

## HR 3042

Forewarn Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Labor and Employment

**Introduced:** Jun 25, 2009

**Current Status:** Referred to the House Committee on Education and Labor.

**Latest Action:** Referred to the House Committee on Education and Labor. (Jun 25, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/3042>

### Sponsor

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**Name:** Rep. Miller, George [D-CA-7]

**Party:** Democratic • **State:** CA • **Chamber:** House

**Cosponsors** (62 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Jun 25, 2009
Rep. McHugh, John M. [R-NY-23]	R · NY		Jun 25, 2009
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jun 25, 2009
Rep. Hare, Phil [D-IL-17]	D · IL		Jun 26, 2009
Rep. Filner, Bob [D-CA-51]	D · CA		Jul 7, 2009
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Jul 7, 2009
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Jul 7, 2009
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Jul 7, 2009
Rep. Massa, Eric J. J. [D-NY-29]	D · NY		Jul 7, 2009
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jul 7, 2009
Rep. Moore, Gwen [D-WI-4]	D · WI		Jul 7, 2009
Rep. Schauer, Mark H. [D-MI-7]	D · MI		Jul 7, 2009
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Jul 7, 2009
Rep. Sutton, Betty [D-OH-13]	D · OH		Jul 7, 2009
Rep. Tierney, John F. [D-MA-6]	D · MA		Jul 7, 2009
Rep. Frank, Barney [D-MA-4]	D · MA		Jul 10, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jul 10, 2009
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Jul 13, 2009
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Jul 13, 2009
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Jul 13, 2009
Rep. Wilson, Charles A. [D-OH-6]	D · OH		Jul 13, 2009
Rep. Bocchieri, John A. [D-OH-16]	D · OH		Jul 14, 2009
Rep. Carson, Andre [D-IN-7]	D · IN		Jul 14, 2009
Rep. Dingell, John D. [D-MI-15]	D · MI		Jul 14, 2009
Rep. Fattah, Chaka [D-PA-2]	D · PA		Jul 14, 2009
Rep. Fudge, Marcia L. [D-OH-11]	D · OH		Jul 14, 2009
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Jul 15, 2009
Rep. Farr, Sam [D-CA-17]	D · CA		Jul 16, 2009
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Jul 16, 2009
Rep. Levin, Sander M. [D-MI-12]	D · MI		Jul 20, 2009
Rep. Roybal-Allard, Lucille [D-CA-34]	D · CA		Jul 20, 2009
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Jul 21, 2009
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		Jul 21, 2009
Rep. Visclosky, Peter J. [D-IN-1]	D · IN		Jul 21, 2009
Rep. Brady, Robert A. [D-PA-1]	D · PA		Jul 23, 2009
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Jul 23, 2009
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Jul 23, 2009
Rep. Kilroy, Mary Jo [D-OH-15]	D · OH		Jul 23, 2009
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Jul 23, 2009
Rep. McGovern, James P. [D-MA-3]	D · MA		Jul 24, 2009
Rep. McDermott, Jim [D-WA-7]	D · WA		Jul 27, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Baca, Joe [D-CA-43]	D · CA		Jul 28, 2009
Rep. Lee, Barbara [D-CA-9]	D · CA		Jul 28, 2009
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jul 28, 2009
Rep. Serrano, Jose E. [D-NY-16]	D · NY		Jul 28, 2009
Rep. Peters, Gary C. [D-MI-9]	D · MI		Jul 29, 2009
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Jul 30, 2009
Rep. Courtney, Joe [D-CT-2]	D · CT		Jul 30, 2009
Rep. Arcuri, Michael A. [D-NY-24]	D · NY		Jul 31, 2009
Rep. Capps, Lois [D-CA-23]	D · CA		Jul 31, 2009
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jul 31, 2009
Rep. Pingree, Chellie [D-ME-1]	D · ME		Jul 31, 2009
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Sep 8, 2009
Rep. Lewis, John [D-GA-5]	D · GA		Sep 8, 2009
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Sep 8, 2009
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Sep 8, 2009
Rep. Ryan, Tim [D-OH-17]	D · OH		Sep 8, 2009
Rep. Holt, Rush [D-NJ-12]	D · NJ		Sep 10, 2009
Rep. Cohen, Steve [D-TN-9]	D · TN		Sep 22, 2009
Rep. Tonko, Paul [D-NY-21]	D · NY		Sep 22, 2009
Rep. Higgins, Brian [D-NY-27]	D · NY		Dec 8, 2009
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jan 19, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Jun 25, 2009

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
111 S 1374	Related bill	<b>Jun 25, 2009:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Forewarn Act - Amends the Worker Adjustment and Retraining Notification Act (the Act) to: (1) redefine the terms "employer," "plant closing," and "mass layoff" for purposes of the Act; and (2) among other things, apply it to employers of 75 or more employees (currently, 100 employees), including any parent company of which the business enterprise is a subsidiary.

Requires an employer to: (1) give 90-day written notice (currently, 60-day) to employees and appropriate state and local governments before ordering a plant closing or mass layoff; (2) notify the Secretary of Labor and the governor of the state in which the closing or layoff will occur; and (3) provide affected employees with information regarding benefits and services available to them, including unemployment compensation, trade adjustment assistance, COBRA benefits, onsite access to rapid response teams, and certain other services.

Exempts from such notice requirements plant closings or mass layoffs which are due directly to a terrorist attack.

Requires the Secretary to notify the appropriate U.S. Senators and Members of the House of Representatives who represent the area where such closing or mass layoff is to occur.

Makes an employer who violates such notice requirements liable to the employee for, among other things, two days pay (currently, back pay for each day of violation) multiplied by the number of calendar days for which the employer was required but failed to provide notice, including interest on such pay.

Authorizes an affected employee to file a complaint with the Secretary alleging a violation of the notice requirements. Requires the Secretary to investigate and attempt to resolve such complaints. Authorizes the Secretary to bring an action in court to recover on behalf of an affected employee any backpay (including interest), benefits, and liquidated damages due.

Requires an employer to post conspicuously upon its premises pertinent provisions of this Act and information on the filing of a complaint. Requires the Secretary to maintain a guide on the benefits and services available to affected employees.

Prohibits the waiver of rights and remedies provided under this Act (including the right to maintain a civil action) by any agreement or settlement negotiated on behalf of affected employees.

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## **Actions Timeline**

- **Jun 25, 2009:** Introduced in House
- **Jun 25, 2009:** Referred to the House Committee on Education and Labor.