

HB 403 -- EMPLOYEES TERMINATED IN CERTAIN LAYOFFS

SPONSOR: Clemens

This bill requires an employer, as defined in the bill, who operates an establishment, as defined in the bill, that is subject to a transfer of operations or termination of operations, during any continuous period of no more than 30 days, that results in a termination of 50 or more employees, or a mass layoff, to provide:

(1) In the case of an employer who employs 100 or more employees, at least 90 days or the period of time required under federal law, whichever is longer, notice of the termination or layoff as specified in the bill;

(2) To each employee, who was terminated, severance pay equal to one week pay for each full year of employment.

If the employer does not provide an employee sufficient notice of termination or layoff, then the employer is required to pay the employee an additional four weeks of pay. The bill sets out the calculation of the rate of severance.

No waiver of the right to severance provided for under this bill will be effective without the approval of the Director of the Department of Labor and Industrial Relations or a court.