The Worker Adjustment and Retraining Notification Act

Does employer have 100 or more employees, excluding part-time employees; or 100 or more employees who in the aggregate work at least 4,000 hours a week, exclusive of overtime? YES NO -Are either of these applicable? Are either of these applicable? Plant closing - permanent or temporary cessation of Consolidating or relocating - If the employer offers to transfer employees with a less than or production activity of a site or divisions within a site of employment, if the cessation or production activity equal to 6 month break in employment, or to a location that is within reasonable commuting results in a loss of employment of 50 or more employees during any 30-day period; distance from the original site, or the employee accepts the transfer within 30 days of the transfer Mass layoff - a loss of employment at a site either of offer or plant closing, whichever is later. 500 employees during a 30-day period or 33 percent of the employees, if the 33 percent is equal to or Sale of a business - If the acquiring business greater than 50 employees. agrees to hire the employees and to make this condition in the purchase agreement, or if the acquiring business offers the acquired business's employees employment within 30 days of the YES NO purchase, with the break in employment being 6 months or less. Will terminations or layoffs (for other than cause) Emergencies - Conditions that were not be for longer than 6 months, with reductions of more reasonably foreseeable. than 50 percent of the hours worked for each month during a 6-month period? Natural disaster - If there is a natural disaster such as flood, earthquake, or drought, the employer must give as much notice as is practical. YES NO -Special project employees - Workers who were hired only for the purpose of completing a project, and who have finished that project. Is the business a faltering company? If a business actively seeks capital or other business that would enable it to avoid shutdown, it does not have to provide the 60- day notice, providing that such a notice would "reasonably and in good faith" preclude getting the needed capital Terminations which were originally for less than 6 months: If the employer or business. realizes the terminations will last longer than 6 months, unless because of business conditions not foreseeable at the time of the original terminations, it must provide notice as soon as it foresees that the NO YES layoffs will last for longer than 6 months. **WARN Applies:** Must provide 60-days advance notice to appropriate state and local government officials, affected employees, and union representatives. **WARN** Does not apply Penalties: An employer may be liable for back pay and benefits (up to 60 days worth) that would have been available to the employee if the layoff or closing had not occurred. The employer is also subject to civil penalties for the days of violation and may have to pay legal fees.

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