

# Rapid Response Procedures

REV. 4-23-2021

**Illinois Department of Commerce and Economic Opportunity**  
**Office of Employment and Training**  
**500 East Monroe Street, 9th Floor**  
**Springfield, Illinois 62701**

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# ***INTRODUCTION***

## **Overview**

The Illinois Department of Commerce and Economic Opportunity (Department of Commerce) issues this Rapid Response Procedures Manual to comply with the requirements of the 20 CFR 685.300, Rapid Response Activities described in 682.300 – 682.370, and the Trade Adjustment Assistance Act (Trade) as amended. The procedures have been developed in accordance with the Workforce Innovation and Opportunity Act (WIOA), the [Illinois Worker Adjustment and Retraining \(WARN\) Act](#) and the State of Illinois Policy Manual for Local Workforce Programs under WIOA. Chapter 5, Definitions and Resources, of this Rapid Response Procedures Manual identifies principles and definitions provided by the U.S. Department of Labor (DOL), Trade and Employment Guidance Letters (TEGLs), Training and Employment Notices (TENS) and other guidance referenced in this manual.

## **Intended Uses**

The U.S. Department of Labor requires the coordination of the workforce, education and economic development systems through a mandated Rapid Response process. The Department of Commerce, Office of Employment and Training (OET) acts as the lead for the implementation and coordination of the interagency Rapid Response teams. To present information properly the implementation of regional strategies, coordination, communication and consistency are essential to creating a unified message.

The procedures contained in this manual are intended to provide an operational guide to all state and local agencies participating in Rapid Response. To the extent feasible, all agencies should conduct Rapid Response activities as described in this manual. However, it is recognized that the circumstances of each closing, layoff or disaster may vary and present unique problems not anticipated or provided for in these procedures. Therefore, the procedures may be customized to fit individual circumstances provided departures are undertaken with the full knowledge and consent of the Department of Commerce, OET.

## **Organization of the Manual**

This Rapid Response Procedures Manual is organized into chapters representing sequential phases of Rapid Response activities. The chapters in this manual follow:

- (1) Layoff Notice Processing
- (2) Initial Meeting
- (3) Rapid Response Outreach Meetings
- (4) Management of Services
- (5) Definitions and Resources

Each chapter contains objectives and procedures. Links to all contact information, sample forms/letters and citations can be found in Chapter 5, Definitions and Resources.

## **Manual Revision Process**

Upon a procedural change, the Department of Commerce will issue a notice to partners with updated guidance.

## **Key Laws and Policies**

The following laws and policies guide the procedures outlined in this manual.

### **Workforce Innovation and Opportunity Act of 2014 (WIOA)**

Rapid Response programs are intended by WIOA to be proactive, strategic, innovative and, by design, expeditious.

WIOA requires Rapid Response activity in areas affected by disasters, mass layoffs, plant closings or other events. The overarching goal is to quickly serve companies and workers affected by dislocation events enabling affected workers to transition to active employment.

Services that may be carried out as a part of Rapid Response activity include:

- The establishment of contact with employer and employee representatives by the Rapid Response team;
- The provision of information and access to available employment and training activities;
- Assistance in establishing a Labor Management Committee (LMC), if desired by labor and management;
- The provision of emergency assistance adapted to the particular closing, layoff, relocation or disaster;
- The provision of assistance to the local community in developing a coordinated response and in obtaining State economic development assistance; and/or
- If applicable, the Workforce Development Specialist (WDS) or Local Workforce Innovation Area (LWIA) staff will file or assist with filing an online Trade Petition on behalf of the affected workers. The DOL site for filing a petition can be accessed at this link:

<https://www.etareports.doleta.gov/petition/>

### **Trade Adjustment Assistance**

The Trade Adjustment Assistance (TAA) Program is a federal program that assists U.S. workers who have lost their jobs or are threatened with separation as a result of foreign trade. In Illinois, the Department of Commerce OET administers reemployment service and the training portion of the law and the Illinois Department of Employment Security (IDES) administers the Trade Readjustment Assistance (TRA) or income support portion of the law. This requires close coordination of services across the LWIAs, OET and IDES for accurate delivery of services. Procedures are discussed throughout regarding service delivery and coordination for the Trade program.

### **Federal WARN Act Requirements**

The WARN Act offers protection to workers and their families and communities by requiring employers to provide notice (or pay) of sixty (60) days in advance of covered plant closings and mass layoffs. This notice must be provided, in writing, to the affected workers or their representatives (e.g., a labor union), the state WARN Processing Unit and the appropriate unit of local government. Generally, all Illinois employers with seventy-five (75) or more full-time employees are required to comply with the requirements of the WARN Act. All full-time hourly and salaried workers are covered.

### **Illinois WARN Act Requirements**

The Illinois WARN Act requires employers to give a notice (or pay) of sixty (60) days of an upcoming plant closing or mass layoff to employees and their unions, the Department of Commerce's OET and the Illinois Department of Labor. The Illinois WARN Act resembles the Federal WARN Act but includes some key differences. The [Illinois WARN Act](#), applies to employers with seventy-five (75) (compared to the federal WARN requirement of one-hundred) or more full-time workers. The Illinois WARN covers all full-time and salaried employees, except those having worked less than six (6) months in the past year.

Following is the definition of a "Mass Layoff" triggering notice requirements:

- Twenty-five (25) or more full-time employees are laid off, if they constitute one-third or more of the full-time employees at the site; or
- Two hundred and fifty (250) or more full-time employees.

The notice of "Mass Layoff" must be provided to:

- ALL employees of the company;
- Union representatives for employees covered by labor agreements;
- Illinois Department of Commerce and Economic Opportunity;
- Illinois Department of Labor;
- The Chief Executive Officer of the Municipality and the County Governments where the employer operates; and
- Other government officials pursuant to the Illinois Business Economic Support Act (BESA 30 ILCS 760) if the company is currently receiving state or local economic assistance. BESA generally requires employers to provide notice to the Governor, the Speaker and Minority Leader of the Illinois House of Representatives, and the President and Minority Leader of the Illinois Senate.

Exceptions to the notice requirements are permitted for unforeseen circumstances, such as a strike or lockout, or physical calamities at the site. See the [Illinois WARN Act](#) for complete Illinois WARN notification requirements.

**This notice must be provided to:**

Office of Employment and Training

**ATTENTION:** WARN Processing Unit

Illinois Department of Commerce & Economic Opportunity

500 East Monroe Street, 9<sup>th</sup> Floor

Springfield, IL 62701

**The notice must contain:**

- The name and address of the employment site(s) where the plant closing or mass layoff will occur;
- Whether the planned action is expected to be permanent or temporary and if the entire location is to be closed, a statement to that effect;
- The expected date of the first separation and the anticipated schedule for making separations;
- The names, addresses and phone numbers of the affected employees;
- The job titles of positions to be affected and the number of affected employees in each job classification; (for multiple sites, list per site)
- A statement as to the existence of any applicable bumping rights;
- The name of each union representing affected employees and the name and address of the chief elected officer of each union, if none please state;
- The name and telephone number of a company/agency official to contact for further information; and
- The employer's Federal Employer Identification Number (FEIN) for the dislocating company. (The FEIN should be included on all WARN correspondences.)

**Enforcement**

Under the Federal WARN Act, employees may bring enforcement for alleged violations of the Act into the Federal Court system. The Illinois WARN Act grants the Illinois Department of Labor the ability to promulgate rules with "provisions that allow the parties access to administrative hearings for any actions of the Department under this Act." Additionally, the Illinois Department of Labor has the authority to "examine the books and records of an employer" in connection with any investigation or proceeding under the Act to determine whether a violation of the Act occurred.

Damages and penalties under the Illinois WARN could include back pay and earned benefits for up to sixty (60) days for each affected employee as well as a "civil penalty" of up to \$500 for each day violated. There is no provision for allowing reasonable attorney's fees for the "prevailing party". The Illinois Department of Labor is responsible for investigating WARN Act complaints.

Illinois Department of Labor

<https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/warn.aspx>

900 South Spring Street

Springfield, IL 62704

217/782-1710

### **Human Rights Information for State Agencies**

The Statutes state that, "The State executive department, State agency, board, commission, or instrumentality in which the layoffs are to occur should notify each employee targeted for layoff that transitional assistance may be available to him or her under the Economic Dislocation and Worker Adjustment and Retraining Notification Act administered by the Department of Commerce and Economic Opportunity. Failure to give such notice shall not invalidate the layoff or postpone its effective date. "

# CHAPTER 1

## LAYOFF NOTICE PROCESSING

### Chapter Objective

This chapter outlines procedures for the initial phase of Rapid Response, from proactively identifying potential dislocation events to receiving, processing, recording and responding to each notice of layoffs. Specifically, this chapter provides guidance for the following Rapid Response activities:

- 1.1 Receipt of Layoff Notices to Initiate State- or Local-Level Events
- 1.2 General Procedures for All Layoff Notices (Commerce and LWIA)
- 1.3 Procedures for Processing Layoff Notices (State)
- 1.4 Procedures for Processing Layoff Notices (Local)
- 1.5 Supplemental WARN Notices
- 1.6 Trade Notifications/Layoffs
- 1.7 Dissemination of WARN Information Pursuant to Illinois' Freedom of Information Act (FOIA)
- 1.8 Layoffs Exceeding Normal Capacity and Natural Disasters

### 1.1 RECEIPT OF LAYOFF NOTICES TO INITIATE STATE- OR LOCAL-LEVEL EVENTS

Per Department of Commerce policy, the following table reflects the threshold for whether Rapid Response efforts are initiated and coordinated by the state or local areas:

#### Rapid Response Threshold

Number of Employees Affected by the Dislocation Event	Agency Responsible for Initiating and Coordinating Rapid Response	Required Rapid Response Team	Event Type
Twenty-five (25) or more full-time workers	Commerce/OET	Commerce, IDES and the affected LWIA	State
Twenty-four (24) or fewer full-time workers	LWIA	IDES and the affected LWIA	Local

### 1.2 GENERAL PROCEDURES FOR ALL LAYOFF NOTICES (COMMERCE AND LWIA)

Whenever a notice of a layoff is received, regardless of whether it is an official notice or an unofficial notice, the following procedures should be followed to document the initial

notification. Procedures specific to OET and the local areas are outlined in Section 1.4 of this chapter.

1. The Department of Commerce OET Workforce Development Specialist will initiate and coordinate all phases of Rapid Response for permanent layoffs, closings and relocations affecting twenty-five (25) or more full-time workers. These events will be considered state-level events.
2. LWIAs will initiate and coordinate all phases of Rapid Response for permanent layoffs, closings and relocations affecting twenty-four (24) or fewer full-time workers. These events will be considered local-level events.
3. If employers voluntarily issue a WARN notice, the initiation and coordination of a Rapid Response event will abide by the same threshold.
4. The same threshold also applies to all Trade-impacted dislocation events.

### **1.3 PROCEDURES FOR PROCESSING LAYOFF NOTICES (STATE)**

#### **Overview of Roles and Responsibilities**

The Rapid Response team for state-level events will be led by the Workforce Development Specialist. Mandatory partners include IDES, the Department of Commerce and the LWIAs.

IDES staff from Employment Security, Unemployment Insurance and Trade, as appropriate, participates in Rapid Response activities. IDES will provide the Workforce Development Specialist with a list of the preferred Regional Office contacts. In most situations, the IDES regional staff will designate the appropriate IDES local staff to participate in the on-site Rapid Response activities. In some cases, the ongoing involvement of IDES Regional or Central Office staff may be necessary. The term "IDES representative" in this manual shall refer only to the regional and/or local staff involved in on-site intervention activities.

#### **Documentation of Initial Notice**

Upon receipt of a layoff notification the WARN Processing Unit documents the initial notification. This applies to WARN and unofficial notices.

1. The WARN Processing Unit enters the notice information in the Illinois Employment Business System (IEBS) on the *Add Layoff Screen*;
2. If the event contains multiple locations, each location must be added as a separate event to ensure all locations are captured and recorded;
3. Once the information is entered and vetted by the WARN Processing Unit, the WARN Processing Unit approves the event and sends out the notification to the Rapid Response Team;
4. The WDS assigned will contact the company for any additional information needed and the set up the Initial Meeting (within forty-eight (48) hours of receiving the notice);
5. The Initial Meeting is held and recorded in IEBS;

6. The WDS will establish dates and times for the Outreach Workshops and record the information in IEBS;
7. Once workshop details have been established, the WDS will forward the Outreach Meeting(s) information to the Rapid Response Team;
8. The Rapid Response Team will conduct the Outreach Workshops and collect worker demographic information (i.e., transferred, retired, etc.);
9. Any worker demographic information regarding employees that were transferred, recalled, retired, etc. will be entered in the *Survey Results* tab in IEBS on the event page; and
10. Any further communications, outcomes or significant event details will be recorded in IEBS as a Note.

### **Voluntary WARN Notices**

The Department of Commerce will direct a letter of acknowledgment to the employer and will forward a copy of the voluntary notice to the appropriate LWIA for local response regardless of the number of workers affected.

## **1.4 PROCEDURES FOR PROCESSING LAYOFF NOTICES (LOCAL)**

### **Overview of Roles and Responsibilities**

The Rapid Response team for local-level events will be led by the LWIA Rapid Response staff. Mandatory partners for local-level events include IDES and the LWIA. Local Rapid Response staff will work with the lead LWIA for events impacting residents of multiple workforce areas.

### **Documentation of Initial Notice**

Upon receipt of a layoff notification the LWIA documents the initial notification.

1. Verify the information on the notice and attempt to gather as much information as possible;
2. Enter the notice information in IEBS on the *Add Layoff Screen*;
3. Forward a copy of the informal notice immediately to the Department of Commerce, WARN Processing Unit;
4. Send a letter to the affected employer acknowledging receipt of the layoff notice. If additional information is needed, the LWIA will request the information in the response letter and set up an initial meeting with the company;
5. The Initial Meeting is held and recorded in IEBS;
6. The LWIA will establish dates and times for the Outreach Workshops and then record the information in IEBS;
7. Once workshop details have been established the LWIA will forward the Outreach Meeting(s) information to the local Rapid Response Team;
8. The local Rapid Response Team will conduct the Outreach Workshops and collect worker demographic information (i.e., transferred, retired, etc.);
9. Any worker demographic information regarding employees that were transferred, recalled, retired, etc. will be entered in the *Survey Results* tab in IEBS on the event

- page;
10. Any further communications, outcomes or significant event details will be recorded in IEBS as a Note.

## **1.5 SUPPLEMENTAL WARN NOTICES**

Supplemental notices are processed in the same manner as WARN notices.

## **1.6 TRADE NOTIFICATIONS/LAYOFFS**

On a daily basis, the Department of Commerce reviews the DOL Website for petitions that have been filed and are pending. Copies of most petitions are available on the DOL website. However, if any Rapid Response team staff files a petition, a copy should be provided to the Department of Commerce OET central office. The Department of Commerce maintains a spreadsheet which tracks all petitions which includes the DOL determination, including certification, denial, termination or withdrawal. The Department of Commerce receives emails from DOL with all determinations of Trade petitions. Once DOL makes a determination, a copy is sent to the WIOA Title I grantee or designee (LWIA); IDES; the Department of Commerce Regional Manager and the WDS for response.

## **1.7 DISSEMINATION OF WARN INFORMATION PURSUANT TO ILLINOIS' FREEDOM OF INFORMATION ACT (FOIA)**

The U.S. Department of Labor (DOL) determined that requests for WARN information received by State WARN Processing Units are governed by each individual state's FOIA requirements.

The archived monthly WARN Reports can be accessed via the Internet through the following:

<http://www2.illinoisworknet.com/LayoffRecovery/Pages/ArchivedWARNReports.aspx>.

There is also a web-based WARN portal that can be accessed via the Internet through the following:

<https://www.illinoisworknet.com/warnlayoffsearch>

All FOIA requests received at the state- or local-level for WARN information must be directed to the Department of Commerce at [Commerce.FOIA@illinois.gov](mailto:Commerce.FOIA@illinois.gov). Requests for the monthly WARN report will be directed to the Department of Commerce's website. Special requests will be reviewed on a case-by-case basis. The State of Illinois' Monthly WARN Activity Listing found in the Definitions and Resources Chapter of this procedure manual provides an example of the information which is provided and the monthly WARN Report format.

## **1.8 LAYOFFS EXCEEDING NORMAL CAPACITY AND NATURAL DISASTERS**

The general Rapid Response Procedures are to be followed. However, Workforce Development Specialists, IDES and LWIA staff must be prepared to deploy cross-trained staff in response to a layoff exceeding normal capacity or natural disasters. The Workforce Development Specialist, IDES and lead LWIA should develop a plan that includes details on the delivery of information, the processing of affected workers, timelines and estimated staffing numbers, as described in Chapter 4 of this manual. Rapid Response team members and case managers from other local areas may be asked to assist as needed in disseminating Rapid Response information and processing UI claims. If it is deemed necessary by the state and funding is available, transition centers may be opened to facilitate the timely processing of affected workers. Illinois workNet will be used to circulate information to Rapid Response team members, state officials and affected workers. Special statewide IEBS events can be created to support this type of activity.

# ***CHAPTER 2***

## **INITIAL MEETING**

### **Chapter Objective**

The second phase of Rapid Response commences with scheduling and conducting an Initial Meeting with the employer and union (and/or employee) representative. Pursuant to the threshold defined in Section 1.1 of this manual, the state- or local-led Rapid Response team conducts the Initial Meeting to explain state and local services available to the affected workers and to plan which services will best assist the workers in re-employment as quickly as possible.

The Initial Meeting sets the tone for all future activity with the employer, union (and/or employee) representative and workers. The Initial Meeting also contributes significantly to the overall success of Rapid Response efforts.

This chapter provides guidance on the following activities related to the Initial Meeting:

- 2.1 Scheduling the Initial Meeting
- 2.2 Identifying the Status of Labor-Management Relations
- 2.3 Planning and Facilitating the Initial Meeting with Clear Objectives and Roles
- 2.4 Utilizing Illinois workNet

### **2.1 SCHEDULING THE INITIAL MEETING**

If the dislocation event meets the threshold for a state-level event, the Workforce Development Specialist schedules the Initial Meeting and involves the required individuals. For local-level events, the LWIA schedules the Initial Meeting and involves the required individuals. Throughout this chapter, "Rapid Response team leader" will refer to either the Workforce Development Specialist or the LWIA, depending on which is the lead for state- or local-level events.

For state- and local-level events, the individuals required to be contacted when scheduling the Initial Meeting include the employer representative, the union (and/or employee) representative(s), the LWIA and IDES. It is imperative that the employer or union (and/or employee) representative attend.

The Initial Meeting should be scheduled as soon as the dislocation event is verified.

The Workforce Development Specialist will utilize the Workshop section of IEBS to add an Initial Meeting event, prior to the event taking place, if possible.

If an Initial Meeting is not possible at the worksite or if the employer refuses to participate, the Rapid Response team leader shall determine the most appropriate

location to facilitate the delivery of services. This could include a facility identified by the local union or the LWIA. Under extenuating circumstances, the Initial Meeting may be held via conference call.

If management or the union (and/or employee) representative refuse or are unable to participate in a joint meeting, a separate, subsequent meeting should be arranged. In such situations, the need for immediate cooperation between management and labor in facilitating a Rapid Response Outreach Meeting and subsequent service delivery must be emphasized.

When all scheduling arrangements have been finalized, the Workforce Development Specialist in state-level events or LWIA in local-level events circulates essential information for the Initial Meeting to all Rapid Response team members. Such information may include directions to the meeting location, parking information, security clearance and any other pertinent logistics. Prior to setting the outreach meeting a discussion should take place with the LWIA to determine if they have ample funding available to fully serve the workers. If not, they must file an application for funds.

## **2.2 IDENTIFYING THE STATUS OF LABOR-MANAGEMENT RELATIONS**

Prior to convening the Initial Meeting, if applicable, the Workforce Development Specialist in state-level events or LWIA in local-level events will brief each member of the Rapid Response team concerning any information regarding labor management relations and the status of negotiations. All entities participating in the Initial Meeting should remain cognizant of labor-management relations and potential effects on negotiations when Rapid Response services and resources are offered. It is essential to avoid actions that interject the State and/or the LWIA into those negotiations. Navigating through these sensitivities will generally result in greater commitment and cooperation from both management and labor in the delivery of Rapid Response services.

## **2.3 PLANNING AND FACILITATING THE INITIAL MEETING WITH CLEAR OBJECTIVES AND ROLES**

The primary objectives of the Initial Meeting follow:

1. To clarify roles and expectations of each member of the Rapid Response team, the employer and the union (and/or employee) representative;
2. To obtain the commitment of management and the union (and/or employee) representative to actively participate in the planning and implementation of key Rapid Response activities;
3. To obtain information about the current circumstances at the company and the affected workers;
4. To determine whether the layoffs or closures are impacted by foreign trade;
5. To explain the reemployment services that will be made available to employees to ease the transition to future employment;

6. Collect employee demographic information including age range of employees, skill sets (Commercial Driver License, Computer Numerical Control Machinists, Accountants, etc.), the need for accommodations (i.e., English as a second language, American Sign Language, etc.); and
7. To schedule the Rapid Response Outreach Meetings for the dislocated workers.

The primary roles of each Rapid Response team member follow:

- **The Department of Commerce's Workforce Development Specialist**, in a state-level event, will schedule, coordinate and facilitate the Initial Meeting. This includes notifying all attendees of their roles and expected participation. If the Workforce Development Specialist cannot attend the Initial Meeting, he or she must designate another Rapid Response team member to facilitate.
- **The LWIA**, in a local-level event, will schedule, coordinate and facilitate the Initial Meeting. This includes notifying all attendees of their roles and expected participation. In state-level and local-level events, the LWIA is responsible for explaining local services available, the eligibility criteria and the process of accessing the services. The LWIA may conduct preliminary assessments of the affected workers for eligibility for services and their specific needs for locally available services.
- **IDES**, in either a state-level or local-level event will present an overview of the services available locally through IDES. This includes UI benefits, eligibility and other Employment Services available. Local employment statistics also should be presented. Trade Act Program services such as Trade Readjustment Assistance (TRA) and Alternative Trade Adjustment Assistance (ATAA)/Reemployment Trade Adjustment Assistance (RTAA) should be discussed, when applicable.

In addition to the Rapid Response team, the employer representative and employee/union representative have roles during the Initial Meeting. The Initial Meeting facilitator is responsible for notifying the employer representative and the employee/union representative that they will be expected to explain the following during the Initial Meeting:

- **Employer:** The company's circumstances, including the status of the layoff, closing or relocation; the layoff schedule; union bumping rights, if applicable; the status of collective bargaining; the estimated number of workers to be affected, who may be transferred to other facilities owned by the employer or who are eligible for retirement; and the termination benefits that may be provided to the affected workers. The employer representative shall also indicate whether the property will be available for future on-site Rapid Response Outreach Meeting.
- **Employee or union representative(s):** The segment of the affected workforce represented by the union, the status of collective bargaining, and the benefits potentially available to the affected workers through the union. The representative(s) also should describe the opportunities for workers to transfer or be placed in union jobs with other local employers. The representative may opt to indicate support for various strategies for maximizing employee involvement in Rapid Response outreach.

In state-level and local-level events, the facilitator of the Initial Meeting shall prepare for the meeting by developing two documents: a meeting agenda and a list of contacts for Rapid Response. Both will be circulated at the Initial Meeting along with an attendance sheet to be completed and returned to the facilitator at the end of the meeting.

The facilitator shall structure the Initial Meeting to clearly identify the purpose of the meeting, the roles of all involved, the commitments that must be obtained, the process of offering Rapid Response services and the next steps. A general itinerary follows with assumed time for questions and answers throughout the meeting:

1. The facilitator conducts introductions and asks each to identify his or her affiliation.
2. The facilitator defines the purpose and intended outcomes of the Initial Meeting.
3. The facilitator provides an overview of WIOA, the WARN Act, Rapid Response and Trade if applicable and distributes applicable material (e.g., WIOA and Trade brochures and petition).
4. The employer representative explains the circumstances of the layoffs.
5. The employee or union representative(s) explain the status of collective bargaining and options for affected workers.
6. The LWIA explains services that are available locally, the eligibility requirements and the process for accessing the services.
7. IDES explains the services and benefits that are available locally and the eligibility requirements.
8. The facilitator recaps the Rapid Response procedures and discusses the Rapid Response Outreach Meeting as the next step, emphasizing the expectation for Outreach meeting attendees to participate in a Dislocated Worker Survey.
9. The facilitator summarizes next steps and agreements reached during the Initial Meeting.
10. Adjourn.

In conjunction with providing an overview of WIOA, the WARN Act, Rapid Response, and Trade if applicable, the facilitator shall explain the availability of services through the Illinois workNet website and Illinois workNet Centers in the local area.

In both state-level and local-level events, the LWIA shall present itself as the primary deliverer of WIOA services and ensure that attendees understand how the services can benefit them.

The Workforce Development Specialist in state-level events or LWIA in local-level events should ascertain the reason for the layoff/closure and be prepared to discuss the Trade Act at the Initial Meeting. The employer is asked to identify any upstream or downstream producers that could ultimately be affected by the layoffs. Finally, the purpose of an Initial Meeting is discussed with the employer representative and a meeting is requested.

- This includes explaining services available under WIOA (i.e., career services and

training services), the tailoring of services through individualized assessments, career planning, the development of individual employment plans (IEPs) and Trade services available along with applicable deadlines, if appropriate.

- The LWIA should note the types of services provided in recent dislocation events of similar magnitudes and describe any success stories.
- The LWIA shall present potential strategies for maximizing employee involvement. This includes eliciting an agreement with the employer and union (and/or employee) representative to endorse and participate in selected strategies. Potential strategies could include but are not limited to reviewing the training needs/wants of the employees, facilitating talent transfers with companies that are hiring and exploring incumbent worker training to “up skill” workers to meet employer needs.
- The LWIA should also identify and make applicable referrals to community organizations.

If the event is impacted by foreign competition (potentially a Trade event), then the facilitator must provide a brief overview of the Trade Act provisions and benefits available as well as the critical deadlines that must be met by the workers to receive the full array of Trade services. The importance of receiving an affected employee list including those on Worker’s Compensation and those threatened with layoff must be discussed. The facilitator will distribute a Trade Act petition for completion that can be filed by any of the following entities:

- A group of three or more workers;
- A company official;
- A union official or authorized representative;
- A State Agency (Commerce or IDES); or
- A local agency, LWIA or Illinois workNet Center.

A copy of the completed petition should be provided to the Department of Commerce.

In explaining the next steps and an upcoming Rapid Response Outreach Meeting, the facilitator should emphasize the importance of attendance and participating in the Dislocated Worker Survey to help identify the workers’ needs and determine the most effective mix of services to provide. The facilitator should elicit the help of the employer and the union (and/or employee) representative to promote participation in the Rapid Response Outreach Meetings and completion of the Dislocated Worker Survey. As further described in Section 3.3 of this manual, it is ideal for workers to complete the Dislocated Worker Survey prior to the Rapid Response Outreach Meeting. If online access to the survey is not feasible for the workers, then the facilitator may distribute printed copies of the survey and ask affected workers to bring the completed responses to the scheduled outreach meeting.

Before adjourning the Initial Meeting, the facilitator shall ensure the following information is obtained and decisions made:

- A completed list of attendees.
- A list of all affected employees including their names, addresses, phone numbers, and email addresses based on the information available from the employer or union.
- Any agreements related to the use of the employer's facility for Rapid Response Outreach Meeting(s) at no cost to the employees.
- Any agreements related to the promotion of the Rapid Response Outreach Meeting and participation in the Dislocated Worker Survey, as well as support other outreach, recruitment and placement activities.
- The Initial Contact Checklist should be reviewed with the team to ensure that all necessary information and employee demographics have been collected and reiterated on behalf of all rapid response team members.

After the Initial Meeting, the facilitator shall document all agreements reached and distribute a summary to all who attended the Initial Meeting and who will be invited to attend the Rapid Response Outreach Meeting(s).

The facilitator then updates information on IEBS. This includes all Rapid Response Team contacts, updating any changes to the layoff numbers or schedule, documentation of discussion topics during the on-site visit, any potential problems that may need to be addressed, and if a Trade petition has been or will be filed based on the layoff reason.

## **2.4 UTILIZING IEBS FOR OUTREACH WORKSHOPS**

IEBS will automatically create an online Illinois workNet page specific to the company and dislocation event once a WARN notice is received and processed. The content and page maintenance will be carried out by the entity leading the Rapid Response efforts (the Workforce Development Specialist for state-level events or the Local Workforce Innovation Board or LWIA staff, as appropriate, for local-level events).

The Workforce Development Specialist or lead for the local event shall create an Outreach Workshop event in IEBS once the workshop is scheduled. This must occur prior to the workshop occurring.

Illinois' workNet Team will remind the local board or the LWIA to maintain content and will review the pages every thirty (30) days, following up as needed.

The local area may choose to create a Layoff Assistance Page even if not required by the Department of Commerce. Layoff Assistance pages are required for all state-level events involving twenty-five (25) or more impacted employees. To create a local-level event, the local area has the appropriate permissions to create events and Outreach Workshop pages for events impacting less than twenty-five (25) workers.

IEBS by default generates an outreach workshop package. The Workforce Development Specialist, or local lead for a local event, has the ability to add additional resources to the resource packet.

# CHAPTER 3

## RAPID RESPONSE OUTREACH MEETINGS

### Chapter Objective

The purpose of the Rapid Response Outreach Meeting is to provide dislocated workers with a comprehensive and customized menu of services to facilitate an expedited transition to other employment. Participation by the employer and employee/union representatives is highly desired but not always possible.

This chapter provides guidance on the following activities related to Rapid Response Outreach Meeting(s):

- 3.1 Outreach Meeting Procedures
- 3.2 Facilitating the Rapid Response Outreach Meeting(s)
- 3.3 Customizing, Distributing and Analyzing the Dislocated Worker Survey
- 3.4 Responding to Trade-Affected Events
- 3.5 Reporting in Illinois Workforce Development System
- 3.6 Seeking Additional Funding for Sector Recruitment

### 3.1 OUTREACH MEETING PROCEDURES

Roles of the Rapid Response Team members participating in the Rapid Response Outreach Meeting(s) are pursuant to the threshold defined in Section 1.1 of this manual. The primary roles of each Rapid Response team member follow:

#### Outreach Meeting Participants

- **The Department of Commerce's Workforce Development Specialist**, in a state-level event, will design, schedule, coordinate and facilitate the Rapid Response Outreach Meeting(s). This includes notifying all attendees of their roles and expected participation, as well as building consensus for services to provide to the affected workers based on the initial outreach meeting, where employees' demographic information is gathered, and the Dislocated Worker Survey results.
- **The LWIA**, in a local-level event, will design, schedule, coordinate and facilitate the Rapid Response Outreach Meeting(s). This includes notifying all attendees of their roles and expected participation, as well as getting consensus for the services to provide to the affected workers. Regardless of whether the event is a state- or local-level effort, the LWIA must be prepared to schedule appointments for affected workers interested in applying for WIOA or other locally available services at or soon after the Outreach Meeting.
- **IDES**, in either a state- or local-level event will connect affected workers to UI benefits and other Employment Services available locally. IDES must coordinate with the LWIA and, if a state-level event, the Workforce Development Specialist to identify the necessary services for workers.

Representatives of additional partners or programs such as the Illinois Department of Insurance and local community colleges may also be invited to participate in the Outreach Meeting(s) as determined by the Rapid Response team.

If the dislocation event affects workers in more than one LWIA, then the LWIA in local-level events will contact the other LWIAs and the state for participation. In state-level events, the Workforce Development Specialist will contact the other LWIAs for participation.

All Rapid Response team members must work collaboratively and in consultation with the employer and employee/union representative(s) to plan the Rapid Response Outreach Meeting timing, location and format. This includes considering the circumstances surrounding the dislocation event, the characteristics of affected workers and any other pertinent information.

### **Outreach Meeting timing**

The Rapid Response Outreach Meeting should be scheduled as soon as possible after the Initial Meeting to allow adequate time for planning the delivery of services. If possible, the outreach meeting should be scheduled during the normal working hours of the affected employees. The Rapid Response team leader shall encourage employers to provide leave time for all affected workers to help ensure maximum participation in the Rapid Response Outreach Meeting(s).

More than one outreach meeting may be needed to accommodate the number of workers affected, shift changes, employer staffing needs, limited available facilities or other factors.

If an event results in the permanent dislocation of twenty-five (25) or more workers but no WARN notice is received or if the employer refuses to participate, Rapid Response Outreach Meetings should be conducted as soon as a location is secured, and outreach activities conducted, even if this cannot happen before layoffs occur. The Workforce Development Specialist should convene a conference call of all Rapid Response team members to explain the situation and, by consensus, schedule a date and time of a Rapid Response Outreach Meeting. Employee outreach strategies should also be discussed.

### **Outreach Meeting location**

The desirable location of the Rapid Response Outreach Meeting is the employment site. The Rapid Response Team leader shall encourage employers to provide adequate facilities for the outreach meeting as an in-kind contribution to the effort to assist the affected workers. If this cannot be arranged and workers are represented by a union, the outreach meeting may be conducted at a union facility. Other sites may be available within the community and should be identified by the Rapid Response team and utilized, as necessary.

### **Outreach Meeting Promotion**

The Rapid Response team shall try to reach all affected workers using various outreach strategies to promote attendance at the Rapid Response Outreach Meeting(s). IDES is responsible for mailing individual letters to workers in Trade Rapid Response events. The letters should confirm the date, time and location of the Outreach Meeting(s).

Other outreach strategies can include approaching local news media to run public service announcements, posting notices at local IDES offices, posting notices on social media and updating the Illinois workNet Layoff Recovery site with Outreach Meeting information. Soliciting help from the employer and the employee/union representatives to promote attendance also is encouraged.

### **Outreach Meeting Agenda**

The facilitator of the Rapid Response Outreach Meeting, whether the Workforce Development Specialist for state-level events or the LWIA staff for local-level events, shall develop an agenda for the Outreach Meeting.

The completed agenda shall be distributed to all Rapid Response team members, the employer and employee/union representative(s), as well as any additional presenters invited to meet the anticipated needs of the workers.

## **3.2 FACILITATING THE RAPID RESPONSE OUTREACH MEETING(S)**

Consistent with the threshold described in Section 1.1 of this manual, the Workforce Development Specialist shall facilitate the Outreach Meetings for state-level events and the LWIA shall facilitate outreach meetings for local-level events. During the outreach meeting, the facilitator should present three primary topics:

1. Clearly identify the purpose of the Outreach Meeting, the roles of all involved and the general process for accessing services;
2. Briefly describe the services available locally under WIOA and, if applicable, the Trade Act;
3. Highlight the advantages of applying for WIOA or Trade services as early as possible; and
4. Instructions for applying and providing the required documentation.

The facilitator should note that workers applying for services in different LWIAs may not have access to identical services based on local decision-making for program delivery.

A general itinerary follows with assumed time for questions and answers throughout the outreach meeting:

1. The facilitator conducts introductions and asks each to identify his or her affiliation.
2. The facilitator defines the purpose and intended outcomes of the Rapid

- Response Outreach Meeting.
3. The facilitator describes the services available under WIOA and, if applicable, Trade. (Highlight the advantages of applying for services as early as possible.)
  4. The facilitator provides instructions for applying for services and providing the required documentation.
  5. IDES explains Unemployment Insurance (UI) benefits, Employment Services (ES) programs and local Labor Market Information, as well as TRA, ATAA/RTAA as appropriate. IDES further explains the eligibility requirements and processes for applying. IDES should note that state policy provides for a waiver of the UI work search requirement for individuals participating in approved WIOA/Trade training.
  6. The facilitator explains the Dislocated Worker Survey and allocates time for the completion of the survey during the Outreach Meeting, if needed.
  7. LWIA staff guides workers in completing the necessary paperwork for eligibility determinations and ensuring access to Illinois workNet.
  8. Adjourn as workers complete their surveys or paperwork.

The facilitator should encourage every worker to register for an Illinois workNet account at <http://www2.illinoisworknet.com/> by clicking "sign up" in the upper right corner.

Written materials and brochures describing services should also be distributed and/or made available to workers online. Additionally, provisions may be made for workers to apply for some services at the outreach meeting. All presenters should remain available after the outreach meeting to address worker inquiries.

### **3.3 CUSTOMIZING, DISTRIBUTING AND ANALYZING THE DISLOCATED WORKER SURVEY**

The Dislocated Worker Survey is an important tool in identifying the specific services that will most effectively assist the workers in finding new employment as quickly as possible.

The Workforce Development Specialist has two possible ways to collect surveys from impacted employees.

Method 1: On the IEBS layoff page for the event, under the Survey Results tab, the survey can be downloaded in an offline format by clicking the Download Office Survey button. Once the surveys are completed by the impacted workers the LWIA will access the layoff page and enter the survey results under the Survey Results tab using the Add Survey button.

Method 2: On the Company Specific Page, there is a link titled Complete the Layoff Information Questionnaire. The Workforce Development Specialist can create fliers for the company or ask the company representative to promote this link and request that impacted workers complete the questionnaire. This can also be promoted during the

workshop as well.

Ideally, workers will have completed the Dislocated Worker Survey online prior the Rapid Response Outreach Meeting to assist the facilitator in planning the Outreach Meeting and arranging for the appropriate service providers to be available at the Outreach Meeting. If paper copies were distributed at the Initial Meeting, then the facilitator should instruct the workers to bring their completed surveys to the Rapid Response Outreach Meeting.

Regardless of whether the Dislocated Worker Survey is distributed at the Initial Meeting or at the Rapid Response Outreach Meeting, the facilitator should emphasize the importance of completing the survey with accurate information to ensure that appropriate services are offered. Details about the time allotted for completion of the survey, special arrangements for assistance and instructions for submitting completed surveys to the facilitator should be provided.

- A maximum of two weeks from the time the survey is distributed is recommended for the completion, collection and analysis of the Dislocated Worker Surveys.

If workers have not completed the survey prior to the Rapid Response Outreach Meeting, the facilitator should encourage the workers to complete the survey before leaving the Outreach Meeting. If the outreach meeting is held in a location with access to internet and computers, workers may complete the online survey during the outreach meeting with the support of the facilitator as needed. If paper surveys are necessary, then the Rapid Response team will have to enter the results into IEBS (or the appropriate state-designated repository).

Once completed surveys are entered, the facilitator (and the LWIA staff, if not the facilitator) should collaborate to analyze the results for two primary purposes:

1. To identify the most appropriate, locally available services to offer to the workers, and
2. To identify whether there is a need to apply for additional funding for services to dislocated workers or Trade participants.

### **3.4 RESPONDING TO TRADE-AFFECTED EVENTS**

Trade Rapid Response services are required for all petitions certified by the Department of Labor. Roles of the Rapid Response Team in Trade events follow:

- **The Department of Commerce:** OET Trade Staff will forward the petition, certification and the layoff list to the LWIA, the Department of Commerce OET Regional Manager and Workforce Development Specialist assigned to the local area. The Workforce Development Specialist will review the list and determine if a substantial number of customers live outside their service area. The Workforce Development Specialist will coordinate with the appropriate LWIA(s), IDES Trade/Regional/Local Office Staff to initiate Trade Rapid Response Outreach Meetings and invite the appropriate additional LWIA(s) or State(s) to participate.

- **LWIA:** For local Rapid Response Events initiated prior to Trade Certification: Upon receipt of a petition or certification from the Department of Commerce OET Trade Unit, the LWIA will immediately make contact with the company to provide Trade specific Rapid Response Services and coordinate with IDES Trade/Regional/Local Office staff. IDES will contact the employer for an up-to-date list of workers affected by the layoff and provide that list to Department of Commerce OET Trade Unit and IDES.
- **IDES:** Immediately upon receipt of a certification or notice of subsequent layoff during the certification period, the IDES Trade Unit Staff requests from the employer an updated list of workers affected by the layoffs. The list must include the names and addresses of employees that have been separated from the company and whose last day of work falls between the Impact Date and Expiration Date, both of which are identified in the Petition Certification. Upon receipt of employee list IDES will determine the IDES Regions and Local Offices to which the workers will report and send the list to the appropriate IDES local office, copying the Department of Commerce OET Trade Staff.

Once IDES receives an updated list of affected workers, IDES reviews the list for any worker that has already been laid off. Those names are entered into the Illinois Benefit Information System (IBIS).

The Workforce Development Specialist will coordinate meetings and will work with the IDES Trade Program Coordinator, Local IDES Office staff and local area to coordinate a joint outreach meeting with the Trade affected workers. IDES must then notify all affected workers and coordinate outreach of all participating agencies on the Rapid Response team.

IDES will coordinate with the Workforce Development Specialist to schedule an in-person location or an online location for the impacted worker letter. IDES is responsible for disseminating the letter. This will be recorded in IEBS as an Outreach Workshop.

IDES Trade Unit staff immediately requests from the employer an updated list of workers affected by the layoffs. The list must include the names and addresses of employees that have been separated from the company and whose last day of work falls between the Impact Date and the Expiration Date, both of which are identified in the company's Petition Certification.

(Petition Certifications numbered 70,000 and greater require the LWIA to request a list of current employees that meet the criteria for "threatened with layoff" that includes the projected layoff date.) The request should also seek a list of affected workers currently receiving Worker's Compensation. Obtaining this list electronically is preferable, but a paper copy is acceptable. Information on where to send a copy of the layoff list can be found in Section 5.2 of this manual.

Eligibility for Trade Services/TRA is determined on an individual basis when the worker applies for benefits and services. Eligibility is not necessarily contingent upon the inclusion or exclusion of a worker's name on the layoff list. For workers who missed the enrollment deadline because their names are excluded from the list, the extenuating circumstances provisions should be considered.

Either the Workforce Development Specialist or the LWIA, depending on whether it is a state-level or local-level Trade event, must document all attempts to notify the workers of Trade Rapid Response Outreach Meetings in the "Notes" section of the Illinois Employment Business System (IEBS) with a narrative describing the outreach methods used.

If the Workforce Development Specialist in state-level events or the LWIA in local-level events no longer has access to the affected workers, they must attempt to hold a Trade-specific outreach meeting for the workers by advertising the location, date and time in the newspaper, social media, Illinois workNet and/or on the radio. Additionally, the Workforce Development Specialist or LWIA, depending on the state- or local-level event, must attempt to work with the union (and/or employee) representative to contact the workers or use other methods to notify the workers of the benefits available and the deadlines to apply for and receive Trade services. A sign-in sheet with names, addresses, phone numbers and email addresses are required at all Trade workshops. IDES is mandated to place an ad in the newspaper upon notification of a certification to inform workers of the petition certification and direct them to LWIA staff for services.

### **3.5 REPORTING IN ILLINOIS WORKFORCE DEVELOPMENT SYSTEM**

Consistent with Section 1.1 of this manual, Trade-impacted events of twenty-five (25) or more the Workforce Development Specialist is responsible for the entry of data into IEBS. For events twenty-four (24) or fewer; the LWIA is responsible for the data entry into IEBS.

The following data should be entered into IEBS:

- All attempts to notify workers should be recorded as a Note and the narrative should include the method of contact and the outcome of the attempt. The documentation type for this note should be Investigation.
- Results of the Dislocated Worker Survey should also be entered into IEBS.
- All Trade and WARN-related Outreach Meeting presenters should be added as contacts to the event. The Outreach Meetings scheduled need to be entered as well.
- All Trade Workshops held including the number of workers who attended.
- If the number of affected workers changes, adjustments to the layoff number must be made in the event on IEBS using the Schedule section.

All Trade Petitions must have a corresponding IEBS event entered. If a current IEBS event already exists for the company/worker group and no layoffs have occurred prior to the Impact Date of the certification, the LWIA should tag the event as Trade Certified and add all the relevant Trade data to the system.

If layoffs did occur prior to the Impact Date on the Petition Certification, a new IEBS event must be created and maintained in IEBS.

A closed status will be given to an IEBS event that is at least eighteen (18) months old and has fewer than five (5) active registrants and no recently recorded activity in IEBS. Generally, an event plan will specify an end date for services between eighteen (18) to twenty-four (24) months after the initial layoff date. Some events will last longer due to the layoff schedule, and some events will be designated as inactive immediately if services are not needed.

If no current event exists in IEBS, a new IEBS event will need to be created and completed. In addition, all Trade and WIOA dislocated worker customers being served must be associated with an IEBS event by entering the IEBS ID Number on the customer's Dislocation Employment Record.

For customers from a WARN dislocation event or certification from another state, the Workforce Development Specialist or LWIA (depending on whether it is a state-level event or a local-level event) may choose to enter the event into IEBS and track the workers. However, the federal Rapid Response requirement belongs to the state where the dislocation occurred (i.e., the Liable State). The customer's employment record will indicate when the customer last received Rapid Response services.

### **3.6 SEEKING ADDITIONAL FUNDING FOR SECTOR RECRUITMENT**

Additional funding may be available for Trade and WIOA dislocated worker programs and services through the Sector Recruitment Specialist (SRS) Program. The program is a joint effort between the Department of Commerce OET, the affected LWIA and appropriate service providers. The program is designed to maximize participation of laid off workers, particularly those who have not participated through traditional Rapid Response efforts. The Workforce Development Specialist and OET Grant Staff will provide documents, including Job Description, Scope of Work and Manual, and technical assistance for this opportunity.

The SRS will, for a limited time, provide additional assistance and services to dislocated workers, whether for specific events that require additional recruitment or in sectors where layoffs are occurring in local areas.

In both state-level and local-level dislocation events, the Workforce Development Specialist will coordinate with the LWIA to identify the need for additional assistance and

the type of assistance needed to help dislocated workers transition to other employment. This can include providing technical assistance and assisting with additional recruitment strategies such as talent transfers.

# ***CHAPTER 4***

## **MANAGEMENT OF SERVICES**

### **Chapter Objective**

The final phase of Rapid Response is to develop and implement an effective service delivery plan using a coordinated, non-duplicative service strategy tailored to the needs of the dislocated workers. This is documented in a "Plan for Services" and intended to guide all Rapid Response team members in implementation.

This chapter provides guidance on the following activities related to the Plan for Services:

- 4.1 Developing a Plan for Services
- 4.2 Minimum Components of the Plan for Services
- 4.3 Documenting the Plan for Services in IEBS
- 4.4 Implementing the Plan for Services
- 4.5 Closing Services in IEBS

### **4.1 DEVELOPING A PLAN FOR SERVICES**

All Rapid Response team members, in consultation with the employer and employee/union representative, shall coordinate to develop a Plan for Services.

Consistent with the threshold defined in Section 1.1 of this manual, the Workforce Development Specialist will have lead responsibility on coordinating Rapid Response team members and developing the Plan for Services for state-level events. The LWIA will have lead responsibility for coordinating Rapid Response team members and developing a Plan for Services for local-level events.

The Plan for Services should be customized to the specific factors that are relevant to each dislocation event. The ultimate goal, in all cases, should be to select the menu of services that have the most promise of preventing or minimizing unemployment for that particular group of workers. This includes identifying and connecting with businesses that may hire the affected dislocated workers.

The Rapid Response team shall utilize data from the Rapid Response Outreach Meeting and the Dislocated Worker Survey to identify workers' specific needs and career goals. As survey results are reviewed and analyzed and eligibility determinations are made, the LWIA will coordinate and provide the appropriate career and training services as appropriate and allowable by local policy; make referrals to the appropriate partner programs for additional services; work with community organizations to provide additional services to assist affected workers.

The range of services may include the following: career services such as resume writing,

assistance with online job applications, career exploration, labor market information, testing/assessment, career planning, case management, skills upgrade, information on applying for employment benefits, job search and placement assistance, training or retraining. Training services may include On-the-Job Training, Classroom Training or Incumbent Worker Training in relation to layoff aversion strategies.

## 4.2 MINIMUM COMPONENTS OF THE PLAN FOR SERVICES

In general, the Plan for Services clearly outlines the role of each Rapid Response team member, the specific services that will be provided to workers, the timeline for services to be carried out, and the funding sources to cover the cost of the dislocation event.

Specifically, the Plan for Services must include the following components:

1. **Service Matrix:** Summarize all WIOA/Trade services that will be carried out and the agency or service provider responsible for implementing those services.
2. **Timetable:** Identify the schedule of activities to be carried out within a specific time period based upon the anticipated schedule of layoffs. Generally, the Plan for Services will specify an end date between eighteen (18) and twenty-four (24) months after the initial layoff date.
3. **Funding strategy:** Outline facts known about the availability of LWIA allocated funds, State and national reserve funds, Trade funds, company or union benefits and other in-kind contributions to support the anticipated cost of the dislocation event. The costs must be budgeted according to WIOA/Trade cost reporting requirements to ensure integration with planned WIOA/Trade Program Performance Goals.
4. **Performance goals:** Define quarterly activity and performance goals, including the following:
  - Enrollments;
  - Terminations;
  - Service levels;
  - Estimated entered employment rate;
  - Wage at placement;
  - Cost per entered employment;
  - Wage replacement rate; and
  - For Trade customers, performance must also be defined.
5. **Special service arrangements:** Document provisions for such special arrangements as on-site services.
6. **Outreach strategy:** Identify specific ways in which the Rapid Response Team will inform the affected workers of the services available to them and conduct the formal intake process. A custom strategy for outreach and recruitment of workers could include the delivery of additional Outreach Meetings, targeted mailings or other measures deemed necessary by the Rapid Response team.
7. **Other significant issues affecting implementation:** Identify any other significant issues that may affect the delivery of services. This could include

ongoing economic development activities in the local area, ongoing collective bargaining issues, unique eligibility questions or uncertainty about key facts concerning the dislocation.

### **4.3 DOCUMENTING THE PLAN FOR SERVICES IN IEBS**

The Plan for Services must be documented in IEBS, ensuring all Rapid Response team members have access to and can see up-to-date information about the status of Rapid Response efforts. Timely entry of data is also critical to accurately assess needs for additional financial assistance at the state and federal levels. All funding requests under WIOA also should be documented in IEBS.

Consistent with the threshold defined in Section 1.1 of this manual, the Workforce Development Specialist will be responsible for documenting the Plan for Services in IEBS for state-level events. The LWIA will be responsible for documenting the Plan for Services in IEBS for local-level events.

Once the Plan for Services has been entered into IEBS the plan is approved by the Workforce Development Specialist. The approval date will appear on the status screen in IEBS.

### **4.4 IMPLEMENTING THE PLAN FOR SERVICES**

Rapid Response team members shall implement services for dislocated workers in accordance with Part 680 – Adult and Dislocated Worker Activities under Title I of the Workforce Innovation and Opportunity Act (WIOA). Services for Trade Program customers shall be carried out in accordance with applicable Trade Program rules and regulations.

The Workforce Development Specialist in state-level events and the LWIA in local-level events is responsible for documenting outcomes of each Rapid Response activity through the implementation phase, which is critical to effectively manage the response and evaluate layoff aversion efforts.

### **4.5 CLOSING SERVICES IN IEBS**

Consistent with the threshold defined in Section 1.1 of this manual, the Workforce Development Specialist will be responsible for designating State-level dislocation events as inactive in IEBS. The LWIA will be responsible for designating local-level dislocation events as inactive in IEBS.

Inactive status will be given to an event that is at least eighteen (18) months old, has fewer than five (5) registrants, and has no recent activity documented in IEBS. While services generally are carried out for eighteen (18) to twenty-four (24) months after the

initial layoff date, some events will last longer because of layoff schedules. Other events will be designated as inactive almost immediately after the layoff date if services are unnecessary (e.g., a layoff of highly employable, white-collar workers).

The Workforce Development Specialist in state-level events and the LWIA in local-level events must review the IEBS report on a monthly basis. Inefficiencies should be addressed with the applicable Rapid Response team members to ensure all updates are made as required.

# ***CHAPTER 5***

## **DEFINITIONS AND RESOURCES**

### **5.1 DEFINITIONS**

The table below identifies terms and definitions which are commonly used during Rapid Response events.

<b>ACRONYMS / TERMS</b>	<b>DEFINITION</b>
ATAA	Alternative Trade Adjustment Assistance
BESA	Business Economic Support Act
CEO	Chief Elected Officer
DOL	United States Department of Labor
DWU	Dislocated Worker Unit
EDWAA	Economic Dislocation and Worker Adjustment Assistance Act
Employer	Local contact for the company
ES	Employment Services
FEIN	Federal Employer Identification Number
FOIA	Freedom of Information Act
IEBS	Illinois Employment Business System
IDES	Illinois Department of Employment Security
Initial Meeting	The Initial Meeting occurs in response to a WARN or notification of a potential layoff. The Workforce Development Specialist or LWIA staff schedule and conduct the Initial Meeting in order to obtain additional information about the dislocation events, develop a plan for service, including Rapid Response outreach meetings.
IWDS	Illinois Workforce Development System
Layoff Aversion	DOL ETA considers a layoff averted when either: 1) a worker's job is saved with an existing employer that is at risk of downsizing or closing; or 2) a worker at risk of dislocation transitions to a different job with the same employer or a new job with a different employer and experiences no or a minimal spell of unemployment.
LMC	Labor Management Committee
LWIA	Local Workforce Innovation Area
LWIB	Local Workforce Innovation Board
MLS	Mass Layoffs Statistics
OET	Office of Employment and Training
PAN	Peer Advisor Networks
Rapid Response Outreach Meeting	The Rapid Response Outreach Meeting is a coordinated meeting with State, local, labor representatives and other partners as necessary in order to provide overall information of available services as well as

<b>ACRONYMS / TERMS</b>	<b>DEFINITION</b>
	gather demographic information about the affected workforce.
RTAA	Reemployment Trade Adjustment Assistance
SRS	Sector Recruitment Specialist
Trade	The Trade Act of 1974 (19 USC, Section 2271, et seq.), as amended
TRA	Trade Readjustment Assistance
UI	Unemployment Insurance
WARN	Federal Worker Adjustment and Retraining Notification Act <b>and</b> Illinois Worker Adjustment and Retraining Notification Act
WARN Processing Unit	The entity of the state that is responsible for receiving WARN and reporting Human Rights notices.
WDS	Workforce Development Specialist
WIA	Workforce Investment Act
WIOA	Workforce Innovation and Opportunity Act

## 5.2 CONTACTS

The name and contact information for the Department of Commerce can be found at: <http://www2.illinoisworknet.com/LayoffRecovery/Pages/RapidResponseServices.aspx>.

## 5.3 RAPID RESPONSE RESOURCES

A library of resources, including marketing materials, and related information can be found at:

<https://www2.illinoisworknet.com/partners/LayoffRecovery/Pages/WPPDownloads.aspx>

A library of resources for the Department of Commerce OET staff is posted on the Department of Commerce Network Drive at:

S:\JTD\Regional Management\RAPID RESPONSE\PROCEDURES MANUAL\ATTACHMENTS AND RESOURCES

### Workforce Professional Resources

Rapid Response tools and information can be accessed from the Illinois workNet Workforce and Education Partner Layoff Assistance Online Guide (login required) at:

<https://www2.illinoisworknet.com/partners/LayoffRecovery/Pages/WPPGuide.aspx>

### Local Workforce Innovation Area

The latest updated list with names, addresses and phone numbers can be found at:

[www.illinoisworknet.com/locations](http://www.illinoisworknet.com/locations).

### Illinois Department of Employment Security Resources

Additional tools and resources are available at the IDES website at:

<http://www.ides.illinois.gov/>

## 5.4 GOVERNING LEGISLATION AND POLICY LETTERS:

- [Workforce Innovation and Opportunity Act \(WIOA\); \(PL 113-128\)](#)
- [Workforce Innovation and Opportunity Act; Final Rule \(20 CFR Part 603, et al.\)](#)
- [The Worker Adjustment and Retraining Notification Act \(WARN\); \(PL 100-379\)](#)
- [Worker Adjustment and Retraining Notification; Final Rule \(20 CFR 639\)](#)
- [Illinois Worker Adjustment and Retraining Notification Act \("Illinois WARN"\) \(820 ILCS 65\)](#)
- [Illinois Department of Labor \(IDOL\) WARN Act Rules](#)
- [Business Economic Support Act \(30 ILCS 760\)](#)
- [The Trade Adjustment Assistance Reauthorization Act of 2015 \(TAARA 2015\), Title IV of the Trade Preferences Extension Act of 2015 \(PL 114-27\)](#)
- [Trade Adjustment Assistance Extension Act of 2011 \(PL 112-40\) \(TAAEA\)](#)
- [Trade and Globalization Adjustment Assistance Act of 2009, Division B, Title I, Subtitle I of the American Recovery and Reinvestment Act of 2009 \(PL 111-5\) \(TGAAA\)](#)
- [Trade Adjustment Assistance Reform Act of 2002, Division A, Title I, Subtitle A of The Trade Act of 2002 \(PL 107-210\), as amended by the Miscellaneous Trade and Technical Corrections Act of 2004 \(PL 108-429\) \(TAARA\)](#)
- [Chapter 2 of Title II of the Trade Act of 1974, as amended \(PL 93-618\) \(1974 Act and, as amended, Trade Act\)](#)
- [Code of Federal Regulations, Section 617.1-67](#)
- [Petition for Trade Adjustment Assistance \(TAA\) \(OMB No. 1205-0342, expires: 09/30/2022\)](#)
- [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\*](#)
- [TEGL 05-15, \*Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Reauthorization Act of 2015 \(TAARA 2015\), and its \[Change 1\]\(#\)\*](#)
- [TEGL 02-15, \*Operational Guidance for National Dislocated Worker Grants, pursuant to the Workforce Innovation and Opportunity Act \(WIOA or Opportunity Act\)\*](#)
- [TEGL No. 14-14, \*Trade Adjustment Assistance \(TAA\) for Workers and Alternative Trade Adjustment Assistance \(ATAA\) and Reemployment Trade Adjustment Assistance \(RTAA\) Program Operations after December 31, 2014\*](#)
- [TEGL No. 07-13, \*Operating Instructions for Implementing the Sunset Provisions of the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Extension Act of 2011 \(TAAEA or the 2011 Amendments\)\*](#)
- [TEGL No. 10-11, \*Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Extension Act\*](#)

- of 2011 (TAAEA), and its [Change 1](#) and [Change 2](#)
- [TEGL No. 06-11](#), *Instructions for Submitting Amendment Requests to the Office of Trade Adjustment Assistance under the Trade Act of 1974*
  - [TEGL No. 22-08](#), *Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009*, and its [Change 1](#)
  - [TEGL No. 11-02](#), *Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002*, and its [Change 1](#), [Change 2](#), and [Change 3](#)
  - [TEN No. 23-14](#), *How-to-Guide for Completing a Petition for the Trade Adjustment Assistance (TAA) Program and Partnering with Rapid Response Teams to Improve the Quality of State-Filed Petitions*
  - [TEN No. 31-11](#), *The Rapid Response Framework*
  - [TEN No. 14-10](#), *Availability of an Electronic Submission Process for Petitions for Trade Adjustment Assistance (TAA): Employment and Training Administration (ETA) Form 9042 (Office of Management and Budget (OMB) Control No. 1205-0342)*
  - [WIA Policy Letter No. 09-PL-52](#), Trade Adjustment Assistance (TAA) - Administration (July 28, 2009)
  - [WIA Notice No. 08-NOT-37, Change 1](#), Trade Adjustment Assistance (TAA) Operating Instructions (October 19, 2009)
  - [WIOA Policy Chapter 9 Section 2](#), Attachment: Illinois Employment Business System (IEBS) Manual (TBD)