



e-Alert

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Governor Baker Announces Travel Restrictions and Phase Three Reopening Guidelines for Massachusetts

Background

Throughout the COVID-19 pandemic, the Commonwealth of Massachusetts has tried to limit the spread of the virus and protect the health and safety of state residents by issuing a combination of laws and guidance. In the past weeks, Governor Charlie Baker has issued updated COVID-19 guidelines covering a variety of topics, including restrictions on travel to and from the state, the timeline and requirements for reopening businesses, and which businesses will be permitted to reopen as part of Phase Three.

Massachusetts employers should review the full text of Governor Baker's [travel guidelines](#) and [order allowing Phase Three organizations to reopen](#) to the public, as well as our summary below.

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Summary

Restrictions on Out-of-State Travel to Massachusetts:

- Effective July 1, 2020, Governor Baker has required travelers entering Massachusetts to self-quarantine for 14 days. This includes Massachusetts residents returning from out-of-state travel.
 - The only states exempt from this self-quarantine order are Rhode Island, Connecticut, Vermont, New Hampshire, Maine, New York, and New Jersey.
 - Additionally, workers designated by the federal government as critical infrastructure workers are exempt from these restrictions.
 - Finally, anyone showing COVID-19 symptoms should not travel to Massachusetts.
- Under state law, employers are permitted to prohibit employees from traveling to nonexempted states, as long as travel policies are enforced fairly and uniformly. Massachusetts employers may also require employees to notify them of any travel plans outside the region in order to enforce the self-quarantine order upon their return.
- Employees who are prohibited from returning to work and do not have the option to work remotely may be eligible to take leave under the Families First Coronavirus Response Act (FFCRA).

Phase Three Reopening Order:

Phase Three Reopening was divided into two steps. Step One took effect on July 6 outside of Boston and July 13 in Boston. The effective date for Step Two is still TBD.

Before reopening, all workplaces must:

- Implement [Mandatory Safety Standards for Workplaces](#);
- Implement sector-specific protocols that have been established for: [museums, cultural and historical facilities, and guided tours](#); [fitness centers and health clubs](#); [indoor and outdoor events](#); [indoor recreation](#); [theaters and performance venues](#); and other [sectors not otherwise addressed](#); and
- Complete a required self-certification to verify compliance with all safety standards and sector-specific protocols specified above, including posting all required public notices.

Step One—assuming compliance with the standards above, the following organizations can reopen, possibly in a limited capacity:

- Postsecondary/higher education/vocational-technical trade/occupational schools (general operations);
- Casino gaming floors;
- Horseracing tracks and simulcast facilities;

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- Indoor recreational and athletic facilities for general use (not limited to youth programs);
- Fitness centers and health clubs (excluding saunas, hot tubs, and steam rooms);
- Museums;
- Indoor historic spaces/sites;
- Aquariums;
- Outdoor theaters and performance venues not designated as Phase Four enterprises;
- Movie theaters;
- Sightseeing and other organized tours
- Motion picture, television, and video streaming production;
- Fishing and hunting tournaments and other amateur or professional derbies;
- Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase Four enterprises;
- Indoor event spaces such as meeting rooms, ballrooms, and private party rooms (only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events);
- Indoor nonathletic instructional classes in art/education/life skills for people 18 years or older; and
- Indoor recreational activities with low potential for contact (batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls).

Step Two—upon the determined date and assuming compliance with the standards above, the following organizations can reopen, possibly in a limited capacity:

- Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase Four enterprises; and
- Indoor recreational activities with greater potential for contact (laser tag, roller skating, trampolines, obstacle courses).

Finally, the following organizations have not been cleared to reopen and will not be until Phase Four, with timelines and restrictions to be clarified at a future date:

- Amusement parks, theme parks, indoor and outdoor gaming arcades, indoor or outdoor water parks, and indoor or outdoor ball pits;
- Saunas, hot tubs, and steam rooms at fitness centers, health clubs, and other facilities;
- Bars, dance clubs, and nightclubs (venues offering entertainment, beverages, or dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities;
- Beer gardens, breweries, wineries, and distilleries not providing food service prepared on-site and under retail food permits issued by municipal authorities;

- Large-capacity venues used for group or spectator sports, entertainment, business, and cultural events, including stadiums, arenas, ballparks, dance floors, and exhibition and convention halls;
- Street festivals, parades, and agricultural festivals;
- Road races and other large, outdoor organized amateur or professional group athletic events; and
- Overnight camps (Not until Summer 2021).

Employer Next Steps

- Limit any business travel outside the region whenever possible to avoid forcing employees to self-quarantine for 14 days on their return.
- Clarify any policies regarding employees traveling outside the region for non-work-related reasons (i.e., is such travel prohibited, do employees need to provide notice of travel plans, etc.), and be sure to enforce them consistently.
- Organizations in the sectors cleared to open as part of Phase Three should conduct a self-certification of compliance with established safety standards and sector-specific protocols.
- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policy, please [email us](#).

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