

(8) "WORK SHARING EMPLOYER" IS AN EMPLOYER OR EMPLOYER ASSOCIATION WITH AN APPROVED WORK SHARING PLAN IN EFFECT.

(9) "WORK SHARING PLAN" MEANS A PLAN OF AN EMPLOYER OR OF AN EMPLOYER'S ASSOCIATION WHEN THE ASSOCIATION IS A PARTY TO A COLLECTIVE BARGAINING AGREEMENT, UNDER WHICH THERE IS A REDUCTION IN THE NUMBER OF HOURS WORKED BY THE EMPLOYEES IN AN AFFECTED UNIT, AND THE AFFECTED EMPLOYEES SHARE THE REMAINING WORK AFTER THE NORMAL WEEKLY HOURS OF WORK ARE REDUCED.

(10) "WORK SHARING UNEMPLOYMENT INSURANCE BENEFITS" MEANS BENEFITS, INCLUDING THOSE PAYABLE TO FEDERAL CIVILIAN EMPLOYEES AND TO EX-SERVICE MEMBERS PURSUANT TO § 5 OF THE UNITED STATES CODE, CHAPTER 85, PAYABLE TO AFFECTED INDIVIDUALS UNDER THIS ARTICLE FOR WEEKS OF REDUCED WORK, UNDER AN APPROVED WORK SHARING PLAN AS DISTINGUISHED FROM UNEMPLOYMENT INSURANCE BENEFITS OTHERWISE PAYABLE UNDER THE PROVISIONS OF THIS ARTICLE.

(B) (1) THE PURPOSE OF THE SHARED WORK BENEFIT PROGRAM IS TO PRESERVE THE EMPLOYEES' JOBS AND THE EMPLOYER'S WORK FORCE DURING TIMES OF LOWERED ECONOMIC ACTIVITY BY REDUCING THE HOURS OR DAYS OF WORK FOR THE EMPLOYEES RATHER THAN BY LAYING OFF SOME OF THESE EMPLOYEES WHILE OTHER EMPLOYEES WOULD CONTINUE TO WORK THEIR NORMAL HOURS OR DAYS OF WORK.

(2) THE SHARED WORK BENEFIT PROGRAM SEEKS TO AMELIORATE THE ADVERSE EFFECTS OF A REDUCTION IN BUSINESS ACTIVITY BY PROVIDING BENEFITS FOR THE PORTION OF THE NORMAL HOURS OR DAYS OF WORK DURING WHICH AN EMPLOYEE IS NOT WORKING.

(B) (C) AN EMPLOYER OR EMPLOYER'S ASSOCIATION WISHING TO PARTICIPATE IN THE WORK SHARING UNEMPLOYMENT INSURANCE PROGRAM SHALL SUBMIT A SIGNED, WRITTEN WORK SHARING PLAN TO THE SECRETARY FOR APPROVAL. THE SECRETARY SHALL APPROVE THE WORK SHARING PLAN ONLY IF THE FOLLOWING CRITERIA ARE MET:

(1) THE WORK SHARING PLAN IDENTIFIES THE AFFECTED UNIT OR UNITS TO WHICH IT APPLIES.

(2) THE EMPLOYEES IN THE AFFECTED UNIT OR UNITS ARE IDENTIFIED BY NAME, SOCIAL SECURITY NUMBER, AND BY ANY OTHER INFORMATION REQUIRED BY THE SECRETARY.

(3) THE NORMAL WEEKLY HOURS OF WORK FOR THE AFFECTED EMPLOYEES IN THE AFFECTED UNIT OR UNITS ARE REDUCED BY NOT LESS THAN 10 PERCENT AND NOT MORE THAN 50 PERCENT. THE 50 PERCENT MAXIMUM REDUCTION MAY BE WAIVED BY THE SECRETARY.

(4) SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, THAT THE WORK SHARING PLAN CERTIFIES THAT THE AGGREGATE REDUCTION IN WORK HOURS IS IN LIEU OF LAYOFFS WHICH WOULD HAVE AFFECTED AT LEAST 10 PERCENT OF THE EMPLOYEES IN THE AFFECTED UNIT OR UNITS TO WHICH THE PLAN APPLIES AND WHICH WOULD HAVE RESULTED IN AN EQUIVALENT REDUCTION IN WORK HOURS.