§ 860-a. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Affected employees" means employees who may reasonably be expected to experience an employment loss as a consequence of a proposed plant closing or mass layoff by their employer.

2. "Employment loss" means:

(a) an employment termination, other than a discharge for cause, voluntary departure, or retirement;

(b) a mass layoff exceeding six months;

(c) a reduction in hours of work of more than fifty percent during each month of any consecutive six-month period.

"Employment loss" shall not result under circumstances where a plant closing or mass layoff is the result of the relocation or consolidation of part or all of the employer's business and, before the closing or mass layoff, the employer offers to transfer the employee to a different site of employment within a reasonable commuting distance with no more than a six-month break in employment, or the employer offers to transfer the employee to any other site of employment, regardless of distance, with no more than a six-month break in employment, and the employee accepts within thirty days of the offer or of the closing or mass layoff, whichever is later.

3. "Employer" means any business enterprise that employs fifty or more employees, excluding part-time employees, or fifty or more employees that work in the aggregate at least two thousand hours per week. "Employer" shall not include the federal or state government or any of their political subdivisions, including any unit of local government or any school district.

4. "Mass layoff" means a reduction in force which:

(a) is not the result of a plant closing; and

(b) results in an employment loss at a single site of employment during any thirty-day period for:

(i) at least thirty-three percent of the employees (excluding part-time employees); and

(ii) at least twenty-five employees (excluding part-time employees); or

(iii) at least two hundred fifty employees (excluding part-time employees).

5. "Part-time employee" means an employee who is employed for an average of fewer than twenty hours per week or who has been employed for fewer than six of the twelve months preceding the date on which notice is required.

6. "Plant closing" means the permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at the single site of employment during any thirty-day period for twenty-five or more employees (other than part-time employees).

7. "Representative" means an exclusive representative within the meaning of section 9(a) or 8(f) of the National Labor Relations Act (29 U.S.C. 159(a), 158(f)) or section 2 of the Railway Labor Act (45 U.S.C. 152).

8. "Relocation" means the removal of all or substantially all of the industrial or commercial operations of an employer to a different location fifty miles or more away.