

March 15, 2020

The Honorable Larry Hogan
Chairman, National Governors Association
444 N. Capitol Street, NW
Washington, DC 20001

The Honorable Bryan Barnett
President, U.S. Conference of Mayors
1620 I Street, NW
Washington, DC 20006

Dear Governor Hogan and Mayor Barnett:

The health and safety of employees, customers, and families is the top priority for retailers in your communities. Retailers are following recommendations provided by the CDC and share the immediate goal of slowing the spread of the COVID-19 virus. Additionally, many retailers are stepping up during this global health crisis to assist with drive-through COVID-19 testing sites on their store properties. Utilizing parking lots and partnering with state and local governments to expedite testing is of paramount importance right now. Retailers, and particularly food retailers, are also utilizing every option to promote “contactless” operations for consumers—this includes secure home delivery and curbside pick-up. This is an unprecedented situation that demands an “all hands on deck” approach, and community retailers are eager to do their part.

Retailers prepare in advance for crisis situations to allow them to continue serving the critical needs of their customers by quickly and thoughtfully adjusting a wide variety of practices, including those related to their supply chains, stores, and employees. Families are counting on retailers right now and retailers are determined to be there for them.

As state and local policymakers design strategies and plans to mitigate against the spread of COVID-19, we encourage elected officials to make every attempt to reach out—in advance—to retail leaders to discuss recommendations on whether to close or curtail business operations. It is also important that, if a recommendation is made, it provides sufficient time for employers to craft and put in place contingency plans for employees and those impacted communities before it becomes effective. Advance notice and consultation with retail leaders can avoid causing disruption from consumers overwhelming stores and exhausting available supplies quickly. It will also enable retailers to prepare their supply chains to handle customer needs both before and after recommended, or even mandatory, store closing orders by government officials.

This communication will allow owners, store managers and business leaders to alert front-line employees of the declaration’s impact. Managers need time for an open discussion with their employees to answer questions around the measure’s duration, future employment and other personnel issues. Any recommendation or mandatory closure will have consequential impacts on every affected business, its employees, and the surrounding communities, and it is vital to understand the measures cascading impact.

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We believe retail business owners are in the best position to determine if stores should remain open or close. Retailers also intend to fully comply with government instructions. However, clarity and certainty is needed to enable businesses to plan appropriately, and so that consumers remain confident in their availability to access groceries, home and auto supplies, pet services and supplies, technology needs and services, farm and agriculture equipment and livestock feed, in addition to any supplies individual consumers deem necessary for themselves, their families and their pets.

We ask elected officials to provide certainty and clarity when making recommendations regarding essential and non-essential retail businesses, if they deem them necessary. An individual's circumstances dictate what is essential to them especially as they navigate in uncertain times. Again, retailers have instituted conveniences for consumers that also respect their health and safety, such as curbside pickup options at the store, or delivery from a local store. It must also be noted that a significant percentage of U.S. households do not have access to certain payment options and are unable to purchase goods online. Retailers are also making determinations whether having limited operating hours or reduced staffing makes sense for the health and safety of their workforce and the customer.

Although the recent announcement in Pennsylvania may have been an appropriate recommendation, we want to ensure that other states and localities have more complete information before adopting similar language as a best practice, which may create confusion in the marketplace. It is our strong desire for elected leaders to exercise caution before announcing any further recommendations or requesting the closures of retail businesses.

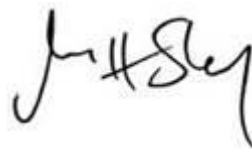
If we can be of further assistance, please do not hesitate to contact both Michael Hanson (michael.hanson@rila.org) and David French (frenchd@nrf.com).

The Retail Industry Leaders Association and the National Retail Federation appreciate your consideration of this request and stand ready to assist in any way as you consider how to best safeguard our communities.

Sincerely,



Brian Dodge
President
Retail Industry Leaders Association



Matthew Shay
President & CEO
National Retail Federation

cc: Bill McBride, National Governors Association
Tom Cochran, U.S. Conference of Mayors
State Retail Associations