

# Chicago Approves Landmark COVID-19 Anti-Retaliation Ordinance

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On May 20, 2020, Chicago's [COVID-19 Anti-Retaliation Ordinance](#) (the "Ordinance") came into effect. The Ordinance bars employers from terminating or demoting employees who take time off for reasons related to COVID-19, including taking time off to care for a family member with COVID-19. Noncompliance with the Ordinance can be costly, including private litigation and enforcement action by the city. Employees can win up to three times the wages lost due to their termination plus actual damages and attorney fees. In an enforcement action, Chicago could impose fines of \$1,000 per day per violation. The Ordinance provides employers with an affirmative defense if it relied upon a reasonable interpretation of the public health order at issue and, upon learning of the Ordinance violation, cured the violation within 30 days.

Multi-state employers should monitor other jurisdictions where they have a physical presence as these anti-retaliation measures related to COVID-19 are becoming more common (e.g. [Michigan](#), [Washington](#)).

As Chicago reopens, employers attempting to follow both state and city safety guidance, should also ensure compliance with [Chicago's Fairweek Ordinance](#) ("CFW"), which goes into effect on July 1, 2020. For employers challenging to grapple with all the new employment laws related to COVID-19, there is some good news: Chicago recently delayed enforcement of the CFW until January 1, 2021.

We understand these laws are a lot to digest and monitor. If you need assistance, please reach out to a Kelley Drye attorney.