

Worker Adjustment and Retraining Notification Act

Public Law 100-379 (29 U.S.C. §2101 et. seq.)

Who is affected by the Worker Adjustment and Retraining Notification (WARN) Act?

Employers with **100** or more full-time workers and the employer deems it necessary to do any of the following:

- ❑ Close a facility or discontinue an operating unit with 50 or more full-time workers;
- ❑ Lay off 50-499 full-time workers (and these workers comprise at least 33% of the total work force at a single site of employment) or,
- ❑ Lay off 500 or more full-time workers at a single site of employment.

Employers must send notice, *in writing*, to the following three entities:

- ❑ Each employee to be laid off or, if represented by a union(s), to the employee's union representative(s). Mailing of notice to employee's last known address or inclusion of notice in the employee's paycheck envelope is also an appropriate means of notice.
- ❑ The local government's chief elected official. If in more than one jurisdiction, notice should be sent to the local elected official of the jurisdiction to which the most taxes are paid.
- ❑ The Virginia State Dislocated Worker Unit, at the following address:

Manager, State Dislocated Worker Unit
Virginia Employment Commission
703 E. Main Street – Room 121
Richmond, Virginia 23219
(804) 786-3037 / fax (804) 225-2190

What should be included in the notice?

- ❑ The name and street address of the employment site where the plant closing or mass layoff will occur;
- ❑ A statement as to whether it is a plant closing or a mass layoff;
- ❑ The expected date of the first separation and the number of affected employees in each job classification;
- ❑ A statement as to the existence of any applicable bumping rights;
- ❑ Where applicable, the name of each union and the name and address of the chief elected officer of each union; and
- ❑ The name, address, and telephone number of a company official to contact for further information.

These are the major provisions of the **WARN** legislation. Employers are encouraged to consult an attorney if faced with the unpleasant prospect of a plant closing or mass layoff if they have questions regarding this legislation. Additional information on **WARN** is also available at the U.S. Department of Labor website by clicking on www.dol.gov/dol/compliance/comp-warn.htm.

A **Rapid Response Team** has been established to provide employment transition information to dislocated workers covered by **WARN** on resources and services available for career planning, classroom training opportunities, financial guidance, job placement assistance, unemployment benefits, stress counseling, and much more. For more information on Rapid Response Services, please click on www.doleta.gov/layoff/employers02.cfm.