

JOSEPH L. BRACCIO INTERVIEWED ABOUT NYS WARN ACT

February 9, 2009

Joseph L. Braccio, leader of Hodgson Russ's Labor & Employment Practice Group, is quoted *The Buffalo News*, "New State WARN Act Takes Effect on Sunday," February 5, about the New York State Worker Adjustment and Retraining Notification (WARN) Act. The act requires employers with 50 or more full-time employees to provide 90 days' notice prior to a layoff or plant closing to those employees who will be affected. Mr. Braccio notes, "We're seeing layoffs from companies in Western New York that have been in business for decades and have never had a layoff before."

In *Buffalo Business First*, "Small Businesses Must Comply With New State Layoff Rules," January 30, Mr. Braccio says that as a result of the act, some employers may try to stagger layoffs to avoid notification. "But given the way the economy has fallen off the cliff, in this environment, it's more difficult for people to stagger layoffs. I've seen situations where good, solid companies have gone from one month doing fine . . . to the next week laying people off. Under that business climate, staggering layoffs to avoid notification is going to be very difficult."

Attorneys

Joseph Braccio

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