

Mini-WARN Acts: North Carolina

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A Q&A guide to state versions of the federal Worker Adjustment and Retraining Notification (WARN) Act for private employers in North Carolina. This Q&A addresses notice requirements in cases of plant closings and mass layoffs. Federal, local or municipal law may impose additional or different requirements. Answers to questions can be compared across a number of jurisdictions (see *Mini-WARN Acts: State Q&A Tool* (<http://us.practicallaw.com/5-505-9587>)).

OVERVIEW OF STATE MINI-WARN LAW

1. Is there a mini-WARN Act or other notice requirement for group layoffs in your jurisdiction?

North Carolina has no mini-Worker Adjustment and Retraining Notification Act or other notice requirements for group layoffs.

ADMINISTRATION OF MINI-WARN ACT

2. What governmental body administers law(s) identified in response to Question 1?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

COVERED EMPLOYERS

3. Which employers are covered by the law(s) identified in response to Question 1?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

4. Under any law(s) identified in response to Question 1, if a business is sold, at what point in the transaction does the buyer become the employer?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

5. Are subsidiaries considered separate employers from their parent company under the law(s) identified in response to Question 1?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

TRIGGERING EVENTS

6. How are the notice requirements of the law(s) identified in response to Question 1 triggered?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

7. Are there any exceptions to the notice requirements identified in response to Question 1?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

NOTICE

8. Who is required to receive notice under the law(s) identified in response to Question 1?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).



9. Please describe the content that has to be included in the notice to be given to each group entitled to receive notice.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

10. Please describe any alternatives to notice that the law(s) identified in response to *Question 1* allows for each group entitled to receive notice.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

11. Please describe the required timing of notice.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

12. Please describe any circumstances not already stated under which reduced or modified notice may be permitted.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

13. Please describe how notice must be sent.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

14. Are there any standard notice forms available from the administering government entities?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

RECORDKEEPING**15. What recordkeeping obligations does the law(s) identified in response to *Question 1* impose on employers?**

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

PENALTIES FOR VIOLATION**16. What penalties may be imposed on employers that violate the law(s) identified in response to *Question 1*?**

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

PRIVATE RIGHT OF ACTION**17. Do the law(s) identified in response to *Question 1* provide for a private right of action?**

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

18. What is the statute of limitations for bringing a private action under the law(s) identified in response to *Question 1*?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

19. Are waivers of rights under the mini-WARN Act or other law(s) identified in response to *Question 1* valid and, if so, in what circumstances?

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

SEVERANCE**20. Does the mini-WARN Act or other law(s) identified in response to *Question 1* require payment of severance?**

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

UNEMPLOYMENT BENEFITS**21. Does your jurisdiction require employers to supplement unemployment benefits when the law(s) identified in response to *Question 1* are triggered?**

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

22. Please describe any other significant differences from the federal WARN Act that practitioners should be aware of with regard to a mini-WARN Act or other law(s) identified in response to *Question 1*.

North Carolina has no Mini-WARN Act or other notice requirements for group layoffs (see *Question 1*).

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