



September 18, 2020

Via E-mail and Certified Mail

Mayor Randall Henderson, Jr.
2200 Second Street
Fort Myers, FL 33901
mayorhenderson@cityftmyers.com

Attn: Steven Gustafson, State Trade and Rapid
Response Coordinator
REACT Program
MSC 229
107 E. Madison Street
Tallahassee, FL 32399-4137
Via
email: WARNnotices@deo.myflorida.com
Via fax: (850) 921-3859

**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 10081 Gulf Center Drive Gulf Coast Town Center, Fort Myers, FL, 33913.

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 whom is effected 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.

All of the information required by 20 CFR § 639.7(e) is available for your review by contacting me at 470-432-8018.

Sincerely,

Kate McConnell

Kate McConnell
Human Resources Business Partner

Job Titles	Ft. Myers Total Number of Employees
Bartender Dinner - PFC	97
Pantry Cook - PFC	
Wok Cook - PFC	
Asst. Operating Partner	
Drahma - PFC	
Prep Cook - PFC	
Server - Dine In	
Busser	
Dishwasher - PFC	
Host Hostess - PFC	
Sr. Market Director	
Senior Sous Chef - H	
Manager in Train - PFC	
Runner	
Utility/Expo - PFC	
Manager - H	
Sous Chef - H	
Executive Chef	
Sous Chef MIT - PFC	
Senior Manager	