

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

April 17, 2020

Honorable Mayor Muriel Bowser
Executive Office of the Mayor
1350 Pennsylvania Ave, NW
Washington, DC 20004

Dear Mayor Bowser,

I am writing to urge that the District temporarily classify grocery store workers as “extended first responders,” “emergency personnel,” or a similar designation to help slow the spread of COVID-19 and save lives. The death toll related to COVID-19 in the District continues to rise, and grocery store workers have been contracting the virus at an alarming rate.

This week alone, reports of employees of Whole Foods and Trader Joe’s testing positive demonstrates that we must do more to protect them. We are grateful that grocery stores remain open, and we understand the risks and sacrifices that their employees take to serve District residents. However, we must implement additional measures to support these frontline workers who show up daily to ensure that our needs in the District are met.

While you have taken commendable steps to slow the spread of this disease, including through your April 8, 2020, order implementing social distancing protocols for retail food sellers, and your April 15, 2020, order requiring food sellers to provide masks for employees, we must provide additional protective measures for grocery store employees. The District needs a new order designating grocery store workers as first responders, or a similar designation, for the following reasons:

First, free testing for COVID-19 is currently available only for: 1) District residents with symptoms, 2) healthcare workers with symptoms who works at a healthcare facility in the District, and 3) first responders with symptoms who works for the District. We need to expand free testing for grocery store employees who live in neighboring states but work in the District. The first responders designation would encourage grocery store employees to get tested when they experience symptoms whether or not they live in the District.

Second, the first responders designation would help ensure that grocery store employees can access adequate childcare while on duty. Under the CARES Act, first responders are eligible to receive federally funded childcare during the crisis. Recognizing this reality, about 20 states have already extended emergency childcare benefits to grocery store workers. With the federal support of the CARES Act and this designation, we can ensure that subsidized childcare centers and after-school programs prioritize essential workers like grocery workers.

Lastly, the designation will ensure that grocery workers promptly receive additional resources and measures that may be included in upcoming federal and local emergency legislation. While we

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want this crisis to end soon, we must also anticipate the future needs of our essential workers. This designation will provide grocery store employees a sense a security that will allow us to keep our grocery stores open while ensuring their safety during and after the crisis.

I thank you for your leadership during this crisis and your consideration on this important issue. OAG stands ready to help District residents respond to this emergency, and I am hopeful that together we will conquer this pandemic.

Sincerely,

A handwritten signature in black ink, appearing to be 'Karl A. Racine', written in a cursive style.

Karl A. Racine
Attorney General