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Question of the Day: Domestic Travel Restrictions

Legal Update

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Question

When traveling domestically for business, will my employee be required to self-quarantine at the destination or upon return?

Answer

One of the factors employers must consider in determining whether an employee should travel domestically for business is the destination's travel restrictions. While many states encourage a 14-day self-quarantine after traveling to areas experiencing a surge of COVID-19 cases, several states, and now the city of Chicago, have implemented specific restrictions for travelers arriving at that destination.

In responding to this question, we reviewed travel restrictions in place, as of July 15, 2020, listing each location with links to the pertinent restrictions. However, employers should continually check state and municipality health department sites for any new or extended travel restrictions, as well as local requirements regarding masking, social distancing and other COVID-19 requirements, that may affect employees traveling for business.

Requires self-quarantine or a negative COVID-19 test

Alaska

Travelers who can show proof of a negative COVID-19 test result taken within 72 hours before departure will not have to quarantine. If tested within five days of departure, travelers will not have to quarantine, but will be retested at the airport. Travelers who have pre-tested in these windows do not need to have results by arrival to Alaska but must quarantine until they receive and submit their results. Other travelers have the option to be tested at arrival, subject to test availability. If the traveler is an essential worker, they have to adhere to their company's community protective plan on file with the state. If none of these exemptions apply, the traveler

must self-quarantine for 14 days.

Chicago, IL

Chicago directs travelers entering or returning to Chicago from identified states to quarantine for a 14-day period from the time of last contact within the identified state. There are exceptions for essential workers, but these workers are subject to other requirements such as avoiding any non-essential interactions.

Hawaii

A mandatory 14-day traveler quarantine and passenger verification process is required for those traveling to the Hawaiian Islands. Essential workers will be subject to self-quarantine but may break quarantine to perform their critical infrastructure functions. Interisland travelers are required to complete a health screening form. Failure to comply is a misdemeanor and is punishable by a maximum fine of \$5,000 or imprisonment of not more than one year, or both.

Kansas

Requires a 14-day quarantine for those traveling from Arizona and Florida or who are returning from a river or sea cruise.

Maine

With the exception of certain states, all out-of-state travelers are required to complete a 14-day quarantine upon arrival unless they are an adult who has had a negative COVID-19 PCR test collected no more than 72 hours before arrival. All travelers will be asked to sign a Certificate of Compliance indicating a negative COVID-19 test result, or that they will or have completed their quarantine in Maine. Travelers who fail to comply may be charged as a Class E crime subject to a penalty of up to six months in jail and a \$1,000 fine.

Massachusetts

Requires a 14-day self-quarantine for all travelers and those returning home unless traveling from Rhode Island, Vermont, New Hampshire, Maine, New York, New Jersey or Connecticut. Workers designated by the federal government as essential critical infrastructure workers are exempt from the directive to self-quarantine for 14 days if traveling to Massachusetts for work purposes.

New Mexico

As of July 1, 2020, all out-of-state travelers are required to self-quarantine for 14 days, or for the length of their stay in New Mexico, whichever is shorter. Additionally, residents returning to New Mexico must self-quarantine for 14 days. However, there

are exemptions for travelers such as those who are employed or contracted by an essential business traveling into the state to conduct business activities.

Oklahoma

Requires travelers entering Oklahoma from New York, New Jersey, Connecticut, California, Louisiana or Washington to self-quarantine for 14 days. Airline personnel, military, health care and emergency workers are exempt.

Rhode Island

Travelers from certain states are required to self-quarantine for 14 days or provide proof of a negative test for COVID-19 that was taken within 72 hours prior to arrival. Travelers are also required to complete a certificate of compliance and an out-of-state travel screening form.

Tri-State Agreement: New York, New Jersey and Connecticut

The Governors of New York, New Jersey and Connecticut enacted a Tri-State travel advisory for people traveling to and from states with a positive COVID-19 rate higher than 10 per 100,000 residents, or higher than a 10 percent positivity rate, over a seven day rolling average. This includes travel by train, bus, car, plane and any other method of transportation. With some state specific exceptions, including an exception for essential workers, all three states require a 14-day self-quarantine for travelers, other than those simply passing through to another destination.

New York's travel restrictions include penalties for travelers who fail to comply, including failure to submit a screening form regarding the traveler's health and reason for travel.

Currently, both New Jersey and Connecticut travel restrictions do not have failure to comply penalties. New Jersey allows an exemption for business travelers and Connecticut allows exemptions for essential workers. Alternatively, travelers to Connecticut may provide proof of a negative viral test, not an antibody test, for COVID-19 in the 72 hours prior to arrival.

Vermont

Visitors and travelers coming to Vermont by plane, bus or train or those who make stops in a personal vehicle must quarantine for 14 days when they arrive. Travelers may quarantine in their home state for 14 days before traveling in their personal vehicle and making no stops. If they travel by commercial transportation or drive with stops to Vermont, they must quarantine for 14 days at a lodging facility in Vermont. Under Vermont's authorized work exemption, travelers to or from Vermont for authorized work, whether they are a Vermonter or a non-resident traveler, do not need to quarantine if the individual has not been in contact with someone with COVID-19 in the past 24 hours, has not experienced COVID-19-like symptoms in the

past 24 hours including a fever a fever above 100.4°F, chills, muscle pain, sore throat, headache or new loss of taste or smell.

Recommends self-quarantine

Arkansas

The mandate for travelers to quarantine has been lifted. However, residents should consider quarantining when returning from travel to affected areas.

Maryland

Recommends, but does not require, 14-day self-quarantine for residents who display symptoms after returning from out-of-state.

Nebraska

Travelers coming to the state for less than 14 days should self-quarantine and self-monitor for the duration of their visit. The recommendation excludes health care workers, commuters and certain other groups.

New Hampshire

The two-week self-quarantine has been lifted for those traveling to New Hampshire from surrounding New England states (Maine, Vermont, Massachusetts, Connecticut and Rhode Island). Those traveling from non-New England states for an extended period of time are still asked to self-quarantine for a two-week period.

Pennsylvania

It is recommended, but not required, for travelers to self-quarantine for 14 days if traveling to or from the following states, or an area with high coronavirus case counts: Alabama, Arizona, Arkansas, California, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nevada, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Utah.

South Carolina

On May 1, 2020, the governor lifted the restriction on visitors to South Carolina from the Tri-State Area (New York, New Jersey and Connecticut). Currently, recommendation is for travelers returning from an area with widespread or ongoing community spread stay home for a period of 14 days from the date of departure.

Virginia

At this time, there are no restrictions on U.S. travelers who can enter Virginia; however, a 14-day self-quarantine is recommended for those returning from traveling internationally, on a cruise ship or river boat, or to a U.S. area where COVID-19 circulated widely in the community.

Wisconsin

The Department of Health Services says that certain cities and counties in the state may subject travelers to stay at home or self-quarantine for 14 days. Check specific county and city websites for more information.

Takeaway

If your business requires employees to travel to other cities or states, check the websites of state and local departments of health for travel restrictions and requirements. Be aware that while an employee is traveling, it is possible a state or local government may put into place travel restrictions, such as stay-at-home or shelter-in-place orders, mandated quarantines upon arrival, or even state border closures. During travel, employees should plan to keep checking state and local department of public health websites for updates and plan accordingly.

If you have questions regarding how business travel restrictions may affect your employees, contact your Fredrikson & Byron Employment & Labor attorney.

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