



NCWorks Rapid Response

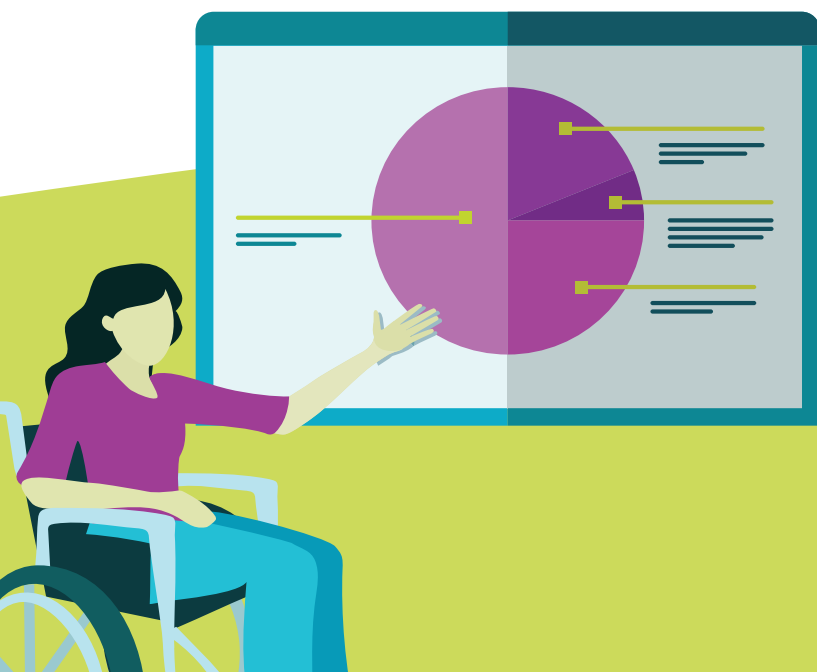
BUSINESS ENGAGEMENT
AND SOLUTIONS GUIDE

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Using this Guide

This guide is designed to help new Business Services Representatives and other solution providers engage businesses in an effort to minimize the negative impact of layoffs.

Questions and answers regarding Rapid Response products, services, and processes are included.

Please direct all questions to the NCWorks Business Services Team.

1.800.562.6333 | DWS_BusinessServices@nccommerce.com

Introduction

Reauthorized from the Workforce Investment Act to the Workforce Innovation and Opportunity Act (WIOA), Rapid Response is the primary gateway to the workforce system. North Carolina state agencies, including the North Carolina Department of Commerce, North Carolina Community College System, and North Carolina Department of Health and Human Services work with the 23 workforce development boards to provide comprehensive solutions to businesses that are either struggling or downsizing. Rapid Response further collaborates with other partners to meet the needs of businesses and their employees.

A task force comprised of 22 workforce practitioners throughout North Carolina was formed and charged with the development of the Rapid Response Business Engagement and Solutions Guide. The purpose of the guide is to provide direction and best practices relative to the Rapid Response requirements of the WIOA. For a complete list of task force members, see Appendix A.

What led to the creation of Rapid Response?

Manpower Development and Training Act

In 1962, President John F. Kennedy passed the Manpower Development and Training Act to help train and retrain thousands of workers, unemployed due to automation and technological change.

Emergency Employment Act

The Emergency Employment Act of 1971 was designed to assist returning veterans in moving back into the civilian labor force and also aids America's youth in acquiring jobs.

Job Training Partnership Act

The Job Training Partnership Act of 1982 was amended in 1988, with the passage of the Economic Dislocation and Worker Adjustment Assistance Act that created Rapid Response and the definitions of a dislocated worker.

1962

1964

1971

1973

1988

Economic Opportunity Act

Under President Lyndon B. Johnson's Administration, the Economic Opportunity Act of 1964 was passed, which authorized the formation of local Community Action Agencies as part of the war on poverty. This legislation included 11 major programs such as Adult Basic Education, Work Experience, and Job Corps.

Comprehensive Employment and Training Act

The Comprehensive Employment and Training Act of 1973 consolidated several existing federal training programs to help unemployed, underemployed, and disadvantaged individuals.

Legal Briefs

How does Workforce Innovative Opportunity Act (WIOA) define Rapid Response activities?

WIOA law defines Rapid Response Activity in Section 3 Definitions (51) as:

The term "rapid response activity" means an activity provided by a State, or by an entity designated by a State, with funds provided by the State under section 134(a)(1)(A), in the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural or other disaster, that results in mass job dislocation, in order to assist dislocated workers in obtaining reemployment as soon as possible, with services including:

(A) the establishment of onsite contact with employers and employee representatives

(i) immediately after the State is notified of a current or projected permanent closure or mass layoff; OR

(ii) in the case of a disaster, immediately after the State is made aware of mass job dislocation as a result of such disaster;

(B) the provision of information on and access to available employment and training activities;

C) assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;

(D) the provision of emergency assistance adapted to the particular closure, layoff, or disaster; and

(E) the provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.

WIOA further defines the definition of a dislocated worker, categories A - E. Of the five categories located in Section 3 Definitions (15), category B pertains to Rapid Response:

(B)(i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

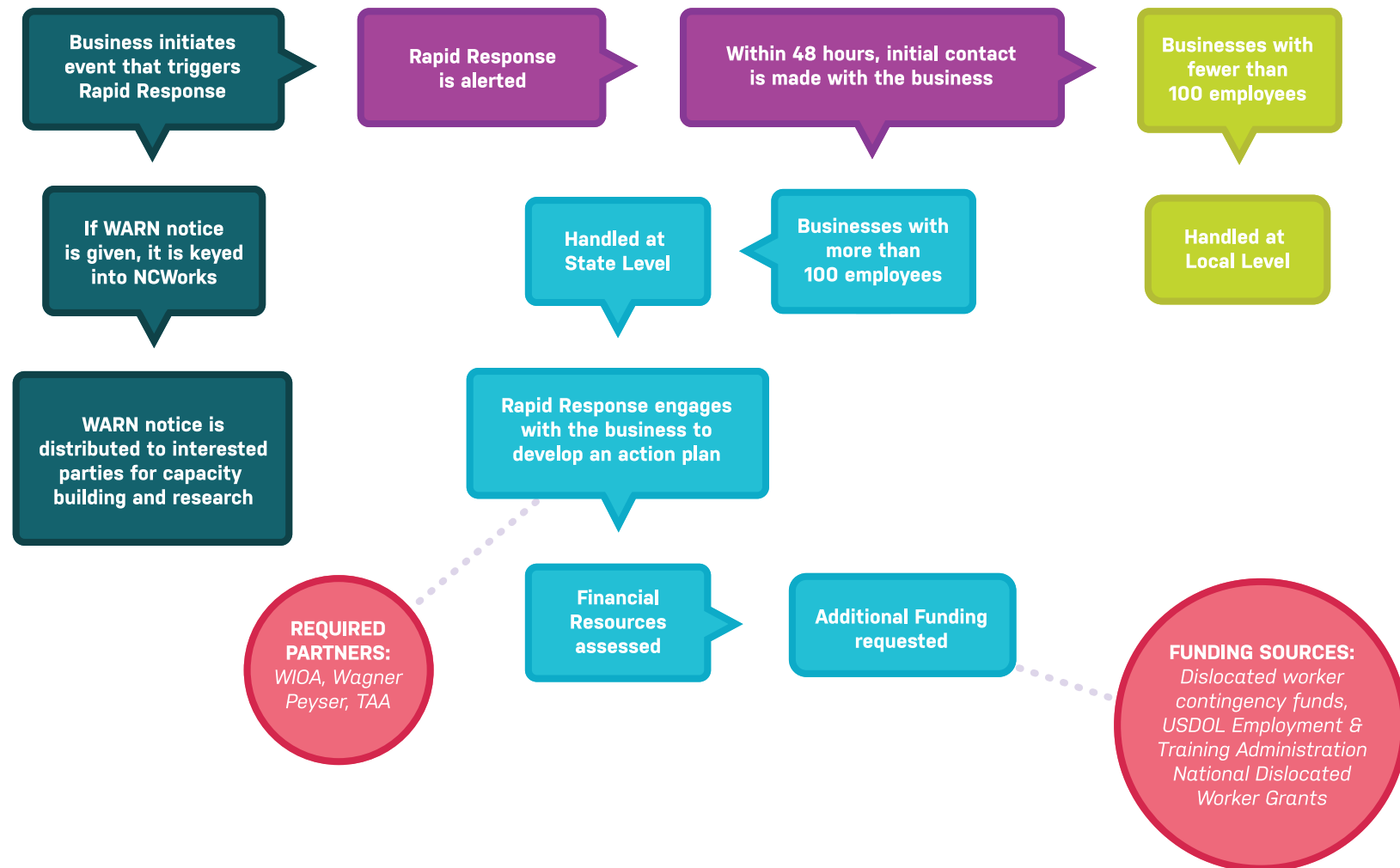
(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; OR

(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.

Read more about WIOA Law at:

<https://www.nccommerce.com/jobs-training/workforce-professionals-tools-resources/workforce-innovation-and-opportunity-act>

Roles and Responsibilities



What are the Roles and Responsibilities of Rapid Response from the State Level?

The DWS Business Services' Rapid Response Unit is legislatively charged with administering Rapid Response activities for the state of North Carolina (see process map on previous page). This involves assisting struggling businesses to help avert or prevent layoffs as well as responding to those businesses that are downsizing.

The overarching objectives are to minimize the negative impact of layoffs, ensure employees have a smooth transition into new employment, and protect the solvency of the Unemployment Insurance Trust Fund. The following events trigger Rapid Response into action:

- Business requests assistance to avert or prevent layoffs
- Business makes a general announcement that it plans to close
- Business files an official notification in compliance to the Worker Adjustment and Retraining Notification (WARN) Act
- Business files a petition for Trade Adjustment Assistance
- Businesses affected by either a natural or manmade disaster

Rapid Response team engages businesses on short notice to help develop a plan of action. This action plan is designed to ensure employees have a smooth and successful transition into new employment by handling any concerns a business may have such as problems with absenteeism or low employee morale.

Rapid Response develops the most appropriate, tailored business solutions by offering the following:

- Providing guidance on disseminating Employee Needs Survey (see Appendix B).
- Convening appropriate partners and facilitating leadership meeting.
- Sharing information and best practices.
- Utilizing employer survey for compiling workforce demographics and other helpful data to assist with employee offboarding.
- Evaluating secondarily impacted NC based businesses to determine the potential impact and future success from the primary business closure.
- Assessing the business to determine if they've been impacted due to foreign competition and helping file a petition for Trade Adjustment Assistance, if applicable.
- Determining potential impact that the layoff/closure will have on the local community.
- Advising the business on working with the media and providing an environment that fosters positive media relations.
- Assessing workforce development boards' funding capacity to serve impacted employees.
- Providing a warm handoff to local Rapid Response Team to coordinate onsite services such as customized workshops, employee information sessions, hiring events, or community resource fairs.
- Dispatching the NCWorks Mobile Career Center to provide a climate-controlled computer lab for onsite services such as NCWorks.gov registration or resume writing workshops.

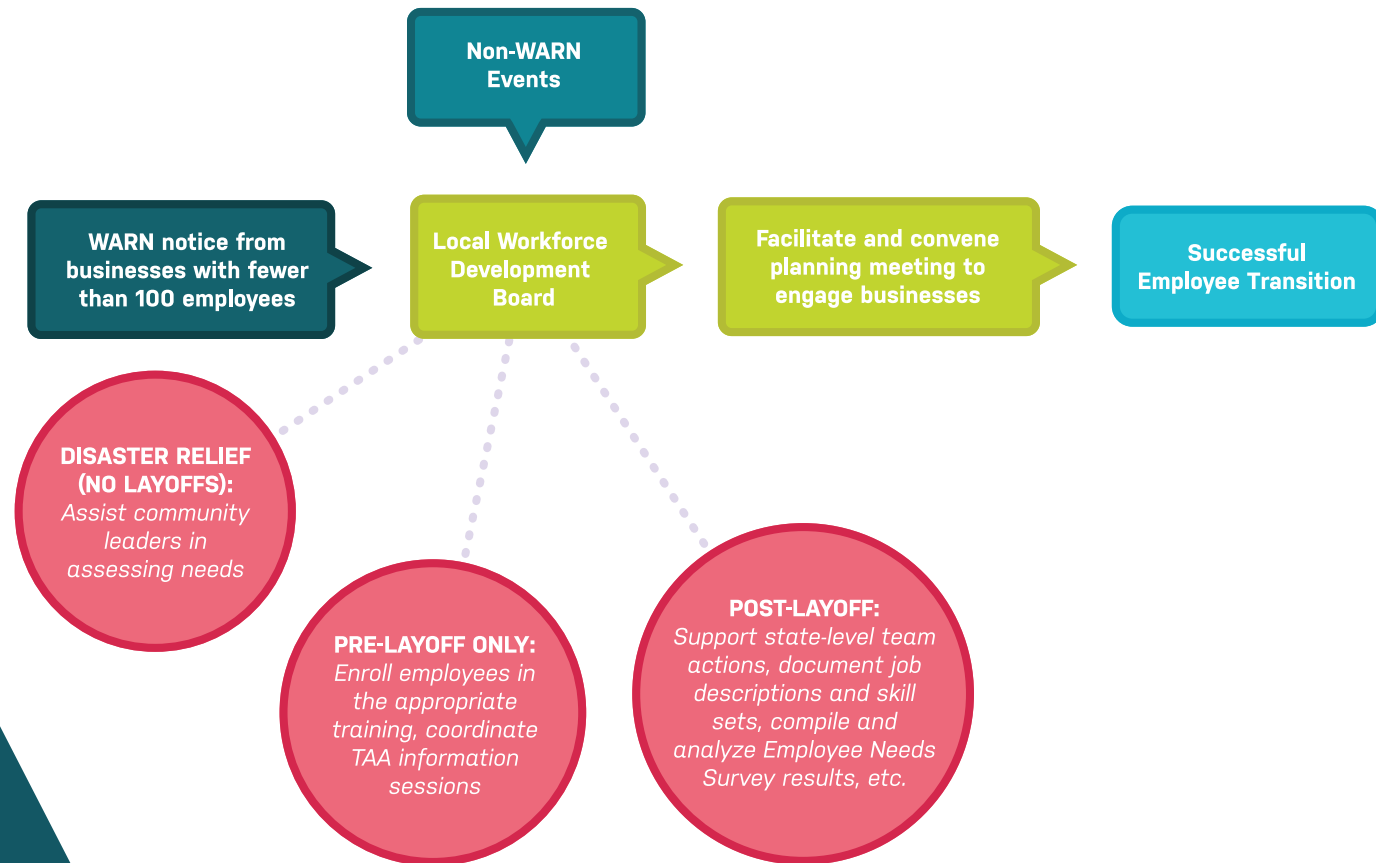
STATE LEVEL ROLES AND RESPONSIBILITIES

The Business Services' Rapid Response Unit is authorized by the North Carolina Governor to handle legal notices filed in compliance to WARN. The Unit processes WARN and disseminates notice to interested parties for information sharing, capacity building, or research purposes. The state team responds to all notices, regardless of the size or reason for layoff/closure, by initially contacting the business within 48 hours upon receipt of notification. All businesses will be provided with information on Rapid Response, NCWorks Career Center System including the web portal, and a menu of Career and Training services available through the Workforce Innovation and Opportunity Act (WIOA). Generally, if the layoff/closure impacts less than 100 employees, it will be turned over to the local Rapid Response team to handle after initial contact has been made.

The Rapid Response Unit further provides training and technical assistance to the local workforce development boards and other partners involved in Rapid Response. The team supports partners throughout the state by providing the following:

- Statewide, regional, and county reports on mass layoffs and business closures.
- Analyzing and reporting on business transition data by sector, region, and prosperity zone.
- Advising workforce development boards on the best response for engaging businesses and appropriate solutions to assist those that are struggling or downsizing.
- Providing packet material to be shared with employees at information sessions.
- Reviewing and supporting workforce development board's request for Rapid Response contingency funds.
- Requesting additional funding from the USDOL Employment & Training Administration National Dislocated Worker Grants.

Roles and Responsibilities



What are the Roles and Responsibilities of Rapid Response from the Local Level?

Workforce development boards are responsible for coordinating local Rapid Response, with 23 teams covering North Carolina's 100 counties (see process map on previous page). These teams are agile and flexible. They work strategically to assist struggling businesses with averting layoffs or responding to downsizing. The following events trigger the local team into action:

- Business requests assistance from the workforce development board to provide Incumbent Worker Training as to avert or prevent layoffs.
- Invitation from the state team to attend leadership meeting with a business that's made a general announcement of closure or filed official notification in compliance to WARN.
- Generally, WARN that impacts less than 100 employees after the state has made initial contact.
- Business downsizing that impacts at least 20 or more employees and not covered by WARN.
- Business files a petition for Trade Adjustment Assistance.

Workforce development boards are responsible for developing the best regional response for handling smaller layoffs/closures that occur in their area. Local Rapid Response engages businesses with the following:

- Supporting the state team by attending and providing information at leadership meeting to include top industry sectors and other pertinent local labor market data.

- Convening and facilitating community-based meetings when additional resources are needed.
- Requesting general job descriptions to identify the skill sets of impacted employees.
- Compiling data from Employee Needs Survey and recommending onsite services based upon results.
- Partnering with the Businesses' Employee Assistance Program or contracted private outplacement transition team to provide complimentary, non-duplicative services.
- Coordinating onsite employee information sessions, hiring events, and community resource fairs or securing an offsite location if the company cannot reasonably accommodate onsite services.
- Assisting with providing interpreters for the hearing impaired or foreign language translators.
- Providing funding for training to address employees' skills gaps.
- Enrolling employees in the appropriate remedial, short-term, or curriculum training before layoffs occur.
- Coordinating separate information sessions on Trade Adjustment Assistance if the business's petition is certified before employee layoffs.
- Works with community leaders to assess humanitarian needs such as food, water and shelter after a natural or manmade disaster

..... LOCAL LEVEL ROLES AND RESPONSIBILITIES

The local Rapid Response team continues to work with employees even after they separate from employment to ensure their transition is successful. This may involve the provision of dual enrollment by providing the appropriate WIOA wraparound supportive services necessary for employees to enter new employment. The team works regionally to identify those businesses that are expanding or hiring and may provide the following business services:

- Job screening, referral and placement
- Targeted job fairs or hiring events for active recruitment
- Apprenticeships
- Incumbent Worker Training
- On-The-Job Training
- Transitional Jobs
- Internships
- Other Work-Based Learning Opportunities
- Hiring incentives such as Work Opportunity Tax Credit and Federal Bonding

Partners Involved in Rapid Response and their Roles

The primary partners involved in employee information sessions should include those listed below, however, additional partners may be needed based upon results from the Employee Needs Survey (see Appendix B):

- Workforce development board or designee to represent Title I of the Workforce Innovation and Opportunity Act (WIOA)
- The Division of Workforce Solutions Manager or designee to represent Title III (Wagner-Peyser Act) and Trade Adjustment Assistance Act
- North Carolina Community College Continuing Education to discuss available training programs
- The Division of Employment Security to discuss Unemployment Insurance Benefits

Employee information sessions usually last no longer than an hour but may be shorter due to the production needs and scheduling of a business. These sessions are designed to orient employees on "general" workforce information and supportive services. Employees may feel overwhelmed with information at these sessions, and written documents provided by the team should help ease that feeling. Time should be allotted toward the end of each session for employees to ask questions.

Please note, if the company is certified for the Trade Act, separate information sessions should be held to orient employees on Trade Adjustment Assistance, Trade Readjustment Allowances, Reemployment Trade Adjustment Assistance, and the Health Coverage Tax Credit.

Besides employee information sessions, several customized, onsite services are provided to businesses based upon results of the Employee Needs Survey. Workforce development boards are strongly encouraged to develop key partnerships with their local community service providers. Other partners that provide onsite services may include:

Foundation for Financial Education provides free financial workshops to include establishing an emergency fund and 401K rollover.

Economic Development assists with marketing the facility to potential buyers that may purchase and retain the current workforce, thus averting the layoff.

Hospice provides workshops on job loss and the typical stages that employees experience. Group or individual bereavement counseling is offered as well.

NC Department of Health and Human Services provides information on Supplemental Nutrition Assistance Program, NC Health Choice for Children Program (health insurance), and Medicaid.

North Carolina Housing Finance Agency provides affordable housing and rental assistance.

Social Security Administration provides information on retirement benefits and Medicare.

Community colleges provide Human Resources Development; customized workshops; basic computer training; Apprenticeships; and also remedial, custom, short-term and curriculum training.

North Carolina Department of Military and Veteran Affairs provides numerous services to veterans and can help locate foreign language translators for employee information sessions.

Vocational Rehabilitation provides hearing impaired interpreters and assistance to employees with disabilities.

Other community, faith-based and non-profit organizations provides shelter, food, clothing, and counseling services.

North Carolina Navigator provides health insurance information and help with navigating the affordable healthcare website in choosing a provider.

Red Cross and State Emergency Management provides shelter and counseling services from natural or manmade disasters.

North Carolina Rural Center offers Ice House Entrepreneurship Program, which is an experimental problem-based learning program designed to expose participants to the fundamental aspects of an entrepreneurial mindset and the opportunities it can provide.

Onsite Services Offered to Business

What type of onsite services are provided to businesses and their employees?

Numerous partners in Rapid Response provide onsite services to assist businesses with employee offboarding or assist during a manmade or natural disaster. Rapid Response services help businesses improve employee morale and increase production. This leads to employees who are less likely to cause any disruption or disturbance in the workplace.

Providing onsite services is key to productive offboarding and employees benefit from the convenience and comfortable environment in which they've become accustomed to. This provides the team with a captive audience and increases employee participation rate. Some businesses, however, do not have the flexibility or capacity to host onsite services, and the local Rapid Response Team must be prepared to provide an offsite location for services to be provided or consider using the mobile NCWorks Career Center.

Customized Job Seeking Skills Workshops

- ## Group and Individual Career Coaching

- ## Training

- ### Career Exploration or Active Recruiting Events

- 12

Rapid Response and Trade Adjustment Assistance

How does Rapid Response coordinate with the Trade Adjustment Assistance program?

The state Rapid Response team assesses and assists businesses with filing a petition for Trade Adjustment Assistance (TAA). The TAA Program offers additional benefits to those employees who experience a job loss due to foreign competition. To receive additional benefits, the USDOL Employment & Training Administration must first investigate and certify a petition filed by either a company or union official, three impacted employees, or a workforce development professional.

The certification process may take up to 40 days or more to complete. If the petition is certified prior to employees separating from employment, it is imperative that the Rapid Response team coordinate with the Division's regional analyst to facilitate onsite sessions as to orient employees to the benefits of the TAA Program. Additional coordination and dual enrollment are necessary to ensure employees receive the full array of TAA services as well as the wraparound supportive services and case management provided by the WIOA.

Data Collection

Who is responsible for collecting data from onsite Rapid Response service?

Workforce development boards are responsible for collecting data from all onsite Rapid Response services provided to businesses and submitting data to the Division of Workforce Solutions. Such data includes the following:

- Workforce development board representative name
- Email address
- Company name
- WARN number
- Date of activity provided
- Number of attendees
- Leadership team meetings
- Employee information sessions
- Topics covered at information sessions
- Customized workshops
- Type of training provided
- Career resource fairs or hiring events held
- Number of employees entered new employment
- Additional comments

Division of Workforce Solutions has procured a Customer Relations Management (CRM) platform through Salesforce.

Identifying Secondarily Impacted or Distressed Businesses

How can the Rapid Response team identify secondarily impacted or distressed businesses?

Rapid Response funds the Business Edge initiative, a partnership between the state, workforce development boards, Small Business and Technology Development Center, NC State Industry Expansion Solutions, and Certified Turnaround Professionals. The partnership is charged with identifying and helping privately-owned NC businesses in distress, with the primary goal to avert or prevent employee layoffs. This partnership takes a deeper dive into the operations and finances of businesses to provide customized turnaround recommendations leading to corporate renewal.

Through our experience, we have found that businesses often exhibit numerous signs of distress. The following information from McKinsey & Company, a global management consulting firm, outlines signs of distress:

Working Capital/Liquidity

- Declining or negative free cash flow
- Large contingent liabilities
- Unresolved near-term debt maturities
- Revolving drawdowns
- Contracting vendor terms
- Increase in accounts receivable aging
- Increase in outstanding accounts payable

Employees

- Large or unplanned reductions in workforce
- Management turnover
- Disruption in workforce

Financial

- Declining stock price
- Declining bank or bond price
- Inability to meet debt covenants
- Resignations of key finance staff
- Diminishing liquidity
- Repeated bank amendments
- Downgrades in debt ratings
- Accounting restatements
- Inability to file financial statements
- Tax liens

Profitability and Outlook

- Shrinking earnings before interest, taxes, depreciation and amortization
- Reduced capital-investment programs
- Going-concern opinion
- Deteriorating industry fundamentals
- Adverse regulatory environment
- Regulatory inquiries

IDENTIFYING SECONDARILY IMPACTED BUSINESSES

Rapid Response teams can easily assist with identifying secondarily impacted NC businesses from the primary business that is downsizing. This involves working with the primary business to identify their key vendors/suppliers, determining the volume of raw material or ancillary provided by the supplier, and approximate number of employees affected. Significant findings are shared with the local Business Services Representative to determine if the supplier could be a candidate for the Business Edge initiative.

Rapid Response teams need to further develop an Early Warning Network (EWN) comprised of partnerships from economic development, chambers of commerce, local government, utility companies, Society of Human Resources Management, as well as other key stakeholders to identify potential candidates for the Business Edge initiative. Even when promoting or marketing workforce development by visiting businesses, teams need to be acutely aware of their surroundings and report any warning signs to their business services representative such as:

Community	Organization	Market
<ul style="list-style-type: none"> • Lack of access to raw materials, energy, products, and services • Lack of skills in local workforce • Inadequate public transportation system • Increase in shipping/transportation costs, due to changes in proximity of customers • High medical/dental insurance rates • Poor access to trucking/rail/water/air • Utility rates high or lack of energy availability • Business climate complaints from internal and external customers 	<ul style="list-style-type: none"> • Inability to pay bills on time • Research and development budget cuts • Reduction in number of product lines • Parent corporation has major problems or negative news • Change in profit market targets or distribution systems • Hours and overtime eliminated • Managers replaced frequently • Frequent staff turnover • Inadequate management performance • Inconsistent work or production schedules • Lack of focus on workforce training • Sales staff/marketing budget cuts • Lack of succession planning • Shift reduction • Increase in subcontractors and temporary employees • Lack of management and engineering talent 	<ul style="list-style-type: none"> • Demand or sales decline • Products and processes of services become obsolete due to technology/innovation • Increased domestic or foreign competition • Inventory stagnant (finished goods) • Loss of market share • Industry sector decline
		Facility
		<ul style="list-style-type: none"> • Physical/exterior surroundings need maintaining • Lack of updated operating procedures • Lack of spare parts • Old/outdated machinery • Machinery in need of repair/maintenance • Inefficient production processes • Equipment below quality standards • Environmental problems such as safety • Facility is deteriorated and is in a metropolitan or rural area

IDENTIFYING SECONDARILY IMPACTED BUSINESSES

Besides establishing an EWN, Rapid Response teams need to be acutely aware of those customers visiting NCWorks Career Centers who express concerns working for a business such as:

- Reduced hours of work from non-seasonal employment
- Temporary reduction in employment wages
- Bounced employment checks due to insufficient funds
- Not being paid for hours worked
- Suddenly, seeking part-time employment to supplement wages from a full-time job
- Complaining about poor management and management decisions
- Seeking new employment due to unsafe or unhealthy work conditions.

Notes

[illegible][illegible]

Appendix A

Rapid Response Task Force Members

A task force comprised of 22 workforce practitioners throughout North Carolina was formed and charged with the development of the Rapid Response Business Engagement and Solutions Guide.

Paula Alter

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Western Prosperity Zone*

Neal Anderson

*Division of Workforce Solutions,
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Chinita Arceneaux

Division of Employment Security, State

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*Kerr-Tar Workforce Development Board,
North Central Prosperity Zone*

Julian Hardy

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Darien Waters


Division of Employment Security, State

Chip Wood

*Division of Workforce Solutions,
North Central Prosperity Zone*

Appendix B

EMPLOYEE NEEDS SURVEY SAMPLE



Employee Needs Survey

The Employee Needs Survey will help determine the type of information and services that will be provided onsite to help you during your transition into new employment. Please be open and honest in expressing your interests. Your answers will be kept confidential.

Personal Information (please print legibly)

Name: _____ Phone Number: _____
 Address: _____ City: _____ State: _____
 Email: _____
 Highest grade of school completed: _____
 Are you registered in NCWorks.gov? (circle one): Yes No

Workshops

Please rank the following workshops in order of importance, with 1 being extremely important, 5 being somewhat important and 10 being not important at all:

<input type="checkbox"/> Coping with Job Loss	<input type="checkbox"/> Credit and Debt Counseling
<input type="checkbox"/> Resume Writing	<input type="checkbox"/> Job Seeking Skills
<input type="checkbox"/> Interviewing Techniques	<input type="checkbox"/> Introduction to Computers
<input type="checkbox"/> Financial Literacy	<input type="checkbox"/> Self-Assessment/Career Planning
<input type="checkbox"/> Networking and Social Media	
<input type="checkbox"/> NCWorks.gov Orientation/Registration	

Training Interest

Please indicate the type of training you're interested in receiving:

<input type="checkbox"/> Completing High School or obtaining a GED	<input type="checkbox"/> Self Employment/Entrepreneurship
<input type="checkbox"/> On-The-Job Training	<input type="checkbox"/> Not interested in receiving training at this time
<input type="checkbox"/> Apprenticeship	
<input type="checkbox"/> Vocational Training	
<input type="checkbox"/> Technical Training	
<input type="checkbox"/> Associate Programs	

Community Resources

Please indicate the type of resources you're interested in learning more about:

<input type="checkbox"/> Mortgage or Rental Assistance	<input type="checkbox"/> Unemployment Insurance Benefits
<input type="checkbox"/> Food Stamps	<input type="checkbox"/> Childcare Assistance
<input type="checkbox"/> Veterans Benefits	
<input type="checkbox"/> Transportation Assistance	
<input type="checkbox"/> Health Insurance	
<input type="checkbox"/> Prescription Drugs	

"Equal Opportunity Employer/Program"
 "Auxiliary aids and Services available upon request to individuals with disabilities"

EMPLOYER NEEDS SURVEY SAMPLE

Rapid Response Meeting
 Date: _____ Business: _____
 DWS Staff: _____

Specifically, what is the reason for the layoff or closure? Is it related to foreign competition?

What products and/or services are manufactured or performed at the company? _____

When was the company established? _____

Total number of employees impacted? _____

What is the anticipated date of closure or layoff? _____

Will the layoff be in incremental stages? _____ if yes, explain stages: _____

Do you employ temporary or part time workers? _____

What temporary agencies are you using? _____

Employee Demographics

Average Age: _____ No. of Male _____ No. of Female _____

Average years/longevity with company _____

Number of Hourly Employees _____ Number of Salaried Employees _____

Average Wage: Hourly _____ Salaried _____

Number without High School Diploma or GED _____

Number with Vocational or Technical degrees: _____

Number with College Degrees _____

Types of jobs/skill base of employees: (i.e., assemblers, shipping and receiving clerks, design engineers, payroll clerk, accountant, plant engineer, operations manager, etc.) _____

Do you have any non-English speaking employees? _____ Hearing impaired employees? _____
 Is an interpreter required? _____

Number of employees eligible to retire (age 62+) _____

Primary county of residence: _____ Other counties: _____

Do you have a contact name and phone number that you can share? _____

Date and time for employee orientation: (LA to take lead) _____

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) SAMPLE

North Carolina Department of Commerce Division of Workforce Solutions

State Dislocated Worker Unit
800-562-6333 or 919-814-0303

Workforce Innovation and Opportunity Act

The Workforce Innovation and Opportunity Act (WIOA) improves connections to employment and training opportunities that lead to economic prosperity for workers and their families.

Career Services

Career Services are tailored specifically to an individual's need(s) to help enhance their job search efforts. Some Career Services may include:

- Self-assessment instruments or testing to determine skill levels, aptitudes and abilities
- Labor market information to include demand occupations, wages and required skills
- Registration for work through NCWorks.gov
- Information on filing a claim for Unemployment Insurance Benefits
- Financial aid information
- Career counseling, job search and job placement assistance
- Information on available supportive services and referral process to such services if appropriate
- Comprehensive assessment to identify barriers to employment and to establish employment goals
- Development of an employment plan to identify goals, barriers and services necessary to achieve goals
- Career planning and case management services
- Pre-vocational services such as work behavior skills, learning skills, personal maintenance skills and communication skills
- Resume writing assistance
- Job search workshops

The NCWorks Rapid Response team is here for businesses when they're in crisis.

This guide is designed to answer your questions and enable you to successfully offer Rapid Response services to your local businesses when they need it.



**For more information, please contact
NCWorks Business Services.**

919.814.0423 | DWS_BusinessServices@nccommerce.com

