



Montana Department of LABOR & INDUSTRY

Division: Workforce Services Division
Category: WIOA
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Rapid Response Policy

Background: Rapid Response encompasses the strategies and activities necessary to plan for and respond to announcements of a closure or layoff or job dislocations due to natural or other disasters and to deliver services to enable dislocated workers to transition to new employment as quickly as possible. The purpose of Rapid Response is to promote economic recovery by responding to layoffs and dislocations and preventing or minimizing the impact on workers, businesses and communities.

Scope: This policy applies to all service providers operating Rapid Response, Rapid Response program manager(s), Rapid Response fiscal officers and the Rapid Response monitoring team. This policy is effective *(insert date upon SWIB approval.)*

Policy:

Required Rapid Response Activities for Each Rapid Response Regardless of Size:

- Layoff aversion activities;
- Immediate contact with the business, representatives of the affected workers, and the local community, including an assessment of and plans to address the:
 - Layoff plans and schedule of the business;
 - Background and probable assistance needs of the affected workers;
 - Reemployment prospects for workers; and
 - Available resources to meet the short and long-term assistance needs of the affected workers;
- The provision of information and access to unemployment compensation benefits and programs, one-stop system services, employment and training activities including information on and referral to the WIOA Dislocated Worker program, Trade Adjustment Assistance, Pell Grants, GI Bill, and other resources;
- The delivery of other necessary services and resources including workshops, classes and job fairs to support reemployment efforts for the affected workers;
- Developing and maintaining partnership with the State Workforce Innovation Board (SWIB) and chief elected officials to ensure a coordinated response to the dislocation event and, as needed, obtain access to State or local economic development assistance;
- The provision of emergency assistance adapted to the particular layoff or disaster;
- As appropriate, developing systems and processes for:
 - Identifying and gathering information for early warning of potential layoffs or opportunities for layoff aversion;
 - Analyzing, and acting upon, data and information on dislocations and other economic activity in the State or region; and

- Tracking outcome and performance data and information related to the activities of the Rapid Response program;
- Developing and maintaining partnerships with other appropriate Federal, State and local agencies and officials, business associations, technical councils, other industry business councils, labor organizations, and other public and private organizations, as applicable, in order to:
 - Conduct strategic planning activities to develop strategies for addressing dislocation events and ensuring timely access to a broad range of necessary assistance; and
 - Develop mechanisms for gathering and exchanging information and data relating to potential dislocation, 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; and
- Delivery of services to worker groups for which a petition for Trade Adjustment Assistance has been filed.

Layoff Aversion:

- Layoff aversion consists of strategies and activities to prevent or minimize the duration of unemployment resulting from layoffs. Layoff aversion strategies and activities may include but are not limited to:
 - Providing assistance to businesses in managing reductions in force, which may include early identification of firms at risk of layoff, assessment of the needs of and options for at-risk firms, and the delivery of services to address those needs.
 - Ongoing engagement, partnership, and relationship-building activities with businesses in the community, in order 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.
 - Funding feasibility studies to determine if a company's operations may be sustained through a buyout or other means to avoid or minimize layoffs.
 - Developing, funding and managing State incumbent worker training programs or other worker upskilling approaches as part of a layoff aversion strategy or activity.
 - Connecting businesses to:
 - Short-time compensation or other programs designed to prevent layoffs or to reemploy dislocated workers quickly, available under Unemployment Insurance programs; and
 - Other Federal, State and local resources as necessary to address other business needs that cannot be funded with resources provided under WIOA.
 - Establishing linkages with economic development entities including local business retention and expansion activities.
 - Partnering or contracting with business-focused organizations to assess risks to companies, propose strategies to address those risks, implement services, and measure impacts of services delivered;
 - Conducting analyses of the suppliers of an affected company to assess their risks and vulnerabilities from a potential closing or shift in production of their major customer;
 - Engaging in proactive measures to identify opportunities for potential economic transition and training needs in growing industry sectors or expanding businesses; and
 - Connecting businesses and workers to short-term, on-the-job, or customized training programs and apprenticeships before or after layoff to help facilitate rapid reemployment.

Job Services Rapid Response Activities:

- Job Service Centers are responsible for documenting all layoffs regardless of size in their respective communities within 3 work days, or at the earliest possible time, after learning of the layoffs by completing an Initial Screening Contact (ISC) report in MWorks. The ISC form must be completed in its entirety and sent to the DLI WSD ISC distribution list.
- [WARN Act](#) information shall be provided to businesses at the time of ISC form completion.

- The Job Service Operations Bureau (JSOB) shall respond to WARN notices within 48 hours of the layoff or closure notices. In those cases where a WARN notice is not required but the closure or layoffs will have a significant impact on the community, JSOB will respond at the earliest possible time. A significant lay off is defined as one which impacts the community, taking into consideration the occupations and skill levels of the laid off workers, in which it is located. Services to dislocated workers shall be provided to those who are most in need and can most benefit from those services.

Disseminating Information to the Affected Workers:

- Job Service will meet with the workers in a group setting for a Rapid Response informational meeting. These meetings provide information to workers of the services available to them through the workforce system. If possible, these meeting will take place at the work site, but can also be done at the local Job Service or in a rented meeting room at a time that is convenient to the workers. The partners in the communities who provide various services to people are invited to attend the Rapid Response meeting and present their program information to the workers.

Rapid Response Workshop/Meeting Reports:

- When the Rapid Response workshop is conducted, staff shall prepare and submit a report to the Rapid Response program manager that includes the business name, location, date and time of the workshop, Rapid Response staff in attendance, number of workers in attendance and the occupations represented, information and services provided and partner programs that participated in the meeting. This report shall be submitted to the Program Manager within 10-days of the workshop.
- When group or individual meetings are not possible, information is disseminated to workers individually by either leaving information packets at the business or, if names and addresses can be obtained from the business, contacting the workers by mail and encouraging them to schedule an appointment to learn about the available services.

Assessment of Worker Needs and Documentation of Rapid Response Service:

- Whether in a group setting or one-on-one, [Rapid Response Worker Surveys \(form WIOA.rr001\)](#) are to be completed on each of the affected employees to assess their particular needs and goals. Rapid Response services provided to each worker include registering for work, resume assistance, information and assistance in how to file for Unemployment Insurance, intensive case management, information on the dislocated worker program and other services as appropriate.
- Worker Survey results gathered at a group meeting shall be compiled 30 days from the date of the work.
- Rapid Response services must be recorded in the worker's account in MWorks.

Administrative Requirements:

- The Rapid Response program manager(s) shall provide technical assistance to providers.

Monitoring and Evaluation:

- A formal monitoring will be conducted on an annual basis by the entity designated by SWIB.

References:

- [20 CFR 682.300 Subpart C Rapid Response Activities](#)