Ex-Yarnell Worker Sues Over Company's Closing

LITTLE ROCK, Ark. (AP) — A former worker is seeking class status for a lawsuit against Yarnell's Ice Cream, claiming the Searcy company didn't give workers the required 60-day notice that the plant would close.

The family-owned company, in business for more than 75 years, abruptly closed its doors on June 30, saying it couldn't get financing to continue operating. About 200 workers lost their jobs, 150 of them at the company's main operation in Searcy.

Shane Habisreitinger was among the laid-off employees. He filed suit on Friday, claiming the company violated the Worker Adjustment and Retraining Notification Act, which requires companies with more than 100 workers to give two months' written notice of a pending closure or to at least give workers pay and benefits for that time period.

If approved as a class action, the suit would cover Habisreitinger and other Yarnell's workers. The suit filed in the Eastern District of Arkansas seeks unpaid wages, retirement contributions, health and other benefits for the 60 days, plus interest.

Yarnell's was served with the suit on Wednesday.

"We are aware that an employee has filed a lawsuit complaining that Yarnell's did not provide adequate notice under law," the company said in an emailed statement. "While Yarnell's generally does not comment on ongoing litigation, Yarnell's does deny the allegations. As explained to the employees at the time, Yarnell's provided as much notice as was reasonably possible under the trying business circumstances the company faced."

The company has said it was not subject to the federal requirement, which allows an exemption for "faltering" companies that seek new capital but can't find it.

With or without the 60 days' pay, state officials are trying to place workers in other positions. A job fair for former Yarnell's employees has been organized by the Governor's Dislocated Workers Task Force.

The fair, set for Thursday at the Carmichael Community Center in Searcy, is to have more than 20 businesses and organizations on hand.

State and local agencies will be available 9:30 a.m. to noon to provide information about services available to the laid-off workers. A box lunch will be provided from noon to 1 p.m., and the job fair will be from 1 to 4 p.m.

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