



Illinois State Association of Counties

November 16, 2021

Director Michael D. Kleinik
Illinois Department of Labor
160 N. LaSalle St., C-1300
Chicago, IL 60601

Dear Director Kleinik,

This letter is intended to inquire as to whether the Illinois Department of Labor (IDOL) has determined how it will interpret the federal Occupational Safety and Health Act (OSHA) Emergency Temporary Standard (ETS) mandating that large employers require their employees to acquire the COVID-19 vaccine or submit to regular testing.


The Illinois State Association of Counties (ISACO) is aware that the ETS is applicable to county governments located in the 26 states with OSHA-approved state plans and that Illinois is one of these states.

While ISACO does not have a position on the ETS, it has been brought to our attention that Illinois statutes and case law may be relevant in establishing how employee headcount should be calculated across the various and separate elected offices of county government. We would be pleased to share this information with IDOL if it would be beneficial for policy development purposes.

I should also acknowledge awareness that ongoing litigation against the ETS is likely to affect the timetable for state policy development and implementation.

Thank you for your consideration in this matter. Please feel welcome to contact me at 217-679-3368 or jmccoy@isacoil.org if we can be helpful. Thanks.

Respectfully,


Joe McCoy
Executive Director