



A Robinson+Cole Legal Update

Coronavirus (COVID-19)

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CDC Develops Guidelines for a Happy Holiday Season: What Employers Need to Know

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As the holiday season approaches and COVID-19 cases surge, many employers are concerned about the spread of COVID-19 in their workplaces. Most employees are suffering from fatigue, burnout, isolation, and loneliness from COVID-19 and will likely seek to reconnect with friends and family during the upcoming holiday season by attending gatherings, shopping, traveling, and other activities that increase the risk of exposure to COVID-19. The Centers for Disease Control and Prevention (CDC) has issued detailed guidance titled "[Holiday Celebrations and Small Gatherings](#)," which sets forth specific guidelines and recommendations to reduce the spread of COVID-19 during the holiday season. Employers may wish to advise employees about this holiday guidance and encourage employees to comply with the relevant recommendations.

The CDC has ranked various holiday activities by risk level, as follows:

- **Low Risk Holiday Activities:** small dinners with household members; delivering meals to neighbors; virtual dinners with sharing of recipes; online shopping; and watching sports, events, parades, and movies from home.
- **Moderate Risk Holiday Activities:** small outdoor dinners with friends and family from the community, following the CDC's recommendations on hosting gatherings; attending small outdoor sports events with safety precautions.
- **High Risk Holiday Activities:** shopping in crowded stores; attending crowded races, parades, and large indoor gatherings; and using alcohol or drugs, which may alter judgment and adherence to COVID-19 safety practices.

HOLIDAY GATHERINGS

The CDC has set forth several risk factors that contribute to the risk of getting and spreading COVID-19 during in-person gatherings, including:

- community levels of COVID-19;
- exposure during travel;
- the location and duration of the gathering,;
- the number and social distancing of people at the gathering; and
- behaviors of attendees both prior to and during the gathering.

The CDC also advises that people with or who have been exposed to COVID-19 and people otherwise at increased risk for severe illness should not attend in-person gatherings.

For those who do choose to host in-person gatherings during the holiday season, the CDC sets forth several considerations, such as:

- limiting the number of attendees;
- social distancing;
- outdoor versus indoor gatherings;
- the use of face masks;
- increased ventilation;
- cleanliness, disinfection, and hygiene standards;
- limiting contact with commonly touched surfaces or shared items; and
- asking guests to avoid contact with people outside of their households for 14 days before the gathering.

The CDC has issued holiday-specific guidance as well (e.g., guidance pertaining to Christmas, Hanukkah, Kwanza, etc.) and guidance specific to the handling of food and drinks during gatherings.

EXPOSURE TO COVID-19 DURING A HOLIDAY GATHERING

If an individual is exposed to COVID-19 during a holiday gathering, the CDC recommends:

- staying home and away from others for 14 days after the individual's last contact with a person who has COVID-19;
- watching for fever or COVID-19 symptoms;
- getting tested for COVID-19 but staying home for 14 days even if one tests negative for COVID-19 or feels healthy; and
- avoiding travel for 14 days after one's last possible exposure.

Moreover, if an individual develops COVID-19 symptoms or tests positive for COVID-19 within 14 days of the event or celebration, that individual should immediately notify the host and others who attended to inform them about their possible exposure to the virus.

HOLIDAY TRAVEL

For those who choose to travel during the holidays, the CDC has set forth certain safety precautions that individuals should follow, including:

- wearing a mask in public settings;
- avoiding close contact by staying six (6) feet away from others;
- washing hands and using hand sanitizer;
- avoiding contact with anyone who is sick; and
- avoiding touching one's face mask, eyes, nose, and mouth.

The CDC has also developed considerations for individuals staying overnight at someone else's residence or individuals who are hosting overnight guests. In addition, a number of states have implemented travel advisories and restrictions which place obligations on travelers.

As employers enter the holiday season, they may wish to implement additional safeguards in their workplaces to address risks associated with holiday travel and gatherings. Specifically, employers may want to consider providing the CDC's guidance to employees or otherwise communicating about expectations and risks during the holiday season, ensuring that health-screening processes accurately cover the risk of exposure following holiday activities, and that there are policies to ensure the immediate reporting of potential exposure to COVID-19, quarantine/testing procedures, and the return-to-work protocol following exposure. Employers with questions about these issues may wish to consult counsel.

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