

April 21, 2020

The Honorable Gretchen Whitmer, Governor  
State of Michigan  
P.O. Box 30013  
Lansing, Michigan 48909

Dear Governor Whitmer,

It is critical that we restart Michigan's economy. Retailers and small businesses drive the economic engine in America. Retailers operate on thin margins and cannot survive much longer without generating revenue. The question is not *if* retailers will go out of business, it is *how many* will go out of business if most retail stores must remain fully closed. March saw the single worst drop in nationwide sales ever recorded at 8.7%. April's numbers will be worse. Those reductions in sales do not just hurt retailers. In Michigan, the reduction in sales tax revenue which makes up 29.4% of the state's total revenue, directly impacts funding for education and local governments. The loss of income tax revenue, which makes up 31% of the state's total revenue, hurts the state's general fund and school aid fund.

Retailers have been encouraged by your recent comments about reopening and restarting the economy. MRA hopes you'll consider us a good partner in developing a plan to reopen retail while also being mindful of public health. Each industry has its own unique challenges and opportunities to safely protect employees and the public and we recommend crafting solutions that carefully consider the unique circumstances of each industry and part of the state, rather than a one-size fits all approach.

Geographically, some areas of the state may be able to reach the phases we suggest earlier than others and we strongly encourage you to consider opening areas and sectors that are considered safe workplaces sooner. Safe workplaces that can maintain social distancing measures should include both commercial and residential landscaping businesses that among other things help reduce pests, allow businesses to meet locally-mandated upkeep requirements, and ensure proper storm water drainage. Smaller retail locations also present lower risks due to their size and should be considered safe to operate more quickly if they implement social distancing safety precautions.

We know retailers will have to take extra precautions to reopen safely. Critical infrastructure retailers have already implemented proactive measures and are meeting state requirements. Retailers operate on thin margins and have implemented these safeguards including more frequent cleaning and sanitization, increased use of protective safety gear, and social distancing markers/enforcement, at great cost and with no additional support from the state or federal government. Despite those unreimbursed costs, our members are prepared to continue taking extra precautions to keep employees and customers safe and propose the following best practice safeguards at various stages of reopening.

**PHASE ONE** (ASAP, to begin no later than May 1.)

**Allow for:**

- Contactless ship-from-store based on online or phone orders for all products, no restrictions.
- Minimal contact curbside pickup at stores or home delivery based on online or phone orders for all products, no restrictions.

- Limited contact to-go pickup located in stores for all products, no restrictions (similar to to-go orders picked up at restaurants allowed under Executive Order 2020-43).

**Safeguards in place:**

- Allow only the minimum employees needed (as determined by each retailer) to fulfill orders.
- Employees must be screened for new and unusual symptoms related to COVID-19 before coming to work (either at home through self-screening tools provided by the employer or upon arriving at work).
- Adherence to CDC social distancing guidelines.
- Employees must utilize protective safety gear such as face coverings and gloves (food preparation employees should utilize disposable masks for food safety purposes).
- Frequent hand washing/sanitizing (if sanitizer is readily available on the market) strongly encouraged and required between customer pickups interactions.
- Payments should be handled online or over the phone whenever possible.
- For curbside pickup, customers should remain in cars and store employees should place orders directly in cars, avoiding close contact with customers.
- For in-store to-go pickup, installation of plexiglass barriers ("sneeze guards") between employees and customers is strongly encouraged whenever possible.
- For in-store to-go pickup, limit the number of customers waiting to no more than five as per the food service takeout restrictions.
- For in-store to-go pickup, clean/sanitize surfaces and equipment between customers (cleaning/sanitization methods should be flexible to allow for market variability).

**PHASE TWO** (Near-term, as determined by health officials when small group interaction is allowed.)

**Allow for:**

- In store/mall shopping.
- Continue allowing curbside pickup/home delivery.

**Safeguards in place:**

- Limit employees to the minimum required (as determined by each retailer) to complete operations, sanitize, and meet social distancing requirements.
- Employees must be screened for new and unusual symptoms related to COVID-19 before coming to work (either at home through self-screening tools provided by the employer or upon arriving at work).
- Employees must utilize protective safety gear such as face coverings and gloves (food preparation employees should utilize disposable masks for food safety purposes).
- Encourage customer use of face coverings through signage at entrance to the store/mall.
- Implement capacity limits for customers allowed inside the store/mall based on square footage (not to include employees provided appropriate CDC social distancing requirements can still be met).
- Utilize floor markings throughout the store/mall to ensure proper social distancing, especially in queues.
- Enhanced monitoring for social distancing adherence and cleaning of high-traffic, high-touch areas including but not limited to fitting rooms, benches/seating, restrooms, check-out and break room.
- Installation of plexiglass barriers ("sneeze guards") between employees and customers is strongly encouraged whenever possible.
- Frequent hand washing/sanitizing (if sanitizer is readily available on the market) strongly encouraged and required between customer interactions.

- Cleaning/sanitizing of frequently touched surfaces and equipment (counters, belts, credit card terminals) between customers (cleaning/sanitization methods should be flexible to allow for market variability).
- Encourage cashless payments whenever possible.
- Make hand sanitizer (touchless dispensers strongly recommended) available for customers in heavily-trafficked areas, subject to market availability.
- Disinfecting/quarantine methods/policies for clothing and footwear tried on by customers as well as returns, as deemed medically necessary by health authorities.
- Continue encouraging curbside pickup and home delivery, if possible.

**PHASE THREE** *(When appropriate, as determined by health officials when increased group interaction is allowed.)*

Relaxation of certain requirements of Phase Two such as:

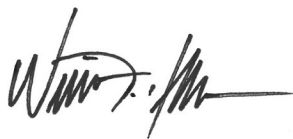
- Limits on employees permitted to work at one time.
- Capacity limits for customers permitted in store/mall at one time.
- Enhanced signage and monitoring.
- Allowing cleaning/sanitization at intervals instead of between each customer (cleaning/sanitization methods should be flexible to allow for market variability).
- Use of face coverings and/or gloves and plexiglass dividers or other similar barriers.
- Disinfecting/quarantine methods/policies for clothing and footwear tried on by customers as well as returns, as deemed medically necessary by health authorities.
- Employee screening requirements.

**PHASE FOUR** *(When appropriate, as determined by health officials.)*

Normal operations without restrictions but continued efforts to ensure customer and employee safety.

These suggestions are not an exhaustive list but we believe it is a good place to start the conversation given current restrictions and guidance. Thank you for your consideration and for your willingness to work with retailers and other sectors of the economy to reopen Michigan safely. We look forward to working with your team to help craft recommendations to get people back to work without undue risk.

Sincerely,



William J. Hallan  
President and CEO  
Michigan Retailers Association

cc: Senate Majority Leader Mike Shirkey  
Speaker of the House Lee Chatfield  
Mark Totten, Chief Legal Counsel  
Jen Flood, Director of Legislative and Public Affairs