WORKSOURCE RAPID RESPONSE POLICY

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I. PURPOSE

The purpose of this policy is to ensure South Central Workforce (SCW), Employment Security Department (ESD), the One-Stop Operator (OSO), and local Rapid Response teams provide coordinated, timely Rapid Response services to workers and employers, consistent with the region's Memorandum of Understanding (MOU) and WorkSource System Policy 1016, Revision 2.

II. 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.

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.

III. POLICY

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

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

1. Establish, maintain, and direct local Rapid Response teams. Team members should include representatives from LWDBs, Unemployment Insurance (UI) Claims Centers, certified WorkSource centers, organized labor, community and technical colleges, and other stakeholders as appropriate.

2. SCW staff will provide the names and emails of those individuals identified as Rapid Response points of contact to the ESD Rapid Response Coordinator.

3. SCW staff must initiate employer contact within 48 hours of receiving notice of a layoff or closure.

4. SCW staff will oversee the 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.

5. SCW 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.

    a. Layoff aversion activities must be documented, including employer needs, services provided, and outcomes

6. SCW staff is the main point of contact for employers and worker representatives (if applicable) to do the following

    a. Identify layoff schedules and employer plans to assist dislocated workers, including the status of collective bargaining negotiations that might affect layoff benefits.
    b. Obtain (as much 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.
    c. 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 the 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.

7. SCW 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, regardless of whether a TAA petition is filed.
- Other WorkSource Partner programs deemed necessary and appropriate.

Note: Materials must be available in languages spoken by the impacted workforce, consistent with state language access requirements.

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

9. SCW 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).
    a. SCW staff must submit required Rapid Response data to the state, including event logs, worker survey results, employer contact information, and layoff aversion documentation.

10. SCW 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.

11. SCW staff will determine the need for peer worker outreach to connect dislocated workers with services in conjunction with labor management committees or their equivalents.

12. SCW 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.

13. SCW 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.

14. SCW staff will notify and coordinate with the One-Stop Operator (OSO) when Rapid Response events are completed so local WorkSource centers 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.
    a. The OSO shall coordinate with center leadership to ensure seamless transition from Rapid Response to ongoing one-stop services.

B. 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:

1. Rapid Response services to a dislocation event
2. Layoff aversion assistance
3. Direct services to participants
4. 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.

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

REFERENCES

- 20 CFR 682.350
- 20 CFR 682, Subpart C, 682.300-370
- WIOA Section 134(a)(2)(A)
- South Central Workforce Development Memorandum of Understanding (MOU)
- SCW WS Policy 300
- TEGL 19-16, Section 18
- TEN 23-14
- TEN 09-12
- TEN 32-11
- TEN 31-11
- WorkSource System Policy 1016, Revision 2
- WIOA System Policy 5603, Revision 2