# Attachment Q

# PROCEDURE FOR RAPID RESPONSE

**Purpose**

To explain the process for Rapid Response in the Local Area. Rapid response encompasses strategies and activities necessary to (1) plan for and respond to as quickly as possible following either an announcement of a closure or layoff, or mass job dislocation resulting from a disaster, natural or otherwise; and (2) deliver services to enable dislocated workers to transition to new employment as quickly as possible.

# Policy

A Rapid Response activity is an activity provided by the state, or entity designated by the State, to respond to a plant closure or mass layoff at a plant, facility or enterprise, or a natural or other disaster that results in mass job dislocation. The activity provides assistance to the dislocated workers in obtaining reemployment as soon as possible.

Rapid Response is a required activity under the Workforce Innovation and Opportunity Act (WIOA), to be carried out in local areas by the state in conjunction with the local board, Chief Elected Officials, and other stakeholders.2 The Governor shall reserve up to 25 percent of the total annual Dislocated Worker funds awarded to the state for dislocated worker employment and training activities for a fiscal year for statewide rapid response activities.

The Nebraska Department of Labor (NDOL), Office of Employment and Training (OET) manages Rapid Response activities through the Rapid Response staff. This Rapid Response staff is responsible for the planning and delivery of services to enable dislocated workers to transition to new employment as quickly as possible in the event of a permanent closure, mass layoff, a disaster, natural or otherwise, or findings of exceptional circumstances resulting in a mass job dislocation. Nebraska’s Rapid Response Program is a joint effort between the State, American Job Center (AJC) staff, NDOL office location staff, and NDOL Virtual Service Unit staff. The Rapid Response staff is composed of a State Rapid Response Coordinator and Rapid Response Workforce Coordinators.

The Office of Labor Market Information utilizes the data that the Rapid Response staff collect as supporting documentation to determine the unemployment, workforce, and occupational status of local areas.

The procedures contained in this policy will be followed in the event of a plant closure, mass layoff, receipt of a Worker Adjustment and Retraining Notification Act (WARN) notice, disaster, natural or otherwise, or findings of exceptional circumstances.

**REQUIRED RAPID RESPONSE ACTIVITIES**

Rapid Response activities must include, but are not limited to:

* Layoff aversion, as applicable;
* Immediate and on-site contact with the employer, representatives of the affected workers, and the local community, including an assessment of and plans to address (1) layoff plans and schedule of the employer; (2) background and probable assistance needs of the affected workers; (3) reemployment prospects for workers; and (4) 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, such as Short-Time Compensation, comprehensive AJC services, and employment and training activities, including information on the Trade Adjustment Assistance (TAA) Program, Pell Grants, the GI Bill, and other resources;
* The delivery of other necessary services and resources including workshops and classes, use of worker transition centers, and job fairs, to support reemployment efforts for affected workers;
* Partnership with local boards and CEOs to ensure a coordinated response to the dislocation event and, as needed, obtain access to State or local economic development assistance. Such coordinated response may include the development of an application for a national dislocated worker grant;
* The provision of emergency assistance adapted to the particular layoff or disaster;
* As appropriate; developing systems and processes for (1) identifying and gathering information for early warning of potential layoffs or opportunities for layoff aversion; (2) analyzing, and acting upon, data and information on dislocations and other economic activity in the State, region, or local area; and (3) tracking outcome and performance data and information related to the activities of the Rapid Response program;
* Developing and maintaining partnerships with other Federal, State, and local agencies and officials, employer associations, technical councils, other industry business councils, labor organizations, and other public and private organizations, as applicable, in order to (1) conduct strategic planning activities to develop strategies for addressing dislocation events and ensuring timely access to a broad range of necessary assistance; (2) develop mechanisms for gathering and exchanging information and data relating to potential dislocations, 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;
* Delivery of services to worker groups for which a petition for TAA has been filed.
* The provision of additional assistance (described below) to local areas that experience disasters, layoffs, or other dislocation events when such events exceed the capacity of the local area to respond with existing resources; and
* Provision of guidance and financial assistance, as appropriate, in establishing a labor-management committee if voluntarily agreed to by the employee’s bargaining representative and management. The committee may devise and oversee an implementation strategy that responds to the reemployment needs of the workers.

**INITIAL CONTACT**

Upon notification of closure or lay-off within the local area, representatives (Case Manager, Regional Manager or Regional Representative) notify the State Rapid Response Coordinator so that proper Rapid Response procedures can be followed.

The State Rapid Response Coordinator will contact the employer or appropriate labor organization, if employees are represented, within 48 hours after being notified of a current or projected permanent closure, reduction of labor force, or mass layoff. The purpose of this initial contact is to verify the layoff, provide information about Rapid Response services, and invite the employer to meet with the Rapid Response staff to establish a plan to provide such services. If the information provided by the employer is for public release, the State Rapid Response Coordinator shall, within 48 hours, contact Rapid Response partners via email and update the Layoff/Closure Report and WARN Report on the NDOL website in order to inform the appropriate agencies, local AJC and NDOL office location, the general public and the media of layoff/closure/WARN activities. The Rapid Response partners include:

* NDOL
* Nebraska Department of Education
* Nebraska Department of Economic Development
* Chair of the affected local area Workforce Development Board
* Representative of the Chamber of Commerce of the affected local area (if applicable)
* Chief Elected Official (CEO) of the affected area

The State Rapid Response Coordinator lists all public layoff/closure/WARN activities on the NDOL website. If layoff/closure/WARN activities affect more than 25 individuals, the State Rapid Response Coordinator shall email all appropriate partners and NDOL staff in the affected area. The State Rapid Response Coordinator shall also contact the appropriate labor organization, if employees are represented. The local labor representative and local workforce staff may also attend the initial contact meeting with the employer.

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