

August 7, 2020

Dear Publix Corporate Executives:

ATTENTION: Todd Jones, Kevin Murphy, Clifford Passell, Bob Bechtel

RE: Publix Employee Health, Wellness, Safety and Federal Civil Rights

For whatever it is worth I was lying in my bed at 4 a.m. contemplating these thoughts and rose out of bed to write this correspondence to you.

I recently sent you a correspondence, dated on July 14, 2020, wherein I expressed my concerns about having gone into a Publix in Miami, Florida, where I was confronted by an assistant manager who, after telling him I do not wear a face mask for health reasons, rudely told me that I would no longer be able to make that claim in a couple of days due to the fact that his Corporate Offices we're going to be putting an end to that. Your liaison, Patrick, did call me to advise me that this issue was addressed with the management of that Publix location and that I would in fact be able to continue shopping at that Publix, or any other Publix, without wearing a face mask based upon my self-aware claim, assertion and rights under the Americans with Disabilities Act, Title III, that I am exempt from wearing a face mask or face covering due to my own personal and private mental, psycho-emotional and/or physical health condition(s) and impairment. I did ask Patrick to please send me an email so that I could have his words of assurance in writing, which I might be able to present at Publix if I needed to. He told me he would do so, but I never did receive such an email. I would still greatly appreciate having that written acknowledgement and authorization from you. However, while I greatly appreciate that you addressed and resolved this issue for me, this is not what has prompted me to rise out of my bed at 4 a.m. to write to you once again. What concerns me now, and frankly concerned me then as well, is the health and welfare of your employees.

In short, just as you have properly put the word out to your stores that your customers do not have to wear a face mask or face covering if they claim health reasons for not doing so, which I thank and applaud you for doing on behalf of all your customers, I sincerely urge and encourage you to put the word out to all of your stores that your employees should only wear face masks and face coverings if they choose to do so.

I have personally spoken with several employees at various locations who have told me that they find it difficult and painful breathing with a face mask over there vital air ways while working all day. I have had Publix employees tell me they have asthma, but they are wearing a face mask. I have personally seen employees that were clearly distressed while trying to breathe with a face mask over their vital air ways. I have had many of your employees simply tell me they do not like wearing the face mask and would prefer not to wear it. Neither you nor I know the reasons why they do not want to wear it, which may well include mental, psycho-emotional and/or physical health reasons and conditions. Knowing that some of those reasons

may be deeply personal, intimate and private, I would err on the side of their rights under Federal Law to not require them to wear a face mask and simply suggest that if they choose to wear one they can.

There is no question about the fact that many people are simply wearing a face mask because they are intimidated and afraid. Perhaps you have employees who are afraid to speak up – perhaps they are intimidated and afraid of management and loss of job security. Employees should not be intimidated into doing anything against their will.

I kindly and respectfully urge you to put the word out to all of your stores that employees are not required to wear a face mask, but are simply encouraged to do so and only have to do so if they choose to do so.

In the unlikely event you are not already aware of it, OSHA workplace safety regulations state that any breathing environment that contains an oxygen content level below 19.5% is considered unhealthy, dangerous and potentially deadly. This could be inside of a room, inside of an enclosed helmet or inside the space of a face covering that covers your vital air ways. This single example pales in comparison to the many other possible mental, psycho-emotional and/or physical health conditions and impairments that may affect any given individual.

I would also suggest that any mandates or ordinances that are put into place by the governor or any local municipal government leaders, such as mayors, that are based upon an alleged “health risk” that causes you to have to spend money in order to comply not only be challenged for their veracity, but also should take second seat to the mental, psycho-emotional and physical wellness of your employees. In other words, have them PROVE THE ALLEGED HEALTH RISK – PROVE THE “VIRUS” EXISTS. Have them come into your stores in their hazmat suits with their scanning electron microscopic video recorders to record “non-living particles” called “viruses” on your shopping carts. While you are at it, since they are having you spend money needlessly having employees endlessly wiping down shopping cart handles... ask them if your employees should be going around wiping and disinfecting all the merchandize that people pick up and put back down.

What should take precedence? The very REAL mental, psycho-emotional and physical health and wellbeing of your employees? Or the very IMAGINARY wiping down of “invisible enemies” on shopping carts – not to mention the intimidation and suffering of employees who may be experiencing any number of a wide array of possible mental, psycho-emotional and/or physical health conditions and impairments by being forced to wear a face mask against their will and rebreathing their own carbon dioxide at less than 19.5% oxygen? Frankly, this is a criminal assault that has been being perpetrated against your employees for several months now.

I kindly and respectfully submit and urge that it needs to stop ASAP.

If you can respect and honor your customers by not requiring them to wear a face mask when they do not do so for health reasons, then you can and should respect and honor your

employees for the same reason(s). Please put the word out to all of your stores that any employee who knows in their own self-aware reality that they cannot, or prefer not to, wear a face mask for mental, psycho-emotional and/or physical health reasons may immediately cease and desist from doing so. You might consider copying and pasting the following as a Corporate Notice to all your Employees:

NOTICE TO ALL PUBLIX EMPLOYEES

“If you know in your own self-aware reality that you cannot, or you prefer not to, wear a face mask or face covering for mental, psycho-emotional and/or physical health reasons, which are personal and private to you, and which you do not have to disclose to anybody, you may immediately cease and desist from wearing a face mask or face covering. You are not required to wear a face mask or face covering. You are simply encouraged to wear one. It is your choice to wear one or not without any negative ramifications or consequences either way. You should not feel any pressure, threat, discomfort or intimidation should you choose to not wear a face mask or face covering. The choice is entirely yours.”

On behalf of all your wonderful employees,

Thank You!

Very Sincerely,

Lifelong grateful and faithful Publix Patron

Michael Van Schaick, AKA Mike Singer