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April 28, 2020

The Honorable Ron DeSantis  
Governor, State of Florida  
PL 05 Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

**RE: Safely Restarting Florida's Economy**

Dear Governor DeSantis,

Florida's business community is grateful for your leadership during this difficult time. Throughout this crisis you have been deliberate and provided meaningful and thoughtful guidance to Florida's business community, including emphasizing the safety of all Floridians while not totally shutting down the world's 17<sup>th</sup> largest economy. On behalf of the Florida Chamber's Board of Directors, we say thank you for your steady hand and measured approach. I know you share our goal that when the COVID-19 global pandemic is successfully brought to an end, others will look back from around the world and once again have reason to say Florida got it right and continues to be a model worth following.

Now that your Re-Open Florida Task Force and the various Industry Working Groups have met and concluded their initial work, and your request for public input was extended Saturday morning, I am writing to share some thoughts based on input we're getting from businesses of all sizes from all regions of Florida.

It appears Florida is successfully flattening the curve. As we pivot to a plan to reopen and restart Florida's economy, it's imperative that we continue with a deliberate approach that mitigates the possibility of a Singapore-like resurgence in coronavirus cases which could lead to a second partial shutdown of our economy and needlessly risk the public health and safety of more Floridians. Therefore, Florida's re-opening should be based on a phased-in approach based on clear metrics.

As you know, Governor, the Florida Chamber has engaged some of the brightest minds to provide recommendations on how to successfully restart our state. We have also been in constant contact with business leaders, local chambers, economic development organizations, our business association partners, national peer groups such as a joint task force with the U.S. Chamber of Commerce, among others. I also have the honor of being the national chair of the Council of State Chambers this year and will have the advantage of learning from the real time successes and missteps of other states' efforts to reopen their economies.

The primary goal for a re-opening strategy will be balancing containment of COVID-19 while prioritizing a safe return to work. In addition, we want to ensure our healthcare institutions can treat patients and have the necessary Personal Protection Equipment (PPE) for their own safety. Our healthcare heroes have been relentless, and their continued safety should remain a top priority. Furthermore, the maintenance of public confidence in their own safety must remain paramount as these decisions are implemented.

As Florida re-opens our economy and allows individuals to return to work, certain measures should be put in place to protect Floridians. While there is no playbook for this unprecedented crisis, what we can do is follow the data. What the data is telling us so far is each community has its own unique set of circumstances and a restart should: consider the level of the local threat and availability of healthcare resources; create special considerations for small business; be customized by region and industry sector; include a community assessment of local resources as well as a single, clear and implementable set of safety guidelines employers should follow.

Other suggestions for your thoughtful consideration include:

1. Many different governmental agencies have proposed different guidelines for a safe reopening of communities. We suggest that local, state and federal agencies coordinate so that employers have clear, concise and consistent guidelines of what is needed from a health safety perspective for both customers and employees alike as the process of reopening Florida's economy begins. Governor, I believe Florida is one of the most-ready states to reopen but with over 400 cities and 67 counties, we could easily slide backwards if local execution of a safe and precise reopening isn't done according to a common set of guidelines.
2. Unfortunately, as you and I have discussed, Florida has one of the worst legal climates in America and re-opening the economy will raise legal liability risks, which poses great uncertainty for businesses of all sizes across Florida. Liability protections must be considered for all frontline and essential businesses who have provided a continuity of service throughout this crisis, and to previously-designated non-essential businesses reopening in order to avoid cost increases and frivolous lawsuits for businesses and individuals who are already stretched thin. Additionally, safe harbor laws and Executive Orders may be enacted as it relates to health privacy, discrimination claims, safe workplace requirements pertaining to PPE, exposure liability, product liability and worker misclassification.
3. It will be invaluable to not only have COVID-19 testing available, but to also have testing that can verify antibodies and immunity to release workers to perform their jobs without constraint. Please keep in mind, however, that small businesses, non-profits and even many large companies that are already operating on reduced revenue simply do not, on their own, have the resources for regular testing or the expertise to administer it. Further, we believe businesses should not be in the role of policing their customers.
4. Transportation and childcare services must be in place for many employees to return to work. With already reduced routes for public transit, providing ample transportation while ensuring social distancing and meeting sanitation requirements will be challenging. The costs of these necessary but expanded services will exceed the revenues from previous ridership, so transit systems will likely need financial assistance. Likewise, childcare is currently predominantly used to care for the children of essential workers. As individuals return to work, childcare facilities will not be able to return to normal capacity under anticipated social distancing requirements and given the financial hardships many are already experiencing due to the pandemic. Employers should be incentivized to offer flexible schedules and other related support for employees and their families.
5. As you know, Florida is not a "one size fits all" kind of state. In fact, more than 58% of all coronavirus cases in Florida are in just three counties. For any future guidelines that are proposed, the vast majority of employers will follow guidelines and will seek to go above and beyond what is necessary to protect their employees and customers on how to best utilize

optional workplace protocols including teleworking, flexible shifts and safe adaptations for common areas at work. Certainty and consistency in the application of any rules around reopening should be prioritized to the greatest extent possible, and outside of specified hotspot areas, state guidance should supersede local guidance to maximize clarity.

6. Employers will also need clarity regarding guidelines of general office cleaning including, if possible, a list of industry best practice-recommended products as many of these products are in short supply.

Thank you for your consideration of these thoughts and recommendations. We appreciate your continued leadership during these challenging and unprecedented times. Florida's business community stands ready to serve as a valued partner in re-opening and rebuilding our state's economy.

My Best,

A handwritten signature in black ink that reads "Mark Wilson". The signature is written in a cursive, flowing style.

Mark Wilson  
President & CEO

cc: Charles Caulkins, Chair, Florida Chamber of Commerce Board of Directors