National Guides



Littler on Reductions in Force

Scope of Discussion. This publication provides an outline of the general issues to consider when implementing a reduction in force. The framework is presented in the sequence typically encountered by a company when implementing a RIF, and includes the layoff selection process, reassignment, severance, final pay, employment taxes, and communicating the layoff decision, among other issues. It also provides an overview of the federal WARN Act and releases.

The focus of this publication is federal law. While some state law distinctions may be included, the coverage is not comprehensive.

1. OVERVIEW OF A REDUCTION IN FORCE

- 1.1 Introduction
- 1.2 Planning a Reduction in Force
- 1.3 Layoff Selection Process
- 1.4 Reassignment to Open Positions
- 1.5 Severance Payments & Other Fringe Benefits
- 1.6 Final Pay Considerations
- 1.7 Employment Taxes
- 1.8 Bargaining with the Union
- 1.9 Nonunion Contracts
- 1.10 Immigration Compliance
- 1.11 Plan for Communication
- 1.12 Consider Security & Potential for Workplace Violence
- 1.13 Employment Records

2. OVERVIEW OF FEDERAL WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT & RELEASES

- 2.1 Federal Worker Adjustment and Retraining Notification Act
- 2.2 State Requirements: Overview
- 2.3 Releases
- 2.4 Release Provisions: Generally
- 2.5 Release of Warn Act Claims
- 2.6 Releases & the Older Workers Benefit Protection Act

3. PRACTICAL GUIDELINES FOR EMPLOYERS

3.1 General Outline of Issues Regarding a Reduction in Force

