

Oregon Dislocated Worker Unit - Rapid Response Policy
Attachment A: Local Plan Rapid Response Required Documents

LWDB Rapid Response Prevention, Informational, and Engagement documents must align with or link to LWDB Rapid Response Policy. The documents listed must be included in their Local Plan and will be reviewed as part of the Rapid Response System monitoring. Attachment A will be updated as needed.

Prevention: LWDB Rapid Response Layoff Aversion Strategy Document

1. Layoff Aversion is a required Rapid Response service. LWDBs must ensure Layoff Aversion strategies are prioritized, as first priority of Rapid Response is to focus on preventing layoffs or minimizing their negative impacts. ([20 CFR 682.330](#))
2. LWDBs must create a Layoff Aversion strategy document that outlines their strategies and activities as part of their Rapid Response System. Layoff Aversion activities may encompass many strategies to allow for adaptability and flexibility of the situation. The strategies must deliver solutions to address the needs of businesses in transition, provided across the business lifecycle (expansion and contraction) and includes comprehensive business engagement. Layoff aversion strategies must be proactive, data-driven and engaged with businesses. ([20 CFR 682.320](#))
 - a. LWDB layoff aversion strategy and activities may include developing, funding, and managing incumbent worker training (IWT) programs or other worker upskilling approaches as long as IWT is part of the LWDB layoff aversion strategy and the LWDB complies with any Incumbent Worker Training policy(ies) and procedures. ([TEGL 19-16 page 17](#))
3. LWDB Layoff Aversion protocols which outline the process, roles and responsibilities to address the implementation and evaluation of listed strategies and activities. The protocols must also include a locally developed systems and processes to: ([20 CFR 682.330 g1-3, h1-2](#))
 - a. Develop mechanisms for gathering and exchanging information and data relating to potential dislocations, available resources, and the customization of layoff aversion activities. These should ensure the ability to provide rapid response services as early as possible by developing and maintaining partnerships with: employer associations, technical councils, other industry business councils, labor organizations, public and private organizations and other appropriate federal, state and local agencies and officials as applicable;
 - b. Identify and gather information for early warning of potential layoffs or opportunities for layoff aversion;
 - c. Analyzing, and acting upon, data and information on dislocations and other economic activity in the local area; and
 - d. Track outcome and performance data and information related to the activities of the rapid response program.

Informational: LWDB Rapid Response Framework Document

([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

1. Provide the Rapid Response structure identifying how many Rapid Response teams are required to serve the workforce area and how they are identified such as by region, city, North/South and the boundaries they serve and how the identified structure will be evaluated to ensure capacity to provide local Rapid Response services when required. Within the Rapid Response structure provide:
 - a. who is responsible to build and maintain memberships in the local Rapid Response Team(s);
 - b. the organization and title of the staff to serve as WSO Rapid Response Coordinator for each team;
 - c. the organization and title of Rapid Response team(s) members which includes at a minimum;
 - d. WSO staff (Title I and Wagner-Peyser), Trade Act Navigators, and Business Services staff; and
 - e. who is responsible for leading a regular Rapid Response team meeting to provide but not limited to:
 - i. how often team planning meetings will occur;
 - ii. train team members on local RRIS process and procedures for large and small layoffs;

- iii. train team members on how to coordinate and or facilitate a RRIS;
 - iv. train team members on required WSO presentation information and material;
 - v. build the WSO staff familiarity and information on Rapid Response to have capacity to provide RRIS when required;
 - vi. develop strategies for addressing dislocation events and ensuring timely access to a broad range of necessary assistance;
 - vii. ensure the ability to provide RRIS as early as possible by implementing a communication plan for gathering and exchanging information and data relating to potential dislocations, resources available, and the customization of rapid response activities.
2. Provide the board staff position to serve as the Dislocated Worker Liaison to be the Rapid Response point person to coordinate with the state Oregon Dislocated Worker Unit.
 3. Provide how the Rapid Response Team structure will have the needed capacity to ensure coordinated responses to dislocation events and ensure the ability to provide Rapid Response services as early as possible. Provide how the team structure will develop and maintain partnerships with employer associations, technical councils, industry business councils, labor organizations, other public and private organizations, and other appropriate Federal, State and local agencies and officials as applicable.
 4. Provide Rapid Response Roles and Responsibilities for:
 5. LWDB Dislocated Worker Liaison. Which must include but are not limited to:
 - a. Serve as the LWDB contact listed publicly by the DWU for local notification of layoff and closures;
 - b. Disseminate layoff and closure information to Rapid Response Coordinator(s) and activate Rapid Response Team(s) ensuring Rapid Response Information Sessions are provided when required;
 - c. Attend statewide DWU technical assistance meetings and trainings and ensure information and guidance is disseminated to local WSO Rapid Response Coordinator(s), Rapid Response Team members and when appropriate through the local communication plan;
 - d. Coordinate with the DWU Rapid Response additional assistance requests and documentation;
 - e. Manage local staff and partner access to Oregon Rapid Response Tracking System (ORRATS) responsible for approving and requesting access from the DWU for the local board area;
 - f. Coordinate and/or request Rapid Response technical assistance from the Dislocated Worker Unit;
 - g. Coordinate with the Trade Act Petition Coordinator for TAA Petition filing and certification to ensure dissemination of information and Rapid Response services are provided to trade affected and potential trade affected workers;
 - h. Coordinate and consult with the DWU State Labor Liaison when affected workers are represented by a union prior to scheduling a RRIS;
 - i. Notify the State Rapid Response Coordinator when a local Rapid Response team, or local partner becomes aware of a WARN-level layoff or closure event, to discuss the event and begin formulating strategies for carrying out rapid response activities; and
 - j. Notify the DWU regarding Large Layoffs in the local area and when a RRIS presenter contact is unable to provide or schedule the required in person presenter.
 6. Identify person(s) responsible for:
 - a. the Initial Contact with the Employer to verify the layoff entering the data in the Oregon Rapid Response Activity Tracking System (ORRATS);
 - b. coordination, scheduling, and tracking the onsite in-person Employer Meeting;
 - c. contacting and consulting with the State Labor Liaison when affected workers are represented by a union prior to a Large or Small RRIS being scheduled or services provided;
 - d. coordination, scheduling, and tracking of a Large RRIS;
 - e. coordination, scheduling, and tracking of a Small RRIS;
 - f. collecting attendance at Large and Small RRIS and ensuring the attendance is reported to Trade Act for DOL reporting;

- g. scheduling WSO RRIS presenters; and
 - h. scheduling Business Services RRIS presenters.
7. Identify any locally determined required Large RRIS in-person presentations such as DHS or Community College that must be provided along with the required in-person presentations from UI, Business Services, Oregon Healthcare Marketplace, WSO Programs and Services, Trade Act or Union when needed.
 8. Identify how WSO staff providing the Small RRIS (9 or less workers) are trained to present the required information and materials in a small group or one on one with affected workers:
 - a. when UI and Oregon Healthcare Marketplace partner presenters are not required or requested; and
 - b. required information and material to be covered include at a minimum UI, Business Services, Oregon Healthcare Marketplace, WSO and Trade Act and Union when needed.
 9. WIOA allows some flexibility with Rapid Response funds. Provide any other optional strategies or activities the LWDB has created and will implement in order to prepare for and respond to dislocation events, that are intended to minimize the negative impacts of dislocation on workers, businesses, and communities and to ensure that workers impacted by layoffs are able to be reemployed as quickly as possible.
[\(TEGL 19-16 Other Allowable Activities page 28\)](#)
 10. Provide any other optional strategy(s) and activities if the LWDB when circumstances allow, plans to provide guidance and/or financial assistance to establish community transition teams to assist the impacted community in organizing support for dislocated workers, and in meeting the basic needs of their families. Such assistance can include, but is not limited to providing heat, shelter, food, clothing and other necessities and services that are beyond the resources and ability of the WorkSource network to provide.
[\(TEGL 19-16 Other Allowable Activities page 28\)](#)
 11. Provide Rapid Response Contact Information to the Oregon Dislocated Worker Unit updated as needed and must include:
 - a. LWDB Dislocated Worker Liaison;
 - b. LWDB Program Manager, if different from the Dislocated Worker Liaison;
 - c. WSO Rapid Response Coordinator;
 - d. WSO Rapid Response Team members (which include WSO staff (Title I and Wagner-Peyser), Trade Act Navigator, WSO Business Service staff, and any additional partner team members);
 - e. WSO Manager for each Rapid Response team identified;
 - f. OED Area Manager;
 - g. Designated Statewide Presenter Contacts for OED Unemployment and Oregon Healthcare Marketplace; and
 - h. Designated Local Presenter contacts for WSO Services and WSO Business Services.
 12. Provide procedures to ensure when layoff or closure information is to be considered confidential it is protected to minimize any negative impact to the business and its employees. Ensure confidential information is shared with the State Labor Liaison and the DWU and is identified as confidential as needed.
 13. Provide a Communication Plan that ensures:
 - a. How and when communication will be provided between those providing Layoff Aversion Strategies and those providing Rapid Response Information Sessions to keep both well informed of what each are undertaking.
 - b. How and when communication will happen throughout the local workforce area to:
 - i. Identify Potential Layoffs – to provide the LWDB Dislocated Worker Liaison and the WSO Rapid Response Coordinator immediate information when any WSO staff or partner hears a rumor or possibility of a layoff or closure to ensure the Rapid Response designated staff contact the employer to verify the potential layoff with 48 hours.

- ii. Keep WSO Staff Informed Regarding Rapid Response and RRIS. To inform all staff and partners information regarding what a Rapid Response is and when a Large or Small Rapid Response Information Session will happen. This will ensure WSO staff working with individual participants from that layoff or closure have the Rapid Response information. Understand customers connected to a layoff or closure should be considered eligible for Dislocated Worker Services.
 - c. How and when communication will happen with all Rapid Response Team members, Business Services, Rapid Response partners and the Oregon Dislocated Worker Unit:
 - i. When Layoff or Closures are verified, when large or small RRIS are scheduled and what is known about the employer situation and what is known about the number of workers and their situation.
 - d. How will case management services be coordinated between programs.
14. Provide how Rapid Response Teams and Rapid Response Information Sessions will be evaluated and how continuous improvement will be implemented.

Informational: LWDB Rapid Response Information Session (RRIS) Process and Procedures Document

([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

1. Rapid Response teams must be directed to provide RRIS to all affected workers regardless of whether employers choose to participate. That includes:
 - a. Announcement or notification of a permanent closure, regardless of the number of workers affected;
 - b. Announcement or notification of a (Mass Layoff) Large Layoff as defined as 10 or more affected workers;
 - c. A mass job dislocation resulting from a natural or other disaster;
 - d. The filing of a Trade Adjustment Assistance (TAA) petition, which includes two or more affected workers;
 - e. When a Worker Adjustment and Retraining Notification (WARN) Act notice has been filed, regardless of the number of workers affected by the layoff announced; and
 - f. When a TAA petition is certified. Individual affected workers must be provided RRIS or be documented as already having received.
2. Provide Large Layoff (10 or more workers) required In-Person presentations must include at a minimum:
 - a. OED Unemployment Insurance presentation;
 - b. OED Business Services presentation;
 - c. Oregon Healthcare Marketplace presentation;
 - d. WSO Programs and Services presentation;
 - e. Trade Act and or Union presentation when needed; and
 - f. Additional required in-person presentation locally determined.
3. Small Layoff regardless of the number of workers (1-9) affected by a WARN, permanent closure or trade petition do not require an in-person presentation from partners. Small Layoff(s) must follow local procedures to provide staff trained in Rapid Response Information Session materials either in small groups or one on one. Information must include OED Unemployment, OED Business Services, Oregon Healthcare Marketplace, WSO Programs and Services, Trade Act or Union information and materials are provided to affected workers.
4. Describe procedures if the LWDB requires Rapid Response service are additionally provided for a Small Layoff (1-9) for those small groups of workers not affected by a WARN, permanent closure or trade petition.
5. Provide the local Rapid Response Process and procedures built on the seven-phase Rapid Response process which includes:
 - a. Being Ready with the Capacity to Provide Rapid Response and a network to identify potential Layoffs (Research & Discovery);

- b. Access the community for potential Layoff Aversion or pending Layoffs (Activation);
- c. Initial contact to verify the layoff (Layoff Announcement);
- d. On-Site Employer Meeting (Meet with the Employer);
- e. Customize RRIS and Additional Services and or Pre-Layoff Services (Determine Intervention Required);
 - i. Customize for affected worker and employer needs;
 - ii. Customize by convening, brokering, and facilitating the connections, networks and partners to provide assistance to dislocated workers and their families such as home heating assistance, legal aid, and financial advice;
- f. Provide Rapid Response Information Session (Tailor Plan & Carry It Out);
- g. Provide Common Customer Handoff to WSO (Determine & Facilitate Additional Services);
- h. Provide the process describing how the Rapid Response process will ensure when a TAA petition is certified a RRIS will be provided to all workers under the certification who did not previously participate in a RRIS; and
- i. Provide the process describing how the state Labor Liaison is consulted prior to a RRIS being scheduled or services provided when workers are represented by a union.

6. Before A Rapid Response Information Session ([20 CFR 682.310b](#)), [TEGL 19-16 page 24](#))

It is important to build relationships needed to have the capacity to be ready to provide rapid response and have the materials before they are needed to support the RRIS. Provide Process and procedures to incorporate:

- a. Initial Contact. Provide who is responsible for making the initial contact with the company to verify the layoff/closure ***within 48 hours*** to:
 - i. Gather information at a minimum listed on the Employer Contact Information Form to be used in developing the employer on site meeting and tracked into ORRATS;
 - ii. Gathering information must also include an assessment of, and strategy to address: 1) the employer's layoff plans and schedule; 2) the background, probable assistance needs, and reemployment prospects of the affected workers; and 3) resources available to meet the short and long-term assistance needs of the affected workers;
 - iii. Provide a brief explanation of pre-layoff services, RRIS, and why an on-site meeting is important: To gather additional information concerning the layoff; to discuss available resources to assist workers; to determine and schedule appropriate customized services and to coordinate the worker survey;
 - iv. If the layoff is not verified, provide how this is communicated and who tracks in ORRATS;
 - v. If the layoff is verified, provide at a minimum the next steps;
 - vi. Provide who contacts the State Labor Liaison if workers are represented by a union; and
 - vii. Provide who contacts the employer for coordinating the on-site employer meeting.
- b. On-Site Employer Meeting. Provide who is responsible for coordinating the *on-site meeting* with the employer, representatives of the affected workers, union representative and others as requested participants. Provide procedure that ensure the on-site employer meeting includes the assessment of, and plans to address:
 - i. Information listed on the Employer Meeting Contact Form;
 - ii. Information regarding Work Share;
 - iii. Obtain an employee list and their position descriptions;
 - iv. Identify worker and employer needs and expectations to customize the RRIS;
 - v. Timelines and Anticipated layoff schedule;
 - vi. An understanding of the worker survey benefits and agreement on the survey process for distribution and collection prior to RRIS;
 - vii. How completed worker survey results will be used to additionally customize the RRIS;
 - viii. The identification of services being offered by the employer and union (if applicable);
 - ix. An understanding of the work of the employees;
 - x. Coordination and scheduling of the RRIS.

- xi. Determine if pre-layoff services can be provided to the workers before the layoff happens which can include on-site career services;
 - xii. When appropriate discussions regarding the need for labor - management transition teams if voluntarily agreed to by the employee's bargaining representative and management; and
 - xiii. If additional meetings are necessary to accommodate a customized Rapid Response Information Session.
- c. Large Rapid Response Information Session (10 or more workers). Provide who is responsible to:
- i. confirm date and time of the RRIS with a location close to workers;
 - ii. schedule In-Person Presenters - sending email regarding date, time and location of the RRIS, what is known about the employer situation and what is known about the workers to partner contacts to schedule required in-person presentations and to the communication list to provide the RRIS information;
 - iii. confirm with WSO presenter how the handoff to WSO services will be done after the RRIS either by Dislocated Worker Outreach by physically going to a coordinated location at or near the workers' employment location and providing a WSO Enrollment Session or having WSO presenters provide the affected workers with the WSO staff who will be contacting individual workers to set up appointments at the WorkSource Center;
 - iv. customized agenda with required elements and customized resources to meet employer and worker needs from employer meeting and worker surveys;
 - v. confirm Rapid Response Team Member designated to be present and facilitate at the RRIS;
 - vi. confirm Agenda and RRIS Evaluation Printed;
 - vii. confirm written materials needed are on hand – (Develop packets if needed);
 - viii. confirm In-Person Presenters or call Oregon Dislocated Worker Unit if needed;
 - ix. confirm Location needs, microphone, computer, projector, WIFI, table, chairs, and presenters need;
 - x. confirm presenters know what to expect from worker audience or any needed knowledge of the workers or situation; and
 - xi. data entered into ORRATS.
- d. Small Rapid Response Information Session (1-9 workers) Provide who is responsible to:
- i. confirm date and time of the small group RRIS with a location close to workers or if RRIS will be done one on one;
 - ii. schedule WSO presenter - sending email regarding date, time and location of the small RRIS, what is known about the employer situation and what is known about the workers to the WSO staff providing the RRIS and the communication list to provide the small RRIS information;
 - iii. customized agenda with required information and customized resources to meet employer and worker needs using employer meeting and worker surveys;
 - iv. confirm Agenda and RRIS Evaluation Printed;
 - v. confirm written materials needed are on hand – (Develop packets if needed);
 - vi. confirm WSO presenter(s) scheduled and trained to provide UI, Business Services, Oregon Healthcare Marketplace, WSO Programs and Services, Trade Act and Union when needed;
 - vii. confirm WSO presenters know what to expect from worker audience or any needed knowledge of the workers or situation; and
 - viii. input data into ORRATS.
- e. During a Rapid Response Information Session ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))
- i. Provide procedures regarding the responsibility to arrive early to set up the room and materials and any presentation needs;
 - ii. Provide procedures on who is responsible to provide agenda, packet of information, session evaluation, worker survey, attendance list;

- iii. Provide procedures on who serves as the RR Lead responsible to facilitate the RRIS and welcome workers, introduce presenters and explained meeting purpose, and reintroduces worker survey; and
 - iv. Provide procedures on who is responsible to confirm with WSO presenter how the handoff to WSO services will be done after the RRIS either by Dislocated Worker Outreach by physically going to a location at or near the workers employment location and providing a WSO Enrollment Session or having WSO presenters provide the affected workers with the WSO staff who will be contacting them to set up appointments at the WorkSource Center.
- f. After a Rapid Response Information Session (20 CFR 682.310b), (TEGL 19-16 page 24)
- i. Provide who is responsible to communicate with the Rapid Response communication list when a RRIS is completed;
 - ii. Provide who is responsible to ensure all data regarding the RRIS is updated in ORRATS;
 - iii. Provide who is responsible to provide the RRIS Attendance list to Trade Act for DOL reporting;
 - iv. Provide how the session evaluations will be reviewed at RR team meetings for best practices or session improvements;
 - v. Provide who is responsible for the coordination of the transition from the RRIS to receiving WSO services that includes:
 - 1. Common Customer Handoff from a RRIS to WSO Reemployment Services; or
 - 2. WSO Enrollment Session.

Engagement: LWDB Rapid Response Engagement Document

(20 CFR 682.310b), (TEGL 19-16 page 24)

1. Provide how the LWDBs will coordinates service delivery with contracted providers and LLTs and ensure each listed Rapid Response Engagement element will be provided. Refer to Oregon’s Rapid Response policy for a list and details of all elements of each of the following:
 - a. Transition from Informational to Engagement: WSO Coordination of the Common Customer Handoff;
 - b. Engagement: WSO Services Provided to Dislocated Workers;
 - c. Engagement: Co-Enrolling Oregon Dislocated Workers in Additional Programs;
 - d. Engagement: Co-Enrolling Eligible Dislocated Workers When a Trade Petition is Certified;
 - e. Engagement: Case Management Requirements; and
 - f. Engagement: Case Management Between Co Enrollment Programs.