

## CORONAVIRUS OUTBREAK ON CRUISE LINER IN JAPAN: EFFECTS ON CRUISE LINES, INSURERS AND EMPLOYERS

5 FEBRUARY 2020 • ARTICLE



**WITH THE QUARANTINE OF A CRUISE LINER IN JAPAN, THE IMPLICATIONS OF THE GLOBAL HEALTH EMERGENCY ARE NOW BEING FELT BY THE TRAVEL AND LEISURE SECTOR.**

**"Although failure to return to work from holiday on an appointed date can be a disciplinary offence, in these circumstances it would not be considered reasonable for an employer to sanction an affected employee"**

The question of whether any liability attaches to a carrier will be determined by the terms and conditions of carriage. Cruise lines should ensure that they are following the guidelines issued by the World Health Organisation and ensure that those guidelines and procedures are adopted and recorded as adopted.

It is also possible that this will impact on future scheduling if ships become quarantined or it is difficult to transport passengers to their destination and cruise lines should check their terms and conditions. If passengers have arranged their own transfer to the ship and cannot reach their destination, that will likely fall on the air operators terms rather than the cruise operators terms and conditions.

Travel insurers should also check their policies to determine if they will face liability if passengers are quarantined or stranded or cannot make their intended destinations.

In terms of the employment situation for those who cannot return, although failure to return to work from holiday on an appointed date can be a disciplinary offence, in these circumstances it would not be considered reasonable for an employer to sanction an affected employee.

The situation is analogous to when the eruption of the volcano in Iceland prevented thousands from returning from holiday on time. It is also worth checking staff handbooks in case provision has been made for unavoidable late return from holiday or the sickness policy for those who are directly affected by the virus.

For more information on any of these issues please contact Senior Associate and Master Mariner David Handley, Employment Partner Devan Khagram or your usual WFW contact.

## KEY CONTACTS



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