Notice To Employees on US Travel Ban (Version for Companies in US)



Introduction: How to Use This Tool

Whether it's legal, moral or wise, one thing about the new US travel ban that can't be denied is that it takes effect on March 16, 2017. Equally clear is that the travel ban will affect your company if you have employees or business associates who are citizens of the six Muslim states that the ban names as posing a national security risk to the US, including Iran, Libya, Somalia, Sudan, Syria and Yemen. The immediate danger for employers is that affected individuals currently located outside the US won't be able to get into the country once the travel ban goes into effect on March 16. In addition, affected individuals currently in the US who choose to leave the country won't be able to get *back* in.

The first course of action is to refrain from scheduling or requiring affected employees to travel outside the US for the 90 days the ban is in effect (i.e., through June 24, 2017). And while prohibiting such travel can raise nationality discrimination red flags, what you can and should do is ensure that affected employees are aware of the ban and encouraged to stay in the US while it remains in effect.

Here's a model based on the memo a leading US financial institution sent to its own staff that you can adapt.

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ABC COMPANY: NOTICE TO STAFF

To: Employees, staff and representatives of ABC Company

From: Senior Management of ABC Company

Re: The US travel ban

As you are no doubt aware, the new President recently issued executive orders affecting US immigration policy that temporarily ban citizens of designated predominantly Muslim countries thought to pose a threat to national security from entering the US. Those restricted countries are Iran, Libya, Somalia, Sudan, Syria and Yemen. The so called travel ban takes effect on March 16, 2017 and will remain in effect for 90 days.

Please recognize that you will be subject to the travel ban if you are a citizen of one of the restricted countries, unless you are a dual citizen of another non-restricted country. Although the travel ban does not prevent you from leaving the US, once you leave you will not be able to get back in.

Accordingly, ABC Company wants to assure you that employees in the US who are affected by the travel ban will not be required or expected to travel abroad for business purposes for as long as the ban remains in effect. Also be assured that you will suffer no adverse employment consequences for not traveling abroad while the ban is in effect.

If you have any questions or concerns about the travel ban and its impact, please contact the ABC Company HR department.

In closing, we want every one of you to know of our unwavering support for and commitment to all of the dedicated people working here at ABC Company. This includes a number of our outstanding employees – all of whom have adhered to our country's immigration and employment processes – who have come to the US from other countries, including but not limited to the restricted countries listed in the travel ban.

Thank you.

Senior Management of ABC Company