



## **WorkSource Rapid Response Policy**

**Policy Number: 305**

**Effective Date: July 1, 2020**

**Date Last Revised: November 10, 2020**

### **Background:**

The Workforce Innovation and Opportunity Act (WIOA) requires states to implement statewide Rapid Response activities to assist employers and impacted workers as quickly as possible following the announcement of a permanent closure, layoff, or natural or other disaster resulting in mass job dislocation.

The WIOA allows states to reserve up to 25% of the WIOA Title I Dislocated Worker allotments to carry out statewide Rapid Response activities. The reserved funds are maintained to ensure that adequate Rapid Response Additional Assistant (RRAA) funds are available locally and can be accessed quickly when needed by Local Workforce Development Boards (LWDBs) to respond to significant dislocation events for which local WIOA Title I Dislocated Worker funds are insufficient.

### **Policy:**

- I. Rapid Response for the WIOA Title I and Trade Adjustment Assistance (TAA) programs.

The South Central Workforce Council (SCWDC) is responsible for coordinating Rapid Response activities in our four county area. To ensure the effective delivery of Rapid Response services, the SCWDC will:

- A. Establish, maintain, and direct local Rapid Response teams. Team members should include representatives from LWDBs, Unemployment Insurance (UI) Claims Centers, WorkSource (one-stop) centers, organized labor and/or Washington State Labor Council, if applicable, community and technical colleges, and other stakeholders and interested parties as deemed necessary and appropriate by the LWDB.
- B. The SCWDC staff will provide the names and emails of those individuals identified as Rapid Response points of contact to the Employment Security Department (ESD) Rapid Response Coordinator.

- C. The SCWDC staff will oversee planning and coordination of Rapid Response events. Rapid Response events should be conducted at the work site of impacted workers or, alternatively, at locations or venues that are reasonably accessible by impacted workers, to include dates and times that do not conflict with the working hours of impacted shift workers. When it is not feasible or safe to meet in person, Rapid Response events will be conducted virtually.
- D. The SCWDC staff is to consult with ESD, state and local economic development organizations, and other entities to explore and deliver layoff aversion services when appropriate and timely.
- E. The SCWDC staff is the main point of contact for employers and worker representatives (if applicable) to do the following:
1. Identify layoff schedules and employer plans to assist dislocated workers, including the status of collective bargaining negotiations that might affect layoff benefits.
  2. Obtain (as possible) information related to severance, separation pay, retirement incentives, and voluntary layoffs and provide it to ESD UI Claims Center so the department can review and assess impacts, if any, on UI eligibility and provide appropriate guidance to impacted workers when they file UI claims.
  3. Inquire as to the role of foreign trade, if any, in precipitating layoffs or closures and, if trade impacts are cited, provide that information to ESD TAA Program Operator so the department can independently or in coordination with the Washington State Labor Council follow up with employers to determine if the events warrant the filing of TAA petitions with the U.S. Department of Labor.
- F. The SCWDC staff will coordinate the delivery of Rapid Response layoff orientations for affected workers through their Rapid Response teams. Required topics for Rapid Response layoff orientations include:
- Unemployment Insurance
  - Training Benefits program
  - Commissioner Approved Training
  - Wagner-Peyser Employment Services
  - WIOA Title I Dislocated Worker program
  - Veteran's Priority of Service
  - Community and technical college programs and resources for dislocated workers
  - 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 WorkSource (One-Stop) partner programs deemed necessary and appropriate.

The SCWDC Rapid Response representative will arrange for participation by other local service providers in those sessions as needed.

- G. The SCWDC staff will assess the needs of the impacted workers as quickly as possible through the use of surveys or other instruments that identify affected workers' skills, education, and potential assistance needs. Note: The U.S. Department of Labor requires survey results if closures or layoff events are of a magnitude that compels the state to pursue National Dislocated Worker Grants (NDWGs).
- H. The SCWDC staff will determine the need for and promote a voluntary labor management committee or a workforce transition committee comprised of representatives of employers, affected workers or their representatives, and other community entities as necessary. Said committees will assist in planning and overseeing event-specific strategies that support the reemployment of affected workers.
- I. The SCWDC staff will determine the need for peer worker outreach to connect dislocated workers with services in conjunction with labor management committees or their equivalents.
- J. The SCWDC will consult and coordinate with appropriate labor representatives when planning Rapid Response activities for those impacted workers covered by a collective bargaining agreement. Rapid Response teams must be cautious and avoid any actions that might impact collective bargaining negotiations and be aware of the impact that the offer of services and resources may have on the negotiation process, especially with respect to financial arrangements related to the provision of severance benefits.
- K. The SCWDC staff will initiate contact with employers to offer Rapid Response services if notified of a layoff or closure that does not meet the WARN threshold or is unrelated to a TAA petition filing to explore the need for and interest in Rapid Response services, and to determine if there are trade impacts that might warrant the filing of a TAA petition.
- L. The SCWDC staff will notify and coordinate with appropriate one-stop operator(s) when Rapid Response events are completed so local WorkSource sites can assume responsibility for service delivery to laid off workers who are interested in accessing career, training, supportive, and other relevant services available through the one-stop system.

## II. Rapid Response Additional Assistance (RRAA)

RRAA funds expended for dislocation events or layoff aversion assistance are event-driven and can be used to support initial start-up costs, short-term staff costs and direct services to participants such as career services and training services.

When local WIOA Title I Dislocated Worker formula funds are insufficient to assist workers impacted by a dislocation event, LWDBs may request RRAA funds.

RRAA funds can be used to provide the following major types of activities:

- A. Rapid Response services to a dislocation event

- B. Layoff aversion assistance
- C. Direct services to participants
- D. Demonstration or pilot project

Participants enrolled in RRAA programs are considered Dislocated Workers in relation to federal and state performance measures. Therefore all RRAA grants where participants are enrolled will have to meet all federal Dislocated Worker performance measures.

Although RRAA outcomes do not affect local performance targets, outcomes will be calculated in the overall statewide Dislocated Worker performance.

Dislocated workers may receive only RRAA funded services or they may be co-enrolled in other Dislocated Worker, TAA or NDWG programs.

The SCWDC will evaluate the status of the area's Title I Dislocated Worker funds and determine if an application for RRAA is necessary.

The following requirements set forth the process that LWDBs use to request Rapid Response funds from the state.

### **Application Requirements**

Each application must include the following information:

- A. An email (or letter) requesting RRAA funds
- B. Synopsis of the Request including:
  - Name, telephone number, and email address of the LWDB contact
  - Name of company or companies impacted by layoffs
  - Number of workers being dislocated (by company if more than one is involved)
  - Planned number of participants to be served
  - Layoff dates
  - If appropriate, the name of the labor organization representing the employees
- C. Project Narrative

The project narrative should provide sufficient information on the background of the project or the request, specific problem or need, the primary objectives and scope of work. The narrative should explain how the LWDB plans to approach and conduct the work and the steps that will be taken to successfully complete the project. The narrative should describe the following:

  - An analysis of the impacted workers, including the number of workers to be served, and if all or part of the dislocation is potentially trade-impacted.
  - Expected outcomes including a description of performance measures, if applicable.
  - A Participant Planning Form, if applicable.

If participants are to be enrolled in the Project, then the application should include:

- A brief analysis of the labor market conditions.
- A description of the participant services including identification of the activities and components.

#### D. Project Budget

The application must include a proposed budget indicating how funding will be used to complete the project objectives. If RRAA funds are to provide direct services to participants, LWDBs must demonstrate that there are insufficient local funds to assist the dislocated workers.

#### E. Point of Exit/Participant Planning Form

Applications must include a Participant Planning Form, as applicable.

All WIOA participants, including RRAA participants, are to be exited if they have not received a WIOA-funded service or a partner program-funded service (excluding follow-up services) within the last 90 days. For example:

- When the RRAA grant ends and participants are enrolled solely in RRAA, they are to be exited within 90 days after receiving the last RRAA service.
- If participants are co-enrolled in RRAA and any other WIOA, TAA, or partner funded program, they are to be exited simultaneously from all grants within 90 days after the last program service.

#### F. Final Report

WDBs conducting Rapid Response demonstration or pilot projects must submit quarterly and final reports. Said reports must address whether performance outcomes were met, and how the Project's design contributed to the effectiveness of the Rapid Response strategy. Recommendations for best and promising practices should also be included in this final report.

### **Process:**

#### **References:**

20 CFR 682.350

Public Law 113-128, Section 134(a)(2)(A)(II)

Public Law 113-228, Workforce Innovation and Opportunity Act of 2014, Section 134(a)(2)(A)

WIOA Final Rule, 20 CFR 682, Subpart C, 682.300-370

Training and Employment Guidance Letter 19-16, Section 18

Training and Employment Notice (TEN) 23-14

Training and Employment Notice (TEN) 09-12

Training and Employment Notice (TEN) 32-11

Training and Employment Notice (TEN) 31-11

**Website:**     [southcentralwdc.com](http://southcentralwdc.com)