

MassWorkforce Issuance

Workforce Issuance No. 14-97

☒ **Policy** ☐ **Information**

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

cc: WIA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: November 20, 2014

Subject: **Rapid Response Process - REVISED**

Purpose: To transmit to Local Workforce Investment Boards, One-Stop Career Center Operators and other local workforce development partners a revised policy with regard to the Rapid Response plan for layoff aversion, plant closing and/or mass layoff activity. This Policy replaces MassWorkforce Issuance Policy No. 06-46, July 31, 2006.

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 the state and local workforce investment partners can implement an appropriate service strategy.

The Department of Career Services (DCS), as the Dislocated Worker Unit in the Commonwealth, is responsible for providing all pre-layoff early intervention Rapid Response activities in coordination with the Local Workforce Investment Boards (WIB) 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 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 Investment 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 will be 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/Coordinator will provide the company with general information regarding the services available to the company and its workers through the local MA Workforce Investment/One-Stop Career Center system. The presentation will also include information with respect to layoff aversion strategies, matching affected workers to area employers who are hiring, Trade Adjustment Assistance (TAA), National Emergency Grants, Rapid Response Set-Aside Grants, the MA WorkShare Program and the other available on-site services.

- The Rapid Response Manager/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 provide 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 Emergency Grants (NEG).

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 Aversion

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), Department of Commerce's Trade Adjustment Assistance for Firms, Department of Unemployment Assistance's 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 a permanent closure or mass layoff.
- Disseminate and exchange information on Rapid Response activities to ensure that employer organizations, organized labor and of employee groups are aware of the availability of Rapid Response services.

The Rapid Response Team will assist the local community, WIB and CEO 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 TAA information to companies and assist in the completion of the company's application for certification when appropriate. The Rapid Response Team will coordinate and disseminate information to affected workers regarding the Trade Program, including Rapid Response will outline the various services and benefits available under the Trade Program and the criteria for eligibility for training.

NATIONAL EMERGENCY GRANTS:

Part of a coordinated response to a dislocation event may include the development of an application for a National Emergency Grant. The Rapid Response Team is responsible for gathering demographics for National Emergency Grant proposals and providing assistance with the development of the application for the grant. 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 National Emergency Grant application. As part of the National Emergency Grant application process, DCS collaborates with the Local Workforce Investment Board and One-Stop Career Center to develop the plan to address the dislocation event.

RAPID RESPONSE SET ASIDE FUNDS:

Rapid Response Set-Aside funding will 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 core, intensive and training services. Such awards must be utilized for services to dislocated workers from identified targeted companies. The Mass Rapid Response Team in conjunction with the local Workforce Investment Board

will develop a strategy to address the dislocation event to ensure rapid access to the range of allowable assistance.

All members of the Rapid Response Team and appropriate partners must be in compliance with all information confidentiality requirements as expressed in WIA Communication No. 05-76 Policy to Protect Confidential Information including submission of a signed *Confidentiality Agreement Form*.

Effective: Immediately

References: Policy #10-69 - Rapid Response Set Aside Funds Application & Review Process
<http://www.mass.gov/massworkforce/issuances/policy/2010-policy/>

Inquiries: Please email all questions to PolicyQA@detma.org, indicate Issuance number and description or contact Ken Messina, Business Services Manager, kmessina@detma.org.