



Midwest-SouthEastern EQUIPMENT DEALERS ASSOCIATION

To: MSEDA Illinois Members:

On April 13, 2020, the Illinois Workers' Compensation Commission (IWCC) adopted an emergency rule on a 9-0-1 vote, (Commissioner Coppolletti abstaining), which dramatically expands the scope of the Illinois Occupational Diseases and Workers' Compensation Acts.

The emergency rule amends Section 9030.70 of the Commission's Rules of Evidence. [IWCC Administrative Rules](#). It adds to that Section new A-1 to provide a rebuttable presumption of coverage by the Acts for first responders and front-line workers who are exposed to COVID-19. It also adds A-2 which defines first responders and front-line workers. The definition includes what the statute already covers regarding first responders but also expands the definition to include all workers of the essential businesses provided for in Governor Pritzker's [Executive Order 2020-10](#).

As The Executive Order includes agriculture:

*Section 12. n. Supplies for Essential Businesses and Operations. **Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate,** including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;*

This is a dramatic expansion of workers' compensation/occupational diseases coverage that MSEDA have not typically had to deal with.

During public comments, there were objections raised which I concur with:

- 1) The emergency meeting may be a violation of the Open Meetings Act due to the lack of timely notice; and
- 2) This is an issue that needs statutory remedy and goes beyond the rule-making authority of the Commission.

Attached is a copy of the emergency rule.

Gary Manke CAE
Midwest-SouthEastern Equipment Dealers Association

