

October 12, 2020

The Honorable Jay Inslee,
Governor, State of Washington
PO Box 40002
Olympia, WA 98504

RE: Amendments to Retail Occupancy Limits

Dear Governor Inslee:

On behalf of the Washington Retail Association's members, who operate over 4,000 storefronts across the state, we want to thank you for your deliberate, focused, and ongoing efforts to protect against the spread of COVID-19. Our members recognize how challenging this has been and they sincerely appreciate your commitment and service to our state.

The Requirements for in-store retail were issued on May 12, 2020 as we were entering the summer season. With five months of experience working within that guidance and the onset of fall/winter weather, we believe the Requirements should be amended to meet two important outcomes:

Lower the risk of COVID-19 transmission for retail customers, vendors, and employees

The current Requirements limit occupancy to 30% with other safety measures to protect customers, employees, and vendors. The retail industry was among the first to embrace mask requirements, adopt sanitizing procedures, and implement additional social distancing measures within stores.

Unfortunately, as the weather has changed, the 30% threshold has created an unintended consequence: customers clustering together in waiting lines outside of stores – outdoors or in the mall – where stores are next to each other. These lines can also impede the ability of others to maintain safe distancing as they pass by. Additionally, the 50% occupancy for restaurants has created confusion for mall patrons, who are expecting the same occupancy limits for all businesses in the mall.

We believe that raising the occupancy limits to 50% could be done without risking increased infections because retail stores are safer than many other settings.

- First and foremost, masks are required during the entire time a customer, vendor, or employee is in the store. Unlike a restaurant or movie theater, masks are required, and their usage is enforced.
- Retail customers generally spend less time in stores than customers in other settings, like restaurants and movie theaters.
- Social distancing is practiced in our members' stores. Many stores have signage on the floor denoting 6-foot distances at checkout lines, one-way aisles, and plexiglass separating customers and employees at checkout.



Raising occupancy limits would actually prevent the risky situation of people clustering together in waiting lines, preventing others from maintaining safe distancing as they attempt to walk past.

Slight amendments can make a substantial difference in jobs and sales tax revenue as the holiday season approaches

Our members are already beginning to plan for the holiday season. Raising the occupancy limits to 50% would enable retailers to hire back more staff. Retailers see a large jump in sales during the holiday season, especially for in-store purchases. Greater in-store sales will result in increased hiring and retail sales tax collection, which are crucial to the state's economy at this time.

As you know, bringing back – or hiring new – retail staff does take time. This is especially true in Seattle, where the city's Secure Scheduling law requires many retailers to provide work schedules two weeks in advance. Therefore, employers need as much advance notice as possible to staff up for holiday season shopping.

We believe that raising retail occupancy limits to 50% would not only reduce the risk of COVID-19 transmission but it would also create jobs for retail workers and increase sale tax revenues.

I look forward to discussing this with you soon.

Thank you for your consideration.

Sincerely,

Renée Sunde
President & CEO
Washington Retail Association

CC: Drew Shirk, Executive Director, Legislative Affairs
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Charles Knutson, Sr. Policy Advisor, Economic Development, Innovation and Global Affairs