

Rapid Response Policy

Date Approved: October 25, 2021 **Effective Date:** October 25, 2021 **Amended Date:** March 5, 2024

PURPOSE

This policy provides guidance to the Iowa*WORKS* Centers in the Mississippi Valley Workforce Area (MVWA) in providing Rapid Response activities and services to employers and workers who have been affected by lay-offs, plant closures, and downsizing.

Under the Workforce Innovation and Opportunity Act (WIOA), Rapid Response activities are carried out in local areas by Local Workforce Development Boards working in conjunction with Iowa Workforce Development (IWD) and other stakeholders.

The purpose of Rapid Response is to promote economic recovery and vitality by developing an ongoing, comprehensive approach to identifying, planning for, or responding to layoffs and dislocations; in addition to preventing or minimizing their impacts on workers, businesses, and communities.

POLICY

The Mississippi Valley Workforce Development Board (MVWDB) works in partnership with IWD to provide quality Rapid Response activities. Rapid Response activities in MVWA are intended to shorten the time between worker dislocation and reemployment by developing local strategies.

A successful Rapid Response system includes:

- Information and direct reemployment services for workers.
- Solutions to address the needs of businesses in transition, provided across the business lifecycle (expansion and contraction), including business engagement and layoff aversion strategies.
- Facilitating connections, networks, and partners to provide assistance to dislocated workers and their families such as home heating assistance, legal aid, and financial advice.
- Strategic planning, data gathering, and analysis are designed to anticipate, prepare for, and manage economic change.
- Develop layoff aversion strategies.

WHEN RAPID RESPONSE IS REQUIRED

Rapid Response services and activities, which encompass strategies necessary to plan for and respond to the needs of employers and affected workers, must be delivered as quickly as possible when one or more of the following circumstances occur:

- Announcement or notification of a permanent closure, regardless of the number of workers.
- Announcement or notification of a mass layoff.
- A mass job dislocation resulting from a natural disaster or other disaster.
- Filing of a Trade Adjustment Assistance (TAA) petition.
- Worker Adjustment and Retraining Notification (WARN) Act notice has been filed.

LOCAL RAPID RESPONSE TEAMS

The Local Rapid Response Team (LRRT) is comprised of individuals who provide information, resources, and services to assist affected employers and workers. The LRRT oversees planning implementation, and tracking/reporting of Rapid Response services, including Layoff Aversion at the local level. The LRRT must include representation from the following partner programs to include, but is not limited to:

- WIOA Title I
- Wagner Peyser Title III
- Local Trade Coordinators
- Business Engagement Representative

Additional partner programs may be added to the team based on the unique circumstances of an event and the specific needs of the impacted business and workers. Examples include, but are not limited to:

- Department of Human Services
- Adult and Basic Education
- Iowa Vocational Rehabilitation Business Services representative
- Local Veterans Employment Representative (LVER)

A Local Rapid Response Team Lead (LRRTL) must be identified and responsibilities at a minimum, include the:

- Engaging in regular two-way communication with the State Rapid Response Coordinator (SRRC) and local system partners.
- Coordinating business and job seeker services across partners; and
- Ensuring Rapid Response activities are reported accurately and timely in IowaWORKS and preparing accurate and timely reports for the LWDB.

REQUIRED RAPID RESPONSE ACTIVITIES

Rapid Response teams must conduct immediate and on-site contact with the employer, representatives of the affected workers, and the local community, including an assessment and plans to address the:

- Layoff plans and timeline of the employer.
- Background and probable assistance needs of the affected workers.
- Reemployment prospects for work.
- Available resources to meet the short and long-term assistance needs of the affected workers.

Staff must provide information and access to unemployment compensation benefits and programs (such as Short-Time compensation), comprehensive one-stop delivery system services,

available career and training activities, as well as information on the Trade Adjustment Act (TAA) program, the GI Bill, and other resources.

Necessary services and resources must be delivered, including workshops and classes, use of worker transition centers, and job fairs to support reemployment efforts for affected workers. Emergency assistance adapted to the particular layoff or disaster must also be provided. Staff must also deliver services to worker groups for which a petition for TAA has been filed. If activities needed exceed the capacity of the local area, the MVWDB may apply for additional assistance from IWD when available.

Partnership between local Iowa*WORKS* staff, MVWDB staff, and Chief Elected Officials (CEO) is required to ensure a coordinated response to the dislocation event and as needed, obtain access to economic development assistance.

Partnerships must also be established with other appropriate federal, state, and local agencies and officials, employer associations, technical councils, other industry business councils, labor organizations, and other public and private organizations, as applicable, to:

- Conduct strategic planning activities to develop strategies for addressing dislocation events and ensuring timely access to a broad range of necessary assistance.
- Develop mechanisms for gathering and exchanging information and data relating to potential dislocations, resources available, and the customization of layoff aversion or Rapid Response activities, to ensure the ability to provide Rapid Response services as early as possible.

LAYOFF AVERSION ACTIVITIES

Layoff aversion consists of strategies and activities to prevent or minimize the duration of unemployment resulting from layoffs. An effective layoff aversion system allows states and local areas to play an active role in shaping and maintaining a competitive, resilient local workforce. WIOA requires states and local areas to include layoff aversion as an integral component of Rapid Response.

A sound layoff aversion infrastructure should include early warning systems and can include close communication with employer representatives, industry groups, organized labor, utilities, or local media; and/or assessment of labor market trends and economic data to assess the health of businesses.

Employers must be informed about their legal responsibilities to issue advance notification of layoffs and closures.

PERMISSIBLE LAYOFF AVERSION ACTIVITIES

Rapid Response programs have the discretion to determine which strategies and activities are applicable in given situations. Activities may include:

IWD or MVWDB may devise other activities or strategies intended to minimize the negative impacts of dislocation on workers, businesses, and communities.

The left-hand column of the table below outlines layoff aversion strategies as included in the Federal Regulations at 20 CFR 682.320. The column on the right provides examples of how these strategies might be executed or applied by the public workforce system.

Regulations	Examples of Practical Application
Providing assistance to employers in managing reductions in force, which may include early identification of firms at risk of layoffs, assessment of the needs of and options for at-risk firms, and the delivery of services to address these needs. Partnering and contracting with business- focused organizations to assess risks to companies, propose strategies to address those risks, implement services, and measure the impacts of services delivered	 Help companies assess risk Establish an early warning system Customized services for companies deemed at risk Work sharing Temporary furloughs
Ongoing engagement, partnership, and relationship-building activities with businesses in the community, to create an environment for successful layoff aversion efforts and to enable the provision of assistance to dislocated workers in obtaining reemployment as soon as possible.	 Build and maintain relationships with companies to facilitate communication Human resources solutions
Funding feasibility studies to determine if a company's operations may be sustained through a buyout or other means to avoid or minimize layoffs.	Customized solutions and studies
Developing, funding, and managing incumbent worker training programs or other worker upskilling approaches as part of a layoff aversion strategy or activity. Connecting businesses and workers to short- term, on-the-job, or customized training programs and registered apprenticeships before or after layoff to help facilitate rapid re-employment.	 Provide skills upgrade training to existing employees Pay (or help to pay) for training on new equipment or product line Coordinate services of various entities (e.g. community college, economic development groups) involved with the company
Connecting companies to: Short-time compensation or other programs designed to prevent layoffs or to reemploy dislocated workers quickly, available under UI programs; Employer loan programs for employee skill upgrading; and Other Federal, State, and local resources as necessary to address other business needs that cannot be funded with Rapid Response funds	 Inform companies of programs available that could reduce or prevent layoffs Workshare Revolving loan funds Access to capital Tax credits Financial management

Establishing linkages with economic development activities	 Coordinate services of various entities (e.g. community college, economic development groups) involved with the company
Conducting analyses of the supplies of an affected company to assess their risks and vulnerabilities from a potential closing or shift in production	 Business process improvements Connect to organizations such as Manufacturing Extension
Engaging in proactive measures to identify opportunities for potential economic transition and training needs in growing industry sectors or expanding business; and	 Incumbent worker training Customized training

NOTIFICATION OF FUTURE LAYOFFS

In situations when Layoff Aversion strategies have been unsuccessful in assisting a business in retaining their workforce, and a public announcement has been made that the business will conduct layoffs or will close more than 180 days in the future from the time of the announcement, the following must be implemented:

- Quarterly check-ins must be conducted with the business up until 180 days prior to layoff, at which time more frequent contacts are expected for further planning of service provision with the affected workers,
- All contacts must be documented in IowaWORKS under the Employer Profile with a case note; and
- Contact must include, but is not limited to, a plan for upcoming contacts, a plan for services, and possible planning of a pre–Worker Information Meeting to offer Basic Career Services.
- Pre-worker Information Meetings can be utilized to enroll individuals into appropriate programs, as necessary, and to provide Basic Career Services.

Pending the nature of the layoff or closure, the SRCC or the LRRT will conduct the quarterly contacts, as outlined above. Coordination between the SRCC and the LRRT is imperative to prepare for a seamless transition for workers.

For purposes of dislocated worker program eligibility, workers who are employed at a business that announces they are closing, are eligible for basic career services only until 180 days prior to the business closing, at which time they are then eligible for all other services.

LAYOFF NOTIFICATION

In Iowa, there are two types of WARNs that a company may file. A LWDA may also receive notification of a Local Non-WARN event and all three are alerts to start the Rapid Response process: Federal, State, or Local Non-WARN. The process should only be started when an official notification is received from an employer.

If employees visit the Iowa*WORKS* Centers and provide information about a possible layoff, the information should be confirmed with the company before any information is distributed to other staff members or any service is entered into the Iowa*WORKS* system. Merely sending an email or leaving a voicemail does not constitute providing a service and no service code should be entered. However, a case note should be entered that contact was attempted and by what mode of communication.

If an employer denies RR services a case note stating that they did not wish to receive services should be entered into the system. This should not be documented in the system as a service as they never received confirmation from the employer that the layoff had happened.

	Size of Company	# of employees impacted	Required notice to employees
Federal	100 or more	Closing: 50 or more will be affected during a 30–day period. Mass Layoff: when 500 or more employees or 33% of the workforce will permanently lose their job during a 30-day period.	60 days
State	25 - 99	A permanent or temporary shutdown of mass layoff of 25 or more employees for a period exceeding 6 months.	30 days
Local Non- WARN	Below 25	Below 25	N/A

IOWA WORKFORCE DEVELOPMENT PROCESS FOR WARN

When IWD receives a WARN:

- IWD Program Coordinator will confirm receipt of WARN with the business and inform them that the local IowaWORKS Rapid Response Team will be in contact.
- IWD Program Coordinator will enter WARN into IowaWORKS generating a Rapid Response Number.
- IWD Program Coordinator will send an email to the MVWDB, local leadership, and LRRTL.
- IWD Program Coordinator will update the WARN log.

LOCAL IOWAWORKS PROCESS FOR WARN

The MVWDB LRRTL will be the responsibility of the Title I Adult/DW service provider in the two Iowa*WORKS* Centers. The Title I service provider will notify the MVWDB of which staff person will serve as the LRRTL in each center. The LRRTL will be responsible for ensuring that required data and information is entered into the IowaWORKS case management system.

When a WARN is received the following process should be followed:

- Local LRRTL will make contact with the business to make them aware of Rapid Response activities and set up an Employer Meeting within 48 hours of receiving notice of the WARN email from the IWD Program Coordinator.
- If collective bargaining/union is involved, they need to be advised of services being provided for soon-to-be dislocated workers. Determine if the company will reach out to stewards, or if they prefer the RCC will contact and provide the Worker Information Meeting update.
- Notes of outreach and communication with the employer should be maintained in IowaWORKS. Document the initial contact with the business under the Employer Profile under Activities using service E-11 Provided Rapid Response/Downsizing Assistance and add a case note with details of the Employer Meeting date/time.
- Document in Iowa*WORKS* under the Business Profile with Service E-11 Provided Rapid Response/Business Downsizing Assistance.
- Send calendar invite to the local Rapid Response Team, MVWDB, Trade Coordinator, Union Representative, and any other partner program that may be appropriate for an Employer Meeting. Meetings should be held in person when possible.

LOCAL IOWAWORKS PROCESS FOR NON-WARN

Local LRRTL makes contact with company to make them aware of Rapid Response, gather information on dislocation, and set Employer Meetings.

LRRTL will notify the MVWDB who will contact the IWD Program Coordinator to enter the information in Iowa*WORKS* to generate the Rapid Response Number.

LRRTL will document in Iowa*WORKS* under the Business Profile with Service E-11 Provided Rapid Response/Business Downsizing Assistance.

LRRTL will enter information on Local Layoff Rapid Response (new form).

LRRTL will send calendar invites to the local Rapid Response Team, MVWDB, Trade Coordinator, and any other partner program that may be appropriate for an Employer Meeting.

EMPLOYER MEETINGS

Send the Iowa*WORKS* website to company contact to distribute to workers to register and complete the Dislocated Worker Survey (ideally, the surveys will be completed prior to the WIM).

- Gather information about the workforce and its potential needs.
- Layoff Plans and schedule.
- Background and possible assistance needed for workers.
- Re-employment prospects.
- Available resources through business.
- TAA eligibility.
- Planning and delivery of other services such as workshops or job fairs.
- Explain WIOA services.

Set Worker Information Meeting (WIM) by determining the best approach to deliver necessary resources and services.

EMPLOYER INFORMATION MEETING

The purpose of the Employer Information Meeting is to gather more detailed information about the pending layoff, the demographics of the affected workforce, and the types of services that the business and impacted workers will need. This information gathering typically happens through direct discussion with the employer. A Rapid Response Employer Questionnaire can be found in the Appendix of this policy as an outline for information to gather. The Employer Information Meeting is also an opportunity to introduce the employer to the Dislocated Worker Survey. The LRRTL requests a list of the impacted workers' emails to send the survey to or asks that the employer send this survey to workers impacted by the pending layoff.

The survey includes questions regarding the workers' education, experience, work history, and interest in services available through the public workforce system. The results of the Survey help the LRRTL understand the needs of the impacted workers to appropriately design the Worker Information Meeting as well as plan service delivery going forward. One of the key objectives of the Employer Information Meeting is a commitment from the employer to send out the survey to appropriate workers.

The Employer Information Meeting is also a time to gather information on payout options for employees. Ask the employer for an unsigned template of the agreement workers are required to sign to get their payout/benefits. If the company can provide a document, it is forwarded to the IWD Legal team so they can issue an interpretation. Companies will usually require an email request. The email can be worded as follows:

"It would be helpful to understand payout arrangements for workers to make sure we know how the pay will/could impact their unemployment insurance. We would request from the company a copy of a template letter employees are expected to sign which communicates the stipulations/expectations to receive a payout after the last day of work. It doesn't have to be signed by any employee, only a copy of an agreement. The Iowa Workforce Development Unemployment legal team will then determine if the pay is considered deductible or nondeductible from their unemployment. This helps with the consistency of communication when explaining unemployment to workers at the meeting."

No details of the downsizing or closure are shared with the media. It is the discretion of the company to do so. The Rapid Response Employer Information Meeting is confidential.

Attendees for the Employer Information Meeting should include from the LRRT the following individuals:

- LRRTL
- Title I Director or Designee
- IWD Operations Manager
- Trade Program Coordinator

Employer Information Meetings may happen in person, virtually, or via a telephone call. The LRRTL should send a calendar invite to all necessary attendees, including the employer and Union Representative (if applicable). The LRRTL will function as the lead in the meeting. A sample agenda for an Employer Information Meeting is contained in Appendix II.

Information gained via the Employer Information Meeting should inform the Rapid Response Service Delivery Plan which is included in the Appendix to this policy.

SERVICE DELIVERY

Using the Rapid Response Service Delivery Plan document in this policy to guide discussion between partners, the LRRTL ensures that a plan is delivered to meet the needs of the affected workers. Services for the affected workers are divided into two categories: standard and expanded.

Standard Services are provided at the Worker Information Meeting. Based on the needs of the affected workers, Expanded Services may also be provided at the Worker Information Meeting.

Standard Services

Provision of information regarding:

- Unemployment Insurance
- Training Services
- Career Services
- Insurance and Retirement
 - COBRA- USDOL Employment Benefits Security Administration
- Trade Adjustment Assistance
- Adult Education- based on need
- Vocational Rehabilitation- based on need
- Outline the next steps for affected workers
- Schedule an appointment with Career Planner, etc.

Trade Navigator or Career Planner may set up Office Hours at the company location.

Expanded Services

Expanded Services include the Standard Services plus additional activities developed and/or organized specifically for the affected workers of a specific dislocation event. Expanded Services can be delivered at the same event as the Worker Information Meeting(s) or at a different date, time, and location.

Examples of Expanded Services include, but are not limited to:

- Job Fair (can be provided in multiple formats: in-person, virtual, drive-through)
- Workshops
- Resume Writing
- Interview Skills
- Money Management

Rapid Response services (Standard and Expanded) are one on-ramp or entry point for an affected worker to access the myriad of services available to dislocated workers in the Iowa*WORKS* system.

SETTING WIM

The Worker Information Meetings (WIM) must be tracked in IowaWORKS. The local LRRTL will decide who on the team will document the WIM in IowaWORKS. The LRRTL will oversee all necessary reporting in IowaWORKS is completed. Once the RLRRTL has determined the date and time of the WIM, the following steps must occur:

- Event Category: Rapid Response.
- RR Events: search for the RR event number.
- Location Type: On-Site Event, Off-Site Event, or Online Event.
- Register attendees for WIM

Result WIM within 48 hours of completing the WIM assigning those who attended with the 110-Attended a Rapid Response Worker Information Meeting service.

WORKER INFORMATION MEETINGS (WIM)

Rapid Response teams will work with the affected workers to provide important information and services that enhance re-employment opportunities, including but not limited to:

- Career counseling and job search assistance.
- Resume preparation and reemployment-focused workshops.
- Unemployment insurance benefits.
- Information about education and training opportunities.
- TAA overview.
- Information on the impact of layoffs on health coverage and other benefits.
- Partner resources.
- Gather any Dislocated Workers Surveys that were not completed.

Equal Opportunity Programs/Employer – Auxiliary aids and services available upon request for individuals with disabilities

Categorization of Rapid Response Activities Title 20 CFR Section 682.330

Activity	Required	Allowable	Prohibited
Conducting planning meeting with the employer	Х		
Assessing layoff aversion potential	Х		
Conducting orientation meetings with employees	Х		
Providing TAA orientation	Х		
Delivering/mailing Rapid Response informational materials	Х		
Providing access to Iowa <i>WORKS</i> on-site, using the company's or mobile facility	Х		
Enabling participants to register with IowaWORKS onsite	Х		
Job fair or information expo focused on one or more dislocation events, at or not at the dislocation site	Х		
Coordinating Labor- Management/Workforce Transition Committee	Х		
Providing information about services available in the AJC and setting up systems to provide on-site access to information and services	Х		
Providing training orientation on industry-specific opportunities	X		
Providing resources for food, shelter, clothing, and other emergency assistance	Х		
Conducting Business Engagement Activities	Х		
Conducting Research on Business Activities	Х		
Devising layoff aversion strategies with employer	Х		
Providing layoff aversion technical assistance to the employer	Х		
Conducting business services workshops	Х		
Training affected workers to upgrade skills for another position in the company	Х		
Attending Regional Roundtable		Х	
Attending conferences		Х	
Conducting interview technique workshops		Х	
Conducting job search assistance and resume writing workshops		X	
Completing Unemployment Insurance applications			Х
Job fair or information expo not related to a dislocation event			Х

APPENDIX I - IOWAWORKS/EMPLOYER INFORMATION GATHERING MEETING

Employer Information Meeting Sample Agenda

i. Month Day, Year

- Introductions
 - a. Employer introduces representatives
 - b. Local Rapid Response Team introduces members and functions
- Meeting purpose
 - a. Learn more about the employer, their situation and workforce to develop a strategy for providing services and support for both the company and their impacted workers
- Brief Rapid Response overview
 - a. Program is federally funded and no cost to employer or dislocated worker
 - b. Services can be accessed up to 6 months prior to layoff
 - c. Types of services available to businesses and impacted workers
 - d. Benefits to employers and impacted workers:
 - i. On-site workshops designed to meet the employer's needs
 - ii. If employer is using outplacement firm, program can complement their services
 - iii. Encourage employees to continue to work until layoff date (reduce attrition)
- Discovery discussion
 - a. Challenges and circumstances causing layoff
 - i. Is there any support that could help prevent the layoff?
 - b. Dates for layoffs, numbers of workers, their occupations, skill levels, etc.
 - c. Primary or secondary competitors (for potential rapid reemployment)
 - Transitioning Worker Success Survey
 - a. Purpose of survey
 - b. Timing and process for survey implementation
 - c. How the data collected will be used
- Worker Information Meeting
 - a. Benefits
 - i. Early intervention to help employees be prepared for career transition before layoff
 - b. Timing and location
 - c. Provide sample agenda
- Next steps

APPENDIX II- RAPID RESPONSE SERVICE DELIVERY PLAN

Company Name		
Address		
Contact Person/ Information		
Description of company		
Trade petition filed or certified		
Layoff Details Number of affected workers Anticipated layoff date(s) Types of positions 		
$\Box \text{I ypes of positions} \\ \Box \text{Other}$		
Demographics of affected workforce		
Summary of transferable skills of affected workers		
Companies in the area needing similar skills		
Workforce Information Meeting(s)		
Date(s)		
Time(s)		
Location		
Partners to attend		
Standard or Expanded? If expanded, provide description.		
Is additional funding needed to provide Expanded Services? If yes, please describe.		
TAA next steps		

APPENDIX III- RAPID RESPONSE EMPLOYER QUESTIONNAIRE

Rapid Response Planning- Employer Questionnaire

Company Name:

	Layoff Basics	
Primary Contact/Title		
Date/s of planned layoff:		
Number laid off on each date:		
Shifts/worker hours of impacted workers:		
If applicable, union name and union contact information:		
Number of union employees:		
Number of non-union		
employees:		
Number with bumping right:		
Reason for layoff or closing:	Business slowdown	□Relocation
	□ Foreign trade/completion	□Natural Disaster
	□ Bankruptcy	□Takeover
	□ Consolidation	□Buy out
	□ Automation	□Other:
Affiliated companies affected by layoff:		
(security, trucking, janitorial, cafeteria, etc.)		
Trade Adjustment Assistance (TAA) Funding		
<i>IWD will pursue Trade Adjustment Assistance (TAA) funding from the Department of Labor (DOL), as much as possible, to assist the dislocated worker group. The cooperation in answering questions will help the workers</i>		

access additional benefits to help them transition. TAA Program Coordinators will gather more details from employers in conjunction with this survey.		
Is the company headquarters in the US?	□ Yes □No	
Are there any international branches, subsidiaries, or parent companies located outside the US?		
Are the positions being eliminated relocating elsewhere to be performed by other individuals? If so, where will they be located too, and do current employees have the option to apply for those positions?		
Are these layoffs necessary due to part or whole decreases in sales due to global completion?		
Influence to lines of service, distribution, supply/supply chain management contracts, and production; either directly or indirectly, due to foreign partnerships/business/trade:		
Transfers of business lines or production to another location, if applicable- specific area:		
	Worker Demographics	
Counties/State that most employees live in:		



Total Number of employees:	
Total Number of employees.	
	- Workers affected: Males Females
	- Temporary:
	- On contract:
	- Retiring:
	- Transfers/relocate:
	- Absorbed by new company:
	- Still in school:
	- Confirmed other employment:
Language barriers: (will we	□ Yes □
need an interpreter for meetings, workshops, etc.)	No
	Language:
	Lunguage
Physical/Mental Disabilities:	
(Technology accommodations	
needed)	
Average age of workforce:	
	- Any over 50 that may find age a barrier?
	 How many, if any, do you anticipate will retire?
Average length of services:	
Minimum education level:	
General categories of occupations and skill level of	
workforce:	
Average Wage:	
	Planned Benefits
Existing company-sponsored	
training programs, either on or off-site:	

Severance pay contingencies and stipulations:		
Medical package:		
Additional benefits offered by the company:		
(bonus, vacation payout, etc.)		
Outplacement- Name of organization		
Wor	ker Information Meetings:	
Facilities on-site for employee meetings:		
Employees allowed to attend during work hours:		
Number of meetings preferred to accommodate shifts:		
	Media Contact	
Who is the corporate representative responsible to answer questions from the media?		
What resources and services would assist the transitioning workforce before their layoff date?		
🗆 Job Fair	□ Job Search	
□ Resume writing	Money Management	
□ Interviewing Skills	□ Other:	