



March 9, 2022

**BY EMAIL**

John Asher, Rapid Response Coordinator  
Oregon Dislocated Worker Unit  
Oregon HECC – Office of Workforce Investments  
3225 25th Street SE  
Salem, OR 97302  
john.e.asher@hecc.oregon.gov

**RE: Notice of Mass Layoff Pursuant to Worker Adjustment and Retraining Notification Act (WARN)**

Dear Mr. Asher:

Shearer's Foods, LLC (together with its affiliates, the "Company") is sending this Notice of Mass Layoff pursuant to the Worker Adjustment and Retraining Notification Act of 1988 (the "WARN Act") and the rules promulgated thereunder by the U.S. Department of Labor. The Company writes to provide written notice to Oregon's Rapid Response Dislocated Worker Unit.

The mass layoff affects 231 full-time employees (the "Affected Employees") at the Company's Hermitage facility, located at 78035 OR-207, Hermiston, OR 97838 (the "Facility"). The job titles of the affected positions and the number of Affected Employees in each job classification are included in the list appended hereto as Schedule A. The layoff is effective as of February 27, 2022.

Notification is hereby given that, due to unforeseeable business circumstances in accordance with 20 C.F.R. § 639.9 of the WARN Act, specifically, the cataclysmic damage caused to the Facility on February 22, 2022 following an explosion and fire therein, the Company has no worksite for the Affected Employees and is forced to initiate this mass layoff.

The Company notes that, due to the unforeseen nature of this explosion and fire, and the resultant destruction to the Facility, the Company was not able to give Affected Employees the 60-days' notice that would have otherwise been required under the WARN Act. The Company did, however, give the Affected Employees notice of the mass layoff as soon as possible. In doing so, the Company further notes that the U.S. Department of Labor (DOL) has recognized that employers may provide less than 60 days' notice where a mass layoff results from "unforeseen business circumstances" such as the explosion and fire at the Facility.

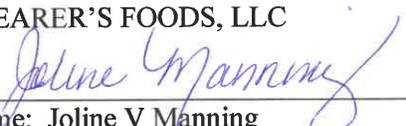
All Affected Employees were notified of the mass layoff by electronic and regular mail on March 10, 2022. Such notice explained that the layoff is permanent in light of the severe damage to the Facility. The Company also does not recognize "bumping rights" based on seniority or other criteria, nor does it employ any employees whose terms and conditions of employment are governed by a collective bargaining agreement.

Please contact Joline Manning, the Company's Chief Human Resources Officer, at (216) 401-1685 should you need further information.

This letter is sent without prejudice and with a full reservation of all of the Company's rights.

Sincerely,

SHEARER'S FOODS, LLC

By: 

Name: Joline V Manning

Title: CHRO

Telephone: 216-401-1685