



General Assembly

Amendment

January Session, 2021

LCO No. 9220



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. MINER, 30th Dist.

SEN. CICARELLA, 34th Dist.

To: Subst. Senate Bill No. 658

File No. 445

Cal. No. 267

(As Amended)

"AN ACT REQUIRING EMPLOYERS TO RECALL CERTAIN LAID-OFF WORKERS IN ORDER OF SENIORITY."

1 Strike subsection (b) of section 1 in its entirety and insert the
2 following in lieu thereof:

3 "(b) Not later than five days after a job position becomes available at
4 an employer, the employer shall notify each of its laid-off employees
5 who are qualified for the position that the position is available. Such
6 notification shall be sent in writing to the laid-off employee's last known
7 physical address or electronic mail address, whichever is the usual and
8 customary means of providing notices between the employer and
9 employee, and in a text message to the employee's mobile phone. A laid-
10 off employee is qualified for a position if the employee: (1) Held the
11 same or similar position at the enterprise at the time of the employee's
12 most recent separation from active service with the employer; or (2) is

13 or can be qualified for the position with the same training that would be
14 provided to a new employee hired for such position. The employer shall
15 offer such positions to laid-off employees in the order of preference set
16 forth under subdivisions (1) and (2) of this subsection. Where more than
17 one employee is entitled to preference for a position, the employer shall
18 consider each entitled employee's skill level, attendance and
19 disciplinary record and length of service with the employer before
20 offering the position to any such employee. An employer may make
21 offers of employment for a position to more than one laid-off employee
22 with the final offer of employment for such position conditioned upon
23 the order of preference described in this subsection."