

unit of local government aggrieved under paragraph (1) or (3), may sue either for such person or for other persons similarly situated, or both, in any district court of the United States for any district in which the violation is alleged to have occurred, or in which the employer transacts business.

(6) In any such suit, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.

(7) For purposes of this subsection, the term,¹ "aggrieved employee" means an employee who has worked for the employer ordering the plant closing or mass layoff and who, as a result of the failure by the employer to comply with section 2102 of this title, did not receive timely notice either directly or through his or her representative as required by section 2102 of this title.

(b) Exclusivity of remedies

The remedies provided for in this section shall be the exclusive remedies for any violation of this chapter. Under this chapter, a Federal court shall not have authority to enjoin a plant closing or mass layoff.

(Pub. L. 100-379, § 5, Aug. 4, 1988, 102 Stat. 893.)

§ 2105. Procedures in addition to other rights of employees

The rights and remedies provided to employees by this chapter are in addition to, and not in lieu of, any other contractual or statutory rights and remedies of the employees, and are not intended to alter or affect such rights and remedies, except that the period of notification required by this chapter shall run concurrently with any period of notification required by contract or by any other statute.

(Pub. L. 100-379, § 6, Aug. 4, 1988, 102 Stat. 894.)

§ 2106. Procedures encouraged where not required

It is the sense of Congress that an employer who is not required to comply with the notice requirements of section 2102 of this title should, to the extent possible, provide notice to its employees about a proposal to close a plant or permanently reduce its workforce.

(Pub. L. 100-379, § 7, Aug. 4, 1988, 102 Stat. 894.)

§ 2107. Authority to prescribe regulations

(a) The Secretary of Labor shall prescribe such regulations as may be necessary to carry out this chapter. Such regulations shall, at a minimum, include interpretative regulations describing the methods by which employers may provide for appropriate service of notice as required by this chapter.

(b) The mailing of notice to an employee's last known address or inclusion of notice in the employee's paycheck will be considered acceptable methods for fulfillment of the employer's obligation to give notice to each affected employee under this chapter.

(Pub. L. 100-379, § 8, Aug. 4, 1988, 102 Stat. 894.)

¹ So in original. The comma probably should not appear.

§ 2108. Effect on other laws

The giving of notice pursuant to this chapter, if done in good faith compliance with this chapter, shall not constitute a violation of the National Labor Relations Act [29 U.S.C. 151 et seq.] or the Railway Labor Act [45 U.S.C. 151 et seq.].

(Pub. L. 100-379, § 9, Aug. 4, 1988, 102 Stat. 894.)

REFERENCES IN TEXT

The National Labor Relations Act, referred to in text, is act July 5, 1935, ch. 372, 49 Stat. 452, as amended, which is classified generally to subchapter II (§151 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 167 of this title and Tables.

The Railway Labor Act, referred to in text, is act May 20, 1926, ch. 347, 44 Stat. 577, as amended, which is classified principally to chapter 8 (§151 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see section 151 of Title 45 and Tables.

§ 2109. Report on employment and international competitiveness

Two years after August 4, 1988, the Comptroller General shall submit to the Committee on Small Business of both the House and Senate, the Committee on Labor and Human Resources, and the Committee on Education and Labor a report containing a detailed and objective analysis of the effect of this chapter on employers (especially small- and medium-sized businesses), the economy (international competitiveness), and employees (in terms of levels and conditions of employment). The Comptroller General shall assess both costs and benefits, including the effect on productivity, competitiveness, unemployment rates and compensation, and worker retraining and readjustment.

(Pub. L. 100-379, §10, Aug. 4, 1988, 102 Stat. 894.)

CHANGE OF NAME

Committee on Small Business of Senate changed to Committee on Small Business and Entrepreneurship of Senate. See Senate Resolution No. 123, One Hundred Seventh Congress, June 29, 2001.

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

CHAPTER 24—TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES

§§ 2201, 2202. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section 2201, Pub. L. 100-407, § 2, Aug. 19, 1988, 102 Stat. 1044; Pub. L. 103-218, § 3, Mar. 9, 1994, 108 Stat. 51, related to findings, purposes, and policy.

Section 2202, Pub. L. 100-407, § 3, Aug. 19, 1988, 102 Stat. 1046; Pub. L. 103-218, § 4, Mar. 9, 1994, 108 Stat. 54; Pub. L. 105-244, title I, §102(a)(9)(B), Oct. 7, 1998, 112 Stat. 1620, related to definitions.

SHORT TITLE

Pub. L. 100-407, § 1, Aug. 19, 1988, 102 Stat. 1044, provided that Pub. L. 100-407 could be cited as the "Technology-Related Assistance for Individuals With Disabil-

ities Act of 1988", prior to repeal by Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661.

SUBCHAPTER I—GRANTS TO STATES

§§ 2211 to 2216. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section 2211, Pub. L. 100-407, title I, §101, Aug. 19, 1988, 102 Stat. 1047; Pub. L. 103-218, title I, §101, Mar. 9, 1994, 108 Stat. 57; Pub. L. 105-220, title IV, §414(b)(1), Aug. 7, 1998, 112 Stat. 1242, authorized program.

Section 2212, Pub. L. 100-407, title I, §102, Aug. 19, 1988, 102 Stat. 1052; Pub. L. 103-218, title I, §102, Mar. 9, 1994, 108 Stat. 63; Pub. L. 105-220, title IV, §414(b)(2), Aug. 7, 1998, 112 Stat. 1242, related to development grants.

Section 2213, Pub. L. 100-407, title I, §103, Aug. 19, 1988, 102 Stat. 1055; Pub. L. 103-218, title I, §103, Mar. 9, 1994, 108 Stat. 70, related to extension grants.

Section 2214, Pub. L. 100-407, title I, §104, Aug. 19, 1988, 102 Stat. 1056; Pub. L. 103-218, title I, §104, Mar. 9, 1994, 108 Stat. 75, related to progress criteria and reports.

Section 2215, Pub. L. 100-407, title I, §105, Aug. 19, 1988, 102 Stat. 1057; Pub. L. 101-476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142; Pub. L. 103-218, title I, §105, Mar. 9, 1994, 108 Stat. 76, related to administrative provisions.

Section 2216, Pub. L. 100-407, title I, §106, Aug. 19, 1988, 102 Stat. 1058; Pub. L. 103-218, title I, §106, Mar. 9, 1994, 108 Stat. 82, related to authorization of appropriations.

§ 2217. Repealed. Pub. L. 103-218, title I, § 107, Mar. 9, 1994, 108 Stat. 85

Section, Pub. L. 100-407, title I, §107, Aug. 19, 1988, 102 Stat. 1058, directed Secretary of Education to conduct national evaluation of program of grants to States authorized by this subchapter and to report to Congress on results not later than Oct. 1, 1992.

SUBCHAPTER II—PROGRAMS OF NATIONAL SIGNIFICANCE

PART A—NATIONAL CLASSIFICATION SYSTEM

§ 2231. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section, Pub. L. 100-407, title II, §201, as added Pub. L. 103-218, title II, §201, Mar. 9, 1994, 108 Stat. 85, related to classification system for assistive technology devices and assistive technology services.

A prior section 2231, Pub. L. 100-407, title II, §201, Aug. 19, 1988, 102 Stat. 1059, directed National Council on the Handicapped to study implementation, acquisition or financing assistive technology devices and services for individuals with disabilities, prior to repeal by Pub. L. 103-218, §201.

PART B—TRAINING AND DEMONSTRATION PROJECTS

§§ 2241 to 2246. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section 2241, Pub. L. 100-407, title II, §211, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 87, related to technology training.

A prior section 2241, Pub. L. 100-407, title II, §211, Aug. 19, 1988, 102 Stat. 1060, related to establishment of national information and program referral network, prior to repeal by Pub. L. 103-218, §202.

Section 2242, Pub. L. 100-407, title II, §212, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 89, related to technology transfer.

A prior section 2242, Pub. L. 100-407, title II, §212, Aug. 19, 1988, 102 Stat. 1060, related to feasibility stud-

ies undertaken by Secretary of Labor concerning the national information and program referral network, prior to repeal by Pub. L. 103-218, §202.

Section 2243, Pub. L. 100-407, title II, §213, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 89, related to device and equipment redistribution information systems and recycling centers.

A prior section 2243, Pub. L. 100-407, title II, §213, Aug. 19, 1988, 102 Stat. 1060, prescribed contents of study conducted by Secretary of Labor concerning the national information and program referral network, prior to repeal by Pub. L. 103-218, §202.

Section 2244, Pub. L. 100-407, title II, §214, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 90, related to business opportunities for individuals with disabilities.

A prior section 2244, Pub. L. 100-407, title II, §214, Aug. 19, 1988, 102 Stat. 1062, prescribed timetable for study conducted by Secretary of Labor concerning the national information and program referral network, prior to repeal by Pub. L. 103-218, §202.

Section 2245, Pub. L. 100-407, title II, §215, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 90, related to products of universal design.

Section 2246, Pub. L. 100-407, title II, §216, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 90, related to governing standards for activities.

PART C—AUTHORIZATION OF APPROPRIATIONS

§ 2251. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section, Pub. L. 100-407, title II, §221, as added Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 91, related to authorization of appropriations.

Prior sections 2251 to 2253 and 2261 were repealed by Pub. L. 103-218, title II, §202, Mar. 9, 1994, 108 Stat. 87.

Section 2251, Pub. L. 100-407, title II, §221, Aug. 19, 1988, 102 Stat. 1062; Pub. L. 102-569, title IX, §913(1), Oct. 29, 1992, 106 Stat. 4487, related to training programs for those in need of technologically-related assistance.

Section 2252, Pub. L. 100-407, title II, §222, Aug. 19, 1988, 102 Stat. 1063; Pub. L. 102-569, title IX, §913(2), Oct. 29, 1992, 106 Stat. 4487, related to grants or contracts for technologically-related assistance public awareness projects.

Section 2253, Pub. L. 100-407, title II, §223, Aug. 19, 1988, 102 Stat. 1063, related to establishment by Secretary of Labor of program priorities implementing technologically-related assistance.

Section 2261, Pub. L. 100-407, title II, §231, Aug. 19, 1988, 102 Stat. 1063; Pub. L. 102-569, title IX, §913(3), Oct. 29, 1992, 106 Stat. 4487, which comprised part D of this subchapter, authorized demonstration and innovation projects relating to technology-related assistance.

Section 2271, Pub. L. 100-407, title II, §241, Aug. 19, 1988, 102 Stat. 1064, which comprised part E of this subchapter, authorized appropriations to carry out this subchapter, prior to repeal by Pub. L. 103-382, title III, §366, Oct. 20, 1994, 108 Stat. 3975, effective as if included in Pub. L. 103-218.

SUBCHAPTER III—ALTERNATIVE FINANCING MECHANISMS

§§ 2281 to 2288. Repealed. Pub. L. 105-394, title IV, § 401, Nov. 13, 1998, 112 Stat. 3661

Section 2281, Pub. L. 100-407, title III, §301, as added Pub. L. 103-218, title III, §301, Mar. 9, 1994, 108 Stat. 91, related to general authority to provide alternative financing mechanisms.

Section 2282, Pub. L. 100-407, title III, §302, as added Pub. L. 103-218, title III, §301, Mar. 9, 1994, 108 Stat. 92, related to applications and procedures.

Section 2283, Pub. L. 100-407, title III, §303, as added Pub. L. 103-218, title III, §301, Mar. 9, 1994, 108 Stat. 93, related to grant administration requirements.

Section 2284, Pub. L. 100-407, title III, §304, as added Pub. L. 103-218, title III, §301, Mar. 9, 1994, 108 Stat. 93,