

**SOP 22-03**  
**Rapid Response**  
**Standard Operating Procedures**  
**Grow Southwest Indiana Workforce Region 11**  
**WDB Approval Date: 5/20/2022**

**Purpose**

To provide guidelines for Rapid Response (RR) activities, establish RR standards for statewide activities, and to clarify roles and responsibilities of the Department of Workforce Development (DWD), the Local Workforce Development Board (WDB), and Local Rapid Response Teams (LRRT) relative to the delivery of RR activities.

**Rescission**

- DWD Policy 2014-06 Rapid Response Activities
- DWD Policy 2008-14 Rapid Response Allocations and Service Delivery Guidelines
- SOP 15-08 Rapid Response Activities

**Content**

WIOA requires states to establish and maintain a RR system to conduct statewide RR activities. This policy details the strategies and activities required to plan for and quickly respond to an announcement or notification of a permanent closures or mass layoff, the filing of a WARN notice and/or the filing of a Trade Adjustment Assistance (TAA) petition.

Indiana's Rapid Response system includes, but is not limited to:

- The delivery of solutions to address business needs in transition
- Informational and direct reemployment services for workers
- Facilitation of partnerships to ensure the ability to provide service to dislocated workers and their families, and
- Strategic planning, data gathering, and analysis designed to anticipate, prepare for, and manage economic change.

Region 11 will deliver Rapid Response services when one or more of the following circumstances occur:

1. Announcement or notification of a permanent closure, regardless of the number of impacted workers
2. Announcement or notification of a mass layoff as defined in 20 CFR §682.305

3. A mass job dislocation resulting from a natural or other disaster, or
4. The filing of a TAA petition.

RR assistance and appropriate career service, as described in Section 134 of WIOA, must be made available to members of a group of workers for whom a TAA petition has been filed. RR services are not withheld while TAA determination is pending. The filing of the TAA petition triggers RR activities regardless of the size of layoff or potential layoff.

A Rapid Response Activity is defined as an activity provided by a state, or by an entity designated by a State, with funds provided by the State under section 134 (a)(1)(A), in the case of permanent closure or mass layoff at a plant, facility, or enterprise, or a natural or other disaster, that results in mass job dislocation, in order to assist dislocated workers in obtaining reemployment as soon as possible. Activities include:

- a. Layoff aversion activities as described in 20 CFR § 682.320, as applicable,
- b. Immediate contact with the employer or representatives of the impacted workers,
- c. The provision of information and access to unemployment compensation benefits and programs,
- d. The delivery of other necessary services and resources to impacted workers,
- e. Partnership with WDBs to ensure a coordinated response to the dislocation event,
- f. The provision of additional assistance to local areas that experience dislocation events when such events exceed the capacity of the local area to respond with existing resources as provided under WIOA sec 134(a)(2)(A)(i)(II). Additional assistance requests will be made via email: [DWDRapidResponse@dwd.in.gov](mailto:DWDRapidResponse@dwd.in.gov) .
- g. All other services and activities, as applicable.

All RR events and associated activities will be documented within the DWD's Customer Relationship Manager (CRM) and case management systems.

### **DWD RR Responsibilities**

To ensure the regular exchange of information related to WARN notices, TAA events, and other potential dislocations, the DWD Rapid Response Program Director (PD) and the Business Services Regional managers (BRSM) will maintain an effective statewide RR system. The PD, BSRMs, and LRRTs will engage in ongoing information gathering and establish a shared contact list. The PDs and BSRMs are responsible for the following RR activities:

- Provide guidance and assistance to LRRTs to ensure consistency in statewide operations and in the delivery of basic RR service,
- **PD:**
  - Ensure layoff/closure information is correct and up to date on the DWD website, maintain a current list of local RR contacts, assist with coordinating RR activities when appropriate and issue guidance on program updates.
  - Manage Rapid Response Monthly Data Report, Monthly Narrative Report, and WARN/non-WARN spreadsheet.
  - Facilitate statewide meetings with all LRRT leaders as needed, as part of on-going technical assistance. Provide individualized technical assistance per region, for reporting and grant submission

- Maintain administrative procedures that support RR assistance. Follow up with regions to ensure initial contact with employer has been made within 48 hours of receipt of a WARN. If contact has not been made, DWD will contact the employer to provide a general overview of services.
- Provide regions with the monthly report for companies that have filed a WARN notice, completed with ICC information
- Provide the regions with a summary of surveys collected during orientation.
- Collaborate on rapid Response Funding Grant Requests to determine grant awards.
- **BSRMs**
  - Contact the LRRT to ensure an initial planning meeting is scheduled with the impacted employer.
  - Provide technical assistance as needed.
  - Assist in planning and overseeing program strategies for layoff aversion when appropriate.
  - Collaborate on Rapid Response Funding requests as needed.
  - Assist local areas with coordinating RR services with other available resources.

### **WDB RR Responsibilities**

WWDBs are responsible for coordinating RR activities at the local level to ensure effective delivery of services. Each WDB is responsible for:

- Establish and maintain a LRRT. Members may include the following:
  - The Business Services Representative (BSR), representative from the WDB, WorkOne/American Job Center (AJC) staff, service providers, labor organizations, the community/technical colleges, and other stakeholders/interested parties.
  - The LRRT initiates first contact with the impacted employer for layoff notifications other than a formal WARN notice.
- Designate a Local Rapid Response Representative (LRRR). The representative may be a WDB administrative staff or a LRRT member.
  - The representative will coordinate activities with the BSRM and contact the business to introduce RR services.
- Arrange the initial on-site meeting with employers, employee representative, and TAA Unit Program Director to assess layoff schedules, determine employer plans to assist workers, and introduce appropriate onsite RR activities for the WARN and Trade Act.
  - TAA Unit Program Director will be informed of an included in all onsite meetings including orientations.
- Consult with BSRM, PD, state and local economic development organizations, and other entities to determine prospects for layoff aversion.
  - Layoff aversion must be discussed with the employer to determine possible layoff aversion strategies.
    - If potential strategies are identified, the BSR must contact the BSRM for planning.
  - The BSR solicits information from the employer about supplier firms to accurately assess the likelihood of secondary and tertiary layoffs.

- Determine the need for and promote a voluntary labor management committee or workforce transition committee; this committee will be comprised of employer representatives, impacted workers, worker representatives, and/or other community entities as necessary to assist in planning and overseeing event-specific strategies that support the reemployment of impacted workers.
- Consult and coordinate with appropriate labor representatives when planning RR activities for impacted workers covered by a collective bargaining agreement.
- Determine proposed layoff schedule and the employer's plans to assist the dislocated workers, including the status of any collective bargaining negotiations affecting layoff benefits.
- Determine the need for peer-to-peer worker outreach to connect dislocated workers with services in conjunction with the labor management committee or its equivalent.
- Obtain layoff list of impacted workers and their contact information when applicable.
- Provide planning assistance for all dislocation events.
- Assess the needs to the impacted workers as quickly as possible using the Rapid Response Common Worker Survey (Survey).
- Ensure procedures are in place for the timely access and referral to WorkOne/AJC programs, services, and information offered by the WIOA, UI program, TAA, Wagner-Peyser, and other workforce development programs.
- Adhere to all applicable DWD policies and/or guidance.

### **LRRT RR Orientation Responsibilities**

#### **Orientation**

RR assistance is to be conducted onsite or virtually at the end of each work shift to accommodate impacted workers. If the employer does not provide the space, explore other options such as the local WorkOne/AJC office, union hall, or another nearby facility.

- RR orientation will include information packets that include all available WorkOne/AJC services and other community resources.
  - Written materials, brochures, and the Survey are to be available in English, Spanish, and other languages as appropriate.
- Event packets will include information on the following:
  - Indiana Career Connect User Guide;
  - Unemployment Insurance (UI) claim and benefit payment information;
  - Instructions on how to access Uplink;
  - Information on career counseling and job search assistance;
  - Information on resume preparation and interviewing skills workshops;
  - Information on local labor market;
  - Education and training opportunities (WIOA);
  - Information on Health benefits (Cobra); and
  - Community resources
- Available programs, services, and benefits are to be explained and should include the following:
  - TAA

- COBRA and other health insurance coverage/tax/credits
- Labor Market Information and employment opportunities
- Reemployment services
- Job training services
- Filing and UI claim, and
- Severance and retirement pay issues if applicable
- Workers will be encouraged to identify their steps and will be assisted in making appointment for career assessment, individual employment plans, job readiness workshops at a local WorkOne/AJC, and other community services.
- In the event an employer does not allow orientation to take place and refuses to provide employee information, LLRT will deliver services and resource packets to the employer for employees.
- If the employer provided employee information to the LLRT, contact may be made through mail, email, or phone to provide information on services and resources available through WorkOne/AJC offices.

### **Layoff-Aversion**

As part of DWD's RR service strategy, the DWD Business Engagement team oversee and provides strategic guidance to the local/regional RR teams. To ensure that businesses receive timely and superior services, the DWD Business Engagement team will coordinate with the local regional RR teams to:

- Engage in proactive measures to identify early warning of potential layoffs or opportunities for layoff aversion using data systems and other intelligence.
- Broker strong, diverse partnerships with local economic development organizations, employer groups, and educational institutions for the businesses to remain competitive and upskill incumbent workers.
- Connect companies with sources of funding for managing incumbent worker training programs, apprenticeships, or other worker upskilling approaches as part of a layoff aversion strategy or activity.

Layoff aversion consists of strategies and activities to prevent or minimize the duration of unemployment resulting from layoffs. Layoff aversion activities may include, but are not limited to, the following:

1. Providing assistance to employers in managing reduction in force, which may include early identification of firms at risk of layoffs, assessment of the needs of and option for at-risk firms, and the delivery of services to address these needs;
2. 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;
3. Funding feasibility studies to determine if a company's operations may be sustained through a buyout or other means to avoid or minimize layoffs;
4. Developing, funding, and managing incumbent worker training programs or other worker upskilling approaches as part of a layoff aversion strategy or activity;
5. Connecting companies to:

- a. Short-time compensation or other programs designed to prevent layoffs or to reemploy dislocated workers quickly, available under Unemployment Insurance programs;
  - b. Employer loan programs for employee skill upgrading; and
  - c. Other Federal, State, and local resources as necessary to address other business needs that cannot be funded with resource provided under this title;
6. Establishing linkages with economic development activities at the Federal, State, and local levels, including Federal Department of Commerce programs and available State and local business retention, and expansion activities;
  7. 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;
  8. 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;
  9. Engaging in proactive measures to identify opportunities for potential economic transition and training needs in growing industry sectors or expanding businesses; and
  10. 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 reemployment.

**Action**

Region 11 will ensure this policy and all related technical assistance documents are fully implemented.

**Effective Date**

Immediately

**Ending Date**

Upon rescission