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§11–305.

(a) Except as provided in subsection (c) of this section, an employer shall provide written notice at least 60 days before initiating a reduction in operations to:

(1) all employees at the workplace that are subject to the reduction in operations;

(2) each exclusive representative or bargaining agency that represents the employees at the workplace that are subject to the reduction in operations;

(3) individuals who work less than 20 hours on average each week or have worked for the employer for less than 6 months in the immediately preceding 12 months at the workplace that is subject to the reduction in operations;

(4) the Division's dislocated worker unit; and

(5) (i) the chief elected official of the political subdivision where the workplace that is subject to the reduction in operations is located; or

(ii) if the workplace is located in more than one political subdivision, the chief elected official of the political subdivision to which the employer paid the most taxes for the fiscal year immediately preceding the year in which the reduction in operations occurs.

(b) The notice required under subsection (a) of this section shall include:

(1) the name and address of the workplace where the reduction of operations is expected to occur;

(2) the name, telephone number, and e–mail address of a company official to contact for further information;

(3) a statement that explains whether the reduction in operations is expected to be permanent or temporary and if the workplace is expected to shut down; and

(4) the expected date when the reduction in operations will begin.

(c) (1) Subject to paragraph (2) of this subsection, an employer is not required to provide written notice if:

(i) the employer:

1. was actively seeking capital or business that would have enabled the employer to avoid or postpone the reduction in operations; and

2. believed that providing the written notice required would have precluded the employer from obtaining the necessary capital or business; or

(ii) the reduction in operations occurs due to any form of natural disaster such as a flood, an earthquake, or a drought.

(2) An employer that relies on this subsection shall provide notice as soon as practicable with a brief statement of the basis for not providing written notice at least 60 days before initiating a reduction in operations.

(d) (1) Subject to paragraph (2) of this subsection, for a reduction in operations that will result from a sale of part or all of an employer's business, the notice required under subsection (a) of this section shall be provided both by:

(i) the seller on or before the effective date of sale; and

(ii) the purchaser after the effective date of sale.

(2) An individual who is an employee of the seller as of the effective date of sale shall be considered an employee of the purchaser immediately after the effective date of sale.

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