



September 18, 2020

Via E-mail and Certified Mail

Mayor Quinton Lucas
City Hall, 29th Floor
414 E 12th St.
Kansas City, MO 64106
Tel: 816-513-3500
Email: MayorQ@kcmo.org

Lisa Marshall
WARN Coordinator
Missouri Department of Higher Education &
Workforce Development
Office of Workforce Development
PO Box 1087
Jefferson City, MO 65102
Tel: 573-522-2744
Email: ETT.DWD@dhewd.mo.gov
Email: lisa.marshall@dhewd.mo.gov

RE: Notice Pursuant to the Federal Worker Adjustment and Retraining Notification Act

To Whom It May Concern,

In compliance with the Federal Worker Adjustment and Retraining Notification (“WARN”) Act (29 U.S.C. § 2101 *et seq.*), P.F. Chang’s China Bistro (the “Company”) is writing to comply with any actual or potential obligation it may have to provide you with notice of a mass layoff, as that term is defined by statute, at our operation located at 102 W 47th St., Kansas City MO 64112 .

In March 2020, the COVID-19 virus reached pandemic proportions causing various governmental agencies to issue various orders that resulted in our company having to temporarily suspend and/or reduce operations at restaurants across the county including, but not limited to the one identified above. At the time these orders were initially issued in Spring 2020, our Company had no idea of how long the orders would last and, more importantly, the continued impact that the COVID-19 virus would have on our operations. These unforeseen circumstances may have resulted in limiting our ability to schedule shifts and operate as we previously did. Many of our employees, at the restaurant identified above, have suffered a reduction of hours of greater than 50% because of the reduced operations at the restaurant.

As governmental orders limiting restaurant operations remain in place for the foreseeable future, it is now clear to the Company that temporary reduced operations and reduction of hours at the restaurant identified above may last beyond six (6) months from its start back in the Spring.

The reduction of work hours at this location are the unfortunate result of sudden, unexpected COVID-19-related circumstances that were conditions outside of the Company's control and for which the continued duration is still unknown. The reduction of hours lasting beyond six months was not reasonably foreseeable until now. As a result of these unfortunate and unforeseeable circumstances, we are notifying you as soon as practicable, taking into account the great difficulties affecting our industry faces in projecting future staffing needs under the circumstances. Pursuant to 29 U.S.C. § 2101(b)(2)(A), any reduction in the notification period (to the extent a notice is required) is a result of the unforeseeable business circumstances and economic downturn caused by the COVID-19 pandemic.

It is unknown how long the reduction of hours will last as our Company has no control over governmental regulations relating to COVID-19. There will be no bumping rights or bumping procedures since the employees of the Company are not covered by a collective bargaining unit or represented by a union. The reduction of hours, and who is affected, remains unclear, but we anticipate that this will affect up to 75 employees who have been employed for more than six months and previously worked an average of more than 20 hours per week.