



## Moving People

# COVID-19 | Travel bans and restrictions

Consider relative risks in managing globally mobile employees and their family members.

### Remain in location

#### Consider:

- ▶ Access to healthcare
- ▶ Suitability of accommodation
- ▶ Impact of separated families
- ▶ Evacuation plans, potential flight cancellations, exit bans
- ▶ Visa or work permit status of globally mobile employees and any accompanying family members, including current visa expiration date
- ▶ Visa or work permit options available for individuals to extend stay in location for further stay period
- ▶ Covid-19 specific government flexibility
- ▶ Passport validity period and physical location of passport
- ▶ Extent of insurance policy coverage held by the employer or the individuals
- ▶ Policy where individual refuses evacuation

### Depart to alternative location

#### Consider:

- ▶ Travel bans, restrictions, quarantines in place at alternative location imposed by government of current location and ground, air and sea transport operators or en route
- ▶ Visa or work permit requirements for next destination, including transit visas for transit destinations
- ▶ Passport validity period and physical location of passport
- ▶ Restrictions imposed by government of potential transit and final destinations
- ▶ Suitability of potential accommodation, taking account of personal safety, access to health facilities, access to food and water and sanitation
- ▶ Access to health care and health insurance in alternative location
- ▶ Exit requirements for current location and the impact (immediate and future) of non-compliance with exit requirements on individuals and the business
- ▶ Impact of departure on current location visa or work permit validity and permission to return, including impact to residency or pending permanent residence applications
- ▶ Requirement for local employee to close out the employee's departure requirements if the employee needs to leave
- ▶ Increased travel times due to quarantine and additional checks that need to be completed at next destination or transit destination
- ▶ Relocation of goods to next destination, including the availability of relocation capabilities in crisis location to next destination
- ▶ Schooling enrolment cancellation for accompanying children, including associated costs and any adverse impact on their education progress
- ▶ Schooling available for accompanying children, including availability of enrolment, whether short term or long term, depending on intended stay period at next destination
- ▶ Impact on individual employee's personal tax obligations, particularly if they will be working from the home location or a third country or are recommencing tax residency
- ▶ Social security obligations may also arise in the absence of a bi-lateral totalisation agreement between the countries. These obligations could be reduced if the employee is not working in the alternate location. Consider Posted Worker Notification triggers



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# COVID-19 | Questions & Comments

### Questions and Comments

#### **How are companies addressing employees who are currently in transit and have been instructed to apply for a permit at a Port of Entry?**

Earlier this week, air travel to Canada was restricted to Canadians, Permanent Residents and immediate family members with few exceptions (ie. airline crew, diplomats, returning military). Where inbound restrictions are being imposed we have noted most jurisdictions are providing a limited window of time before coming into effect to allow those in transit to complete their travel. We do not recommend sending any additional travellers to Canada at this time by air unless they are Canadian citizens, permanent residents or meet one of the specific exemptions.

#### **What contingency plans are companies putting in place for business critical roles that may have start dates that are delayed due to the closure of borders?**

Organizations are re-assessing their talent strategy and may be delaying start dates, re-allocating responsibilities or considering having the individual start in another location if possible. Immigration, employment law and tax requirements all have to be taken into account prior to having a worker start remotely. Where workers are already in country, we are seeing organizations continue to onboard remotely and having new employees commence employment.

#### **Are current work permit or study permit visa holders able to travel back to Canada by air at this time?**

No. Foreign nationals who are currently outside of North America and are not an immediate family member of a Canadian citizen or permanent resident are not able to board a flight to Canada at this time. We understand that some airlines are also denying boarding to foreign nationals who have been solely in the US for the past 14 days. Further clarification is anticipated to assist airlines and border agents in administering the current Order in Council.



### Questions and Comments

#### **Are there any further details on the Canada – US border closure? What does “essential” travel mean?**

The details of the Canada –US border restrictions announced this week are still being finalized. Early guidance suggests that “flag poling” will not be permitted, that travel for tourism and leisure will not be permitted and that international students and workers with valid permits who have been in the US for 14 days *may* be admitted if they are providing essential services ie. medical workers. While not yet in effect, various ports of entry are denying entry to applicants who show symptoms or who they consider not to be “essential”.

#### **How can we manage health care coverage for returning expats who may not yet qualify for provincial health insurance?**

As eligibility for health coverage varies between provinces, we recommend reaching out to the local public health authorities directly to confirm current policy regarding coverage. Where possible, we recommend obtaining private health insurance to cover any health expenses either not covered by the province or prior to eligibility for provincial coverage. Note that some insurers may not cover expenses related to Covid-19 and specific questions should be directed to the insurer. All provinces and territories will provide free emergency medical services for Canadian citizens and permanent residents.

#### **Will there be automatic extensions of immigration status in Canada?**

At this time, there are no automatic extensions of immigration status. Foreign nationals in Canada should take steps to apply for an extension or a change of status online if they are still in country. Applications can be submitted up to the date of expiry. If the current status has expired, applications have 90 days to apply for restoration of status. Provided an application has been submitted prior to expiry, the individual continues to have implied status and can remain in Canada and continue to work or study pursuant to the same conditions as their current status document. Further announcements may be made in the coming days and weeks. For those in other countries, it is important to monitor local immigration requirements and maintain compliance.