



October 30, 2020

Via U.S. Certified Mail

Carolyn G. Goodman, Mayor
City of Las Vegas
495 South Main Street
Las Vegas, Nevada 89101

Via U.S. Certified Mail & Email

Wesley Reed
Rapid Response Unit
Nevada Department of Employment,
Training & Rehabilitation
Employment Security Division
1923 North Carson Street, Suite 200
Carson City, Nevada 89702
Email: wreed@DETR.NV.gov

Re: Notice Pursuant to Worker Adjustment and Retraining Notification Act

Dear Sir and Madam:

This letter serves as notice of the mass layoff effective on the dates stated below for the Smith Center for Performing Arts (“the Smith Center”), located at 361 Symphony Park Avenue, Las Vegas, NV 89106. This notice is being provided to you pursuant to the Worker Adjustment Notification and Retaining Act of 1988 (29 U.S.C. § 2100 et. seq.), the Nevada Declaration of Emergency issued on March 12, 2020, the Nevada Health Response COVID-19 Risk Mitigation Initiative (“RMI”) issued on March 17, 2020, the Nevada Declaration of Emergency Directive (“Emergency Directive”) 002 issued on March 18, 2020, the Emergency Directive 003 issued on March 20, 2020, the Emergency Directive 007 issued on March 24, 2020, the Emergency Directive 010 issued on April 1, 2020, Emergency Directive 016 issued on April 29, 2020, Emergency Directive 018 and the accompanying Nevada *Roadmap to Recovery Plan* issued on May 7, 2020, Emergency Directive 021 issued on May 28, 2020, Emergency Directive 024 issued on June 24, 2020, Emergency Directive 026 issued on June 29, 2020, Emergency Directive 027 issued on July 10, 2020, and Emergency Directive 030 issued on August 14, 2020, among others.

On March 12, 2020, the Governor of Nevada, Steve Sisolak issued a Declaration of Emergency in response to the COVID-19 pandemic. Subsequently, on March 17, 2020, Governor Sisolak issued the RMI that, in relevant part, required social distancing and prohibited certain activities including concerts and theater outings. Moreover, the Governor’s RMI required the closure of all non-essential businesses, including entertainment, concert venues, and auditoriums, among many others. The Governor’s Emergency Directive 007, issued on March 24, 2020, specifically banned gathering in groups of ten or more in any indoor or outdoor area, whether



publicly or privately owned. This Emergency Directive was strengthened on March 31, 2020, when Emergency Directive 010 required a stay at home order and similarly prohibited individuals from congregating with individuals beyond their household members.

On April 16, 2020, the White House issued Guidelines for Opening Up America Again, outlining a three-phase process, which was adopted in large part by Governor Sisolak's April 21, 2020 announcement of a framework for a phased, state-specific reopening. Utilizing those guidelines, Emergency Directive 018 and Nevada's *Roadmap to Recovery* plan outlined Nevada's "Phase One" reopening of certain non-essential businesses, and was promulgated on and about May 7, 2020. Notably, numerous types of non-essential businesses were to remain closed, including museums and art galleries and entertainment venues. On May 28, 2020, when the Governor announced the Phase Two reopening plan in Emergency Directive 021, gatherings of more than fifty persons were still banned in any indoor or outdoor area.

After these efforts failed to control the spread of the COVID-19 virus - along with a mandatory mask mandate, announced in Emergency Directive 024 on June 24, 2020 - the Governor and the Nevada Health Response Team launched a long-term mitigation strategy on August 3, 2020, entitled *Road to Recovery: Moving to a New Normal*. Importantly, the previous restrictions and Directives regarding non-essential entertainment venues were untouched by the Emergency Directive 030.

As a direct result of COVID-19 recent events, its sudden nature, its unforeseen duration/severity, and the government's evolving restrictions to combat COVID-19, the Smith Center had to close and furlough a majority of its employees. Initially, employees were paid their full salaries up to and including 7/3/2020. As of 7/4/2020, furloughed employees ceased receiving their full salaries, but have had their health, dental and medical insurance fully paid for by the Smith Center.

The furloughs were intended to be temporary; however, with the prolonged closures and restrictions, and the move from a phased reopening to the long-term mitigation strategy by the State, the Smith Center is now unable to ascertain if and when it will reopen. These sudden and unexpected circumstances and the dramatic economic downturn suffered by Las Vegas and the entertainment industry are conditions outside of the Smith Center's control. The COVID-19 pandemic is an unprecedented natural disaster, the full effects of which remain to be determined. Accordingly, the Smith Center will permanently layoff numerous employees as of January 1, 2021.

Employees will be laid off as of **January 1, 2021**.

The total number of employees affected is **163**.

The job titles of positions to be affected and the number of affected employees (*i.e.*, furloughed and laid off employees) in each job classification are as follows: *PLEASE FIND ATTACHED*.



Bumping rights do not exist.

The Smith Center's employees are not represented by a union.

The name and telephone number of the Company's official to contact for further information is: Ms. Tricia McLaurin, Director of Human Resources, (702) 749-2372.

The Smith Center has provided WARN Notifications to the affected employees of mass layoff due to the continued closure of the Smith Center.

We are saddened to have to take this step and hope that this crisis will pass. Should your office have any questions or comments regarding this Notice, or the circumstances prompting such Notice, please contact me.

Sincerely,

Tricia A. McLaurin

Tricia McLaurin