

110TH CONGRESS
1ST SESSION

H. R. 3662

To amend the Worker Adjustment and Retraining Notification Act to improve such Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2007

Mr. MCHUGH introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Worker Adjustment and Retraining Notification Act to improve such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Forewarn Act of
5 2007”.

6 **SEC. 2. AMENDMENTS TO THE WORKER ADJUSTMENT AND**
7 **RETRAINING ACT.**

8 (a) DEFINITIONS.—Section 2(a) of the Worker Ad-
9 justment and Retraining Notification Act (29 U.S.C.
10 2101(a)) is amended—

1 (1) in paragraph (1)—

2 (A) by striking “100” each place that such
3 appears and inserting “50”; and

4 (B) in subparagraph (B), by striking
5 “4,000” and inserting “2,000”;

6 (2) in paragraph (2), by striking “50” and in-
7 serting “25”; and

8 (3) in paragraph (3)(B)(ii), by striking “500”
9 and inserting “100”.

10 (b) NOTICE REQUIRED.—Section 3 of the Worker
11 Adjustment and Retraining Notification Act (29 U.S.C.
12 2102) is amended—

13 (1) in subsection (a), by striking “60-day” and
14 inserting “90-day”;

15 (2) in subsection (b), by striking “60-day” each
16 place that such appears and inserting “90-day”; and

17 (3) by adding at the end the following:

18 “(e) CALENDAR DAYS.—All references in this Act to
19 ‘days’ shall mean calendar days.”.

20 (c) NOTICE TO OTHER PARTIES AND SECRETARY OF
21 LABOR.—Section 3(a) of the Worker Adjustment and Re-
22 training Notification Act (29 U.S.C. 2102(a) is amend-
23 ed—

1 (1) in the subsection heading, by striking
2 “LOCAL GOVERNMENTS” and inserting “GOVERN-
3 MENT OFFICIALS”;

4 (2) in paragraph (1), by striking “; and” and
5 inserting a semicolon;

6 (3) in paragraph (2), by striking the period and
7 inserting a semicolon; and

8 (4) by adding after paragraph (2) the following:

9 “(2) to the Secretary of Labor, including the
10 number of employees affected;

11 “(3) to the United States Senators, United
12 States Representative, State Senator, and State
13 Representative who represent the area in which the
14 plant is located; and

15 “(4) to the Governor of the State in which the
16 plant is located and to the chief elected official of
17 the unit of local government within such closing or
18 layoff is to occur.”.

19 (d) DETERMINATIONS WITH RESPECT TO EMPLOY-
20 MENT LOSS.—Section 3(d) of the Worker Adjustment and
21 Retraining Notification Act (29 U.S.C. 2102(d)) is
22 amended by striking “, each of which is less than the min-
23 imum number” and all that follows, and inserting “during
24 any 180-day period, one or more of which is less than the
25 minimum number specified in section 2(a)(2) or (3) but

1 which in the aggregate equal or exceed that minimum
2 number, shall be considered a plant closing or mass lay-
3 off.”.

4 (e) PENALTY.—Section 5 of the Worker Adjustment
5 and Retraining Notification Act (29 U.S.C. 2104) is
6 amended—

7 (1) in subsection (a)(1)(A), by striking “back
8 pay” and inserting “two days’ pay multiplied by the
9 number of calendar days short of 90 that the com-
10 pany provided notice before such closing or layoff”;

11 (2) in the matter following subparagraph (B),
12 by striking “60 days” and inserting “90 days”; and

13 (3) by adding at the end the following:

14 “(c) AUTHORITY OF SECRETARY OF LABOR.—A civil
15 action may be brought by the Secretary of Labor (or the
16 appropriate State attorney general if the Secretary fails
17 to act within 6 months of the alleged violation) on behalf
18 of one or more employees for relief under this section.”.

19 (f) EDUCATIONAL MATERIALS.—The Worker Adjust-
20 ment and Retraining Notification Act (29 U.S.C. 2101 et
21 seq.) is amended by adding at the end the following:

22 **“SEC. 12. EDUCATIONAL MATERIALS.**

23 “The Secretary of Labor shall make educational ma-
24 terials concerning employee rights and employer respon-
25 sibilities under this Act available to the general public and

1 employers. Such materials shall be available on the Inter-
2 net website of the Secretary and in written form for dis-
3 tribution by employers.”.

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