



September 18, 2020

*Via E-mail and Certified Mail*

Mayor Jean Stothert  
City of Omaha, Nebraska  
Omaha-Douglas Civic Center  
1819 Farnam Street  
Omaha, NE 68183  
hotline@cityofomaha.org

Commissioner Marc Kraft  
District 5 Commissioner  
Omaha-Douglas Civic Center  
1819 Farnam Street, LC2  
Omaha, NE 68183-0100  
marc.kraft@douglascounty-ne.gov

Nebraska Department of Labor  
Office of Employment and Training  
ATTN: Rapid Response Coordinator  
550 S. 16th St  
Lincoln, NE 68508-4600  
NDOL.RapidResponse@nebraska.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 10150 California Street, Omaha, Nebraska 68114.

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 303-482-5743.

Sincerely,

*Kim Murdock*

Kim Murdock  
Human Resources Business Partner