

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that there is no express requirement that an individual seek "full-time" work, although in practice, individuals are required to do so. Practice seems to be based on § 8-801, which states that an individual who performs less than "full-time" work is considered to be unemployed.

Defined terms: "Benefits" § 8-101

"Secretary" § 8-101

8-904. PLANT CLOSINGS.

(A) PERIODS NOT EXCEEDING 10 WEEKS.

WHEN AN EMPLOYER CLOSES ITS ENTIRE PLANT OR PART OF ITS PLANT FOR INVENTORY, VACATION, OR ANOTHER PURPOSE THAT WILL CAUSE UNEMPLOYMENT FOR A DEFINITE PERIOD NOT EXCEEDING 10 WEEKS, THE SECRETARY MAY EXEMPT EMPLOYEES OF THE PLANT FROM THE REQUIREMENT OF § 8-903(A)(1)(III) OF THIS SUBTITLE TO ACTIVELY SEEK WORK DURING THAT PERIOD IF THE SECRETARY FINDS THAT CIRCUMSTANCES AND LABOR MARKET CONDITIONS JUSTIFY THE EXEMPTION.

(B) PERIODS NOT EXCEEDING 26 WEEKS.

WHENEVER AN EMPLOYER CLOSES ITS ENTIRE PLANT OR PART OF ITS PLANT FOR A PURPOSE OTHER THAN INVENTORY OR VACATION THAT WILL CAUSE UNEMPLOYMENT FOR A DEFINITE PERIOD NOT EXCEEDING 26 WEEKS, FOR THE PERIOD OF THE SPECIFIC SHUTDOWN, THE SECRETARY MAY EXEMPT EMPLOYEES OF THE PLANT FROM THE REQUIREMENT OF § 8-903(A)(1)(III) OF THIS SUBTITLE TO ACTIVELY SEEK WORK IF:

(1) THE EMPLOYER AND AFFECTED EMPLOYEES JOINTLY REQUEST THE EXEMPTION;

(2) THE EMPLOYER PROVIDES THAT ALL AFFECTED EMPLOYEES SHALL RETURN TO WORK FOR THE EMPLOYER WITHIN 26 WEEKS; AND

(3) THE SECRETARY DETERMINES THAT THE EXEMPTION WILL PROMOTE PRODUCTIVITY AND ECONOMIC STABILITY WITHIN THE STATE.

(C) LIMITATIONS.

(1) THIS SUBSECTION DOES NOT EXEMPT AN INDIVIDUAL FROM MEETING THE REQUIREMENTS OF § 8-902(A) OR § 8-903(A)(1)(I) AND (II) OF THIS SUBTITLE TO BE ABLE TO WORK AND OTHERWISE FULLY AVAILABLE FOR WORK.