

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit - Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug 12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

Overview

Rapid Response has evolved with WIOA to include partnerships across agencies and organizations in order to meet the intended goal of an integrated service delivery Rapid Response strategy. A strategy for preventing business layoffs and serving those whom have lost their jobs through no fault of their own. It is essential and relevant agencies and organizations within our workforce systems understand or participate in the performance goals regarding dislocated worker services and co-enrollment between the dislocated worker program and Trade Act program. This requires workforce system partners to work together to be aware and to partner when needed to ensure all WorkSource customers are being served. Both WIOA and the Trade Act law requires an integrated service delivery that is the bridge between programs to deliver services to affected workers attending a Rapid Response Information Session, including both potential and trade affected workers into the WorkSource Center for reemployment services to transition them to new employment as quickly as possible.

Rapid Response is not a program, it is an integrated service delivery strategy for business and for a specific population, those in which have lost their jobs through no fault of their own, by a business closure or layoff and for those included on a Trade Act petition or certification. The Rapid Response System has three main components: prevention, informational and engagement.

Prevention - The state designates the Local Workforce Development Board to carry out Layoff Aversion as the first priority of Rapid Response. WIOA requires that Layoff Aversion strategies are in place to deliver solutions to address the needs of businesses in transition, provided across the business lifecycle (expansion and contraction), including comprehensive business engagement and layoff aversion strategies and activities designed to prevent or minimize the duration of unemployment. Layoff Aversion requires networking and partnership, information and data sharing to ensure it is an integrated service delivery strategy. All workforce system programs and services reaching out to business must be able to identify, communicate and or provide access to locally developed and statewide Layoff Aversion strategies and activities available to businesses. It is a required element of Rapid Response to ensure information and access to OED Work Share as a layoff prevention option is provided to employers as needed.

Informational - The state designates the Local Workforce Development Board to carry out Rapid Response Activities as the second priority of Rapid Response. It is essential Rapid Response activities incorporate a local integrated effort among workforce system programs and services to ensure workers being laid off, trade affected workers and potential trade affected workers are provided the information they need and ensure the information is current and correct. Rapid Response Activities has two components: Rapid Response Team(s) (RRT) and Rapid Response Information Session (RRIS).

Rapid Response Team(s) – A Rapid Response Team brings together staff from the local WorkSource center programs and services that both reach out to business and engage customers in reemployment services. To have integrated staff work together to have the capacity and familiarity with local Rapid Response process and procedures to coordinate and or facilitate or be a part of a RRIS when needed. Rapid Response Teams bring together WSO staff, Trade Act Navigators, WSO Business Service staff, and additional identified team partners. LWDB Dislocated Worker Liaisons, WSO Managers, OED Area Manager, Trade Act Navigator, and the State Labor Liaison should be connected to the teams to ensure local system wide communication and guidance.

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

Rapid Response Information Session - RRISs are required to be provided to affected workers when a layoff, closure or trade act petition is filed. There is urgency to provide the required information as soon as possible and the need to customize additional information to the employer and worker needs. Large Layoffs of ten or more workers require in-person partner presentations at the workers location and at the time of day most convenient to the workers. WSO Services and WSO Business Services are two of the programs required to provide a program representative to present information. WIOA lists specific information WSO Services must provide to affected workers. Small Layoffs require all partner program information to be provided to affected workers but presented one on one or in small groups by WSO trained staff who can provide partner program information and materials.

Engagement - The state designates the Local Workforce Development Board to coordinate with WSO Services, Local Leadership Teams and One Stop Operators to establish procedures for RRIS. Procedures must ensure affected workers attending a RRIS are provided a WSO common customer handoff and or coordinated transition to access and engage in WSO services. It is essential service delivery is coordinated to ensure affected workers including potential trade affected workers are provided a seamless transition to WSO assessment and all appropriate WSO career and training services When a Trade Petition is certified coordination with the Trade Act Unit must be established to ensure procedures are in place to locate workers covered under the certification that are not already enrolled as dislocated workers. Efforts to co-enroll those individuals as a dislocated worker must be made or document the individual’s refusal of DW services.

Oregon’s Rapid Response System

One service funded under the Dislocated Worker Program is Rapid Response. The Rapid Response system is a pro-active, business-focused, and flexible strategy designed to respond to layoffs/closures/filed trade petitions quickly coordinating services and providing immediate aid to companies and their affected workers.

Under the WIOA Final Rule at ([20 CFR 682.310a](#)), the state designates the Local Workforce Development Board (LWDBs) to oversee Rapid Response System activities carried out by way of interagency team(s) among WSO partners in conjunction with chief elected officials, and coordinated with Local Leadership Teams(s) as provided by WIOA secs. 133(a)(2) and 134(a)(2)(A). LWDBs are the oversight body for local Rapid Response strategies and activities in their designated area. It is their responsibility to ensure that Rapid Response policies are in place and that they comply with WIOA and state policy. LWDBs do not provide direct Rapid Response or WSO services to businesses and affected workers. It is essential Rapid Response is integrated among workforce system programs and services to deliver services to enable dislocated workers to transition to new employment as quickly as possible. ([WSO Operational Standards](#))

The state established the Oregon Dislocated Worker Unit, the state’s Rapid Response unit responsible for developing policies and practices for Rapid Response, and the unit oversees the rapid response system activities undertaken by LWDBs in conjunction with the Chief Elected Officials (CEOs) and coordinated with the LLT. ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

The state provides a State Labor Liaison as part of the Oregon Dislocated Worker Unit and requires: ([TEGL 19-16 20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

- when the initial employer contact to verify the layoff or closure indicates a union is involved or at any point in the Rapid Response service coordination staff must consult with the State Labor Liaison prior to scheduling a Rapid Response Information Session;
- the State Labor Liaison be consulted and provide guidance when establishing a labor-management transition team or committee if voluntarily agreed to by the employee’s bargaining representative and management.

The Rapid Response System includes Layoff Aversion, supporting businesses in preventing layoffs and Rapid Response Services which plans for and responds by providing a Rapid Response Information Session (RRIS) serving workers when a layoff/closure occur or a Trade Petition is filed. Rapid Response Services enable dislocated workers to transition to new employment as quickly as possible. The purpose of Layoff Aversion and Rapid Response Services is to promote economic recovery by responding to layoffs and dislocations, lessening the impact on workers, businesses, and communities. ([20 CFR 682.330](#))

The state defines “Mass Layoff” as a Large Layoff of 10 or more affected workers. ([20 CFR 682.305](#))

The state and WIOA secs. 133(a)(2) and 134(a)(2)(A) require Rapid Response Information Sessions (RRIS) must be delivered when one or more of the circumstances outlined below occur: ([20 CFR 682.302](#)), ([TEGL 19-16 Section 20 page 33](#)), ([TEGL 19-16 page 25](#))

1. Announcement or notification of a permanent closure, regardless of the number of workers affected;
2. Announcement or notification of a Large Layoff as defined above as a mass layoff;
3. A mass job dislocation resulting from a natural or other disaster;
4. The filing of a Trade Adjustment Assistance (TAA) petition, which includes at least two or more affected workers;
5. The certification of a TAA petition, which includes all workers who are covered by a certified TAA petition who have not individually received information from a Rapid Response Information Session;
6. When a Worker Adjustment and Retraining Notification (WARN) Act notice has been filed, regardless of the number of workers affected by the layoff announced;

LWDBs must ensure that Rapid Response services are reported to the state regarding the receipt of Rapid Response services for that individual when an individual record exists for a WIOA participant. ([TEGL 19-16 page 29](#)), ([20 CFR 682.360](#))

A LWDB staff position must be designated as LWDB Dislocated Worker Liaison to serve as the board liaison and single point of contact to the Oregon Dislocated Worker Unit (DWU). ([20 CFR 682.310b](#)),([TEGL 19-16 page 24](#))

Prevention: LWDB Rapid Response Layoff Aversion Strategy

Layoff Aversion is a required Rapid Response service. LWDBs must ensure Layoff Aversion strategies are prioritized, as the first priority of Rapid Response to focus on preventing layoffs or minimizing their negative impacts. ([20 CFR 682.330](#))

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

LWDBs must outline 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](#))

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](#)) ([20 CFR 682.320](#))

LWDBs Layoff Aversion protocols must outline the process, roles and responsibilities for implementation and evaluation of each strategy or activity. ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

LWDBs Layoff Aversion protocols must also include the locally developed systems and processes to: ([20 CFR 682.330 g1-3, h1-2](#))

- 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;
- Identify and gather 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 local area;
- Track outcome and performance data and information related to the activities of the rapid response program.

LWDB Rapid Response Local Plan Documentation The documents must be included in the Local Plan and will be reviewed as part of the Rapid Response System monitoring. The required documents and content are outlined in Attachment A: *Local Plan Rapid Response Required Documents*. ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

LWDB Rapid Response Policy

LWDBs must ensure Rapid Response Prevention, Informational, and Engagement documents are integrated or linked to their LWDB Rapid Response Policy. ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

Informational: WSO Coordination of WSO Presenter for a Rapid Response Information Session

LWDBs must coordinate WorkSource service delivery with LLTs and provide local WSO Presenter Contact(s) to each Rapid Response Team that will coordinate and assign Rapid Response Information Session WSO presenter(s) when required for “large” in-person WSO Services presentation and a “small” layoff WSO Services presentation(s). ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

LWDBs must coordinate with the LLT to establish process and procedures to ensure:

- The best use of center staff resources to present WSO services at a RRIS that result in seamless services to customers and follow WSO Operating Standards for alignment of services and branding;
- WIOA and the state require specific information be presented regarding WSO programs and services. WSO staff assigned to provide large layoff in-person WSO Services Presentations and small layoff individual or small group presentations are trained in the required presentation information and materials. Meeting the employer and affected worker needs is the highest priority and when the layoff occurs in which in-person on-site is not feasible and a virtual in-person becomes the most valuable way to provide affected workers, that format should be used as long as the affected worker transition to WSO services can be provided;
- Presentations for either a large layoff that requires an in-person presentation or a small layoff that can be provided to an individual worker or in a small group require consistent information and messaging. At a minimum presentation information and material must include all Wagner-Peyser and Title I WorkSource programs and services: Workshops and Services; Career Services, and Training Services; *Guide for Laid Off Workers in Oregon*; Work Share, Pell Grant and GI Bill® Information; Community Resources such as home heating assistance, legal aid, and financial advice and follow any state, LWDB, and LLT guidance;
- How the affected workers attending a WSO presentation will be handed off to WSO staff for access to WSO services by either a person to person common customer handoff with WSO staff at the WorkSource Center or providing a WSO Enrollment Session at the dislocated worker location; and
- The WSO Business Services presentation at a RRIS must be a separate presentation coordinated by the local Business Services Presenter contact.

Transition Affected Workers from Informational to Engagement

LWDBs must coordinate with LLTs and ensure the common customer handoff (i.e. referral to WSO services) or a WSO Enrollment Session transitioning participants of a Rapid Response Information Session to access and receive WSO services as quickly as possible. Options for the transition from a RRIS to WSO services are:

- WSO Common customer handoff;
- WSO Services Enrollment Session provided to affected workers at a WSO center; and
- WSO Services Enrollment Session provided by physically going to a coordinated location at or near the workers employment location.

WSO Enrollment Sessions engage the affected worker with WSO services including the welcome process, assessment and all appropriate WSO career and training services. See Attachment C for additional information on the Dislocated Worker Customer Timeline. When a WSO Services Enrollment Session is provided LWDBs must ensure their process outlines: ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

- To assess the actual needs of the employer and employees;
- Determine if the employer has space available to have the WSO Services enrollment sessions on site, or if another location is more convenient or better suited;
- Determine the most convenient times to schedule the WSO Services enrollment sessions to meet the needs of the employees while being cognizant of the employer needs; and
- Determine if information about WSO Services Enrollment Session can be provided to the employer to distribute to the employees, and email addresses gathered at the RRIS are used to handoff to the WSO Services Enrollment Session or marketed as needed to reach the employees.

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

When a WSO common customer handoff is provided LWDBs must ensure their process outlines the WSO procedures for the common customer handoff. This information must follow:

- [Oregon’s WIOA Policy 121 Memorandum of Understanding and Cost Sharing, Attachment B - Access to Required One-Stop Partner Programs and Services](#);
- [WSO Operational Standards](#) on Serving a Common Customer and Foundations of Services Delivery; and
- follow any state, LWDB, and LLT guidance.

Engagement: WSO Services Provided to Dislocated Workers

LWDBs must ensure WIOA Title I formula funds allocated for dislocated workers provide career services and training services to include potential trade-affected workers impacted by a layoff, closure, disaster or a TAA petition filed who can benefit from WSO services. ([TEGL 19-16 Section 18 b Other required Activities page 28](#))

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers and coordinate with LLTs to ensure the development and implementation of WSO Dislocated Worker Outreach strategies for locating, attracting and retaining dislocated worker participation including potential trade affected workers in workforce programs. Dislocated Worker outreach can include, but is not limited to, physically going to a coordinated location at or near the workers employment location, meeting a participant at a safe location other than WorkSource or setting up a referral process with an agency or organization dislocated workers have contact with regularly. ([20 CFR 682.310b](#)), ([TEGL 19-16 page 24](#))

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers, coordinate with LLTs and ensure all Career Services are made available to all eligible Dislocated Workers including potential trade-affected workers. All of the basic career services described in 20 CFR §678.430(a) must be provided and individualized career services described in 20 CFR §678.430(b) must be made available, if determined appropriate in order for an individual to obtain or retain employment. ([TEGL 19-16](#)), ([TEGL 19-16 Section 18 b Other required Activities page 28](#))

LWDBs must ensure that policies and procedures outline the following expectations:

- Individual Employment Plan (IEP) is completed for any Dislocated Worker for whom an initial assessment indicates that Individualized Career Services are appropriate. IEPs or supporting documentation must indicate how determinations were made regarding the appropriateness of basic and individual career services to assist an individual in obtaining or retaining employment; ([TEGL 4-20](#))
- An assessment (other than an eligibility assessment) is considered to be a type of basic career service that does trigger participation. A referral to employment (when a specific individual or group of individuals is referred to a specific job or jobs) is the only type of referral that would trigger participation. Referrals alone to other programs and services do not trigger participation. However, referrals that are generated as a result of a service, such as career counseling, trigger participation. Simple searches of job boards or automated emails are not considered to be referrals to employment, as they are informational in nature and contain publicly available information; ([TEGL 19-16 Section 16 page 20](#))
- Follow-up services, as described in §678.430(c), be made available for a minimum of 12 months following the first day of employment, to participants who are placed in unsubsidized employment; and

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

- Follow-up career services are not a qualifying service for the receipt of supportive services; therefore, an individual who is only receiving “follow-up” services may not receive supportive services. [\(TEGL 19-16 Section 4 page 3\)](#)
 - Examples of DW follow-up services include, but are not limited to the following:
 - Career Counseling individuals about the workplace;
 - Contacting individuals or employers to verify employment;
 - Assistance with work-related problems;
 - Required contact with the participant’s employer;
 - Peer support groups;
 - Supportive service referrals; and
 - Information regarding educational opportunities.
 - Follow-up services are provided to ensure that the participant is able to retain employment, realize wage increases, and facilitate career progression. Follow-up services must include at least one contact every sixty (60) days for the first six (6) months, and then one time every ninety (90) days for the remainder of the twelve (12) month follow-up. Contacts made only for securing documentation in order to report a performance outcome is not a valid Follow-Up attempt.

Engagement: Co-Enrolling Oregon Dislocated Workers in Additional Programs

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers and coordinate with LLTs and ensure co-enrolling WIOA Dislocated Workers includes a broad range of programs and services available through other workforce programs in order to produce successful outcomes. Such programs may include, but are not limited to, Trade Adjustment Assistance Program (TAA) Wagner-Peyser Act Employment Service (ES) activities, WIOA Adult program, WIOA DWGs, Unemployment Insurance (UI), other WIOA partner programs, faith-based and community-based programs, vocational rehabilitation services, and services for veterans.

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers and coordinate with LLTs and ensure co-enrolling WIOA Dislocated Workers in other applicable programs is used as a tool to reduce duplicative and administrative activities in order for service delivery partners to use their resources for value-added services. [\(TEGL 4-20\)](#)

Engagement: Co-Enrolling Eligible Dislocated Workers When a Trade Petition is Certified

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers, coordinate with LLTs to ensure processes and procedures are in place that, within 14 business days of being notified of a TAA petition certification, Rapid Response staff will coordinate with TAA staff to ensure all individual workers covered under the certification are provided required RRIS if a worker has not attended a Rapid Response event before certification, or for additional workers identified upon certification. [\(TEGL 19-16 Section 20\)](#) [\(TEGL 4-20\)](#)

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers, coordinate with LLTs to have processes and procedures in place that ensure an eligible dislocated worker covered by a TAA certification is enrolled in the Dislocated Worker program within 60 days of being notified that the worker is covered by the certification, unless the individual refuses, is ineligible, or is unable to be contacted after a minimum of 3 attempts. [\(TEGL 19-16 Section 20\)](#) [\(TEGL 4-20\)](#)

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

LWDBs and LLTs must identify the data system and ensure procedures are in place to document eligible Dislocated Workers covered by a TAA certification, DW program and services refusal and/or attempts to contact the individual and results. This documentation must include: ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))

- The Rapid Response Event / Trade Certification the individual is connected to;
- Individuals name and contact information used;
- Date(s), method(s), and results of all contact efforts; and
- Customer’s refusal (if received) and staff recording the refusal.

LWDBs must oversee the coordination of WorkSource service delivery with contracted providers, coordinate with LLTs and ensure the development and implementation of WSO Dislocated Worker outreach strategies for those impacted by a TAA Certification for locating, attracting and retaining trade affected workers not already being served to participate in WSO programs. Dislocated Worker outreach strategy for those impacted by a TAA Certification can include, but is not limited to, by physically going to a coordinated location at or near the workers employment location or meeting a worker at a safe location other than WorkSource or setting up a referral process with an agency or organization dislocated workers impacted by a TAA Certification have contact with regularly.

- LWDBs must oversee the coordination of WorkSource service delivery with contracted providers and coordinate with LLTs and ensure all Career Services are made available to all eligible Dislocated Workers covered by a TAA Certification. All of the basic career services described in 20 CFR §678.430(a) must be provided and individualized career services described in 20 CFR §678.430(b) must be made available if determined appropriate, in order for an individual to obtain or retain employment. ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))
- LWDBs must work with contracted providers to make employment and case management services available, including placement and referrals to supportive services and follow-up services available to trade-affected workers during training, and after completion of training, and for Adversely Affected Workers (AAWs) on a waiver from training. ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))

LWDBs must work with contracted providers to ensure Dislocated Worker follow-up services, as described in 20 CFR 678.430(c) are made available for a minimum of 12 months following the first day of employment, to participants who are placed in unsubsidized employment. ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))

LWDBs must work with contracted providers to ensure dislocated worker eligibility consideration is given to partially separated workers and Adversely Affected Incumbent Workers (AAIW) from a TAA certified company that have not been totally, or are partially, separated from adversely affected employment and that TAA staff should determine, on an individual basis, affected staff are threatened with total or partial separation. In certain circumstances, such as a general announcement of a closure, partially separated workers and AAIWs may meet the eligibility criteria as a dislocated worker under WIOA and must also be co-enrolled. ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))

Engagement: Case Management Requirements

LWDBs must ensure an Individual Employment Plan (IEP) is completed for any Dislocated Worker for whom an initial assessment indicates that Individualized Career Services are appropriate. IEPs or supporting documentation must indicate how determinations were made regarding the appropriateness of basic and individual career services to assist an individual in obtaining or retaining employment. ([TEGL 19-16 Section 20](#)) ([TEGL 4-20](#))

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

Engagement: Case Management Between Co Enrollment Programs

LWDBs must oversee and work with contracted providers to ensure local case management between any program in which co-enrollment has occurred is communicated, coordinated, and documented in participant files as appropriate. WIOA and TAA program funds must be managed in a coordinated manner to best meet the needs of the workers while abiding by all applicable statutes, regulations and federal policies. [\(TEGL 4-20\)](#)

LWDBs must oversee and work with contracted providers to ensure Title I DW staff coordinate with TAA case managers to review training and service options including, but not limited to, assessments, labor trends, employability of an eligible worker, training eligibility, cost and co-funding sources, and the status of an eligible worker’s UI benefits. Ensuring all services rendered are based on customer need, availability of resources, and the guidelines of the funding sources. Title I DW staff will share all renditions of the Title I IEP and other program documentation between programs as modifications occur. [\(TEGL 4-20\)](#)

LWDBs must oversee and work with contracted providers to ensure WIOA staff and TAA Case Managers create a partnership and collaboration in which required assessments and documents are shared to avoid duplication of services and improves communication on benefits provided to the customer. Both programs are required to coordinate and leverage each other’s IEP; however, supplemental information is needed to meet individual program requirements and to actively include the customer. The requirements for each program’s IEP do have differences but efforts must be made to remove duplication and provide seamless service delivery. [\(TEGL 19-16 Section 20\)](#) [\(TEGL 4-20\)](#)

LWDBs must coordinate WorkSource service delivery with LLTs and ensure WIOA aligns with and braids WIOA and TAA resources on behalf of common customers. In all cases, it is important that services be customer-centric with topmost focus on the customer goals, services and outcomes and not the program or funding stream.

Effective Date

TBD

Required Action

Each LWDB must establish service policies or procedures that align with and reference the Policy and corresponding Attachment A-C. Each LWDB must provide the required *Rapid Response Local Plan Documentation* in their Local Plan.

Contact

Questions are to be referred to the Oregon Dislocated Worker Unit, Office of Workforce Investments at HECC.DW-OREGON@hecc.oregon.gov

Attachments

- Attachment A: Local Plan Required Documents
- Attachment B: LWDB Rapid Response System Diagram
- Attachment C: Dislocated Worker Customer Timeline for Rapid Response, WorkSource, Dislocated Worker & Trade Act Services

Attachment A-C to this policy will be updated as needed.

Office of Workforce Investments Policy Draft	
Focus: <input checked="" type="checkbox"/> WIOA Title I <input type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:	
Oregon Dislocated Worker Unit – Rapid Response Policy	
First Draft: July 27, 2021	First Draft Comment Due: August 11, 2021
Draft Finalized for Public Comment: Aug.12, 2021	30 Day Comment Period: August 13 – Sept.13, 2021
Final Policy to Template: []	Final Policy Posted: []

References

- [Workforce Innovation and Opportunity Act](#) (WIOA) (July 22, 2014);
- [Chapter 2 of Title II of the Trade Act of 1974, as amended](#);
- [WIOA Final Rule](#), 20 CFR Parts 680 and 687, 81 FR 56071 (August 19, 2016);
- [Trade Adjustment Assistance Under the Trade Act Of 1974, as Amended](#), 20 CFR Part 618, 85 FR 51896 (August 21, 2020);
- [20 CFR 618.325](#) *Integrated service strategies and Workforce Innovation and Opportunity Act co-enrollment*;
- [Training and Employment Guidance Letter \(TEGL\) 04-20](#) - *Guidance on Integrating Services for Trade-Affected Workers under the TAA Program with the WIOA Title I DW Program*, October 29, 2020;
- [Training and Employment Guidance Letter \(TEGL\) 19-16](#) *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules* (March 1, 2017);
- [Training and Employment Guidance Letter \(TEGL\) 14-18](#), *Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)* (March 25, 2019);
- [Training and Employment Guidance Letter \(TEGL\) 16-16](#), *One-Stop Operations Guidance for the American Job Center Network*, dated January 18, 2017;
- [Training and Employment Notice \(TEN\) 21-07](#) *Effective Use of Assessment in the Public Workforce Investment System and Transmittal of Testing and Assessment: A Guide to Good Practices for Workforce Investment Professionals* (December 13, 2007);
- [WorkSource Oregon Operational Standards](#); and
- [Oregon’s WIOA Policy 121](#) *Memorandum of Understanding and Cost Sharing, Attachment B - Access to Required One-Stop Partner Programs and Services*

Legend

First Draft: July 27, 2021 the first draft was sent for review and comment to:

- Members of the State and Local Policy Work Group, local WIOA Compliance/Program managers, and Finance managers
- Individuals who have been identified as the points of contact/communication for local area one-stop operator entities
- OWI staff

First Draft Comment Due: August 11, 2021 COB staff/workgroup comments are to be returned on a separate document to the HECC Dislocated Worker Unit email inbox HECC.DW-OREGON@hecc.oregon.gov

Draft Finalized for Public Comment: August 12, 2021; no comments were received during the above review period.

30 Day Comment Period: Posted for public comment on August 13, 2021; comments must be received by 5 pm September 13, 2021.

Final Policy to Template: Date that the policy is finalized and moved to the Policy template for posting. Means that all the comments were reviewed, and action determined and taken as appropriate.

Final Policy Posted: Date that the policy was put on the State website.