

Labor Crisis, Inc.

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Job Layoffs Mount In The Face Of A Growing Recession

SIDE NOTES:

- **Worker Adjustment and Retraining Notification (WARN) Act**
- **Over 60,000 jobs have already been lost**
- **Over 8,000 Texas jobs to be eliminated by March 2009**
- **A "mass layoff" means a RIF that does not result from a plant closing; and results in a loss of employment during any 30-day period for at least 50-499 employees, representing at least 33% of the workforce (excluding part-timers), or 500 or more employees (excluding part-timers)**
- **A part-time employee is someone who averages less than 20 hours per week**



A.H. Belo, which plans to eliminate 500 jobs in the near future.

Reduction in Force: What should companies do to stay within the law?

U.S. employers have cut over 60,000 jobs, as another sign of the growing recession. Major companies like Caterpillar Inc., Sprint Nextel Corporation, Home Depot, Texas Instruments, Pfizer, Circuit City, General Motors, Hertz Rental Cars, Best Buy and Target Corporation have all announced job cuts.

WARN (Worker Adjustment and Retraining Notification) Act notices continue to come in from all parts of the United States announcing closings or employee reductions. Some are major companies, but a large number are lesser-known, but significant, employers. And, economists predicts that we haven't reached bottom yet!

WARN Notices

WARN Act listings from the State of Texas show that over 6,000 jobs were lost in January 2009, with another 2,000 scheduled by April, not including Dallas-based

- Employees are protected by the WARN Act if the employer has 100 or more full-time workers (excluding those with less than 6 months on the job and those who work less than 20 hours per week)
- Employers who have 100 or more employees working at least a combined 4,000 hours a week
- Protected workers may be hourly or salaried, including managerial and supervisory employees
- Employees must receive a written notice 60 days prior to the date of a mass layoff or plant closing.
- Employees can seek damages for back pay and benefits for up to 60 days for failure to provide notice.
- An employer who violates the WARN Act is subject to a civil penalty of up to \$500

for each day of violation. The penalty may be avoided if the employer satisfies its liability to each affected employee within three weeks after the closing. If the employer is sued, the court has the discretion to award reasonable attorney fees as part of the costs.

For more information on how you can protect your company, contact Labor Crisis, Inc.

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