

PA Department of Labor & Industry
Workforce Investment Center
Bureau of Workforce Development Partnership
WORKFORCE INVESTMENT INFORMATION NOTICE NO. 6-99, Change 2
November 1, 2007

TO: ALL WORKFORCE INVESTMENT AREA FISCAL AGENTS
ALL WORKFORCE INVESTMENT AREA GRANT RECIPIENTS
ALL WIA TITLE I OPERATORS
ALL PA CAREERLINK ADMINISTRATORS
ALL EXECUTIVE STAFF OF THE WORKFORCE INVESTMENT
BOARDS

CC: BUREAU OF WORKFORCE DEVELOPMENT PARTNERSHIP
REGIONAL DIRECTORS
BUREAU OF WORKFORCE DEVELOPMENT PARTNERSHIP
RAPID RESPONSE COORDINATION SERVICES STAFF
BUREAU OF WORKFORCE DEVELOPMENT PARTNERSHIP
TRADE COORDINATION SERVICES STAFF

FROM: Christine Enright
Chief, Rapid Response/Trade
Bureau of Workforce Development Partnership

SUBJECT: WIA Dislocated Worker Rapid Response-Additional Assistance
Funds

INQUIRIES: Questions concerning the use of the funds can be directed to
Christine Enright via e-mail at cenright@state.pa.us or by telephone
at (717) 783-1951.

1. Purpose.

The purpose for issuing WIIN 6-99, Change 2, is to establish the criteria and process that local areas are to use in applying for the WIA Title I Rapid Response-Additional Assistance (RRAA) funds.

These instructions (WIIN 6-99, Change 2) replace those found in WIIN 6-99, Change 1. This change was made to allow the Local Workforce Investment Boards (LWIBs) to request rapid response funds to carry out the activities found in regulations for the Workforce Investment Act at 20 CFR § 665.320.

2. Reference.

The Workforce Investment Act (WIA), Public Law 105-220, dated August 7, 1998.

WIA Final Regulations, dated August 11, 2000, (65 FR 49294-49464) codified at 20 CFR Parts 652 and 660 through 671; Worker Adjustment and Retraining Notification Act (WARN) (29 USC §2102 et sep.), Trade Act of 1974, as amended (19 USC §2271 et sep.).

3. Discussion.

According to §134(a)(2)(A)(ii) of the WIA, “A State shall use funds reserved as described in §133(a)(2) to carry out statewide rapid response activities, which shall include—provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals...”

The regulations for the WIA at 20 CFR §665.340, clarify what is meant by “provision of additional assistance.” It states that “once the State has reserved adequate funds for rapid response activities, such as those described in §§665.310 and 665.320, the remainder of the funds may be used by the State to provide funds to local areas that experience increased numbers of unemployed individuals due to natural disasters, plant closings, mass layoffs or other events for provision of direct services to participants (such as intensive, training and other services) if there are not adequate local funds available to assist the dislocated workers.”

All activities charged to the RRAA must meet the WIA definition of a “Program Cost.” No Administrative activities may be charged to RRAA funds.

The Commonwealth issues RRAA funds to Local Workforce Investment Areas (local areas) under five scenarios: Insufficient Funds, Trade/WIA Co-Enrollment, Layoff Aversion/Incumbent Worker Strategies, Incumbent Worker Training and Statewide/Regional Projects.

These five scenarios are described below.

Insufficient Funds:

Under § 665.340, a LWIB may request RRAA funds when their WIA Title 1 Formula Funds are insufficient to provide core, staff assisted core, intensive and training services to dislocated workers. The local area may request funds for a targeted dislocated worker population or for the general dislocated worker population. These two categories are described below.

1. Targeted Population:

Funds are used in lieu of or as a bridge to applying for a National Emergency Grant due to a mass layoff or facility closing or natural disaster.

When applying under the first scenario, the RRAA funds awarded are to be targeted to the workers who have been dislocated from the companies that have been certified by the Bureau of Workforce Development Partnership as Rapid Response dislocation events. The local area must identify the targeted companies on the ***Request for Funds*** form. The funds are to be used to serve the workers dislocated from the companies identified in the request. In multiple county local areas, funds are not to be divided among the counties.

2. General Dislocated Worker Population:

Funds are used as additional assistance to a local area that has experienced a steady increase in the numbers of unemployed individuals due to natural disasters, plant closings, mass layoffs or other events that have resulted in a lack of local funds to assist dislocated workers.

When applying under the second scenario, the local area must describe the events that have led to the unexpected and increased demand for service by the dislocated workers in the local area. Expenditures and obligations in both Adult and Dislocated Worker Title I funds for current and past two program years must also be provided. The narrative and fiscal information should be entered into the ***Request for Funds*** form.

Trade/WIA Co Enrollment:

RRAA funds are to be used as part of the State's program to fully integrate the Trade Act and WIA programs.

When applying under this scenario, all trade impacted dislocated workers who require more than core services to obtain suitable employment are to be registered into the WIA program using the RRAA funds awarded under this policy. Under this scenario, the funds may be used to provide staff assisted core, intensive services such as individualize job search assistance, career guidance, assessment, case management, tracking, supportive services such as child care allowances, parking fees and fees associated with securing licenses and certifications directly related to the training program approved by the Trade Coordination Services of the Bureau of Workforce Development Partnership.

Layoff Aversion/Incumbent Worker Strategies:

The basis for issuing funds under this category is found in § 665.320 of the WIA Regulations. WIA provides states or their designees the opportunity to use

Rapid Response Funds to provide effective rapid response upon notification of a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation. When LWIBs request RRAA funds under this category, they must link the project to one or more of the activities described in §665.320 (a) through (d) below.

(a) In conjunction with other appropriate Federal, State and Local agencies and officials, employer associations, technical councils or other industry business councils and labor organizations:

(1) Develop prospective strategies for addressing dislocation events, that ensure rapid access to the broad range of allowable assistance;

(2) Identify strategies for the aversion of layoffs; and

(3) Develop and maintain mechanisms for the regular exchange of information relating to potential dislocations, available adjustment assistance, and the effectiveness of rapid response strategies.

(b) In collaboration with the appropriate State agency(ies), collect and analyze information related to economic dislocations, including potential closings and layoffs and all available resources in the State for dislocated workers in order to provide an adequate basis for effective program management, review and evaluation of rapid response and layoff aversion efforts in the State.

(c) Participate in capacity building activities, including providing information about innovative and successful strategies for serving dislocated workers, with local areas serving smaller layoffs.

(d) Assist in devising and overseeing strategies for:

(1) Layoff aversion, such as prefeasibility studies of avoiding a plant closure through an option for a company or group, including the workers, to purchase the plant or company and continue it in operation;

(2) Incumbent Worker training, including employer loan programs for employee skill upgrading; and

(3) Linkages with economic development activities at the Federal, State and Local levels, including Federal Department of Commerce programs and available State and local business retention and recruitment activities.

Incumbent Worker Training:

The Commonwealth received a waiver from the United States Department of Labor, which allows the Commonwealth to use a percentage of the funds awarded to the state for Rapid Response, to fund Incumbent Worker training. RRAA funds are not the primary source of funding for Incumbent Worker training in the Commonwealth. RRAA funds should be requested when other means of providing Incumbent Worker training are inappropriate or insufficient.

Statewide/Regional Projects:

Under this category, the RRAA funds are used to support statewide or regional initiatives to provide direct services to dislocated workers. In all cases, this will be a multi-LWIB initiative.

4. Action Required.

Requests are to be made on the ***Request for Funds*** form (found in the Financial Management Technical Assistance Guide) and electronically mailed to Christine Enright, Chief of Rapid Response/Trade Section of the Bureau of Workforce Development Partnership, at cenright@state.pa.us.

The “Budget Form” found in Appendix B and the “Implementation Form” found in Appendix C is to be completed and submitted with the ***Request for Funds*** form for all requests of \$100,000 or more. The exception is for requests made under the “Layoff Aversion/Incumbent Worker Strategy” category, in this category a budget form and a narrative linking the project to one or more of the activities described in § 665.320 of the WIA Regulations are required.

5. Attachments.

Attachment A: Questions and Answers
Attachment B: Budget Form
Attachment C: Implementation Form

6. Expiration Date.

Ongoing

***Auxiliary aids and services are available upon request to individuals with disabilities
Equal Opportunity Employer/Program***

ATTACHMENT A

QUESTIONS AND ANSWERS

The Rapid Response Additional Assistance (RRAA) funds are to be used in a manner consistent with the philosophy of Rapid Response as outlined in the Workforce Investment Act (WIA), Public Law 105-220, dated August 7, 1998; §134(a)(2)(A)(ii), (29 USC §2801 (a)(2)(A)(ii)) and the Final Rules for WIA at 20 CFR, Part 652, et al., dated August 11, 2000. The local areas, in conjunction with the State's Rapid Response Coordination Services staff and other Pennsylvania CareerLink partners, are encouraged to design and implement an early intervention strategy which will enable Dislocated Workers to find or qualify for new jobs as soon as possible after the dislocation event; thereby, minimizing the duration of their unemployment.

1. Who can be served with the Rapid Response-Additional Assistance funds under the category of Insufficient Funds: Targeted Population?

First, the individuals must have been laid off or have been issued a notice of layoff from a dislocation event certified by the Bureau of Workforce Development Partnership, Rapid Response Coordination Services. Secondly, the individuals must meet the definition of a dislocated worker found in §101(9)(B)(i), (ii), or (iii) of WIA, (29 USC §2801 ((9)(B)(i), (ii), or (iii))).

The Rapid Response Coordination Services certifies a dislocation event under the following circumstances:

1. Issuance of a notice under the WARN Act (29 USC §2102 et seq.),
2. Confirmation of a "public announcement" of a mass layoff,
3. An event is declared a natural disaster by the federal or state government; or
4. A petition is filed under the Trade Act (19 USC §2271 et seq.).

2. Who can be served with the Rapid Response-Additional Assistance funds under Insufficient Funds: General Dislocated Worker Population?

The individuals must meet the definition of a dislocated worker found in §101(9) (A) (ii)(I), (II) (iii), (C) and (D) of WIA.

3. Are there timeframes within which the dislocation event(s) had to occur to qualify under the Insufficient Funds category?

The dislocation events must be one in which either the notification occurred in the current program year or the mass layoff/plant closure must have begun in the current program year.

4. Can the services funded under Rapid Response-Additional Assistance funds be delivered at the worksite?

Yes. RRAA funds may be used to provide services at the worksite or at a convenient place for the workers as well as in PA CareerLink Offices

5. Must Rapid Response participants be WIA registered?

Yes. The WIA, Regulations and associated Federal and State policies are in effect and are to be applied when serving participants served under RRAA funds.

6. Will the performance related to the activities supported through RRAA funds be attributed to the local area?

No. Participants served solely with RRAA funds are not counted in the LWIA's performance measures. However, these participants are counted in the State's performance.

7. Can any activity undertaken under these funds be charged to Administration?

No. RRAA funds cannot be used for administrative costs.

8. When should Rapid Response funds be requested to support Industry Partnerships and Incumbent Worker projects?

All other sources of incumbent worker training funds should be explored, applied for and/or exhausted prior to requesting RRAA funds.

Projects that meet the guidelines established for the Industry Partnerships and Worker Training grants should submit proposals as directed by the program guidelines under Job Ready PA. Projects that are not funded under the Job Ready PA Industry Partnership and Worker Training programs or do not meet the guidelines established by those programs should consider requesting Rapid Response funds to support the project.

ATTACHMENT B

BUDGET FORM

RAPID RESPONSE GRANTS PROJECT LINE-ITEM BUDGET		
EXPENSE ITEM	PROGRAM COST	TOTALS
Staff Salaries		\$0.00
Fringe Benefits		\$0.00
Travel – Within Project Area		\$0.00
Communications		\$0.00
Facilities – Rent		\$0.00
Facilities – Utilities		\$0.00
Facilities - Maintenance		\$0.00
Office Supplies		\$0.00
Testing & Instructional Materials		\$0.00
Equipment – Purchase		\$0.00
Equipment – Lease		\$0.00
ITA’s		\$0.00
OJT Reimbursements		\$0.00
Relocation Assistance		\$0.00
Out-of-Area Job Search Assistance		\$0.00
Supportive Services		\$0.00
Other Costs (specify)		\$0.00
Other Costs (specify)		\$0.00
PROJECT TOTAL	\$0.00	\$0.00

ATTACHMENT C
IMPLEMENTATION SCHEDULE FORM

RAPID RESPONSE GRANT IMPLEMENTATION SCHEDULE					
QUARTERLY PERFORMANCE GOALS	1st QTR	2nd QTR	3rd QTR	4 QTR	TOTAL
Participants Registered					
Participants Receiving Core/Intensive Services					
Enrolled in Classroom Training					
Enrollments in OJT					
Enrollments in Customized Training					
Enrollments in Basic- Remedial Education/ESL/Other					
Receiving Needs- Related Payments					
Receiving Supportive Services					
Total Exiting Program					
Total Entered Employments					