

MORTON SALT

A K+S Group Company

October 2, 2012

Ms. Kathy Maybriar
Office of Workforce Development
Ohio Department of Job & Family Services
4020 East Fifth Ave.
P.O. Box 1618
Columbus, OH 43216

VIA REGULAR US MAIL

RE: Provisional WARN Act Notice

Dear Ms. Maybriar:

This letter serves as provisional notice pursuant to the Worker Adjustment and Retraining Notification Act, 29 U.S.C. §2101 *et seq.* ("WARN Act") regarding the layoffs of 44 employees at the Morton Salt Fairport facility, located at 570 Headlands Rd., Painesville, OH 44077. While we do not believe that such WARN Act Notice is required, as the total of affected employees is less than 50, we are nonetheless providing this provisional notice to your office. The circumstances surrounding these layoffs are set forth below.

On September 17, 2012, Morton Salt temporarily laid off a total of 78 employees for the period September 17, 2012 through October 12, 2012, while the Fairport facility ceased normal production activities in order to perform limited maintenance and project work. At the time of those layoffs, we anticipated that all of the laid off employees would return to work on October 15, 2012. All of those employees are represented by United Steelworkers Local 1-00966, and appropriate notice of those temporary layoffs were provided to the Union and the employees. Local 1-0096's address is Square One, Suite A, 950 Youngstown Warren Rd., Niles, OH 44446, and its phone number is 330-505-9140. Its chief elected officer is Andy Martorana, President. The Local 1-0096 representative responsible for the bargaining unit is Ray Gruber, Business Agent, at the same address and telephone number.

Unfortunately, due to business circumstances not reasonably foreseeable at the time the facility was temporarily shut down for maintenance and project work on September 17th, we have now concluded that we will not have sufficient production work for the return of the entire complement of unit employees on October 15th. Therefore, as of this date, 42 of those unit employees (and their Union representatives) are receiving notice that their temporary layoff will become a Long-Term Layoff effective October 15, 2012. The 42 affected employees do not possess sufficient seniority to exercise bumping rights in connection with these layoffs.



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At this time we cannot predict how long these layoffs may last nor the recall dates of the 42 affected bargaining unit employees. However, we currently anticipate that their layoffs, which commenced on September 17th, will now extend beyond 6 months.

In addition, two (2) non-union, salaried positions are being eliminated and the incumbents are being terminated as a result of these current, unforeseen, business circumstances. These two (2) individual's terminations are permanent, and will be effective October 12, 2012. The individuals do not possess any bumping or transfer rights.

A list of the job titles affected by these actions and the number of affected employees in each job classifications is enclosed.

Additional information regarding this situation may be obtained by contacting me at 440-639-4242.

Sincerely,



James R Krzywicki
Human Resources Manager
MORTON SALT
A K+S Group Company

CC: Mark Mitchell, Fairport Facility Manager
Fred Green, Corporate Director, Employee and Labor Relations



Morton Salt
Farport Facility
Layoff List

<u>Job Title</u>	No.
FORK TRUCK OPERATOR	1
PRODUCTION MINER	1
STORES & TOOLROOM ATTENDANT	1
AUTO BAG MACHINE OPERATOR	2
CRUSHING & SCREENING	2
JANITOR	2
SUPPORT MINER	2
MINE SERVICE OPERATOR	3
ROOF BOLTER	3
UTILITY OPERATOR	5
CONTINUOUS MINER CREW	7
LABORER	13
FOREMAN (non-union)	1
LAB TECHNICIAN (non-union)	1
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