

Hawaii: Stay-At-Home Orders for Oahu, Maui, Kauai, Mandatory 14-Day Quarantine for All Travelers In/Out

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Effective March 23, 2020 at 4:30 p.m. (HST), all residents on the island of Oahu in Hawaii have been ordered by the mayor to stay at home and work from home through April 30, 2020. A similar mayoral order goes into effect for residents on the islands of Maui, Molokai, and Lanai on March 25, 2020 at 12:01 a.m. Kauai Mayor Derek Kawakami is expected to announce a similar shelter-in-place order. These are in response to the coronavirus (COVID-19) pandemic.

Moreover, effective March 26, 2020, at 12:01 a.m., all individuals, residents, and visitors arriving or returning to the State of Hawaii will be required to self-quarantine for 14 days. The mandate is the first of its kind in the nation and applies to all arrivals at state airports from the continental U.S. and international destinations by private and commercial aircraft.

Dozens of COVID-19 cases have been confirmed in Hawaii, with the majority of them on the island of Oahu. Honolulu Mayor Kirk Caldwell stated that drastic steps are necessary to buy time to allow the island's healthcare system to catch up. If it works, he hopes the infection rate to decrease in about three-to-seven weeks, the reason for the April 30 end date of his order. The mayor said that the order applies to everyone, including tourists. "Visitors should not be out, doing things that are not essential," he said.

The stay-at-home and work-from-home orders require all individuals anywhere on the islands of Oahu, Maui, Molokai, and Lanai to stay at their place of residence. They may leave only for essential activities (such as health and safety, services and supplies/food, and individual outdoor activity), to provide healthcare, essential governmental, and infrastructure functions, or to operate essential businesses. Essential businesses include stores that sell groceries, banks, newspapers, hardware stores, and hotels and restaurants that provide take-out food.

According to Governor David Ige, the mandatory 14-day quarantine for travelers to Hawaii is being implemented because the majority of COVID-19 cases are linked to travel by both residents and visitors who are coming from out-of-state.

Currently, all visitors and residents are required to complete a Hawaii Department of Agriculture form that is distributed then collected onboard their flight. Under the new mandate, from Thursday, this form will be updated to include information about the mandatory requirements for the 14-day quarantine. The form also will list the penalties for the failure to comply. Travelers will retain the form when disembarking the aircraft and go through a checkpoint. At the checkpoint, staff will ask for proper identification, validate the information on the completed form, and issue certification of checkpoint clearance.

The mandatory self-quarantine orders travelers will be given are:

- Proceed directly from airport to designated quarantine location, which is identified on

your form and affirmed by you on the mandatory form;

- Remain in your designated quarantine location for the period of 14 days or the duration of your stay in Hawaii, whichever is shorter. For residents, the designated quarantine location is their place of residence. For visitors, the designated quarantine location is their hotel room or rented lodging. Individuals can leave their designated quarantine location only for medical emergency or to seek medical care.
- Do not visit any public spaces, including but not limited to pools and beaches, meeting rooms, fitness centers, and restaurants.
- Do not allow visitors into your designated quarantine location other than a physician, healthcare provider, or individual authorized by the Director of the Hawaii Emergency Management Agency.
- Comply with any rules or protocols relating to your quarantine as set forth by the hotel or rented lodging.
- Contact a healthcare provider if you become ill with a fever or cough. Call 9-1-1 if you need urgent medical care because of breathing difficulty. Provide your travel history to the healthcare provider or dispatcher.

Persons performing emergency response or critical infrastructure functions are exempted from these quarantine requirements, but their exemption must be approved by the Director of the Hawaii Emergency Management Agency. At present, there are no definitions of “emergency response” or “critical infrastructure functions.” There also are no procedures established to-date for seeking exemption by the Director.

Failure to follow the quarantine order is a misdemeanor and punishable by a fine of up to \$5,000, imprisonment of not more than a year, or both. Enforcement will be handled by each of Hawaii’s four counties.

Jackson Lewis has a dedicated team tracking and responding to the fast-developing COVID-19 issues facing employers at this difficult time. If you need guidance in handling the complicated issues pertaining to COVID-19, contact a Jackson Lewis attorney to discuss.

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