



March 24, 2020

Steve Burnham, President
King Soopers - City Market
The Kroger Co.
65 Tejon St
Denver, CO 80223

Todd Broderick, President
Denver Division
Albertsons Companies
9600 South Yosemite Street
Centennial, CO 80112

Dear Messrs. Burnham and Broderick:

First, I want to thank you, as a business leader in Colorado, for your efforts to date working in partnership with our state, your employees, and your customers to better protect our public health and food security during this extraordinarily challenging period. And along those lines, I want to urgently ask you to adopt the following proposals for providing the greatest possible protections for your workers and customers while simultaneously minimizing economic disruption. I also want to make sure we acknowledge and recognize the measures you either have already implemented or are in the process of putting in place.

Some of these suggestions were proposed to me through a letter from Kim Cordova, President of the United Food and Commercial Workers (Local 7), others are separately important to protect the public health. Ms. Cordova and the UFCW requested that we issue emergency rules to impose these measures as requirements, and we are actively are considering doing so:

- As I announced at my Sunday evening (3/22) press conference, we are working through approaches to produce personal protective equipment (PPE) here in Colorado in response to current industry shortages and the lack of federal supplies, so hopefully we will soon have a greater supply available here in Colorado including for grocers. Please urgently prioritize providing appropriate gloves, masks, face screens, and other personal protective equipment to the grocery store workers to the extent possible;
- Ensure adequate supplies of hand sanitizer and soap at check stands, employee restrooms, store entrances and throughout various departments of grocery stores, including, of course, where food processing and manufacturing operations are performed;
- Establish longer store public hours for the duration of the emergency to disperse traffic and increase public confidence, with periodic closures for restocking and cleaning. For instance (this is just an example) if your normal store hours are 6 am to 9 pm, consider opening 5 am to midnight, and closing 9:30-10:00 am for restocking and cleaning and 8:00-8:30 pm for restocking and cleaning. Post emergency hours clearly;

- Consider expanding into grocery delivery services, prioritizing service to those at the highest risk;
- Provide daily designated time periods for higher-risk individuals to shop, directly after cleaning of the store, without general public crowds, using CDC guidelines;
- Establish entrance/access controls to ensure crowds are in compliance with safe social distancing practices as well as basic fire and safety codes;
- To the extent possible, assign those employees with higher health-risks to tasks with lowest exposure risks such as backroom work, receiving, etc.;
- Establish a close relationship with your law enforcement agency or agencies of your jurisdiction. Encourage local law enforcement to maintain a supportive presence at grocery stores through proactive and frequent high-visibility extra patrols, walk through and response plans for any disturbances or breaches of the peace. We have directed our Colorado State Troopers deployed throughout our entire state to make grocery stores a regular priority for extra patrols and store visits, and also be a response resource to assist your local law enforcement agency when and where needed. The Colorado State Patrol also maintains a close relationship with the commercial motor carrier supply chain in Colorado and is positioned to supply extra security to that chain if needed";
- Below is the kind of visual cue, spaced at 6-8 feet, that is being used successfully in Denmark. The translation of the red spaces on the ground is loosely “PROTECT YOURSELF AND OTHERS, KEEP DISTANCE, STAND HERE”. Please implement similar simple visual cues immediately in your checkout areas and other areas that people line up:

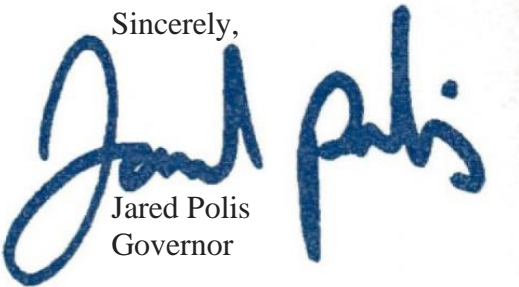


Although the UFCW has requested these and other mandatory additional emergency rules, such as payment of health insurance, additional paid leave beyond that ordered in Executive Order D 2020 003, and increased hazard pay, it is my hope that you act quickly in a matter that reduces the spread of the virus.

I am hopeful, as we continue working closely with the federal government on its package of emergency benefits and with local and state agencies on our already in-place emergency measures, that we can again reassess our level of success in public health and economic security protection on an ongoing basis. To that end, I would appreciate your response to this request with an inventory of which of these suggestions you plan to (or have already) put in place, as well as any other measures you might be pursuing to both protect your employees, your customers, and to safeguard Colorado's food supply and distribution.

Finally, I will commit both my own continued involvement and the participation of members of my senior team, including Jill Ryan, Executive Director of the Colorado Department of Public Health and the Environment and Joe Barela, Executive Director of the Department of Labor and Employment to facilitate teamwork and collaboration in this partnership effort. Thanks, and please don't hesitate to contact us with any questions, concerns, suggestions, etc. as we all continue this effort together to protect Coloradans.

Sincerely,

A handwritten signature in blue ink that reads "Jared Polis". The signature is fluid and cursive, with the first name "Jared" being larger and more prominent than the last name "Polis".

Jared Polis
Governor

CC: Joe Barela, Executive Director, Colorado Department of Labor and Employment
Kris Staaf, VP of Public Affairs, Safeway Corporation
Kelli McGannon, Regional Director of Corporate Affairs, The Kroger Co.