

Private and public sector entities have raised questions about whether the WARN Act requires Department of Energy contractors to provide WARN Act notices to employees because of concerns that their contracts may be terminated or reduced in the event of a sequester on January 2, 2013. In order to provide guidance to those potentially affected by a sequestration order, the Department of Labor (DOL) has issued the authoritative guidance to state workforce agencies. DOL is the Federal agency responsible for implementing the WARN Act.

The DOL guidance concludes that Federal contractors - including Department of Energy contractors - are not required to provide WARN Act notices 60 days before January 2, 2013, in anticipation of a potential sequestration order that could be issued on that date. The DOL guidance further explains that to provide such notices would be inconsistent with the purposes of the WARN Act.

If you have additional questions about the application of the WARN Act to the prospect of sequestration, please consult the Department of Labor guidance [http://wdr.doleta.gov/directives/corr\\_doc.cfm?docn=6487](http://wdr.doleta.gov/directives/corr_doc.cfm?docn=6487), your state workforce agency, and your own legal advisors.