

NEW YORK TRAVEL ADVISORY UPDATED

NOVEMBER 2020



Governor Andrew M. Cuomo has announced new guidelines allowing out-of-state travelers to New York to “test out” of the mandatory 14-day quarantine. Travelers from states that are contiguous with New York will continue to be exempt from the travel advisory. Essential workers will continue to be exempt as well. The new protocol is effective November 4, 2020.

For any traveler to New York State from out of state, exempting the contiguous states, the new guidelines for travelers to test-out of the mandatory 14-day quarantine are below:

- For travelers who were in another state for more than 24 hours:
 - Travelers must obtain a test within three days of departure from that state.
 - The traveler must, upon arrival in New York, quarantine for three days.
 - On day 4 of their quarantine, the traveler must obtain another COVID test. If both tests come back negative, the traveler may exit quarantine early upon receipt of the second negative diagnostic test.

- For travelers who were in another state for less than 24 hours:
 - The traveler does not need a test prior to their departure from the other state, and does not need to quarantine upon arrival in New York State.
 - However, the traveler must fill out the traveler form upon entry into New York State, and take a COVID diagnostic test 4 days after their arrival in New York.

Local health departments will validate tests, if necessary, and if a test comes back positive, will issue isolation orders and initiate contact tracing.

Exemptions for Essential Workers

Exceptions to the travel advisory are permitted for essential workers and are limited based on the duration of time in designated states, as well as the intended duration of time in New York, subject to a number of restrictions. Detailed information on exemptions for essential workers can be found at <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

Interaction with NYS COVID-19 Sick Leave

The NYSDOH continues to indicate that individuals who engage in non-essential, non-work related travel that results in a quarantine period under these new rules will be ineligible for benefits under the New York State COVID-19 Paid Sick Leave Law. Employers should evaluate whether such an employee has leave rights under any other law and/or whether the employee can telework during the quarantine period.

Additional information can be found at the NYS COVID-19 Travel Advisory website at <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

This Compliance Bulletin is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice.