

RAPID RESPONSE PROCESS
APPENDIX AND SAMPLE FORMS

1: Worker Adjustment & Retraining Notification Act (WARN)

The Worker Adjustment and Retraining Notification Act (WARN) was enacted on August 4, 1988 and became effective on February 4, 1989.

Who is covered?

In general, employers are covered by the Worker Adjustment and Retraining Notification Act (WARN or the Act) if they have 100 or more employees, not counting employees who have worked less than 6 months in the last 12 months and not counting employees who work an average of less than 20 hours a week. Regular federal, state and local government entities that provide public services are not covered. Employees entitled to notice under WARN include hourly and salaried employees, as well as managerial and supervisory employees.

Basic Provisions/Requirements

WARN provides protection to employees, their families and communities by requiring employers to provide notification 60 calendar days in advance of plant closings and layoffs. Advance notice provides employees and their families some transition time to adjust to the prospective loss of employment, to seek and obtain alternative jobs and, if necessary, to enter skill training or retraining that will allow these employees to successfully compete in the job market. WARN also provides for notice to State dislocated employee units so that dislocated employee assistance can be promptly provided.

A covered plant closing occurs when a facility or operating unit is shutdown for more than 6 months, or when 50 or more employees lose their jobs during any 30-day period at the single site of employment. A covered mass layoff occurs when a layoff of 6 months or longer affects 500 or more employees, or 33 percent or more of the employer's workforce when the layoffs affect between 50 and 499 employees. The number of affected employees is the total number laid off during a 30-day, or in some cases a 90-day period.

WARN does not apply to the closing of temporary facilities or the completion of an activity when the employees were hired only for the duration of that activity. WARN also provides for less than 60 days notice when the layoffs were the result of the closing of a faltering company, unforeseeable business circumstances, or a natural disaster.

Enforcement of WARN requirements is through the United States district courts. Employees, or their representatives, and units of local government may bring individual or class action suits. The Court may allow reasonable attorney's fees as part of any final judgement. Since the Department does not have administrative or enforcement authority under WARN, it cannot provide specific advice or guidance with respect to individual situations. WARN is in addition to, and does not preempt any other federal, state or local law, or any employer/employee agreement, which requires other notification or benefit.

Assistance Available :

Rapid Response Section, Bureau of WIA
Ohio Department of Job & Family Services
P.O. Box 1618
Columbus, Ohio 43216-1618
Phone: (614) 995-7474 or (614) 466-3817
Fax: (614) 728-5938
E-Mail: rapidresponse@odjfs.state.oh.us

For non-U.S. Postal Service Deliver (e.g., Federal Express, Airborne Express, United Parcel Service)

The street address and ZIP Code are:

145 S. Front St.
Columbus, Ohio 43215

2: Notice Of Closing Or Substantial Layoff

The Worker Adjustment and Retraining Notification Act of 1988 (P.L.100-379) requires certain employers to give at least 60 days notice to layoffs or plant/facility closings. Notice must be given to the state Dislocated Employee Unit, local government and employees. Failure to do so makes an employer liable to each aggrieved employee for back pay for each day of violation and benefits. In addition, any such employer shall be subject to a civil penalty of not more than \$500 for each day of violation.

State notice must be submitted to: John B. Weber, Bureau Chief
 Bureau of WIA, Ohio Department of Job and Family Services
 P.O. Box 1618
 Columbus, Ohio 43216-1618

The following information must be included:

1. Employer name and address:	1a. Site of dislocation (plant/facility address):
2. Total Ohio workforce: full time _____ part time _____	3. Total site workforce: full time _____ part time _____
4. Nature of planned action: Plant closing <input type="checkbox"/> Layoff <input type="checkbox"/>	4a. Anticipated duration of action: Permanent <input type="checkbox"/> Temporary <input type="checkbox"/>
5. If action is temporary, expected duration:	
6. Employment loss: Number of permanent jobs lost: _____ Number of temporary jobs lost: _____	7. Effective date of initial separation
8a. Is separation phased? Yes <input type="checkbox"/> No <input type="checkbox"/>	8. If separation is phased, a schedule is attached that includes dates of separation and number of affected employees. Yes <input type="checkbox"/> No <input type="checkbox"/>
9. Attached is a list of all affected job titles and the number of affected employees in each job classification. Yes <input type="checkbox"/> No <input type="checkbox"/>	
10. Are all or any of these job titles covered by bumping rights: Yes <input type="checkbox"/> No <input type="checkbox"/>	
11. List each union representing affected employees (attach a list if necessary)	
_____	_____
Union and Local Number	Address
_____	_____
Union chief elected office	Telephone
_____	_____
12. Corporate contact person:	13. Authorized Corporate Official:
Name _____	Signature _____
Address _____	Name _____
Telephone _____	Title _____
_____	Address _____
_____	Telephone _____

3: Sample Initial Meeting Agenda

Planning Session

For

[Company]

[City], Ohio

[Date]

PURPOSE:

- **Collect and confirm background information about closing/layoff**
- **Provide overview of services available to affected employees**
- **Develop plans to effectively serve the employees**

AGENDA:

- ◆ Introductions and affiliations
- ◆ Overview of Rapid Response

Discuss background and future of layoff/closing
Complete Dislocated Worker Characteristics Worksheet

Overview of the Dislocated Worker Services provided through the Workforce Investment Act (WIA)

Job Search/Placement Assistance and Job Training Assistance

Overview of the Ohio Department of Job and Family Services

Job Placement Services
Unemployment Compensation
TAA/NAFTA

Develop plan of service for dislocated workers - What Next?

Questions/Comments/Concerns

4: How to Pitch A Better Meeting

STEP 1: PLAN

Plan the meeting, being clear about:

- Why the meeting is needed,
- What outcomes the group wants
- Who should attend,
- What arrangements need to be made
- What agenda items need to be discussed
- How much time will be needed to complete
- Expected outcomes

STEP 2: INFORM

Inform meeting participants of:

- Purpose of the meeting,
- Desired outcomes,
- Agenda items
- Date, time, and location,
- Pre-meeting assignments.
- Anticipated duration

STEP 3: TARGET

Target a productive discussion by:

- Stating the purpose of the meeting,
- Getting agreement on the desired outcomes,
- Allowing for modification of the agenda, and
- Getting agreement on the processes to be used in addressing agenda items

STEP 4: CONTAIN

Contain the agenda by:

- Designating a facilitator and a recorder,
- Adhering to the agenda, unless the group changes it,
- Confronting behavior that diverts the group,
- Encouraging the group to fully participate,
- Getting agreement on actions, responsibilities,
- Set target dates.

STEP 5: HASTEN

Complete action steps by:

- Summarizing the meeting,
- Recording the decisions that were made,
- Recording action steps,
- People responsible for action steps,
- Target dates,
- Monitoring & evaluating the results of the group.
- Agreeing on a date for next meeting,
- Editing and distributing minutes,
- Putting unfinished business on next meeting agenda,
- Following up on task completions

5: Sample Dislocated Worker Characteristic Worksheet

Company Name _____
 Company Contact Person(s): _____
 What does the Company do? _____
 Reason for Company Closure/Layoff: _____

Number of Employees Affected	
Number of Salaried Employees	
Number of Hourly Employees	
Union Name (if applicable)	
Number of Workers in the Union	
Number of Veterans	
Average Age (Company Estimate)	
Average Wage (Company Estimate)	
Salaried Employees	
Hourly Employees	
Education Levels: Number of Workers	
College Graduate	
Some College	
High School Graduate or GED	
Less than High School Graduate	
Job Skill Levels/Positions Affected	
Any Specialized Company Training (i.e. Safety, Maintenance, Electrician, etc.)	
County(ies) of Employee Residence	
Seniority Levels	
Average for Salaried Employees	
Average for Hourly Employees	
Number of Employee Shifts	
Normal Shift Working Hours (7am- 3pm, 3 – 11pm, etc.)	
Layoff Date(s) or Schedule of Layoffs	
Number of Employees who may retire?	
Company Retirement Plans/ 401K	
Company Transfer Options	
Union Bumping Options	
Recall Rights	
Closing Package/Separation Benefits	
Health Insurance Options	
Vacation Pay – Unemployment Compensation Impact	
Severance Pay – Unemployment Compensation Impact	
Outplacement Services provided by the Company	
Imports Impacting Layoffs (Trade Agreement or TAA)	
Miscellaneous	

6: Sample Employee Meeting Notice

INVITATION TO (Company) EMPLOYEES

DO YOU KNOW HOW TO GET A NEW JOB?

DO YOU KNOW WHICH EMPLOYERS ARE HIRING?

DO YOU HAVE QUESTIONS ABOUT UNEMPLOYMENT BENEFITS?

ARE YOU INTERESTED IN RETRAINING?

The [Committee Name] is sponsoring an information orientation to tell you about programs and services to help get a new job. We can offer these services on a first-come, first-served basis. We encourage you to spend about 1 hour to learn about such things as:

1. Help preparing your resume.
2. Learning how to interview for a new job.
3. Opening the doors to new employers.
4. How much money you will receive from unemployment.
5. Managing your money after you get laid off.
6. Coping with the stress of losing your job.
7. Creating your own plan of action.

The following agencies will be telling you about their services and answering your questions:

[List Rapid Response Team Members]

The meeting is scheduled:

DATE: [Day], [Month Date Year]

PLACE: Company
 Street
 City, Ohio

TIME: [X:XX am and XX:XX p.m.]

PHONE: (XXX) XXX-XXXX

Please write down any questions you have about these services. We hope to see you on [Month Date]!

7: Sample Employee Needs Survey

As a worker affected by a mass layoff or plant closing, you can receive certain employment and training services to help you find new employment. The purpose of this questionnaire is to gather employment information about you. This information will help us direct you to the right resources as you begin your job search. Please be as complete as possible and print your answers. Thank You.

SERVICES QUESTIONNAIRE

TODAY'S DATE _____ TELEPHONE NO. () _____

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

COMPANY NAME _____

COMPANY ADDRESS _____

PROJECTED LAYOFF DATE? (if known) _____

EDUCATION (Circle highest grade of school completed)

6 7 8 9 10 11 12 13 14 15 16

POST HIGH SCHOOL (PLEASE SPECIFY)

DEGREE _____ MAJOR _____ MINOR _____

ADDITIONAL TRAINING (Please list)

DO YOU HAVE A RESUME? Yes No If yes, is it up to date Yes No

EMPLOYMENT HISTORY

(Beginning with your current job, describe work performed and equipment used.] Attach additional pages if necessary and a copy of your resume if you have one.

Employer _____ Address _____

Job Title _____ Ending Hourly Wage \$ _____

Beginning Date ____/____/____ Ending Date ____/____/____

Job Duties

Employer _____

Address _____

State _____

Job Title _____

Ending Hourly Wage \$ _____.

Beginning Date ____/____/____

Ending Date ____/____/____

Job Duties

Include additional employment history on separate page and attach

FUTURE PLANS AND ACTIVITIES

Do you already have prospective employment lined up for when you are laid off? Yes No

Do you plan to continue working once your employment here is finished? Yes No

Are you willing to change occupations? Yes No

Are you willing or interested in relocating to obtain suitable employment? Yes No

Are you willing to commute to your next employment? Yes No
If so, how far would you be willing to travel roundtrip? _____

Please list any jobs you may be qualified to do.

Do you know how to find the jobs you can perform and desire? Yes No

Would you be interested in assistance in learning how to look for work? Yes No

Do you know how your skills may transfer to other jobs and industries? Yes No

Are you interested in job training or retraining? Yes No

BARRIERS/EMPLOYABILITY PROBLEMS

Check the items below that you feel may be a problem to you in finding a job.

Lack of education

Personal problems

Lack of marketable skills

Lack of knowledge of how to look for work

Your age

Transportation

Lack of confidence

Lack of experience

- Financial worries
- Family concerns
- Lack of training
- Criminal record
- English speaking skills
- Alcohol or drug abuse
- Physical capacity/handicap/health issues
- Lack of licenses/certifications
- Lack of required occupational tools

Please provide a brief explanation of any problems listed above that you feel may cause problems:

8: Sample Need Survey Analysis

XYZ

Corporation

Total Surveys Received **71** (71% of the Workforce)

Average Age **50.08**
 Average Length of Seniority **19.16** (1,360 Years of Experience)

PERFERENCES FOR A NEW JOB CAREER

Training/Education	46	65%	Search for a New Job	58	82%
Start Own Business	11	15%	GED/Literacy	12	17%

TYPE OF JOB/CAREER

Computers	12	17%	Truck Driver	1	1%
Machine Operator	12	17%	Law Enforcement	1	1%
Business	7	10%	Millright	1	1%
Management			Industrial Engineer	1	1%
Electronic/Mechanic	6	8%	Emergency Medical	1	1%
Trg			Civil Service	1	1%
Tool & Die	4	6%	Clerical	1	1%
Welding	3	4%	Interior Decorator	1	1%
Nursing	3	4%	Carpentry	1	1%
Manufacturing	3	4%	Accounting	0	0%
Maintenance	2	3%			
Mechanic	2	1%			
Legal	1	1%			

HOURLY WAGE YOU EXPECT AT YOUR NEW JOB?

???	11	15%	\$10.00	13	8%
\$5.00	0	0%	\$11.00	7	10%
\$6.00	0	0%	\$11.50	2	3%
\$6.50	0	0%	\$12.00	5	7%
\$7.00	4	6%	\$13.00	3	4%
\$7.50	0	0%	\$14.00	2	3%
\$8.00	1	1%	\$14.50	1	1%
\$8.50	1	1%	\$17.00	2	3%
\$9.00	5	7%	\$20.00+	5	7%
\$9.50	6	8%			

OTHER SERVICES

REQUESTED

Veterans Benefit	12	17%	Health Care	20	28%
Unemployment	27	38%	Financial	7	10%
Stress and Mental Health	1	1%	Family Problems	0	0%
Social Services	13	18%	Education/Finance	25	35%
Retire Plan	16	23%	Credit/Debts	6	8%
Relocation	8	11%	Child Care	2	3%
Mortgage/Rent Utilities	9	13%	Alcohol/Drug	0	0%
Legal Problems	3	4%			

WORKER**CHARACTERISTICS**

S

	<u>Yes</u>		<u>No</u>	
Veteran	28	39%	36	51%
Head of Household	62	87%	5	7%
Willing to Commute	52	73%	11	15%
Willing to Relocate	21	30%	41	58%
Spouse Employed	25	35%	27	38%
Spouse Employed Part-time	2	3%		

9: Planning Steps

Steps in the planning process:

1. Define the mission or reason for being.
2. Envision a desired future state.
3. Define desired outcomes or goals. That is, translate the mission statement into concrete changes desired.
4. Describe the steps or actions to each goal. These steps are called objectives. They are achievable in a stated time period, concrete, specific, and measurable.
5. Develop an implementation plan. This details the action steps within each objective or key action, scripting the who, what, when, where, why, and how.
6. Develop an evaluation plan.

Planning Guide Sheet.

Identify Objective (achievable in a given time frame, concrete, specific measurable)

Identify action steps for each objective:

Action steps can be listed in any order; the Committee then agrees on the order as a group

Six basic questions you should answer for each action step:

1. Who is to be involved in this action step?
2. What specific things must this person do?
3. When will the necessary actions be taken?
4. Where will these actions be performed?
5. Why are these actions being taken?
6. How are the required tasks to be performed?

Five considerations:

1. Are the implementers present at this planning session? (If not, bring them in before going further.)
2. Does the plan have the flexibility needed if circumstances change? (If not, adjust it to be more flexible.)
3. Are the planned actions as simplified as possible? (If not, simplify them.)
4. What is the plan for communicating purpose and status of the action with others?
5. What is the plan for reporting the outcome of the action?

10: Goal Setting

By establishing realistic goals and objectives, the Team does three things:

1. Provides direction for the group's activities,
2. Informs the workers of specific actions that will be undertaken on their behalf, and
3. Identifies and brings together key stakeholders in the worker adjustment process.

Some examples of (R)ealistic and (U)nrealistic goals are:

R Conduct, or arrange for the conduct of workshops and seminars on stress management, financial counseling or retirement planning to better assist workers in managing their home and work lives.

Establish the "buddy system" and assign Committee members to maintain regular telephone contact with those workers already laid off to keep them apprised of employment and training opportunities.

U Arrange for all workers to have at least one day off per week to look for new jobs.

Extend the lunch hour to 4 hours to allow workers to set up or go on job interviews.

11: Employee Tracking Form

SAMPLE Employee Tracking Form

Name of Employee: _____ Anticipated Layoff Date (if known) _____
Current Job Classification: _____
Also qualified to do: _____
Current Salary _____

Job Search/Referrals

Company (1) _____ Date: _____ Job Title: _____
Location: _____ Wage Rate: _____
Company (2) _____ Date: _____ Job Title: _____
Location: _____ Wage Rate: _____
Company (3) _____ Date: _____ Job Title: _____
Location: _____ Wage Rate: _____

Placement

Company: _____ Location _____
Job title _____ Salary _____
Is New Job and Salary Comparable to Present Job Yes No
Date: _____
What is the pay difference? _____
Is Worker Satisfied with Job? _____
Are There Other Similar Jobs Available At This Site? _____

Financial Planning

Is Financial Planning assistance needed: Yes No
Is Emergency Assistance Needed? Yes No Type: _____
Employee Referred to: _____ Date: _____
Did Employee Receive Needed Assistance? Yes No
Outcome of Referral: _____
Is Additional Follow-up Required? Yes No When? _____

Retirement planning

If worker eligible to retire? Yes No Retirement Source? _____
Retirement Date: _____ Pension Begins on: _____

Is Financial Assistance Required Before Pension Begins? _____

If Yes, Worker Referred to: _____ Contact: _____

Is Additional Follow-up Required? Yes No When? _____

Nature of Follow-up: _____

Education/Training

Is worker currently attending training? Yes No Where attending? _____

Has worker applied for training? Yes No Accepted? Yes No

Hours Needed to Complete? Associate: _____ Undergraduate: _____ Post Graduate: _____

Vocational Education Certificate: _____ Other Specify: _____

Is worker receiving Tuition Assistance ? Yes No Amount: _____ Begins: _____

Other Financial Assistance Required: _____ Referred To: _____

Is Additional Follow-up Required to Complete Training? Yes No

When: _____

Nature of Follow-up:

12: Rapid Response Definitions

What Are Rapid Response Activities?

Rapid Response activities include the activities necessary to plan and deliver services to dislocated employees which will enable them to transition to new employment as quickly as possible. The complete list of both required and allowable activities is found in Title 20 Code of Federal Regulation (CFR) Part 652 ET. Al. at Sections 665.310, 665.320 and 665.330. A partial description of these activities includes the following:

1. On-site contact with employers and employee representatives;
2. The promotion of Employer and employee Adjustment Committees including training and technical assistance for committee members and initial start-up costs of the committee;
3. Rapid Response can also provide guidance, funding, training, and technical assistance in the creation and ongoing operation of an Employer and Employee Adjustment Committee (Rapid Response). This Rapid Response component would be an active partner in the development, implementation, and oversight of the customized plan or strategy developed to respond to the reemployment needs of the employees of a specific closing or downsizing.
4. Ensure employee access to information on a variety of topics including but not limited to:

Labor Market data

Unemployment Compensation

Trade Adjustment Assistance (TAA) * If appropriate

North American Free Trade Act (NAFTA) *If appropriate

Wagner Peyser Services

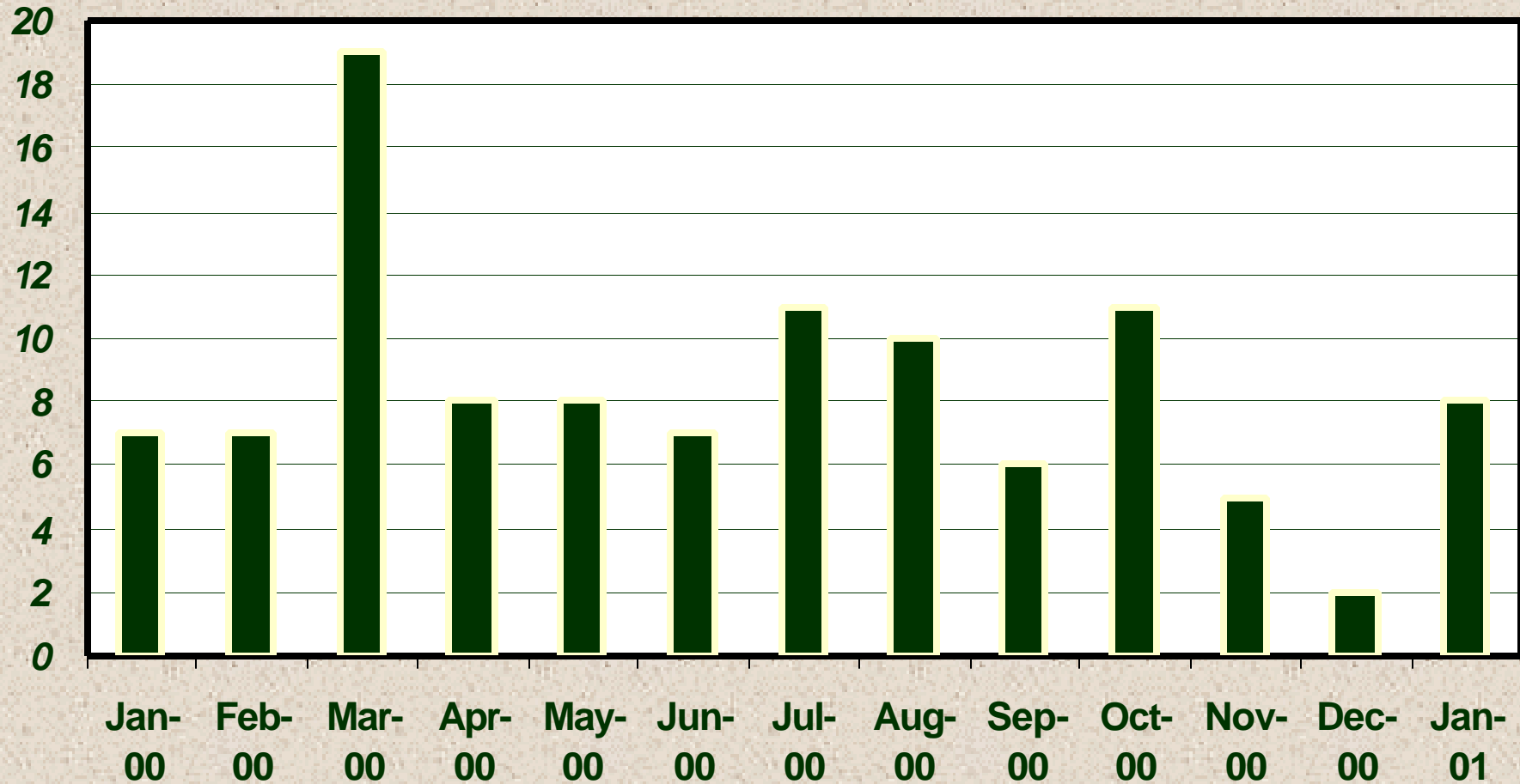
Workforce Investment Act

Community Services

5. Liaison with other public and private groups and programs within the area to explain Rapid Response concepts, such as, early intervention, remedial education, and the advisability of long-term retraining;
6. Operation of an information collection system relating to potential closings and layoffs and available state resources for dislocated employees;
7. Arrange for the provision of core, intensive and training services to address specific dislocation events;
8. Provision of, or arrangement for, financial and technical advice in cooperation with economic development agencies and other organizations to assist in efforts to avert layoffs (including, in exceptional cases, the provision of funds for a pre-feasibility study of the advisability of having a company or group purchase the plant and keep it in operation);
9. Provision of emergency assistance adapted to the particular closure, layoff or disaster;
10. Development of public information material regarding the activities of the Rapid Response Unit and its services;
11. Time spent assisting the local community or local area in developing its own coordinated response to dislocation events and in obtaining access to state economic development assistance;
12. In the case of a particularly large layoff or closing in which substantial advance notice has been provided, Rapid Response may also include providing technical assistance to the local community in developing its own coordinated response. This may include providing linkage to and obtaining access to state economic development assistance. These development resources may enable attempts to avert the closing/layoff that may include conducting pre-feasibility study to assess the possibility of averting the closing/layoff(s) through either an employee buyout of the company or the securing of a buyer of the company.

Below are graphs that reflect the number of WARN's received and the number of workers affected in the year 2000. There is a flowchart that reflect how the Rapid Response process works.

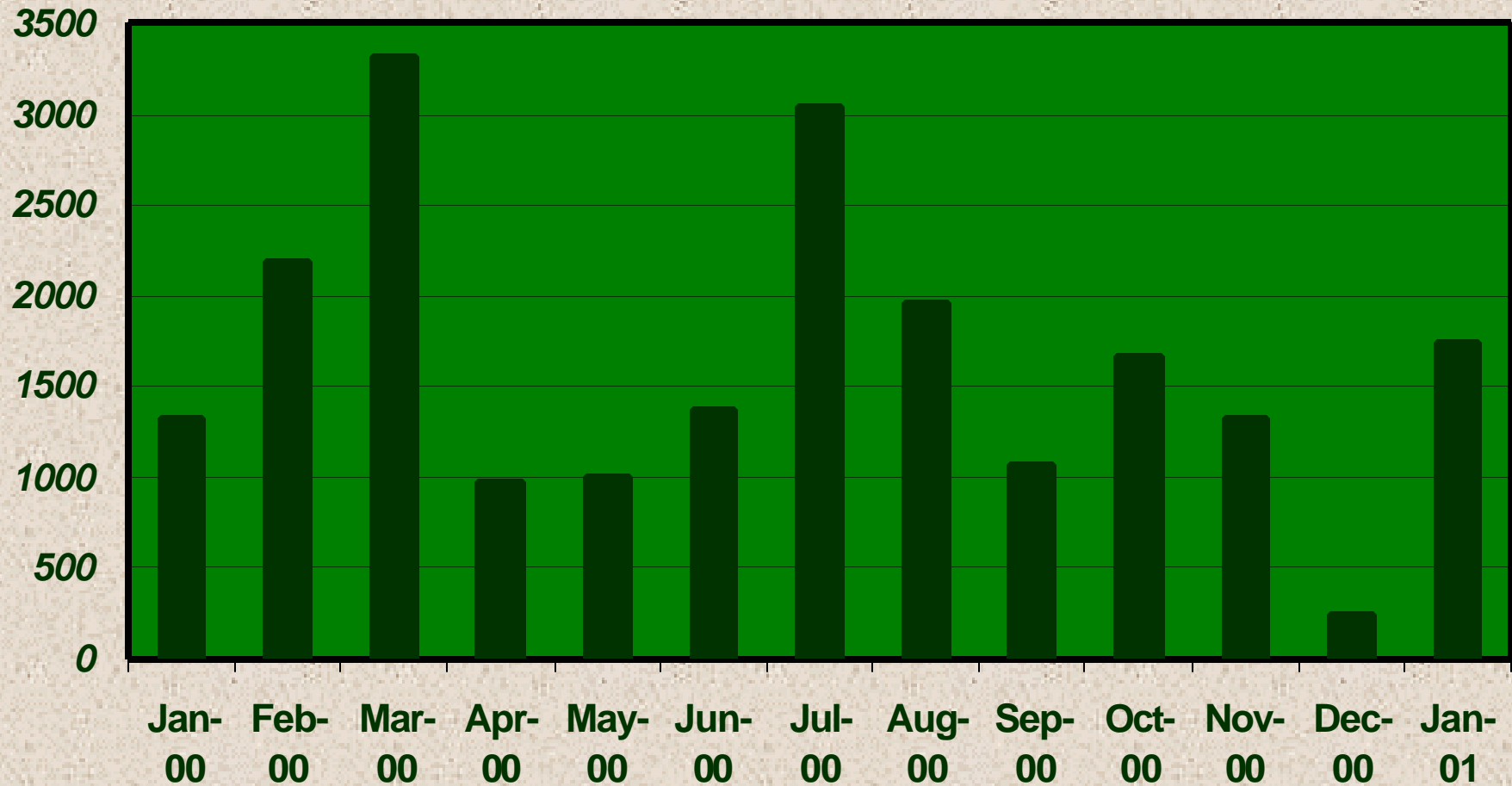
**Number of Warns Received per Month
January, 2000 - January, 2001**



13: Number of Warn Notices Received – Year 2000

14: Number of Workers Affected – Year 2000

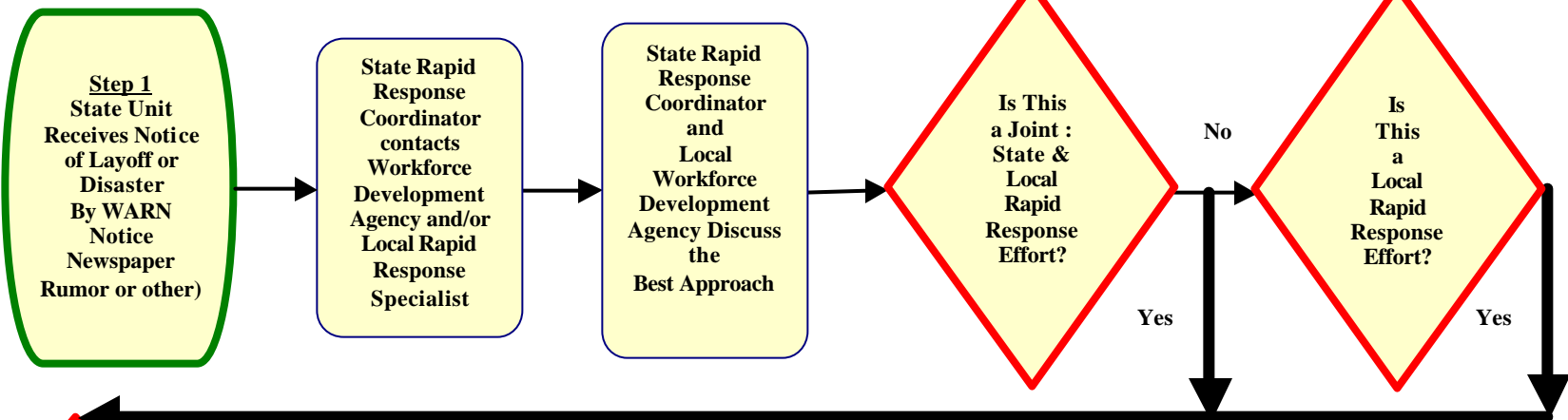
Number of Workers Affected per Month
January, 2000 - January, 2001



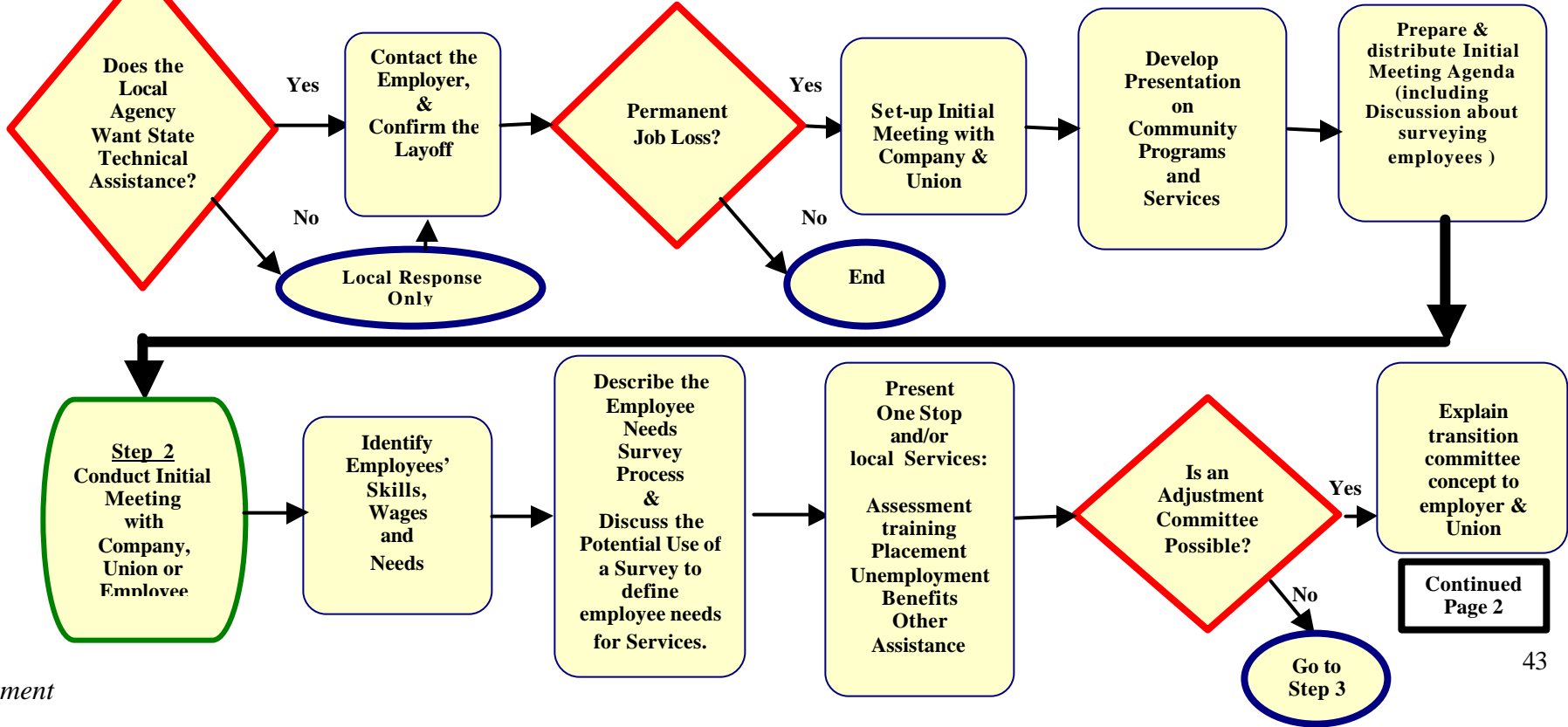
15: Rapid Response Flowchart

Steps Decisions Actions
 SERVICES: CORE INTENSIVE TRAINING

1st
W
E
E
K



1st
or
2nd
W
E
E
K

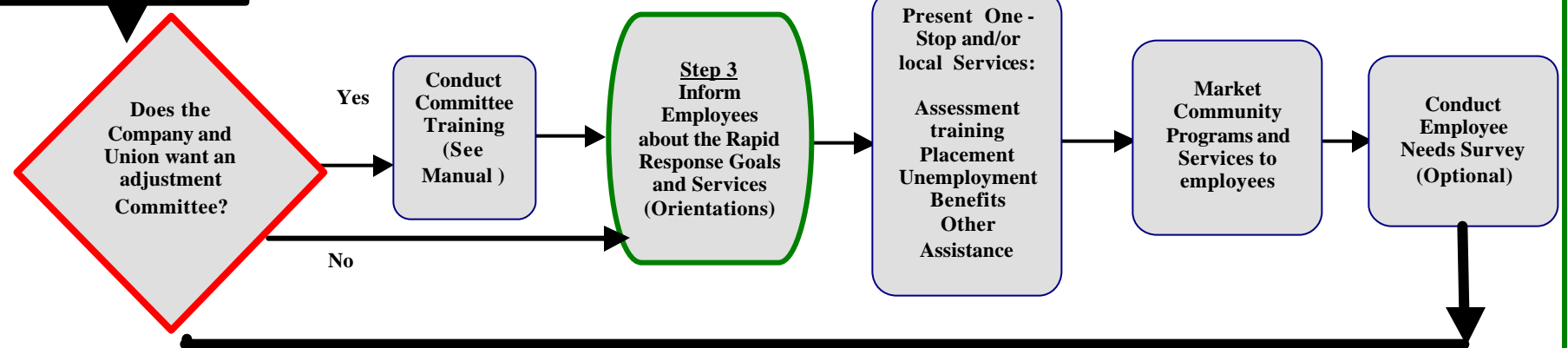


Rapid Response 3 Step Process and Optional 3 Step Enhanced Process

Steps
 Decisions
 Actions
 SERVICES: CORE
 INTENSIVE
 TRAINING

Continued from Page 1

3rd
WEEK



ENHANCED
PROCESS

