

Holiday travel and workplace safety during COVID-19 Pandemic



With many employees traveling for the holidays as COVID risks heighten, workplace safety concerns are top of mind. Organizations must understand the legal requirements, how to handle employees who travel, and the impact their PTO policy may have on employee safety. While no one has all the answers, there are some clear things you should consider for the impending holiday season.

Review paid leave rules

You may know these rules well, but let's review them quickly. The Families First Coronavirus Response Act remains on the books through the end of the year and entitles employees to:

- Up to 10 days of paid sick leave if they can't work or telecommute because they're quarantining under the orders of a state or local health official. This sick leave is paid at 100% of their regular rate of pay, up to \$511 a day.
- Up to 10 days of paid sick leave if they can't work or telecommute because they're taking care of someone else who's under quarantine orders of a state or local health official. This sick leave is paid at 66% of their regular rate of pay, up to \$200 a day.

Employers are entitled to tax credits to cover the cost of such leave, which you take on your Form 941.

Holiday travel strategies for employers

Holiday travel creates workplace safety concerns for employers. You can't prevent employees from traveling during the holidays. However, employees who do travel hither and yon may bring the virus back with them.

Here are three options for you to consider, though there are certainly more. Regardless, whatever you decide to do, apply it fairly to everyone.

- Query employees about whether they traveled and where they traveled.
- Require employees to complete a health survey upon returning to the workplace.
- Have employees work from home for 14 days after they return from their holiday travel.



Depending on where employees traveled, they may have to quarantine when they return home. To find out, visit the website of your state health or labor department, where you will find a list of states that trigger quarantine requirements. Assuming employees haven't already exhausted their entitlement to paid leave, they will still be entitled to paid leave under the FFCRA, if they can't work or telecommute during this time.

Note: Some states and localities are simply *suggesting* individuals quarantine. Employees returning to one of those jurisdictions aren't entitled to any FFCRA leave, because a suggestion to quarantine isn't the same thing as a quarantine order.

Reevaluate your PTO policy

Holiday travel isn't the only PTO consideration you may need to make. A proper PTO policy is vital to ensuring workplace safety and reducing the risk of COVID spread. While FFCRA paid leave is great, it only gets you so far. Employees may need to rely on your PTO policy, making now a good time to take a fresh look at it. Fortunately, you have options here too:

- **Consider switching over to unlimited PTO.**

- **Advantages:** This accommodates employees through a seemingly endless pandemic, allows you to ditch onerous accrual calculations, and wipes away state mandates to pay the value of accrued time to terminated employees.
- **Disadvantages:** Employees usually don't take the time they have anyway, so you need to ensure they do.

- **Enhance your PTO carryover policies.**

- **Advantages:** Lots of employees had to cancel their vacation plans this year. If you have a use-it-or-lose-it policy, they'll lose it. Is that what you really want? Allowing employees to carry over more time saves you from this PR debacle and allows employees to set aside more time for an unthinkable third wave.
- **Disadvantages:** You may have to cash out employees who terminate under state law or company policy. However, you may also be able to amend your company policy to stop payouts at termination.

- **Consider parental PTO.** The pandemic has made clear the unique stresses working parents face.
 - **Advantages:** Focusing PTO on parents isn't discrimination and they'll probably appreciate it.
 - **Disadvantages:** It's been pretty well established that employees without kids won't like this very much.

Additional Resource: See more on [FMLA, FFCRA, and Intermittent Leave](#) options.