WORKFORCE INNOVATION AND OPPORTUNITY ACT

Rapid Response Activities and Layoff Aversion Policy

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South Central Oklahoma Workforce Board's Workforce Innovation and Opportunity Act Title I program funding statement can be found at https://scowib.info/funding

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Comanche County, Cotton County, Tillman County, and City of Lawton Fort Sill Labor Market Area
Jefferson County, Stephens County, and City of Duncan Labor Market Area

Rapid Response Activities and Layoff Aversion Policy

PURPOSE: The South-Central Oklahoma Workforce Board (SCOWB) provides this issuance as guidance to communicate Rapid Response and Layoff Aversion activities conducted by the State and/or Local Rapid Response Teams and to establish a basic standard of service statewide in accordance with OESC #14-2017 Change 2.

BACKGROUND: The Workforce Innovation and Opportunity Act (WIOA) requires that States (1) plan for and respond as quickly as possible following a rapid response event, and (2) deliver services to enable dislocated workers to transition to new employment as quickly as possible.

The purpose of rapid response is to promote economic recovery and vitality by developing an ongoing, comprehensive approach to identifying, planning for, responding to layoffs and dislocations, and preventing or minimizing their impacts on workers, businesses, and communities.

REFERENCES:

- Workforce Innovation and Opportunity Act (WIOA), Sections 133, 134, 168
- 20 CFR 682.200-682.370
- Training and Employment Guidance Letter (TEGL) No. 19-16
- Training and Employment Guidance Letter (TEGL) No. 3-12
- Training and Employment Guidance Letter (TEGL) 17-14

POLICY:
Rapid Response activities are provided by the State, the Oklahoma Office of Workforce Development, in coordination with local workforce development boards (LWDBs) and the Oklahoma Employment Security Commission (OESC) in response to a permanent facility closure or layoff, or a natural disaster that results in mass job dislocation to assist the dislocated workers in obtaining reemployment as soon as possible.

Oklahoma Rapid Response Services
Rapid Response services are coordinated by the Oklahoma Security Commission (OESC) through the State Rapid Response Coordinator. These services are designed to respond to employer and employee needs in the event of a layoff and/or closure.

Notification regarding a layoff and/or closure may be received in a number of ways:

- Contact from an employer who is anticipating a layoff or closing;
- Contact from employees who have been notified, formally or informally, of an upcoming layoff, or who have already been laid off;
- Communication from employees arriving at a local Oklahoma Works (One-Stop) Center;
- News articles or other public announcements; and
- Receipt of a Worker Adjustment and Retraining Notification (WARN notice). For more information about WARN notices and requirements, visit the OkJobMatch website

(https://okjobmatch.com/ada/mn_warninfo_dsp.cfm)

When LWDBs and/or Oklahoma Works (One-Stop) Center staff become aware of impending or potential layoff situations, the State Rapid Response Coordinator at OESC must be contacted immediately in order to mobilize the local Rapid Response Team. Contact information for the State Rapid Response Coordinator may be found at www.oklahomaworks.gov/about.

When notified of a layoff or plant closure, the State Rapid Response Coordinator contacts the employer, in order to get a clear understanding of the situation, including the number of affected employees and the circumstances that caused the necessity of the layoff or closing. The employer receives an overview of available services designed to provide affected employees with information, services, and tools to help them transition to new employment as quickly as possible.

If the notice is in advance of the layoff and the employer agrees, the Local Rapid Response Team works with the employer to provide Rapid Response workshops for the affected employees.

Rapid Response Workshops

Oklahoma's Rapid Response handbook, *Tools and Resources for Transitioning to Your Next Job* (http://oklahomaworks.gov/rapidresponse/) is provided to all workshop participants. Workshops and printed materials are available in English and Spanish. Other accommodations, for example, sign language interpreters for hearing-impaired employees, are provided as needed. Teams are coordinated by Oklahoma Employment Service Commission (OESC) Area Managers and include, at a minimum, representatives from the following:

- Local Oklahoma Works One-Stop Operator
- Local Workforce Development Board (LWDB) Service Provider
- Local Oklahoma Works Center
- State Insurance Department
- Unemployment Insurance
- Training and Education Providers

Other presenters may be added depending on the specific circumstances of the situation. Each presenter is provided with the handout – "Speaker Tips and Guidelines." The handout helps assure a standard of quality in each workshop. Job fairs are held in conjunction with Rapid Response workshops when possible and feasible.

Oklahoma's Rapid Response Handbook – *Tools and Resources for Transitioning to Your Next Job* – is provided to each workshop participant. Content topics include: Tips for Finding the Right Job, Job Finding Resources, Training and Education Resources, Community Resources, and Unemployment Insurance.

Workshops usually run 75-90 minutes, with 30 minutes after the workshop for participants to meet one-on-one with speakers, as needed. If possible, the number of participants is limited to 30 in

each workshop. Multiple workshops are held for large groups.

Participants in Rapid Response workshops are asked to sign in and provide contact information. In addition, they are invited to complete the following forms:

- *Employee Needs Survey* – provides information on the next steps employees want/need to take, i.e., training for a new occupation, reemployment in a similar occupation, assistance with resumes, computer skills, social service needs, etc. Local Rapid Response Team leaders assure this information is provided to appropriate staff at local Oklahoma Works Centers. If the affected employees do not come to the center within a few days, staff members shall reach out to them.
- *Satisfaction Survey* – an evaluation of the workshop, including such questions as: What was most helpful? What was least helpful? What could be improved? Results are tallied by the State Rapid Response Coordinator and shared with team leaders to provide to local team members. Any needed changes or improvements are discussed with the Local Rapid Response team leaders.

In the event a rapid response meeting is not possible, a memo explaining available services and resources, including a link to the online version of the Rapid Response Handbook and a listing of locations for the nearest Oklahoma Works (One-Stop) Centers, is provided to the employer to disseminate to affected employees. The memo can be included in severance packets or forwarded to affected employees by email or mail.

Employees affected by layoffs and plant closures are considered dislocated workers (DLW), and therefore, are eligible for all services available to DLWs at Oklahoma Works Centers.

Additional Rapid Response Services

The Trade Adjustment Act (TAA) provides assistance to workers who lose their jobs or whose hours of work and wages are reduced as a result of foreign competition. When a layoff is announced, TAA staff work with the company and local Oklahoma Works Center staff to determine whether the employees might be eligible for TAA services. If it appears likely that employees could qualify for TAA services, Oklahoma Works (One-Stop) Center staff can assist the employer and/or employees in filing a petition and, in some cases, complete the petition on behalf of the employees. If it is determined employees are eligible for TAA assistance, letters are sent to each eligible employee advising them of additional services and resources available to them.

Rapid Response services must be offered to any group of employees receiving TAA benefits. If the Rapid Response service has already occurred and was more than 120 days before the TAA is approved, a new Rapid Response service will be provided.

Rapid Response services are to be offered to any mass job dislocation of 25 or more employees.

LWDB may offer Rapid Response services to smaller groups than the minimum of 25 if they determine it will be beneficial.

Rapid Response services are also offered in the event of mass job dislocation resulting from a natural or other disaster. In this case, the LWDB will be asked to complete a thorough report of the disaster and confer with the State to determine if additional services beyond standard Rapid Response processes are needed.

Notifications to Key State and Local Officials

When a layoff or closing occurs, the following entities are notified by the State Rapid Response Coordinator:

- Governor's Office
- Governor's Secretary for Commerce and Workforce Development and key Department of Commerce staff
- Oklahoma Employment Security Commission (OESC) leadership and staff
- Local Workforce Development Board (LWDB) Director
- Chief Local Elected Official (CLEO)
- Oklahoma Employment Security Commission (OESC) leadership, regional managers, unemployment insurance staff, and TAA staff
- State and local economic development leaders

Layoff Aversion

Layoff Aversion is an ongoing process that includes efforts by state and local economic development staff, LWDBs, and Oklahoma Works (One-Stop) Centers. Keeping Oklahoma companies strong and growing is the goal. Current business retention and expansion (BR&E) practices include the following strategies:

- **Oklahoma Works Rapid Response State Staff** monitor news feeds for information related to Oklahoma companies that may be in distress. When companies are identified, contact is made with the company and/or local economic development officials to offer support and needed services. Also, statewide data is monitored for trends for industries in decline to assess and inform an appropriate response to prevent layoffs.
- **Local Workforce Development Boards (LWDBs)** have strong relationships with local economic development staff and the companies in their area. These relationships often allow the LWDB to become aware of challenges a company is experiencing and, working with a variety of local resources, provides an opportunity to offer layoff aversion assistance.
- **Incumbent Worker Training** scheduled through a LWDB provides the opportunity to retrain workers to that they can perform another job reducing the risk of a layoff.
- **Oklahoma Works (One-Stop) Centers**: Staff at local Oklahoma Works (One-Stop) Centers often hear about companies in their area that may be struggling. Working with local and/or state economic developers allows for proactive efforts to avert potential layoffs.
- **Oklahoma Department of Commerce *Regional Development Specialists* (RDSs)** live and

work in their assigned areas across the state. They call on and build relationships with companies and provide resource referrals as needed. When companies experience difficulties, they often turn to the RDSs, who bring in a variety of resources to help solve problems.

- ***The OESC Team*** provides research services for companies as needed. For example, a company in rural Oklahoma was having supply chain issues. The OESC team pulled together information and resources to help the company find additional/alternative supply chain resources. Without that assistance, layoffs may have been necessary.
- ***Proactive communications and call trips to corporate headquarters of Oklahoma companies***, often by the Governor, help Oklahoma know of any issues corporate offices seen at the local level. Issues can then be addressed effectively before layoffs are needed.
- **Oklahoma's Career and Technology Education System (CareerTech)** consisting of 29 technology center districts with 59 campuses, provides technical, management, safety, and process improvement training for incumbent workers in Oklahoma companies. The CareerTech system also provides startup training when new or existing qualifying companies create new jobs.
- **The Oklahoma Bid Assistance Network**, a part of the ODCTE system, provides marketing and technical assistance to companies bidding on federal, state, local, and tribal government projects.
- **Oklahoma's Higher Education System,** made up of 49 state colleges and universities, has added degree programs and provided key research efforts to assist Oklahoma companies.

These ongoing business retention and expansion (i.e., layoff aversion) efforts work together to keep Oklahoma companies strong and growing.

ACTION REQUIRED: SCOWB will disseminate the Rapid Response and Layoff Aversion Policy to all SCOWB contractors, staff, and board members. All contractors, staff, and board members will be responsible for following this policy.

APPROVED: 1/19/2024