March 21, 2020

To: PMA Illinois Members

On Friday afternoon, Illinois Governor JB Pritzker issued an Executive Order (EO 2020-10) requiring IL residents to stay at home and only to leave for essential activities, essential government functions or to operate essential businesses and operations. All gatherings of any number of people outside a residence is prohibited unless it is part of an essential activity or operation. All non-essential businesses are required to close effective Saturday, March 21, 2020 at 5:00 p.m. Central Time. The order remains in effect through April 7.

The executive order specifically outlines 23 essential businesses and operations permitted to remain open with employees reporting for work, including those in the manufacture, distribution, and supply chain for critical products and industries identified as:

- “Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.”

The order also exempts “Healthcare and Public Health Operations including manufacturers of medical equipment, personal protective equipment, medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.”

The Illinois definition differs somewhat from the federal guidelines released by the Department of Homeland Security Thursday evening. That definition of an essential critical business covers a broader set of businesses permitted to remain operational. The federal definition that PMA lobbied to help establish includes “medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base,” also including defense subcontractors (see Critical Manufacturing and Defense Industrial Base categories toward the bottom of the webpage). PMA is asking all states to adopt a single definition in line with the federal guidelines issued.

As of right now, manufacturers who fall under the Illinois definition of an essential business may continue operations. Those who believe they do not fall under the definition, must remain closed through April 7. If you are not on the list, you may enter your business to perform certain clerical/essential functions such as processing payroll and a security/safety check. As of this update, the Illinois Business COVID FAQ site is not providing additional information, other than the below:
“What if I think my business should be closed but I’m still being asked to operate?

*Essential businesses will remain open during the Stay at Home order to provide services that are vital to the lives of Illinoisans. Those businesses include, but are not limited to, pharmacies, certain government offices, day care centers that provide care for the children of essential employees, and restaurants providing take-out meals. If you work for an essential business, you should continue to practice social distancing and should stay at home outside of work hours. If you believe your business is nonessential but are still being asked to show up to work, you may discuss with your employer.”*

Some states such as Pennsylvania have established a waiver/exemption application form for businesses not meeting the definition who believe they perform essential functions and should remain open. We have not yet seen a waiver process in Illinois. The state has, however, been approved by the Small Business Administration for companies seeking disaster loans for up to $2 million.

**Essential Worker Day Care:**
The State of Illinois is creating an [Emergency Child Care Center License](#) for small groups to help essential workers with care while continuing to work. Those interested in applying may submit the application immediately and have five days to submit the additional paperwork and begin a background check.

PMA’s advocacy team in Washington, D.C. is continuing to work with the White House and Congress to provide the resources members need in these uncertain times. Our team has developed a list of 10 [recommendations](#) for the COVID-19 Phase 3 economic stimulus legislation moving rapidly through the Congress. Based on a flash survey of members conducted, the recommendations include solutions to help with cash flow, prompt payment terms to suppliers for companies receiving federal funds, ensuring banks do not revoke existing lines of credit, and making sure manufacturers have the resources to continue operations and quickly ramp up production after the crisis wanes.

In Washington and around the country, PMA will continue lobbying our government officials and monitor the rapidly evolving situation to keep members informed about the latest developments (the new paid sick leave/FMLA law takes effect April 2).

Please feel free to reach out to us with any questions.