



DEPARTMENT OF
CAREER SERVICES

Workforce Issuance

100 DCS 11.101.3

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MDCS Operations Managers

cc: WIOA State Partners

From: Diane Hurley, Acting Director
MassHire Department of Career Services

Date: October 19, 2022

Subject: **MassHire Rapid Response Process Under WIOA - UPDATED**

Purpose: To notify Local MassHire Workforce Boards, MassHire Career Center Operators and other local workforce partners of the process for Rapid Response layoff aversion, plant closing and/or mass layoff activity under the Workforce Innovation and Opportunity Act of 2014 (WIOA).

This policy has been revised to:

- Update the Local Area Notification Process and Referral Process
- Includes the following: It is the responsibility of the MassHire Career Center to contact the referred customer **within 10 business days** of the email referral.
- It is the responsibility of the MassHire Career Center to provide any changes to the local area Rapid Response email contact to their Regional Rapid Response Coordinator

Background: Rapid Response (RR) is a Layoff Aversion/Outplacement program designed to respond to businesses in transition, including plant closings, layoffs, natural disasters or emergencies i.e.: fires, by rapidly coordinating services and providing immediate aid to affected companies and their workers. The success of any effort to avoid potential closings or layoffs is dependent on how quickly and smoothly state and local workforce development partners can implement an appropriate service strategy.

The MassHire Department of Career Services (MDCS), as the State Workforce Agency, is responsible for providing all pre-layoff, early intervention Rapid Response activities (WIOA Sec. 3(51)) in coordination with local MassHire Workforce Boards (MWB) and Chief Elected Officials (CEO). These activities are provided as part of a comprehensive workforce development system designed to respond quickly to a company that provides notice under the Worker Adjustment and Retraining Notification Act (WARN), a general announcement of a plant closing or other notification when a layoff appears imminent. It is the responsibility of the MassHire DCS Rapid Response Team to plan and provide early intervention services to assist dislocated workers, to promote their efficient and rapid transition into gainful employment, and to notify the Local MassHire Workforce Boards and Chief Elected Officials of the provision of these services.

Policy: The Commonwealth's policy regarding Rapid Response activities is specified herein.

MASSHIRE RAPID RESPONSE PROCESS

Step 1: Plant Closing / Layoff Notification

- Rapid Response activities are initiated upon receipt of information regarding a plant closing, layoffs, natural disasters, and emergencies i.e.: fires. Such information may come from several sources such as but not limited to: MA Executive Office of Labor and Workforce Development (EOLWD), MassHire Department of Career Services(MDCS), Department of Unemployment Assistance (DUA), MassHire Career Centers (MCC), Organized Labor, the MassHire Rapid Response (RR) Team or through a formal WARN notification submitted by the company.

If the information is not received directly by the Rapid Response Team, recipients of the information should ensure that Rapid Response Director, Ken Messina ken.messina@detma.org and/or local Rapid Response staff *are immediately notified* of any plant closing or layoff.

Step 2: Call to Company

- Upon receipt of notification, it is the responsibility of the Rapid Response Director or designated Rapid Response Coordinator to:
 - make the initial contact to the identified company to verify the information regarding a layoff/closing
 - investigate possible layoff aversion strategies
 - determine labor union involvement
 - introduce the company to potential services, and
 - request the scheduling of an initial company meeting

Step 3: Initial Company Meeting

- Representatives of the MassHire Rapid Response Team (henceforth referenced as Rapid Response) will attend the initial company meetings

- Rapid Response will provide the company with general information regarding the services available to the company and its workers through the MassHire system. The presentation will include information with respect to layoff aversion strategies, matching affected workers with employers who are hiring, Trade Adjustment Assistance (TAA), National Dislocated Worker Grants (DWG), Rapid Response Set-Aside Grant availability, the MA WorkShare Program, and other available services.
- Rapid Response will coordinate completion of the Company Questionnaire/Demographic Report (Attachment A).
- Rapid Response will enter all available company information, the employer services rendered and the workforce demographics into the Massachusetts One-Stop Employment System (MOSES) database.

Step 4: Local Area Notification Process

- Upon verification of the layoff or closure, Rapid Response will:
 - notify the appropriate MassHire Workforce Board and MassHire Career Center utilizing the Workforce Delivery Area Notice (WDA) for layoffs of 50 or more employees (Attachment B)
 - for layoffs of 50 or fewer employees, an email notification will be sent to the MassHire Workforce Board and Career Center

Step 5: Rapid Response Early Intervention Services

At a minimum, Rapid Response will deliver employee meetings that provide workers with information and access to unemployment compensation benefits, comprehensive MassHire Career Center services, and employment and training activities including information on the Trade Adjustment Assistance program (TAA) and National Dislocated Worker Grants (NDWG).

When appropriate, Rapid Response will provide additional services to employees, which may include:

- Group or Individual Registration
 - Job Search Workshops
 - Individual Assessment/Counseling
 - Job Search Strategies and Techniques
 - Resume Writing
 - Interviewing
 - TAA Orientations
 - Job Fairs/Company Matching
 - Other services as requested by the customer
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- Rapid Response Referral Process to the MassHire Career Center
- After Rapid Response services and layoff occur, an email referral will be made through the MOSES system to the MassHire Career Center (MCC) staff person who has been designated to receive such referrals. The MCC referral is made based on the MCC location chosen by the customer at the time of registration. It is the responsibility of

the MCC to contact the referred customer **within 10 business days of the email referral date (A minimum of 3 attempts to reach individuals via email, phone call, etc. is recommended)** to engage the customer in services offered by the MassHire Career Center. Administrative outreach activity must be documented in the Administrative Services tab in MOSES.

Step 6: Layoff Aversion

Rapid Response develops and maintains collaborative partnerships with a range of organizations that can help identify and avert potential layoffs. These partnerships include but are not limited to: Massachusetts Office of Business Development (MOBD), the U.S. Department of Commerce Trade Adjustment Assistance for Firms and the Department of Unemployment Assistance Incumbent Worker Training and WorkShare Programs. Information is gathered at all downsizing companies regarding reasons for layoff to inform a determination as to whether the state can assist in averting the layoff. Through job matching and on-site job fairs, Rapid Response also works with affected employees to assist with transition to either a different job with the same employer or to a new job with a different employer while experiencing minimal or no spell of unemployment.

Rapid Response works to support the strategic planning and implementation of revitalized or enhanced business engagement activities within the state.

Working with our workforce development partners, Rapid Response focuses on the goal of improving program performance through the delivery of enhanced business services, with the specific focus stemming from the MassHire BizWorks statewide, strategic business engagement plan.

Step 7: Other Rapid Response Activities

Additional Rapid Response activities include:

- Operate a reporting and management system for program management, tracking and oversight of Rapid Response activities as well as maintain the Massachusetts WARN data base.
- Exchange information and coordinate programs with appropriate economic development agencies and educational programs to provide effective Rapid Response services upon notification of a permanent closure or mass layoff.
- Disseminate and exchange information on Rapid Response activities to ensure that employer organizations, organized labor and employee groups are aware of the availability of Rapid Response services.

The Rapid Response Team assists the local community, MassHire WorkforceBoard and Chief Elected Official in connecting with state Economic Development Agencies and other organizations to assist in efforts to avert layoffs and plant closings.

TRADE ADJUSTMENT ASSISTANCE:

Rapid Response provides Trade Adjustment Assistance (TAA) information to companies and when appropriate, assists with the completion of the company's application for certification and coordinates and communicates with the state's TAA representatives. Rapid Response coordinates and disseminates information to affected workers regarding the Trade Program and will outline the various services and benefits available under the Trade Program and the criteria for eligibility for training.

NATIONAL DISLOCATED WORKER GRANTS (NDWG):

Part of a coordinated response to a dislocation event may include the development of an application for a National Dislocated Worker Grant (NDWG). Rapid Response is responsible for gathering demographics for NDWG applications and providing company and layoff information for the development of the grant application.

During group or individual meetings, Rapid Response interviews the workers to contribute to an initial assessment of skill levels and determine the occupations, wages, and length of service with the company that generates a composite of worker demographics to inform the application. As part of the NDWG application process, Rapid Response collaborates with the relevant MassHire Workforce Boards and Career Centers to develop the plan to address the dislocation event.

RAPID RESPONSE SET ASIDE FUNDS:

Rapid Response Set-Aside funding may be made available as additional assistance to local areas that experience mass layoffs, plant closings, or other dislocation events when such events substantially increase the number of dislocated workers requiring career services. Such awards must be utilized for services to dislocated workers from identified targeted companies. Rapid Response, in collaboration with the MassHire Workforce Board will develop a strategy to address the dislocation event to ensure rapid access to the range of available assistance.

Please refer to Workforce Issuance **100 DCS 11.103 Issued: 07/18/2017 for additional information and the application process for set-aside funding**
<https://www.mass.gov/service-details/massworkforce-wioa-rapid-response-policy-issuances> .

Effective: Immediately

References: WIOA Sec. 134

Attachment: A. Company Questionnaire/Demographic Report
B. Sample Workforce Board Notification Notice

Inquiries: Please email all questions to PolicyQA@Detma.org.