

Mass Workforce Issuance

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☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: February 15, 2017

Subject: Massachusetts Rapid Response Process Under WIOA

Purpose: To notify Local Workforce Development Boards, One-Stop 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).

Background: Rapid Response (RR) is a Layoff Aversion / Outplacement program designed to respond to businesses in transition, including major layoffs and plant closings, 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 Department of Career Services (DCS), as the Commonwealth's Dislocated Worker service entity, is responsible for providing all pre-layoff, early intervention Rapid Response activities (WIOA Sec. 3(51)) in coordination with Local Workforce Development Boards (WDBs) and Chief Elected Officials (CEOs). 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 DCS Rapid Response Team to

plan and provide early, on-site intervention services to assist dislocated workers, to promote their efficient and rapid transition into gainful employment, and to notify the Local Workforce Boards and Chief Elected Officials of these services.

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

MASSACHUSETTS RAPID RESPONSE PROCESS

Step 1: Plant Closing / Layoff Notification

- Rapid Response activities are initiated upon receipt of information regarding a plant closing or a significant layoff. Such information may come from a number of sources such as but not limited to: MA Executive Office of Labor and Workforce Development (EOLWD), Department of Career Services (DCS), Department of Unemployment Assistance (DUA), One-Stop Career Centers (OSCCs), Organized Labor, the DCS Rapid Response (RR) Team or through a formal WARN notification submitted by the company, itself.

If the information is not received directly by the Rapid Response Team, please ensure that the **Rapid Response Manager and/or local Rapid Response Coordinator are notified immediately of any plant closing or layoff.**

Step 2: Call to Company

- Upon receipt of notification, it is the responsibility of the Rapid Response Manager 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 on-site company meeting

Step 3: Initial On-site Company Meeting

The Rapid Response Manager and/or Rapid Response Coordinator will attend the initial on-site company meeting.

- The Rapid Response Manager or Coordinator will provide the company with general information regarding the services available to the company and its workers through the local MA Workforce Development/One-Stop Career Center system. The presentation will also include information with respect to layoff aversion strategies, matching affected workers with area employers who are hiring, Trade Adjustment Assistance (TAA), National Dislocated Worker Grants (NDWG), Rapid Response Set-Aside Grants, the MA WorkShare Program and the other available on-site services.

- The Rapid Response Manager or Coordinator will coordinate completion of the Company Questionnaire/Demographic Report (Attachment A) that includes a confidentiality waiver.
- The local Rapid Response Coordinator 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: On-Site Services

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

When appropriate, the Rapid Response Team will provide additional services on-site 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 necessary

Step 5: Layoff Prevention

The Rapid Response Team will develop and maintain collaborative partnerships with a range of organizations that can help identify and avert potential layoffs. These partnerships will 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 will be gathered at all downsizing companies regarding reasons for layoff as well as what, if anything, the state can do to avert the layoff. Through job matching and on site job fairs, Rapid Response will also work 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. The Rapid Response Team will support the strategic planning and implementation of revitalized or enhanced business engagement activities within the state. Rapid Response, working with our workforce development partners, shall focus on the goal of improving program performance through the delivery of

enhanced business services, with the focus stemming from the Mass BizWorks strategic, statewide business engagement plan.

Step 6: Other Rapid Response Activities

Additional Rapid Response activities include the following:

- 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 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 will assist the local community, Workforce Board and Chief Elected Official in connecting with state Economic Development Agencies and other organizations to assist in efforts to avert substantial layoffs and plant closings.

TRADE ADJUSTMENT ASSISTANCE:

Rapid Response will provide Trade Adjustment Assistance (TAA) information to companies and when appropriate, assist in the completion of the company's application for certification. The Rapid Response Team will coordinate and disseminate 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:

Part of a coordinated response to a dislocation event may include the development of an application for a National Dislocated Worker Grant (NDWG), formerly known as National Emergency Grant (NEG). The Rapid Response Team is responsible for gathering demographics for National Dislocated Worker Grant proposals and providing company and layoff information for the development of the grant application. During group or individual meetings, the Rapid Response Team will assess the workers to determine skill levels, occupations, wages and length of service with the company. The data collected may be used to inform a NDWB application. As part of the NDWG application process, DCS collaborates with the relevant local Workforce Boards and One-Stop 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. The Massachusetts Rapid Response Team in conjunction with the local Workforce Board will develop a strategy to address the dislocation event to ensure rapid access to the range of available assistance.

All members of the Rapid Response Team and appropriate partners must be in compliance with all information confidentiality requirements as expressed in WIOA Policy to Protect Confidential Information including submission of a signed *Confidentiality Agreement Form*.

Effective: Immediately

References: WIOA Sec. 134

Attachment: A. Company Questionnaire / Demographic Report

Inquiries: Please email all questions to PolicyQA@MassMail.State.MA.US, indicate Issuance number and description or contact Ken Messina, Business Services Manager, ken.messina@MassMail.State.MA.US.