

Travel Restrictions, New Facts on Coronavirus Should be Continually Monitored by Employers

By Michael H. Neifach, Amy L. Peck, Katharine C. Weber, Tara K. Burke &

February 4, 2020

Meet the Authors



Michael H. Neifach

Office Managing Principal
(703) 483-8300
Michael.Neifach@jacksonlewis.com



Amy L. Peck

Principal
402-391-1991
Amy.Peck@jacksonlewis.com



Katharine C. Weber

Principal

The outbreak of the novel coronavirus (2019-nCoV) first identified in Wuhan, Hubei Province, China continues to raise not only health concerns, but issues for employers and employees. Information about the virus continues to evolve.

Since January 28, 2020, the virus has continued to spread. As of February 3, the virus is now confirmed to be in more than two dozen countries. There are 11 confirmed cases in the U.S. and this number is expected to continue to grow.

Travel Restrictions

After the World Health Organization declared a Public Health Emergency due to the 2019-nCoV, the Trump Administration announced that, as of 5:00 p.m. EST on February 2, 2020, all non-U.S. citizens who had visited China (not including Hong Kong and Macau) within the 14-day period preceding their entry or attempted entry into the U.S. would be temporarily banned from entering the country. The complete ban excludes Lawful Permanent Residents (Green Card holders) and close family members of U.S. Citizens and Green Card holders, among others.

U.S. citizens (and others not subject to the ban) will be subject to certain restrictions.

- U.S. citizens who have visited Hubei Province (the epicenter of the virus) within the 14-day period preceding their entry will be quarantined upon entry and likely held for up to 14 days.
- U.S. citizens who have visited other areas of mainland China within the 14 days preceding their entry will be subject to health screenings and, if symptoms are identified, they will be transferred for further medical evaluation. The Department of Homeland Security reports that if symptoms are not identified, these individuals will be permitted to travel to their final destination and will undergo up to 14 days of self-quarantine with health monitoring to ensure they have not contracted the virus and do not pose a public health risk.

Screening for 2019-nCoV is taking place at the following airports: JFK in New York; O'Hare International Airport in Illinois; San Francisco International Airport in California; Seattle-Tacoma International Airport in Washington; Daniel K. Inouye International Airport in Honolulu, Hawaii; Los Angeles International Airport in California; Hartsfield-Jackson Atlanta International Airport; Washington Dulles International Airport in Virginia; Newark Liberty International Airport in New Jersey; Dallas/Fort Worth International Airport in Texas; and Detroit Metropolitan Airport in Michigan.

The Department of State (DOS) is urging individuals not to travel to China. The Agency has issued a Level 4 "Do Not Travel" advisory for *all* of China. This is the highest level of travel alert and previously was issued only for Hubei Province. In addition, DOS is allowing all non-emergency personnel at U.S. embassies and consulates in China to leave



Tara K. Burke

(She/Her)

KM Attorney

(513) 322-5027

tara.burke@jacksonlewis.com

Related Services

COVID-19

Disability, Leave and Health

Management

Healthcare

Higher Education

Immigration

Workplace Safety and Health

the country. The Agency has confirmed to the American Immigration Lawyers Association (AILA) that consular services will continue “as resources allow,” but may be “significantly limited.” More recently, however, the [U.S. Consulates and Embassies](#) have announced they will be closed the week of February 3, 2020.

These travel restrictions, as well as those that other countries are instituting, are causing travel problems for companies with employees who have travelled to China or need to travel to China or other countries. For example:

- Companies with non-U.S. citizen employees who have travelled to China may find that those employees cannot return to the U.S. — at least for now.
- Options for going to other countries also are limited as many, including Philippines, Hong Kong, Australia, New Zealand, Iraq, Japan, South Korea, Vietnam, Uzbekistan, India, Macau, Israel, Mongolia, and Myanmar, have placed [restrictions on individuals](#) coming from China.
- Chinese nationals living in the U.S. who need to travel abroad for work (to countries other than China), but who need to renew their visas during their travel will have to apply for those visas at U.S. Consulates outside of China and may face restrictions that some Consulates apply to “third-country” nationals.

Transmission, Severity of Symptoms

On January 30, the U.S. Centers for Disease Control and Prevention (CDC) published new information about the virus, including on transmission and severity of the symptoms. Among other things, the [CDC confirmed](#) the first person-to-person transmission of the virus in the U.S. involving a person who had recently travelled to Wuhan, China and the person’s spouse. The [CDC also confirmed](#) that cases have been reported where the virus was spread from person to person even before the first infected person showed symptoms. The CDC advises, “While person-to-person spread among close contacts has been detected with this virus, at this time this virus is NOT currently spreading in the community in the United States.” [CDC guidance](#) updated on February 2 includes revised criteria for healthcare professionals to identify Patients Under Investigation (PUI).

Important for Employers to Stay Up-to-Date

Information and data about 2019-nCoV are constantly evolving. The latest information can help employers evaluate and re-evaluate their organization’s pandemic plan with the relevant experts.

The [CDC’s page on the novel coronavirus](#) provides extensive information and is updated frequently. The [Occupational Safety and Health Administration](#) (OSHA) has released guidance on the novel coronavirus.

Employers should continue to monitor information from federal and state agencies, prepare appropriate employee communications, and take steps to minimize the risk of potential exposure to the virus within their workplaces. Given that this is a rapidly evolving situation, all information in this update is subject to change. For the latest information, please review the relevant agency communications.

Jackson Lewis attorneys are available to assist you with travel and immigration restrictions, as well as other workplace issues. To better support clients as they respond to this challenging public health issue, Jackson Lewis has established a dedicated “Coronavirus” team that is continually assessing risks, preparing employee

communications, and providing practical advice on the workplace compliance issues flowing from [coronavirus workplace concerns](#).

©2020 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.'s 1000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients' goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.