

Illinois WARN Requirements

Notice Must Be Provided to Illinois' Dislocated Worker Unit:

Office of Employment and Training

Attention: John Ray

Illinois Department of Commerce & Economic Opportunity

1011 South Second Street

Springfield, IL 62704

What the Notice must contain:

- The name and address of the employment site(s) where the plant closing or mass layoff will occur.
- Whether the planned action is expected to be permanent or temporary and if the entire plant is to be closed—a statement to that effect.
- The expected date of the first separation, and the anticipated schedule for making separations.
- The job titles of positions to be affected, and the number of affected employees in each job classification (for multiple sites, provide a list per site).
- A statement as to the existence of any applicable bumping rights.
- The name of each union representing the affected employees, and the name and address of the chief elected officer of each union—if none exist, so state; and
- The name and telephone number of a company official to contact for further information.

Also, please include the employer's Federal Identification Number, or FEIN, for the dislocating company on all WARN correspondence.

Who must provide notice?

The Illinois Worker Adjustment and Retraining Notification Act (WARN) requires applicable employers to provide advanced notification of a plant closure or mass layoff. This applies to employers with 75 or more full-time workers.

Definition of "Mass Layoff" triggering notice requirements:

- 25 or more full-time employees are laid off, and they constitute one-third or more of the full-time employees at the site, or
- 250 or more full-time employees are laid off at a single site.

Definition of "Plant Closure" triggering notice requirements:

- Closure of a site that employs 50 or more employees, impacting all workers.

[Illinois Worker Adjustment and Retraining Notification \(WARN\) Act.](#)

Illinois WARN Complaints

The Illinois WARN Law maintains that the Director of the Illinois Department of Labor is to make rules with "provisions that allow the parties access to administrative hearings for any actions of the Department under the Act." Furthermore, in "any investigation or proceeding under this Act," the Director has the authority to "examine the books and records of an employer" in order to determine whether a violation of this Act has occurred."

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

Robert Parrilli, Division Manager
 Conciliation and Mediation Illinois
 Department of Labor
 (217) 785-1710

Click here for the WARN Complaint Form:

<http://www.illinois.gov/idol/forms/Documents/WARN%20Act%20Complaint%20Form.PDF>.

The Business Economic Support Act (BESA)

In the State of Illinois, Public Act 87-130 Section 15 states any business or industry is “required to provide notice under the Worker Adjustment and Retraining Notification Act and receiving State or local economic development incentives for doing or continuing to do business in this State, in addition to the notice required under federal law, shall also provide at the same time a copy of that federal notice to the Governor, the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Mayor of each municipality where the private entity has locations in this State.”

How does the Illinois WARN Act differ from the federal WARN Act?

The Illinois WARN Law differs from the Federal WARN Act. Illinois WARN requirement differences are as follows:

Requirements	Illinois	Federal
Applies to employers with:	75 or more full-time workers	100 or more full-time workers
“Mass layoff” triggering notice requires:	25 or more full-time employees that constitute one-third or more full-time employees at the site, or 250 or more full-time employees at a single site	50-499 full-time workers at a single site that constitute one-third or more full-time employees at the site, or 500 or more full-time workers at a single site of employment
“Plant closure” triggering notice requires:	Closure of a single site of employment that employs 50 or more employees; not counting part-time workers	Closure of a single site of employment that employs 50 or more employees; not counting part-time workers

Another important difference is in the enforcement of the Act. Under federal WARN, neither the federal government nor the state may initiate actions for alleged non-compliance. Only employees and local government officials may initiate action in federal court.

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