



March 24, 2020

Oregon Dislocated Worker Unit
Office of Workforce Investments
Oregon Higher Education Coordinating Commission
875 Union Street NE
Salem, OR 97311
Phone: (503) 947-5949
Email: CCWD_DWOREGON@oregon.gov

To Whom It May Concern:

As you know, we are all in the midst of an unprecedented pandemic due to the worldwide COVID-19 outbreak. These events have resulted in a dramatic loss of business and has forced ORM Management, Inc. dba ORM Fertility (“ORM Fertility”) to take immediate action in order to allow ORM Fertility to continue operations. While ORM Fertility has taken significant and immediate measures to protect the health and safety of our workforce, the reality is that much has been out of ORM Fertility’s control.

Unfortunately, many companies in the fertility services sector, including ORM Fertility, have experienced a sudden and significant decline in new patients. Executive Actions by the governor of Oregon make it unlikely that we will be able to take on patients of any new fertility treatments for some time. The dramatic loss of business has forced ORM Fertility to have to take immediate action in order to allow ORM Fertility to continue operations in the future.

Accordingly, ORM Fertility will experience a reduction in its workforce, and a number of employees of ORM Fertility will experience layoffs as a result of an unforeseen business circumstances—specifically, a significant downturn in business due to the COVID-19 pandemic. This correspondence constitutes ORM Fertility’s notice of mass layoff at the following location pursuant to the federal WARN Act (29 U.S.C. § 2101 *et seq.*):

Portland Downtown
808 SW 15th Ave.
Portland, OR 97205

Laid off employees total: 65
Administrative Assistant – 1
Patient Account Representative – 5
Business Office Manager – 1
Medical Assistants- 5



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Surgical Techs - 2
Nursing Services Coordinators – 5
Surgery RNs - 6
Non RN Coordinators - 6
RN Coordinators - 3
Donor Coordinators - 3
Marketing Representatives – 4
Scheduling Coordinators - 3
Patient Services Representatives – 8
Medical Records Clerks – 2
Surogacy Agency Members – 2
Andrologist - 4
Embryologist – 1
Embriology assistants - 1
Genetic Counselors – 2
Genetic Admin Assistants – 1

At this time, ORM Fertility intends the layoffs to be temporary. Due to the COVID-19 pandemic, ORM Fertility has suffered a significant loss in business. Because it is currently unknown when and if business will resume as normal, ORM Fertility cannot provide a return date at this time. Accordingly, ORM Fertility will provide updates as they arise. ORM Fertility began layoffs on Monday, March 23, 2020. The notice provided to affected employees is attached hereto as **Attachment A**.

ORM Fertility does not recognize strict seniority rights, but may take seniority into consideration as a factor in determining which employees to layoff. Seniority also will be considered as a factor in recalling employees, should business circumstances change. However, seniority will be just one factor in these decisions, and other factors, such as business necessity, expertise, and past performance, also will be taken into account in making these decisions.

For further questions or additional information, you may contact:

Lisa Weida
Director of Human Resources
ORM Fertility | 808 SW 15th Avenue, Portland, OR 97205
Tel: (503) 274-4994

Sincerely,


Rodney Aust
Chief Executive Officer



ORM FERTILITY

ATTACHMENT A

NOTICE OF LAYOFF TO AFFECTED EMPLOYEES PURSUANT TO THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION (WARN) ACT

To: _____
Name of Employee Position

Date: _____

As you are all aware, we are all in the midst of an unprecedented pandemic due to the worldwide COVID-19 outbreak. While ORM Management, Inc. dba ORM Fertility (“ORM Fertility”) has taken significant and immediate measures to protect the health and safety of our workforce, the reality is that much has been out of ORM Fertility’s control.

Unfortunately, many companies in the fertility services sector, including ORM Fertility, have experienced a sudden and significant decline in new patients. Executive Actions by the governor of Oregon make it unlikely that we will be able to take on patients of any new fertility treatments for some time. The dramatic loss of business has forced ORM Fertility to have to take immediate action in order to allow ORM Fertility to continue operations in the future.

ORM Fertility will experience a reduction in its workforce, and a number of employees of ORM Fertility will experience layoffs, as a result of unforeseen business circumstances, specifically a significant downturn in business due to the COVID-19 pandemic. This notice, which is issued in compliance with the Worker Adjustment and Retraining Notification (WARN) Act, is to inform you that you are to be laid off due to the loss of business revenue. The purpose of this notice is to provide you with the answers to some questions that you may have regarding your layoff so that you can prepare to locate other employment. The information provided below represents the best information available to ORM Fertility at the time this notice was issued.

1. Is my layoff going to be permanent or can I expect to be recalled to employment at some time in the future?

At this time, ORM Fertility intends the layoff to be temporary. Due to the COVID-19 pandemic, ORM Fertility has suffered a significant loss in business. Because it is currently unknown when and if business will resume as normal, ORM Fertility cannot provide a return date at this time. Accordingly, ORM Fertility will provide updates as they arise.

2. When will the layoffs begin and when am I likely to be laid off?

ORM Fertility expects layoffs to begin on Monday, March 23, 2020. ORM Fertility is providing you notice as reasonable practicable in light of the sudden decrease in business. The decision for



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the layoffs was due to COVID-19-related business circumstances that were not reasonably foreseeable as of the time that notice would have been required.

3. Do I have any right to "bump" other employees from their jobs based on my seniority with the company?

ORM Fertility does not recognize strict seniority rights, but may take seniority into consideration as a factor in determining which employees to layoff. Seniority also will be considered as a factor in recalling employees, should business circumstances change. However, seniority will be just one factor in these decisions, and other factors, such as business necessity, expertise, and past performance, also will be taken into account in making these decisions.

4. Will the company be providing any severance benefits to employees who are laid off?

Unfortunately, no.

5. Who can I contact for further information?

If you have further questions or need additional information, you may contact:

Lisa Weida
Director of Human Resources
ORM Fertility | 808 SW 15th Avenue, Portland, OR 97205
Tel: (503) 274-4994

If you have lost your job or been laid off temporarily, you may be eligible for Unemployment Insurance (UI). More information on UI and other resources available for workers is available at <https://www.oregon.gov/employ/unemployment/pages/default.aspx>