

AUTHORITY: The Michigan Works! Southwest Workforce Development Board is established under the Workforce Innovation and Opportunity Act of 2014, and subsequent changes. The Board is assigned the responsibility to set policy for the workforce investment system within the local area.

ORDER OF PRECEDENCE: Where any part of this policy is determined to conflict with any federal, state or local policy, the federal, state, and then local policy will take precedence without affecting any other part or parts of this policy.

Rapid Response Activities

BACKGROUND

The purpose of Rapid Response is to promote economic recovery and vitality by developing an ongoing, comprehensive approach to identifying, planning for, and responding to layoffs and dislocations and preventing or minimizing their impacts on workers, businesses and communities. Rapid Response is a primary gateway to the workforce system for both dislocated workers and employers and is a component of a demand-driven system. Rapid Response helps laid-off workers quickly transition to new employment. Rapid Response acts as both a provider of direct reemployment services and as a facilitator of additional services and resources.

The Workforce Innovation and Opportunity Act (WIOA) holds States responsible for the provision of Rapid Response services. The State's workforce development department maintains responsibility for ensuring compliance with federal and state requirements, implementation of program initiatives, and providing support, guidance, technical assistance and financial resources to the local service delivery areas known as Michigan Works! Areas (MWAs). As such, the State's workforce development department will remain the State's designated recipient of Worker Adjustment & Retraining Notifications (WARNs) to fulfill its statutory requirements. It is the expectation that the State and MW areas, along with other key partners, will act in coordination during all layoffs that occur in a region regardless of the size of the event.

This policy describes the role of the Michigan Works! Southwest Agency in the coordination of local Rapid Response services with those provided by the State's Rapid Response Section.

SCOPE

All workforce development programs, services and activities under the auspices of the Michigan Works! Southwest Workforce Development Board (WDB).

REFERENCES

Workforce Innovation and Opportunity Act (WIOA) of 2014

Worker Adjustment & Retraining Notification (WARN) Act of 1998

The Trade Act, all versions (TAA Of 2002, TGAAA of 2009, TAAEA of 2011 and TAARA of 2015)

Michigan workforce development department's Trade Manual, May 10, 2019 and subsequent changes

Michigan workforce development department's Workforce Innovation and Opportunity Act (WIOA) Manual, November 8, 2019 and subsequent changes

20 CFR Part 682 – Statewide Activities under Title I of the Workforce Innovation and Opportunity Act (WIOA)

Training and Employment Notice (TEN) 31-11 The Rapid Response Framework

Training and Employment Notice (TEN) 9-12 Layoff Aversion in Rapid Response Systems

Training and Employment Notice (TEN) 32-11 Rapid Response Self-Assessment Tool

Training and Employment Guidance Letter (TEGL) 19-16 Operating Guidance for WIOA

POLICY

Rapid Response takes an ongoing, comprehensive approach to planning, identifying, and responding to layoffs, and preventing or minimizing their impacts whenever possible.

To ensure high quality and maximum effectiveness, successful Rapid Response strategies must include at least the following:

- A. layoff aversion as a required activity;
- B. convening, facilitating, and brokering connections, networks, and partners;
- C. strategic planning, data gathering, and data analysis designed to prepare for, anticipate, and manage economic transition;
- D. informational and direct reemployment services for workers; and
- E. solutions for businesses in transition; growth and decline.

Using the demand driven approach and the local business service teams, employer engagement through industry cluster initiatives and professional and civic organizations must focus on relationship development. These relationships serve as vehicles for information sharing and increasing the awareness of local, regional and state resources that support positive talent development and business viability.

I. Coordination of Rapid Response Activities

- A. In the Michigan Works! Southwest area, Rapid Response activities will be coordinated through the Michigan Works! administration office.
- B. The Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker and Employment Services (ES) programs must each designate a staff position to serve as contacts for local Rapid Response service delivery.

II. Lay-off Aversion Strategies and Activities

- A. Layoff aversion consists of strategies and activities to prevent, or minimize the duration of, unemployment resulting from layoffs.
- B. Strategies are customizable, quickly deployable, informed by economic data, and inclusive of multiple partners.
- C. Local layoff aversion activities may include, but are not limited to, the following:
 1. Ongoing engagement, partnership, and relationship development activities with businesses in the Michigan Works! Southwest (MWSW) area.
 2. Identifying and connecting businesses to training resources for incumbent worker up-skilling, new employee development, On-the-Job Training (OJT), customized training and apprenticeships.
 3. Establishing linkages with economic development organizations at the federal, state, regional, and local levels including retention and expansion activities.

4. Participating in activities to support identified at-risk business to regain viability.
5. Providing assistance to businesses to identify workforce needs, delivering services to address the needs, and when necessary, assisting with the needs related to workforce reductions.

III. Dislocated Worker Surveys (DWS)

- A. Dislocated Worker Survey (DWS) will be used to collect accurate data from the affected dislocated worker population.
 1. A DWS is to be administered to every impacted employee present at a worker orientation. (Also see Section IV.E.2. of this policy.)
 2. Completed DWS forms must be mailed back to the State's workforce development office. The submission of the DWS forms will be managed by the MWSW administration office.
 3. The State workforce development office will aggregate the data and produce a "labor shed snapshot" to be shared with the Rapid Response partners.

IV. Rapid Response Service Delivery

- A. As partners in the Rapid Response service delivery, the State of Michigan and the MWSW administration must each immediately notify the other partner when a WARN or other notification of a mass layoff or business closing is received.
- B. The parties will exchange information gathered as part of the notification and then mutually agree who will serve as the lead contact with the business, the MWSW administration or the State's workforce development department. The identified lead will be responsible for the timely dissemination of information to other partners and key stakeholders to ensure accurate and up-to-date information is available.
- C. The lead organization must contact the business to gather additional information about the dislocation and arrange a Rapid Response meeting between key business personnel, local union officials, as applicable, and representatives from Michigan Works! Southwest, the State's workforce development department, the State's Unemployment Insurance Agency (UIA) and other relevant local partners.
- D. At the Rapid Response meeting, each entity attending must provide information about the services and resources available to support both the business and the dislocated workers. Agreement must also be requested from the employer to schedule on-site worker orientation meetings.
- E. Worker orientation meetings will be scheduled to encourage participation from as many affected workers as possible, including those on off shifts and at satellite locations.
 1. Topics covered at the orientation sessions must include UIA claim filing information, local reemployment resources available, information about training options, and area resources applicable to unemployed individuals.
 2. MWSW Rapid Response staff must administer the state required Dislocated Worker Surveys during the worker orientation meetings and process the surveys according to the State's policy.
 3. If the business does not agree to on-site worker orientation meetings or timing does not allow the meetings to be scheduled prior to dislocation, efforts must be made to provide printed materials to the affected works or arrangements made for off-site worker orientations.

V. Joint Adjustment Committee (JAC)

- A. During the initial meeting with the company and where applicable, a member of the MWSW Rapid Response team will discuss the role of a Joint Adjustment Committee

(JAC) and offer the option of forming a JAC to aid in the planning of transition services for impacted workers.

The option of forming a JAC will continue to be available throughout the Rapid Response process.

- B. The MWSW agency will utilize State policies and resources to provide any guidance needed for the JAC to devise and oversee an implementation strategy that responds to the reemployment needs of the workers.
- C. The MWSW agency will administer the JAC funds according to the terms and conditions established by the State of Michigan workforce development department.

VI. State Adjustment Grants (SAGs)

- A. As available, the MWSW agency may apply for State Adjustment Grant (SAG) funding to support re-employment and training activities for workers impacted by plant closures, mass lay-offs, and/or natural (or other) disasters.
- B. Local circumstances which would activate a request for a SAG may include, but is not limited to the following:
 - 1. a specific level or percent of local Dislocated Worker formula funding expended, obligated and/or unobligated,
 - 2. specific level or percent of local and/or regional unemployment,
 - 3. the size of an actual or potential dislocation event,
 - 4. the time period between local dislocation events, etc.
- C. Utilizing applicable State policy, the MWSW agency will complete the application for SAG funding and administer the funds according to the terms and conditions of the final agreement reached with the State's workforce development department.

VII. National Dislocated Worker Grants (NDWGs)

- A. The MWSW agency may apply for a National Dislocated Worker Grant (NDWG) which is discretionary funding awarded by the U.S. Secretary of Labor to serve dislocated workers and other eligible individuals affected by major economic dislocations, emergencies or disasters.
 - 1. Early assessment of the needs and interests of the impacted workers must be gathered using the Dislocated Worker Survey (DWS). (Also see Section III "Dislocated Worker Survey" of this policy.)
 - 2. The MWSW administration is responsible for contacting the State's workforce development department regarding a NDWG application.
 - 3. The State's workforce development department will work with MWSW to determine if applying for a NDWG is the appropriate action to secure additional funding to service the affected workers.

VIII. Contact Information for all Rapid Response Activities

All communications related to Rapid Response activities should be directed to the following:

Ashley Iovieno, Business Services Manager
Michigan Works! Southwest
222 S. Westnedge
Kalamazoo, MI 49007
269-385-0470
iovieno@ujohn.org

**INITIAL EFFECTIVE
DATE**

8/2/2012

APPROVED

Initial Policy	WDB Executive Committee	8/2/2012
Revision 01	Workforce Development Board	9/6/2012
Revision 01	WDB Executive Committee	10/15/2014 <i>(All WDB policies accepted to apply to all four counties)</i>
Revision 02	WDB Executive Committee	6/17/2015
Revision 03	WDB Executive Committee	4/10/2020

EXPIRATION

Ongoing