

Out-of-State Travel Guidance—Issued July 20, 2020

Travel guidelines and quarantine requirements continue to change as the COVID-19 pandemic continues into the summer vacation period. The guidance below is intended to provide employees with information when considering out-of-state travel.

At this time, employees returning to Maine after out-of-state and foreign travel are required to undergo a 14-day quarantine upon returning to Maine and *prior* to returning to the workplace; employees who provide a negative COVID test result may be able to return to the workplace sooner. Employees with the approval/ability to telework must work with their supervisor/manager to determine whether telework is an option during the quarantine period.

There are **two exceptions to the quarantine and testing requirement**. The following are not required to serve the 14-day quarantine:

1. **Employees traveling only to states exempted from the quarantine requirement by Executive Order.** Currently, states qualifying for this exemption are New Hampshire, Vermont, Connecticut, New York, and New Jersey. It is important to note that **this list could change at any time**. An updated list of exempted states can be found by clicking [here](#) or checking the Maine CDC website at this address: <https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/travel.shtml#quarantine>.
2. **Employees who are required to travel out of Maine to perform their work for the State of Maine** and then return home are exempt from the quarantine requirement.

As a result of the quarantine requirements in effect, state employees who have plans to travel out of the state other than on state business to a non-exempt destination should notify their supervisor prior to such travel and contact their [Human Resources](#) office for information on leave options related to a required quarantine. Supervisors/managers must include the 14-day quarantine period when considering operational need for vacation requests, which includes considering whether the employee is approved/able to telework during the quarantine period. Supervisors/managers, please contact Human Resources with questions.

FREQUENTLY ASKED QUESTIONS

Q1. If I am required to travel out of state on state business to a destination not exempt from the quarantine requirement, am I required to quarantine for fourteen days upon return (or receive a negative COVID-19 test)?

A. No. The Governor's Executive Order excludes from the quarantine requirement State employees required to travel out of state in the performance of their duties and then returning home.

Q2. If I travel on vacation or on my time off to a destination not exempt from the quarantine requirement, am I required to quarantine?

A. Yes. The only time State employees are not required to quarantine after travel to a non-exempt destination is when the travel is *required for state work*.

Q3. I am an essential worker. Am I required to quarantine after returning from a personal trip to a non-exempt destination?

A. Yes. Even an essential worker from Maine who travels to a non-exempt destination on a personal trip must serve a quarantine period. An essential employee is exempt from the quarantine requirement *only if* the employee traveled out-of-state *for state work*.

Q4. What if I drive my own vehicle to a non-exempt destination, don't stay overnight, and only had close contact with a few people – am I still required to quarantine?

A. Yes. You must quarantine after all non-work-related travel to a non-exempt destination, regardless of what you were doing there, how long you stayed, or what mode of transportation was used.

Q5. If I travel to an exempt destination but drive through a non-exempt destination on the way or way home, do I need to quarantine?

A. The answer depends on what activities occurred while you were 'traveling through' the destination subject to a quarantine requirement. If you did not stop, only stopped by the side of the road to stretch, or only stopped for gas and followed safety measures, there would be no quarantine necessary. However, if you stopped at a restaurant to eat, went shopping, etc., quarantine may be required. Work with HR for a determination.

Q6. If I have visitors staying with me from a non-exempt destination, am I required to quarantine?

A. Not necessarily. Employees may not be required to quarantine unless they personally traveled to a non-exempt destination. Having visitors or a family member from a non-exempt destination staying with you pending testing, or someone from your household returning from out of state, does not automatically require a 14-day quarantine period for you. **However, a quarantine requires the visitor to remain physically distanced from you and your household until their quarantine is finished or they receive a negative test result.** This means, for example, that visitors cannot participate in family dinners in the same room, watch television together, or have other types of interaction that puts you or your household in proximity to a person under quarantine. Notify your supervisor and HR if the visitor does not properly quarantine for the 14 days or until a negative test result to discuss work from home or leave options. Also, if the visitor/family member tests positive for COVID-19, you (and the entire household) will need to quarantine for at least 14 days.

Q7. If I request vacation leave and will travel to a non-exempt destination, will the 14-day quarantine be considered in determining whether my vacation will be granted?

A. Yes. In evaluating your request for vacation, your supervisor/manager must determine whether operational needs allow you to be away from the worksite for vacation *plus* any quarantine period. For example, if you request a one-week vacation to go to a non-exempt destination, the additional 14 days must be considered when evaluating whether operational needs permits granting the vacation. If you are already teleworking and there is no plan for you to return to the workplace after the vacation, work with your supervisor/manager to discuss whether you can continue to telework during the quarantine period.

Q8. Can I take a COVID-19 test rather than serve a quarantine period?

A. The Executive Order allows for the substitution of a negative COVID-19 test in place of a 14-day quarantine. However, an employee must quarantine until the negative test result is received. Because currently testing may have a significant turnaround time, it may not be possible to test and receive results in significantly fewer than 14 days. If you do receive a negative test result prior to the end of the 14-day requirement, however, you may return to the workplace prior to the end of 14 days. Proof of a negative test result should be provided to Human Resources.

Q9. What if I am willing to test instead of quarantine – how does that impact the consideration of my vacation request?

A. Because currently testing may have a significant turnaround time, vacation requests must be considered based on the additional 14-day quarantine period. An employee may return to the workplace prior to the end of the 14-day quarantine, however, by presenting a negative test result to Human Resources.

Q10. Am I required to tell my supervisor if I plan to travel to a destination not exempt from the quarantine requirement?

A. Yes. If you are requesting vacation or other accrued leave, then at the time you make the request, you must notify your supervisor if you are traveling to a destination subject to a quarantine requirement, so that the leave request can be evaluated based upon operational needs. If you plan to travel out of state in your *off-work hours* (i.e. not on vacation or other approved leave), you are also required to notify your supervisor as soon as possible *prior* to your travel to discuss the possible impact of the quarantine requirement upon your work and whether any type of leave would be available to cover the period of quarantine.

Q11. What type of leave can be used to cover a quarantine period?

A. It depends upon the circumstances. See Q12 through Q14.

Q12. If I am approved for vacation leave to travel to a non-exempt destination with the understanding that I will be unavailable to work during the 14-day quarantine period, what type of leave do I take?

A. An employee pre-approved for the vacation, compensatory, or personal leave for out-of-state travel and the quarantine period, may use their vacation, personal, or compensatory time to cover the entire pre-approved absence. Sick leave is not appropriate as the quarantine is not caused by the employee's or a family member's illness or disability. In addition, an employee who is not exempt from the FFCRA and who has not used the 80 hours of Emergency Paid Sick Leave may use this leave to cover any required quarantine absence up to 80 hours, consistent with the Emergency Paid Sick Leave Act.

Q13. I am an exempt essential employee not eligible for the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act. Can I use the 80 hours of COVID-19 Administrative Leave granted to FFCRA-exempt employees to cover the quarantine period?

A. No. The 80 hours of COVID-19 administrative leave for FFCRA-exempt employees expressly excludes use during a quarantine required by out-of-state travel.

Q14. What happens if I travel to a non-exempt destination on my own time and am unable to return to work as scheduled while I quarantine, and I have not received approval for leave to cover my absence?

A. Unless you are eligible to take Emergency Paid Sick Leave (see answer to Q12), any absence from work caused by the quarantine for which you have not received prior approval to use leave will be unpaid. You will not be eligible for vacation leave because it has not been approved. You will not be eligible for sick leave because the absence is not due to an illness or disability of you or your family member. You will not be eligible for compensatory or personal time unless permitted by operational needs. *See also Q16 for potential consequences of making yourself unavailable to report to work as scheduled.*

Q15. Can I be required to take a COVID-19 test instead of quarantining for 14 days?

A. Yes. If your agency needs you to return to work sooner than the 14-day quarantine period due to operational needs, it can require you to be tested if doing so would allow you to return to work sooner.

Q16. Can I be disciplined for being unavailable to work as scheduled without approval, or AWOL, because I traveled to a non-exempt destination and was therefore unable to work as scheduled during my 14-day quarantine or while awaiting test results?

A. Like all state employees, you have an obligation to report to work when scheduled. If you travel to a destination covered by the quarantine requirement, you have thereby made yourself unavailable, unless you have received a COVID-19 test *and* received negative test results *prior* to your next scheduled shift. Your agency will take appropriate action, based upon all the circumstances.