

WIOAP 03-19

DATE: April 29, 2020
TO: All WIOA Subrecipients
FROM: Danilo Cabrera
SUBJECT: Rapid Response Policy for the Workforce Innovation and Opportunity Act (WIOA) Title I and Trade Adjustment Assistance (TAA) programs

REFERENCE:

WIOA Final Rule, Section 682.302; 20 CFR 682(C) 300-370

BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA) requires states to implement statewide rapid response activities to assist employers and impacted workers in a timely manner following the announcement of a permanent closure, layoff, natural or other disaster resulting in a mass job dislocation, or the filing of a Trade Adjustment Assistance (TAA) petition.

ROLES AND RESPONSIBILITIES

Dislocated Worker Unit (DWU) - The Idaho Department of Labor's Workforce Administration Division serves as the state Dislocated Worker Unit with responsibility for coordinating Rapid Response services around the state. The DWU explores the possibility of impending layoffs as trade-related and, if appropriate, begins the Trade Adjustment Assistance (TAA) petition process, which may allow workers earlier access to TAA. Similarly, early intervention also enables the team to begin information gathering for a strong National Dislocated Worker Grant (NDWG) application if the dislocation is one that cannot be accommodated within the state's existing formula-based Dislocated Worker resources.

State Rapid Response Coordinator - As the primary member of the state Dislocated Worker Unit, the coordinator monitors layoff and closure notifications, working with both state and local Rapid Response teams, ensuring that the process is running efficiently and effectively. The coordinator approves changes to the RR information (PowerPoints, state level information in RR packets, etc.) maintaining current and updated information for program delivery for local RR teams. The coordinator also documents this activity for the entire state, entering the data in *IdahoWorks*, and maintaining a comprehensive list of RR events taking place throughout the state as well as archiving WARN notices as they come to light.

Rapid Response Team – State & Local - Idaho’s state team for Rapid Response service delivery consists of Idaho Department of Labor staff from programs such as Employment Services, Unemployment Insurance, WIOA Title I-B Dislocated Worker, Trade Adjustment Assistance, Veterans services, and the Workforce Development Council. The team may also include representatives from organized labor (if organized labor is affected), East-Central Idaho Planning and Development Association when serving the East Central District (Service Delivery Area/Region 6), and other partner services such as Vocational Rehabilitation, Health & Welfare, etc.

When notified of any closure or mass layoff, including those notifications received via Worker Adjustment and Retraining Notification (WARN), the team works to hand the reins to the local Rapid Response team. It is responsible for coordinating the local Rapid Response services and help develop a response plan for worker dislocations, and includes local delivery staff with expertise in provision of Rapid Response, Title I-B Dislocated Worker, UI, TAA and Wagner-Peyser services.

REQUIRED RAPID RESPONSE ACTIVITIES INCLUDE:

1. Layoff aversion activities provided by either a state or local rapid response team representative. Defined in section below.
2. Immediate contact with the employer (may include a Human Resources representative), and representatives of the affected workers such as a union. This would include an assessment of and plans to address the:
 - a. Layoff plans and schedule of the employer;
 - b. Interview employer asking pertinent questions pertaining to Trade-affected causes of layoff (per TEN 23-14), and must include the following:
 - How many workers have been or will be separated and when?
 - Why are these workers being separated? Specifically, what is the exact trade-related effect? If production or services were shifted abroad, what was/were the country(s)?
 - Is the company (or the parent company) importing products?
 - Are the company’s customers importing products? If so, which ones exactly?
 - Has the firm experienced a decline in sales or production? If so, provide an explanation, which may include the dollar amount of decline, percent of production decline, etc.
Declines may also be due to competition of component(s) used in production resulting in inability to compete in market.
 - c. Background and probable assistance needs of the affected workers (resume, job search, interviewing skills, etc.)
 - d. Reemployment prospects for workers, and

- e. Present available resources to meet the short and long-term assistance needs of the affected workers (UI benefits, food stamps, health and welfare daycare or adult care needs, medical options, community resources like housing, food banks – self-rescue manuals where available).
3. The provision of information and access to IDOL and other One-Stop partner services and programs, employment and training activities including information on the WIOA Dislocated Worker program, Trade Adjustment Assistance, and Your Health Idaho.
4. Information of other services and resources including workshops, classes and job fairs to support re-employment efforts for the affected workers.
5. Development and maintenance of partnerships with other appropriate Federal, State and local agencies and officials, employer associations, industry business councils, labor organizations, and other public and private organizations.
6. Delivery of services to worker groups that have filed a petition for Trade Adjustment Assistance (TAA).

LAYOFF AVERSION

State and local Rapid Response team staff will implement strategies and activities to prevent or minimize the duration of unemployment resulting from layoffs. Layoff aversion strategies and activities may include, but are not limited to:

- Providing assistance to employers in managing reductions in force, which may include early identification of firms at risk of layoff, assessment of the needs of and options for at-risk firms, and the delivery of services to address those needs.
- Ongoing engagement, partnership, and relationship-building activities with businesses in the community.
- Connecting businesses and workers to on-the-job or customized training programs and apprenticeships before or after layoff to help facilitate rapid reemployment.

RAPID RESPONSE PROCEDURES

Contact should be made within two business days with an employer anticipating layoffs in order to gather information and explain services available. The Rapid Response coordinator or any American Job Center (AJC) manager that receives a WARN or a significant layoff notification shall respond to the notice as quickly as possible. A significant layoff is defined as one, which impacts a community, considering the occupations and skill levels of the workers. Services to dislocated

workers shall be provided to those who are most in need and can most benefit from those services.

Disseminating information to the affected workers

Local Rapid Response teams across the state coordinate the delivery of layoff orientations for affected workers. Required topics for rapid response layoff orientations are described in the following [Attachment](#). These meetings provide information about the services available to them through local AJC offices, mobile locations, and One-Stop partners. Meetings take place at the work site whenever possible, but can also be done at an AJC at an arranged time for the workers.

Rapid Response Workshop/Meeting Reports

Staff will prepare and submit an event summary to the Rapid Response Coordinator, which includes the business name & address, meeting location, date & time, number of workers affected, if it was a temporary or permanent layoff, the business or industry represented, and other information that may be valuable.

When meetings are not possible, information is disseminated to workers individually by either leaving informational packets at the business or, if names and addresses can be obtained from the employer, contacting the workers by mail and encouraging them to schedule an appointment to learn about the available services.

Assessment of worker needs and documentation of Rapid Response service

Rapid Response services provided to each worker through an AJC, mobile location or One-Stop partner, include registering for work, how to use the state's labor exchange system, information and assistance in how to file for Unemployment Insurance benefits, information on the Dislocated Worker (WIOA) programs and other services as appropriate.

Rapid Response Worker Surveys will be offered to each of the affected employees to assess their particular needs and goals. Local Rapid Response teams should make copies of these surveys to ensure follow-up with the impacted workers expressing an interest in services within five business days. Completed surveys must be submitted to the state Rapid Response Coordinator within 10 business days. This will help the state to establish a profile of the group of workers affected by the layoff supporting applications towards National Dislocated Worker grants. The information will also be provided to the local Rapid Response team to help it establish a service delivery model to better serve the workers.

Referral to WIOA

Affected workers may contact their local AJC or mobile location to schedule an appointment with a WIOA case manager to determine if enrollment into the Dislocated Worker program is appropriate. If determined eligible and appropriate for enrollment into the Dislocated Worker program, services provided may include: retraining or skills upgrade through classroom or online programs, or work-based learning activities such as On-the-Job training (OJT) and Registered Apprenticeship programs, supportive services to assist with training participation, conducting job search and/or relocating out of the area to new employment.

Attachment

Rapid Response Layoff Event/Orientation Required Topics

Rapid response layoff orientations are informational sessions for impacted employees where they can learn about one-stop services and resources available to them. These orientations are conducted by local rapid response teams and are generally held at the employment site prior to a layoff. In order to ensure that consistent information is provided to impacted workers, the following information, at a minimum, must be provided at rapid response layoff orientations:

- Unemployment Insurance
- Wagner-Peyser Employment Services
 - Veteran’s Priority of Service
- WIOA Title I Dislocated Worker program
- Trade Adjustment Assistance and Trade Readjustment Allowance, if it is established that the layoff or closure is trade-related and regardless of whether a TAA petition is filed.
- Other IDOL One Stop partner programs deemed necessary and appropriate
 - Your Health Idaho

Direct Inquiries to: WIOA/TAA Mailbox