weekly in our jurisdiction, including positivity rates and hospitalizations, to determine when the Order can be lifted.

Do all employees in a hotel or fitness center need to show proof of vaccination, or just those working directly with food /drink provision or fitness classes?

- Hotel employees that are not involved in food service do not need to provide proof of vaccination or test, unless this is hotel policy. All employees of a fitness center need to be vaccinated or undergo weekly testing. For other businesses that contain exercise facilities, employees that do not have any contact with the exercise areas are not covered by this Order.

What is an entertainment center (like an arcade for young kids and families) stops serving food and drink? Would we still need to comply with checking vaccination status and the requirements for employees?

- An entertainment center that discontinues food or drink provision would no longer be covered by the vaccination requirements of the Order. Masking for all people age two and older must be maintained.

Are employers required to pay for COVID testing for unvaccinated employees?

- Employers are not required to pay for COVID tests. There are many community testing sites that provide free COVID testing. If an employee chooses to conduct a rapid antigen test in the presence of their employer, the employer is not required to provide the test.

If a facility that serves multiple purposes, such as a park district facility that hosts fitness classes but also is used for non-fitness purposes such as art classes, community meetings, senior bingo, etc., do ALL people entering the building for any class/program have to produce their vaccination status or only those patrons participating in the fitness/recreation classes?

- Patrons entering the facility for art classes, bingo - any activities that are not sports/fitness do not need to provide proof of vaccination.

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Is an after-school program run on behalf of an elementary school, but not on the school property, exempt?

- Yes. This would qualify as exempt (K-12 school).

What kind of medical proof is required to qualify for a medical exemption?

- A letter or other documentation signed by an individual's medical provider can be used to provide information on a medical exemption.

Are there religious exemptions to the vaccination requirement?

- There are no religious exemptions in Mitigation Order 2021-11. Any unvaccinated person, except for those with a medical exemption, would not be allowed to enter the businesses that are covered by the Order.

Do service providers or repair people need to provide proof of vaccination to complete needed repairs in a business covered by the Order?

- A person entering a covered business for repairs or service can be exempt from the vaccination requirement, provided they remain masked the entire time they are on premises.

Is there a grace period for newly turned 5 year old to have time to get vaccinated without having to discontinue use of recreational programs and facilities?

- Individuals who turn 5 years old during January 2022 and thereafter may show proof of their first vaccine after their birthdays, and must show evidence of their second dose 3 weeks later.

Can renters of public spaces within a business covered by the Order provide assurance they have confirmed all of their group's vaccination status?

- Renters of public spaces can provide evidence that they have checked the vaccine status of all of the guests. They should provide a guest list that documents that vaccination status has been verified. They do not need to maintain copies of vaccination cards. The order states: *in the interests of efficiency, allow patrons to provide the required vaccination proof prior to entry, either directly to the business itself or through an intermediary such as an event planner.*

What types of COVID tests are acceptable?

- The testing option is ONLY available for employees. See this document for a full discussion of acceptable tests- [CCDPH Vaccination Compliance Plan](#).

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