



## Ohio Revised Code

### Section 4113.31 Compliance with federal WARN Act.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

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(A) As used in this section:

(1) "Employer," "mass layoff," and "plant closing" have the same meanings as in the WARN Act and 20 C.F.R. 639.3.

(2) "WARN Act" means the "Worker Adjustment and Retraining Notification (WARN) Act," 29 U.S.C. 2101, et seq.

(B) An employer in this state shall comply with all requirements in the WARN Act and 20 C.F.R. 639.1 to 639.10. The requirements specified in this section do not establish a different standard than that established by federal statutes and regulations.

(C) In accordance with 29 U.S.C 2101(a)(1)(B), an employer must provide the notice required by 29 U.S.C. 2102(a) if both of the following apply:

(1) The employer employs one hundred or more employees who in the aggregate work at least four thousand hours a week.

(2) The employer lays off fifty or more employees at a single site of employment during any thirty-day period.

(D) An employer is not required to provide the notice described in 29 U.S.C. 2102(a) when a plant closing or mass layoff constitutes a strike or constitutes a lockout as described in 29 U.S.C. 2103 and 20 C.F.R. 639.5(d).

(E) In accordance with 29 U.S.C 2102(a)(1), not less than sixty days before the date a plant closing or mass layoff begins, an employer shall provide written notice of the closing or layoff to affected employees' authorized representatives or, if there are no such representatives at the time, to each



affected employee.

(1) The employer shall include all of the following in a notice provided to affected employees' authorized representatives:

- (a) The location of the facility affected by the plant closing or mass layoff;
- (b) A detailed statement explaining the reason for the plant closing or mass layoff and whether it will be permanent or temporary;
- (c) The expected date when the plant closing or mass layoff will commence and the anticipated date on which the employees' employment will cease;
- (d) The total number of employees affected by the plant closing or mass layoff, including the employees' job titles or positions and any department or division impacted.

(2) The employer shall include all of the following in a notice provided to affected employees' who do not have an authorized representative at the time the notice is sent:

- (a) A detailed statement explaining the reason for the plant closing or mass layoff and whether it will be permanent or temporary;
- (b) The expected date when the plant closing or mass layoff will commence and the anticipated date on which the employees' employment will cease;
- (c) An indication as to whether an affected employee has bumping rights or other reemployment rights under a collective bargaining agreement or a company policy, including any procedures for exercising those rights;
- (d) Information on how affected employees can access unemployment insurance benefits and other assistance programs;
- (e) The name, title, and contact information of an employer representative who can answer questions



about the plant closing or mass layoff;

(f) Information about any available services for an affected employee, including job placement assistance, retraining programs, or counseling services.

(F) In accordance with 29 U.S.C 2102(a)(2), an employer shall provide written notice of a plant closing or mass layoff to the director of job and family services and to the chief elected official of the municipal corporation and the county where the plant closing or mass layoff is to occur. The written notice shall include the same information required under division (E) of this section and all of the following:

(1) A description of any action taken or planned to mitigate the impact of the plant closing or mass layoff, including any efforts to secure alternative employment or training for affected employees;

(2) The name of each employee organization representing affected employees, and the name and address of the chief elected officer of each organization;

(3) A copy of the notice provided to affected employees or their representatives, as applicable.

(G) The period within which an employer shall provide notice may be reduced or waived under the circumstances described in 29 U.S.C. 2102(b).

(H) The director of job and family services may issue guidance and procedures for the submission and review of notices by employers.

(I) When an employer fails to comply with the WARN Act, an affected employee may seek the remedies specified in 29 U.S.C. 2104.