



**ILLINOIS
CHAMBER**

GOVERNMENT AFFAIRS

Report

November 12th, 2021

This Week in Illinois

Illinois Chamber Participates in Senate Business Roundtable

On Tuesday, Illinois Chamber Vice President of Government Affairs Clark Kaericher participated in a business roundtable with Senator Dale Fowler (R-Harrisburg). Alec Laird, Vice President of Government Relations at the Illinois Retail Merchants Association and Randy Prince from the Illinois Manufacturers Association also took part in the event.

This event was an opportunity for businesses in southern Illinois to get an expert update on new laws and regulations that have gone into effect in Illinois or have recently been under consideration in the General Assembly.

In his presentation, Kaericher highlighted the Chamber's effort to reform the Biometric Information Privacy Act (BIPA) and the Chamber's \$10,000 [SALT-cap work around](#) initiative that was signed into law in late August. He also spoke about the \$250 million Back to Business (B2B) Grant Program that will continue to support small businesses across Illinois. The Chamber was a strong proponent of the "BIG Program," the predecessor to the B2B Grant

Program, and drafted an initiative in the Spring session for its continuation in [SB 1615](#) and [HB 2424](#).

Session Update

The Illinois General Assembly will return to Springfield on January 4, 2022. No other session dates are scheduled for this year.

The 2022 session calendar beginning in January was released late last month. View the 2022 House calendar [here](#). View the 2022 Senate calendar [here](#).

Bills of Interest with Action in Past Week:

[SB 1169 HCRCA Changes](#) was signed into law. This bill amends the Healthcare Right of Conscience Act so that it does not apply to COVID-19 vaccinations or testing requirements for religious or personal reasons.

In Case You Missed It...

OSHA COVID-19 Employer Mandate Update

As you are undoubtedly aware, the Biden administration filed its emergency OSHA rulemaking on Friday the 5th. The rulemaking embodies the COVID vaccination mandate on employers of 100 or more to ensure that their employees are vaccinated or are subject to onerous testing requirements. The very next day, a federal appellate court in Louisiana placed a stay on the rulemaking at the request of several states that challenged the validity of the rule.

Since Saturday, the administration has filed a response to the stay with the 5th Circuit Court of Appeals in New Orleans yesterday and has stated it would pursue a consolidation of the various suits across the nation.

In addition, press reports indicate that the Biden administration is calling on all potentially impacted employers to continue to plan for implementation of the rule and they should not await the outcome of legal proceedings.

As things stand, we await the next steps in the legal process and employers remain in limbo as to whether to prepare for implementation of the rule or to wait for future developments.

It is very important to note – barring any delays in implementation from legal challenges – that January 4 is NOT the first deadline impacted employers need to focus on. **December 5** is the first deadline in which employers will need to: 1) assess which employees are currently vaccinated and which ones are not;

2) require masking of those employees not yet vaccinated and 3) develop a plan for documenting and recording employee vaccination status and weekly testing of those employees that remain unvaccinated after January 4.

As has been widely reported, the maximum fine for a violation of the rule is \$13,600. A single violation does not yet seem well defined. However, a determination that an employer is in willful non-compliance with the mandate carries a fine up to \$136,000.

If an employee decides they will not become vaccinated by January 4, they will have to undergo weekly COVID testing at their own expense – except in limited circumstances – and provide documentation of a negative test result to their employer. They will also have to adhere to masking requirements. It is the employer's responsibility to document and record all negative test results for each unvaccinated worker.

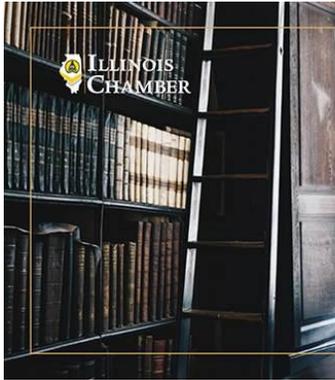
Our thanks go out to the US Chamber of Commerce who has a team of experts working this extremely important issue. [Attached](#), we have included additional information they have compiled and continue to compile for their members and the Chamber Federation.

Frequently asked questions on the COVID-19 Vaccination and Testing ETS are provided by the US Department of Labor [here](#).

Illinois Chamber COVID-19 Vaccine and Employer Mandate Survey

Covid-19 vaccines have been available to the Illinois workforce for most of 2021. Most but not all Illinoisans have chosen to get vaccinated. This anonymous survey will help the Illinois business community understand why some individuals choose to remain unvaccinated. The results will be beneficial for crafting state and workplace policies.

Take the survey [here](#).



8th Annual
**NEW LAWS
FORUM 2021**
for Illinois Employers

DECEMBER 1, 2021
HILTON LISLE | 8:30 am - 4:00 pm

**Register Today:
Chamber New
Laws Forum 2021**

The New Laws Forum focuses on the new laws and legal developments that will affect ALL Illinois employers in 2022 and beyond. The

forum features Illinois attorneys and experts speaking about Illinois laws – as well as representatives from government agencies talking about the latest changes and your peers, the Senior HR professionals discussing how the laws have and will affect their businesses. It's been a busy year, and more regulation is coming.

The event will take place on Wednesday, December 1st at Hilton Lisle in Lisle, Illinois. [Register Today!](#)

Key Legislation

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If you have questions about the Government Affairs Report, contact Clark Kaericher at ckaericher@ilchamber.org. Do not reply to this email.