



## RAPID RESPONSE Program Guidance Letter



November 9, 2012

### Rapid Response Guidance Letter No. 1

**TO:** Workforce Development Community

**SUBJECT:** Rapid Response Program Guidelines

**ACTION:** One-Stop Operators and Regional Rapid Response Coordinators should ensure all One-Stop staff and partners are informed of Rapid Response Program Guidelines.

This program guidance is organized into four sections:

- I. Rapid Response Program Overview
- II. Rapid Response Program Organizational Structure in New York State
- III. Staff Responsibilities
- IV. Transition to One-Stop Services

#### **I. Rapid Response Program Overview**

The Rapid Response Program encompasses the activities necessary to plan and deliver services to enable dislocated workers to return to work quickly after a business closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation. Rapid Response services are initiated when business layoffs meet New York State (NYS) Worker Adjustment and Retraining Notification (WARN) Act thresholds. Services may also be initiated in the absence of, or prior to, the filing of a NYS WARN notice, based on workforce intelligence indicating that a business layoff or closure *may* occur. In this situation, the response is called Expeditious Response. Expeditious Response services mirror those of the Rapid Response Program but are provided proactively to address anticipated worker needs in advance of a formal WARN notice. Early warning networks (e.g., media clips, local One-Stop referrals, professional business associations, confidential internal agency reports) are in place to identify affected workers and businesses at risk. Rapid Response resources may also be used to work with businesses to avert layoffs. For the purpose of this document, the term “Rapid Response” will also encompass Expeditious Response services.

#### **II. Rapid Response Program Organizational Structure in NYS**

Under the Workforce Investment Act, the State is responsible for the provision of Rapid Response services. States must establish a State Dislocated Worker Unit to carry out statewide Rapid Response activities. The organizational structure in NYS consists of the following:

*Statewide Dislocated Worker Unit:* Based in the Division of Employment and Workforce Solutions Central Office in Albany, this unit serves as a repository for all state WARN and workforce intelligence data necessary to initiate a statewide Rapid Response. A Statewide Rapid Response Coordinator directs and oversees Rapid Response services through a network of Regional Rapid Response Teams.

*Regional Rapid Response Teams:* Each New York State Department of Labor (NYSDOL) region houses a Rapid Response Team, led by a Regional Rapid Response Coordinator. The Regional Rapid Response Coordinator serves as the central point of contact for Rapid Response events within the region.

*Special Workforce Assistance Team:* Located in Syracuse, is available to provide additional assistance for extraordinary WARN events which require staffing resources beyond those available at the local and regional levels. This team is supervised by the Central Region's Rapid Response Coordinator.

*Business Services Unit:* This unit collaborates with Regional Rapid Response Coordinators to develop appropriate strategies for addressing dislocation events and provide a timely access to reemployment services. This unit also has the lead responsibility for promoting layoff aversion activities (to minimize impact), including Shared Work, and On-the-Job Training options. Assistance is also provided for customized career fairs (based on affected worker skill set analyses).

### **III. Staff Responsibilities**

#### Role of the Regional Rapid Response Coordinator

The Regional Rapid Response Coordinator will attempt contacting the business within *one business day* of receiving the WARN notice or workforce intelligence. If the business is unionized, contact will also be made with the local union's principal officer or most highly placed official. The purpose of the contact is to begin relationship building and gather information related to the dislocation event. Should an outplacement firm be contracted in advance by the business, the Regional Rapid Response Coordinator will request a meeting with management and the outplacement firm to discuss complementary reemployment services that the Regional Rapid Response Team can provide. A summary will be distributed by the Regional Rapid Response Coordinator via a status report, within five business days subsequent to the initial contact with the business. This summary will be distributed to the following:

1. Empire State Development Regional Director
2. Commissioner's Regional Representative
3. Local One-Stop Director
4. Local Workforce Investment Board (WIB) Director(s)
5. Local Rapid Response Team Members
6. NYSDOL Labor Standards Director

7. NYSDOL One-Stop Manager
  8. Regional Associate Business Services Representative
  9. Regional Labor Market Analyst
  10. State Dislocated Worker Unit
  11. Statewide Trade Act Coordinator (should account be Trade Act related)
  12. Telephone Claims Center, specifically the Unemployment Insurance (UI) Program Manager and assigned Telephone Claims Center Representative
  13. Other Regional Rapid Response Coordinators and/or bordering Statewide Rapid Response Coordinators when the provision of reemployment services will cross regional or State boundaries
- Upon receiving the status report, the State Dislocated Worker Unit will issue an Event Number to the Regional Rapid Response Coordinator, who will register the dislocation event in the Employer Module/Employer Detail Window/Rapid Response Tab of the One-Stop Operating System (OSOS). The Regional Rapid Response Coordinator will also enter account updates into the OSOS Employer Activities screen for information sharing. Rapid Response service activity taken and related comment postings will be made as possible on a real time basis.
  - All information will be reviewed and a tentative service plan will be developed within ten *business days* after initial contact with the business. The tentative service plan is developed with the involvement of the business, the bargaining unit (if any), Regional Rapid Response Coordinator, local One-Stop staff and appropriate community partners. Based on information provided, the plan will detail customized services to be provided for affected workers and provide a timeline for guidance through release of a follow up status report.
  - The Trade Act Program is considered for use when applicable. The Regional Rapid Response Coordinator makes the business aware of this program prior to layoffs and will assist the business to file the petition, or even file directly on behalf of the affected workers. When the specific trade affected workers are known, the Regional Rapid Response Coordinator advises the business to email the following information directly to the Unemployment Insurance Benefits Section/Trade Readjustment Assistance Unit ([NYlaborTRA@labor.ny.gov](mailto:NYlaborTRA@labor.ny.gov)) attention:
    - Name of trade affected worker
    - Social Security Number
    - Worker's address
    - Division of the company where the worker was assigned
    - Employment start date
    - Separation date (if worker was out on authorized leave, what date would the business have separated the worker if he/she had been working)
    - Reason for separation

Similar information is also gathered during onsite service activity and from local Trade Act coordinators, as a further assist to the Unit.

## Role of Regional Rapid Response Team

- As the dislocation event progresses, the Regional Rapid Response Coordinator will consistently communicate with local One-Stops regarding projected layoff dates and anticipated initial UI claim filings.
- The Regional Rapid Response Team, in collaboration with community partner assistance, will provide a Rapid Response Orientation and Initial Assessment to affected workers prior to layoff whenever possible. The Regional Rapid Response Coordinator will work with the business management and bargaining unit representative (if any), to directly promote the scheduled sessions in advance to the affected workers.

*The core elements of each Rapid Response Orientation include:*

1. Review of Rapid Response Customer Application and Information Surveys for each participating affected worker (used to register workers in OSOS)
2. Orientation to services provided at the local One-Stop
3. Collection of resumes for follow up
4. Provision of Labor Market Information, including relevant job openings
5. Provision of UI information and how to apply for benefits
6. Access to information regarding entrepreneurship and starting a business
7. Information on the UI Section 599 program

*Customized elements of each Rapid Response Orientation may include:*

1. Initial Assessments if time permits
  2. Trade Act information, if relevant, and petition filing assistance
  3. National Emergency Grant consideration, if relevant
  4. Employer benefits for affected workers, including: outplacement services, severance pay, continuation of health benefits, pension, layoff and/or closure timelines, and access to employer services such as Human Resources
  5. Services for specific worker populations: translation services, Title V, disability services, etc
  6. Facilitated enrollment through the New York State Department of Health for State public healthcare options
  7. Educational services: information on local occupational training providers, including those offering General Educational Development (GED) and English as a Second Language courses
  8. Dedicated Resource Room onsite or at a nearby location
  9. Customized career fair, inclusive of compatible industry recruiting businesses, training providers, needed supportive services, and additional workshops
- The Rapid Response Sign-in sheet and Customer Application and Information Survey must be used for all Rapid Response events. The information collected through these forms will be used to register affected workers in OSOS and support Initial Assessments regarding the

workers' needs for Job Search Ready Services or Career Development Services. Rapid Response Customer Application and Information Surveys completed during Rapid Response Orientations may require further clarification and supplemental information. The Regional Rapid Response Team may need to compile such information through follow-up communications with affected workers via phone, email, letter, or in person.

- Registration of the affected worker into OSOS will be completed no later than *five business days* after the Rapid Response Customer Application and Information Survey is received. A member of the Regional Rapid Response Team will ensure that customer OSOS records have the Rapid Response Event Number linked to the appropriate customer Work History record. Additional L1 services provided during Rapid Response must be attached to this Rapid Response Event Number using the data entry process as provided in the NYOSOS Rapid Response/Expeditious Response Guide. These services will be entered as possible on a real time basis.
- Received and updated resumes will be entered by the Regional Rapid Response Team into the Skill Matching and Referral Technology (SMART) system.
- The Regional Rapid Response Team will regularly follow up with affected workers after the Rapid Response Orientation and provide ongoing service to prevent a 90-day lapse (soft exit) from OSOS. Services will be customized based upon Initial Assessments and may include employment counseling, employment referral, follow up labor market information, updated resume critique for continuing entry into SMART, social networking/job search workshop, etc. The Regional Rapid Response Team, in conjunction with community partner assistance, is available to assist with conducting workshops at the local One-Stop that involves scheduled job seekers as attached to Rapid Response accounts, and also other job seekers who would benefit from the service.
- The Regional Rapid Response Team will ensure that affected workers are made aware of all programs and services available at the One-Stops, and encourage the workers to participate in One-Stop services.

#### One-Stop Staff Responsibilities

- The Regional Rapid Response Coordinator may request assistance from One-Stop management for staff to participate in Rapid Response events for purposes such as providing short term staffing assistance, reserved office space/equipment, etc.
- One-Stop management will share any workforce intelligence with the Regional Rapid Response Coordinator that may signal the need for Rapid Response services within their community. Additionally, One-Stop management will regularly communicate any status changes to the Regional Rapid Response Coordinator that occur at the local level, which may result in changes to planned Rapid Response services and activities.

#### IV. Transition to One-Stop Services

- As Rapid Response job seekers become UI eligible and appear in weekly Reemployment Operating System downloads, the Regional Rapid Response Coordinator will work with One-Stop management (which may include WIB Directors) to transition job seekers over to One-Stop services. The timing and provision of One-Stop services will be determined by the Regional Rapid Response Coordinator based on the content and sequence of Rapid Response services provided to date. *Individual job seeker next steps will vary based on the job seeker service history documented in OSOS.*
  
- Initial services provided through the local One-Stop Center will typically include:
  - Introduction to available One-Stop services, equipment and staff
  - Initial Assessment (if an update is required or job seeker did not receive service from the Regional Rapid Response Team)
  - Scheduling of subsequent workshops and services as appropriate
  - Individualized employment referrals , if assessment determines that job seeker is job search ready
  - Review of job seeker’s resume for optimum matching results and submission to SMART (if not provided through Rapid Response services)

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