

“Termination of employment” means the layoff of an employee without a commitment to reinstate the employee to his previous employment within six months of the layoff, except that “termination of employment” shall not mean a voluntary departure or retirement or a discharge or suspension for misconduct of the employee connected with the employment or any layoff of a seasonal employee or refer to any situation in which an employer offers to an employee, at a location inside the State and not more than 50 miles from the previous place of employment, the same employment or a position with equivalent status, benefits, pay and other terms and conditions of employment, and, except that a layoff of more than six months which, at its outset, was announced to be a layoff of six months or less, shall not be treated as a termination of employment under N.J.S.A. 34:21-1 et seq., if the extension beyond six months is caused by business circumstances not reasonably foreseeable at the time of the initial layoff, and notice is given at the time it becomes reasonably foreseeable that the extension beyond six months will be required.

Termination Information—C.34:21-3

a. Number of employees to be terminated: _____ Date(s) on which each termination of employment will occur:	
Date(s) on which mass layoff or transfer or termination of operations of the establishment will occur:	
b. Reason for termination: <input type="checkbox"/> Mass Layoff <input type="checkbox"/> Transfer of Operations <input type="checkbox"/> Termination of Operations Explain the reason(s) for mass layoff or transfer or termination of operations:	
c. Is any employment being offered to terminated employees at any other establishment operated by the employer? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide detailed information regarding the benefits, pay, and other terms and conditions of that employment and the location of the other establishment:
d. Please state any employee rights with respect to wages, severance pay, benefits, pension or other terms of employment as they relate to the termination, including, but not limited to, any rights based on a collective bargaining agreement or other existing employer policy.	
d1. Rights to wages? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain.
d2. Rights to severance pay? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain.
d3. Rights to pension? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain.
d4. Rights to benefits? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain.
d5. Rights to other terms of employment? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain.

Severance pay, which is payable under the Act to each employee whose employment is terminated:

The employer who operates the establishment or conducts the mass layoff, in the case of the employer who employs 100 or more employees, shall provide to each employee whose employment is terminated severance pay equal to one week of pay for each full year of employment. If the employer provides any employee with less than 90 days notification before the first termination of employment occurs in connection with the termination or transfer of operations, or mass layoff, the employer shall provide that employee with an additional four weeks of severance pay. The rate of severance pay provided by the employer shall be the average regular rate of compensation received during the employee's last three years of employment with the employer or the final regular rate of compensation paid to the employee, whichever rate is higher. Severance pay under the Act shall be regarded as compensation due to an employee for back pay and losses associated with the termination of the employment relationship, notwithstanding the calculation of the amount of the payment with reference to the employee's length of service. An employer shall provide an employee the severance pay required under the Act or any severance pay provided by the employer pursuant to a collective bargaining agreement or for any other reason, whichever is greater. Any back pay provided by the employer to the employee pursuant to section 5 of the "Worker Adjustment and Retraining Notification Act," Pub.L.100-379 (29 U.S.C. s.2104), because of a violation of section 3 of that act (29 U.S.C. s.2101) shall be credited toward meeting the severance pay requirements of the Millville Dallas Airmotive Job Loss Notification Act.

Response Team Services:

In accordance with the Act, there is established within the Department of Labor and Workforce Development a response team, the purpose of which is to provide appropriate information, referral and counseling to workers who are subject to plant closings or mass layoffs. The information, referral and counseling provided by the response team will address available public programs which make it possible to delay or prevent the transfer or termination of operations, including economic development incentive and workforce development programs, public programs or benefits which may be available to assist the employees, including but not limited to, unemployment compensation benefits, job training or retraining programs, and job search assistance; and employee rights based on the Act, or any other law which applies to the employees with respect to wages, severance pay, benefits, pensions or other terms of employment as they relate to the termination of employment.

Employers covered by the Act are required to provide the response team with the amount of on-site work-time access to the employees of the establishment that the response team determines is necessary for the response team to carry out its responsibilities under the law.

Please provide the completed Notification Form to:

⇒ **The Commissioner of Labor and Workforce Development**

Robert Asaro-Angelo, Commissioner
Attention: Rapid Response Team
Department of Labor and Workforce Development
PO Box 933
Trenton, New Jersey 08625-0933

Phone: 1-800-343-3919

Fax: 609-777-3020

Email: *RapidResponse@dol.nj.gov*

⇒ **The Chief Elected Official of the municipality where the establishment is located**

⇒ **Each employee whose employment is to be terminated**

⇒ **Any collective bargaining units of employees at the establishment**