



Cook County Department of Public Health

Mitigation Order 2021-11 - Frequently Asked Questions

When does the Mitigation Order go into effect?

- January 3, 2022

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 (spectators), 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 studios, cycling studios, dance studios, skating rinks (skaters), 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 and guidance 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 12th grade public or non-public school or childcare program.
 - Any individual 18 years of age or younger participating in youth athletics or recreation, as long as no food is being served.
 - Any individual participating in recreation programs though special recreation for individuals with disabilities.
 - 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 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](#).

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.

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. 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 18+ must show proof of vaccination to use swimming facilities.

Are tennis clubs covered by the Order?

- Yes. Tennis clubs are covered by the Order. Individuals 18+ must show proof of vaccination to use these facilities.

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?

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

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?

Version 1 11 22. This document may updated. See [CCDPH's website](#) for the most recent version.

- 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. If the hotel is subject to the Emergency Temporary Standard issued by OSHA, it will need to comply with the requirements and timelines.

What if 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.

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.

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-olds to have time to get vaccinated?

- Any individual who attains 5 years of age after the effective date of this Order shall be entitled to a grace period of 6 weeks, to allow time for the individual to become fully vaccinated.

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 their 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: *Businesses may, in the interest 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 available for employees. See this document for a full discussion of acceptable tests- [CCDPH Vaccination Compliance Plan](#).

Are children participating in youth sports or recreation exempt from the Order?

- Individuals 18 years of age and younger participating in youth sports (any venue) are exempt from the proof of vaccination requirement. Sports and recreation programs must follow the [Sports Safety Guidance](#) issued by the Illinois Department of Public Health and Illinois State Board of Education.

Are spectators at indoor sporting events exempt from the vaccination requirements?

- Spectators of indoor sporting events are exempt from the vaccination requirements provided that no food or drink is being served and that they remain masked at all times.

Do contractors working in a business covered by the Order have to comply with the employee requirements of the order?

- Yes. Contractors must comply with requirements for employees in businesses or settings covered by the Order.

Do volunteer coaches need to provide proof of vaccination?

- Volunteer coaches must provide proof of vaccination. For any volunteer who is not fully-vaccinated or chooses not to provide proof of vaccination, weekly negative COVID-19 tests are required.

Are individual dining structures like ‘igloos’ outside at restaurants covered by the Order?

- Yes. Individuals 5 years old and older dining in igloos must show proof of vaccination.

Do people need to show proof of vaccination in order to go to a skating rink?

- **Spectators** do not need to show proof of vaccination, provided that NO food or drink are being served and they remain masked at all times.
- **Skaters** 18 and older must show proof of vaccination.

I am hosting an athletic event, with youth athletes and spectators where food will be sold. What are the vaccination requirements?

- If concessions are offered and there is NO designated space for eating and drinking, all people 5 years old and older must provide proof of vaccination to attend (athletes and spectators).

- If concessions are offered and consumption is limited to a designated area of the event (ex: food court, café area or similar) then only those people 5 years old and older entering the space to consume food must provide proof of vaccination.

My unvaccinated employees are having difficulty getting timely test results. What can I do?

- The expectation is that employees will consider the time needed for test scheduling and turn-around in order to be able to provide weekly test results to their employers, and make their test appointments accordingly. Employers could include information encouraging this planning in their written employee vaccination protocol. If a reporting delay occurs, employees can continue to work until they are received, but this should not be an excuse for those employees not making a good-faith effort to comply. In evaluating a business's compliance with the Order, CCDPH will take into account the employer's written protocol and demonstrated efforts to comply.

The CCDPH Order references the OSHA standards 1910.501(e) & (g). What businesses need to comply?

- All businesses covered by the CCDPPH Order for proof of vaccination requirements – that is, all indoor settings where food or drink are served for on-premises consumption, and health and fitness centers – must comply with OSHA standards 1910.501(e) & (g).