



# Ho, Ho, Hmmmm... How Omicron May Change International Travel for Your Workforce this Holiday Season

Insights

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It was inevitable and now official: the Omicron variant of COVID-19 arrived in the United States in recent days. One of the main challenges this new threat poses for employers is determining how it will impact (and be impacted by) the international travel plans of your workforce this holiday season, both personal and professional. Omicron presents an illustration of the new normal when it comes to regulating international travel by governments worldwide. What do you need to know about this latest development?

## Many Countries Have Quickly Instituted Control Mechanisms

Along with other countries, the United States is watching the scientific data about the transmissibility and impact of Omicron. Many governments have already issued travel restrictions ranging from full border closures to suspending flights, enforcing quarantines, restricting arrivals, and changing testing. Currently, these countries include:

Angola, Argentina, Australia, Brazil, Canada, Colombia, Denmark, Ecuador, Egypt, Fiji, France, Germany, Greece, Hong Kong, India, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Maldives, Malta, Morocco, Netherlands, New Zealand, Oman, Pakistan, Philippines, Russia, Rwanda, Saudi Arabia, Singapore, Spain, Sri Lanka, Thailand, Turkey, UAE, United Kingdom, and the United States.

We expect more countries to be added to this list over coming days and weeks, so make sure you stay up to speed on the current state of affairs before your workers travel to and from lands abroad.

## U.S. Response

The Biden administration pledged to not implement travel bans – but it has tightened travel rules to and within the U.S. It now requires all in-bound international passengers to test for COVID-19 within 24 hours of departure and has extended its mask requirement on all domestic flights and public transportation through March 18.

Early last month, the administration loosened international travel requirements to focus on vaccination over demonstration of National Interest and per country conditions. The question on everyone's mind: will these requirements be adjusted in response to Omicron?

## What to Expect and What to Do

The Executive Branch of government, headed by the president, has clear authority over international travel through Customs and Border Control and the Department of State. As scientific data become available, changes can be implemented extremely quickly. This is particularly important as many foreign nationals have already traveled internationally and have scheduled appointments at U.S. Consulates worldwide. U.S. Consulates are highly impacted by the country conditions where they exist. It is common for consulates to simply cancel appointments, leaving travelers stranded in foreign countries with no immediate path to return to the States.


Based upon the volatile travel restrictions worldwide, you must carefully reconsider any international business travel for both U.S. Citizens and foreign nationals in the coming weeks. There is a danger that your workers may not be able to quickly or easily return to the U.S. depending on the country to which they have traveled and their vaccination status.

As for workers who are considering or who have planned personal international trips for the holidays, you should advise them to reconsider travel until worldwide conditions settle. However, you may find employees are very adamant on travel due to the restrictions over the past two years. In that case, you should set policies related to remote work, access, and ramifications for extended leave which are different for international travelers and visa holders. You can find more information in [our recent Insight on international travel in light of recent vaccine developments here](#).

To stay up to speed, on the latest developments, you should follow both [the Centers for Disease Control](#) and [the Department of State](#) for immediate updates. We will also monitor these developments and provide updates as warranted, so make sure you are subscribed to [Fisher Phillips' Insight system](#) to get the most up-to-date information. If you have further questions, contact your Fisher Phillips attorney, the author of this Insight, or any attorney on our [Immigration Practice Group](#).

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