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December 21, 2021

The Honorable Philip D. Murphy
PO Box 001
Trenton, NJ 08625

Dear Governor Murphy,

The New Jersey Gasoline, Convenience Store, Automotive Association represents over a thousand small businesses across the state. Our members and their employees have served on the front lines of the COVID-19 crisis, providing food, fuel and other essential items to New Jerseyans when they have needed them. As your Administration revisits COVID-19 measures and protocols with the emergence of the omicron variant, we ask that you prioritize the safety of our employees and ensure that the onus of enforcing such measures not be placed on them.

Rising to the challenges of working during the pandemic, these valued team members have worked tirelessly. In order to protect those around them and themselves, they have implemented enhanced cleaning measures and safety precautions with the goal of preventing the spread of COVID-19. One of those measures was complying with changing state and local mask mandates.

In the past, the employees at retail businesses have been responsible for policing customer behavior and enforcing mask mandates. These enforcement requirements put retail employees in difficult and even dangerous positions as they were forced to confront customers about mask wearing, a heated issue. Many of these confrontations turned physical, and in some cases tragically fatal. In June 2021, a grocery cashier in Georgia was fatally shot after a confrontation with a customer involving a mask.¹ The year prior in Michigan, a security guard at a dollar store was killed after denying entry to a woman not wearing a mask.² According to Forbes, “A review of news articles and law enforcement reports shows at least seven others have been killed following disputes over masks, predominantly inside different stores.”³

Preserving the safety of our employees is our main priority. In fact, retail employees are trained not to confront shoplifters. This is to prevent danger and harm to store staff. The cost of lost goods is not worth the potential danger of initiating those confrontations with a robber. The same

¹ “GBI Investigates Officer Involved Shooting in DeKalb County.” *Georgia Bureau of Investigation*, 14 June 2021, gbi.georgia.gov/pressreleases/2021-06-14/gbi-investigates-officer-involved-shooting-dekalb-county.

² Mele, Christopher. “2 Fugitives Arrested in Fatal Dispute Over Mask at Family Dollar Store.” *The New York Times*, The New York Times, 9 May 2020, www.nytimes.com/2020/05/08/us/coronavirus-masks-dollar-store-shooting-flint-michigan.html.

³ Mele, Christopher. “2 Fugitives Arrested in Fatal Dispute Over Mask at Family Dollar Store.” *The New York Times*, The New York Times, 9 May 2020, www.nytimes.com/2020/05/08/us/coronavirus-masks-dollar-store-shooting-flint-michigan.html

is true for mask enforcement. Retail and other employees are not equipped to enforce health restrictions and, if they are required to do so, it will not protect them but will subject them to confrontations that put their health and well-being at much greater risk.

Last year the public in our state was generally understanding of the need for masks because vaccination was not available, but I fear that many members of the general public will be generally less tolerant of these rules if they were to be brought back, increasing the risk on confrontations. Retail employees do not want to enforce these policies, and the biggest challenge our members have right now is finding enough employees. Asking existing employees to assume this unpleasant burden will only make them less likely to fill these essential jobs.

Our businesses care about the safety and well-being of their employees who have diligently served their communities throughout this crisis. We ask your Administration to help us protect these employees by ensuring that businesses are not responsible for enforcing mask mandates.



Sincerely,

A handwritten signature in black ink, appearing to read 'Sal Risalvato', written in a cursive style.

Sal Risalvato
Executive Director
NJ Gasoline, C-Store, Automotive Association