



Illinois Worker Adjustment & Retraining Notification

Illinois Department of Commerce and Economic Opportunity

What is Illinois WARN?

The Illinois Worker Adjustment and Retraining Notification Act (WARN) is a state law, which requires business and industry to provide 60 days advanced notification to employees when faced with a plant closing or mass layoff. This advance notice provides workers and their family's transition time to adjust to the prospective loss of employment, seek and obtain other employment, and, through assistance provided by the State, enter skill training or retraining that will allow those workers to successfully compete in the job market.

What Does Illinois WARN Require?

Illinois WARN requires that employers with 75 or more full-time workers give employees 60 days' notice if they:

- Close a facility of 50 or more workers;
- Discontinue an operating unit of 50 or more workers;
- Layoff of at least 33% of the employees and at least 25 employees; or
- Layoff 250 or more workers at a single employment site.
- Although some businesses may be exempt from WARN, the law encourages all employers to give workers enough notice.

Notice Must Be Provided To Illinois Dislocated Worker Division

Department of Commerce and Economic Opportunity
Office of Employment & Training, WARN Processing
500 East Monroe Street, 9th Floor
Springfield, IL 62701-1643
Ph: (217) 558-2432 / Fax: 217-558-2444
John.Ray@illinois.gov

Notice

Who Must Receive Notice?

- Each employee to be laid off
- The employee's union representative if represented by a union or unions
- The chief elected official of the unit of local government where the closing is occurring
- State Dislocated Worker Unit

Although some businesses may be exempt from WARN, the law encourages all employers to give workers sufficient notice.

What the Notice Must Contain

- Name and address of site(s) affected
- Name, address, and telephone number of company official
Whether the action is permanent or temporary and if the entire plant is to be closed
- Expected layoff schedule or closing date
- Job titles and the number of affected employees in each classification and for each Union
- An indication whether or not bumping rights exist
- Total Number of Union Employees affected
- The name of each union and the name and address of each union's chief elected officer (Please include the employer's federal identification number, or FEIN, for the dislocating company on WARN correspondence.)

Illinois WARN



WE
CAN HELP

Rapid Response & Mass Layoff Assistance

Exceptions

Illinois WARN provides for exceptions from the notice requirements, as well as for reduced notice if the closing or mass layoff is caused by unforeseeable circumstances. Additionally, government entities are also exempt from WARN notice requirements.

How to Serve Notice

- In the case of notifying affected employees directly, inserting notices into pay envelopes is acceptable.
- It is highly recommended that notices be sent by certified mail to ensure receipt when notifying the State Dislocated Worker Unit and the chief elected officials of the unit of local government.
- The identity of the chief elected official will vary according to local government structure. In the case of elected boards, the notice is to be served to the board's chairperson.

Penalties

- The Department of Labor has the authority to determine any liabilities or civil penalties.
- Failure to give notice to each employee could result in back pay and cost of any lost benefits, including medical expenses.
- Civil penalties of not more than \$500 for each day of violation.

The Department of Commerce initiates and coordinates rapid response activities for permanent layoffs and closings involving 25 or more Illinois workers. Upon WARN notification, the Department of Commerce OET Staff contacts employers, employee representatives, and members of the state's Rapid Response Team in order to develop a plan for layoff aversion and dislocated worker services.

File Complaint



To file a complaint regarding the Illinois WARN Act please contact:

Illinois Department of Labor
Division Manager Conciliation & Mediation
www2.illinois.gov/idol

Business Economic Support Act

An employer that is receiving state or local economic development incentives for doing or continuing to do business in the State of Illinois may be required to provide additional notice pursuant to Section 15 of the Business Economic Support Act.

Advisory Notice

Before September 30 of each year, the Department of Commerce and Economic Opportunity in cooperation with the Illinois Department of Employment Security must issue a written notice to each employer that reported to IDES that the employer paid wages to 75 or more individuals with respect to any quarter in the preceding calendar year to provide information of the requirements of Illinois WARN.

For more information, visit
illinoisworknet.com



Illinois
Department of Commerce
& Economic Opportunity
OFFICE OF EMPLOYMENT & TRAINING



The Illinois workNet® Center System, an American Job Center, is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers may be reached by persons using TTY/TDD equipment by calling TTY (800) 526-0844 or 711. This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. For more information please refer to the footer at the bottom of any webpage at illinoisworknet.com. – December 2019, v3