

(5) THE WORK SHARING PLAN CERTIFIES THAT THE AFFECTED EMPLOYEES WERE CONTINUOUSLY ON THE EMPLOYER'S PAYROLL FOR 3 MONTHS IMMEDIATELY PRECEDING THE DATE THE WORK SHARING PLAN IS SUBMITTED.

(6) THE WORK SHARING PLAN SPECIFIES THE EFFECT THAT WORK SHARING WILL HAVE ON THE FRINGE BENEFITS OF THE EMPLOYEES IN THE AFFECTED UNIT OR UNITS.

(7) THE PLAN APPLIES TO AT LEAST 10 PERCENT OF THE EMPLOYEES IN THE AFFECTED UNIT OR UNITS EXCEPT THAT THE 10 PERCENT MINIMUM SHALL BE WAIVED IF AT LEAST 20 EMPLOYEES ARE AFFECTED AND THE PLAN APPLIES TO ALL AFFECTED EMPLOYEES OF THE AFFECTED UNIT OR UNITS EQUALLY.

(8) THE PLAN CONTAINS A REEMPLOYMENT ASSISTANCE PLAN, DEVELOPED WITH THE SECRETARY, FOR AFFECTED EMPLOYEES IF THE WORK SHARING PLAN FUNCTIONS AS THE WORK SHARING EMPLOYER'S TRANSITION TO A PERMANENT STAFF REDUCTION.

(9) THE PLAN IS APPROVED IN WRITING BY THE COLLECTIVE BARGAINING AGENT FOR EACH COLLECTIVE BARGAINING AGREEMENT COVERING ANY AFFECTED EMPLOYEE IN THE AFFECTED UNIT OR UNITS OR IN THE ABSENCE OF SUCH AN AGENT, BY REPRESENTATIVES OF THE EMPLOYEES OR EMPLOYEES' ASSOCIATION IN THE AFFECTED UNIT OR UNITS.

(10) THE WORK SHARING PLAN SHALL NOT SERVE AS A SUBSIDY OF SEASONAL EMPLOYERS DURING THE OFF-SEASON, NOR AS A SUBSIDY OF EMPLOYERS WHO HAVE TRADITIONALLY USED PART-TIME EMPLOYEES, THOSE BEING EMPLOYEES WHO WORK LESS THAN 30 HOURS PER WEEK.

(11) THE PLAN SPECIFIES AN EXPIRATION DATE WHICH IS NO MORE THAN 6 MONTHS FROM THE EFFECTIVE DATE OF THE PLAN.

(12) THE WORK SHARING EMPLOYER AGREES TO FURNISH REPORTS NECESSARY FOR THE PROPER ADMINISTRATION OF THE WORK SHARING PLAN AND TO PERMIT THE DEPARTMENT OF EMPLOYMENT AND TRAINING ACCESS TO ALL RECORDS NECESSARY TO VERIFY THE PLAN PRIOR TO APPROVAL AND AFTER APPROVAL TO MONITOR AND EVALUATE APPLICATION OF THE PLAN.

~~(c)~~ (D) THE SECRETARY SHALL APPROVE OR DISAPPROVE A PLAN IN WRITING WITHIN 15 DAYS OF RECEIPT. IF A PLAN IS DISAPPROVED, THE DENIAL IS FINAL AND NOT APPEALABLE. THE EMPLOYER MAY, HOWEVER, SUBMIT ANOTHER PLAN 15 DAYS FROM THE DATE OF THE EARLIER REJECTION.

~~(D)~~ (E) AN APPROVED WORK SHARING PLAN MAY BE MODIFIED, IF THE MODIFICATION MEETS THE REQUIREMENTS FOR APPROVAL UNDER SUBSECTION (B) OF THIS SECTION AND IS APPROVED BY THE SECRETARY. AN APPROVED MODIFICATION MAY NOT CHANGE THE EXPIRATION DATE OF THE PLAN.