

# Assistance with Layoffs/Plant Closures

## Rapid Response Overview

The Vermont Department of Labor, Workforce Development Division, provides Rapid Response services to businesses in transition, downsizing, laying off workers and/or closing a facility.

Rapid Response is initiated when the Vermont Department of Labor Dislocated Worker Unit or local Career Resource Center staff learns of impending layoffs. Many companies will contact the local Career Resource Center staff to notify them of a layoff and invite them to come on site to help the workers who will be laid off. In some instances, employers may publicly announce layoffs through the media.

The Rapid Response Team responds to layoffs and plant closures by quickly coordinating services and providing immediate aid to affected companies and their workers, either on-site or off-site. The Team will provide information about unemployment insurance and re-employment services available at the Career Resource Centers located around the state. Pre-layoff services are designed to help the affected workers shorten their transition time and assist in preparing the affected workers to find new employment.

When companies allow Rapid Response activities to take place on the company site and on company time, employees may begin receiving services, including training, before they lose their jobs. The sooner this process starts, the more quickly the stress of a traumatic event such as a layoff can be managed, through access to important information and services that will enhance re-employment opportunities.

In some cases, employers are required to provide 60 days' notice before a layoff. Certain mass layoffs and plant closings will meet the criteria of the Worker Adjustment and Retraining Act (WARN); the criteria are complex, but some basic levels are:

- layoffs of 50 or more workers at a single site, where 50 is at least one-third of the total full-time workforce at that site
- any layoffs of 500 or more workers at a single site

The WARN Act offers protection to workers, their families and communities by requiring employers to provide a notice 60 days in advance of covered plant closings and covered mass layoffs. This notice must be provided to either affected workers or their representatives (e.g. a labor union); to the State Dislocated Worker Unit; and to the appropriate unit of local government.

WARN Notices should be directed to:

Andrea M. Hussey

State Dislocated Worker Unit

5 Green Mountain Drive

P. O. Box 488

Montpelier, VT 05601

(802) 828-4177 Telephone

(802) 828-4374 Fax

Email: [andrea.hussey@vermont.gov](mailto:andrea.hussey@vermont.gov)

# **Trade-Related Layoffs and Plant Closings**

With many American jobs being lost due to foreign trade the federal government provides additional services to workers whose jobs are lost due to foreign trade or shifts in production out of the United States. While not all job loss due to foreign competition meets the requirements of the Trade Act, the Rapid Response team will work with your company to provide information on Trade Adjustment Assistance (TAA) and the benefits your employees may receive if your company is certified as trade-affected. Your company, the Rapid Response team, or the workers themselves can file a trade petition with the U. S. Department of Labor. For more information on the Trade Act Program and its benefits, contact your states Dislocated Worker Unit.

## **The Trade Adjustment Assistance Program**

### **Overview and Petition Process**

The Trade Adjustment Assistance (TAA) Program is a federal program that assists U.S. workers who have lost or may lose their jobs as a result of foreign trade. This program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed.

The first step to receiving TAA benefits and services is to file a petition on-line or by mail with the U.S. Department of Labor (USDOL). The petition may be filed by:

- Three workers
- Company Official
- Union Official
- State Workforce Office
- Other Authorized Representative
- American Job Center

Upon receiving a petition, USDOL initiates an investigation to determine whether the circumstances of the layoff meet the group eligibility criteria established by the Trade Act of 1974, as amended.

### **Program Eligibility**

A petition identifies a worker group at a specific firm or subdivision and covers all individuals in that group. Generally, if a worker is laid off, a petition must be submitted within one year of the layoff for that worker to be covered by the petition and the certification if DOL grants the petition.

A group of workers may be eligible for TAA if their jobs are lost or threatened due to trade related circumstances as determined by the USDOL investigation. While the latest information regarding program eligibility is available on the USDOL website at [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact), these circumstances may include:

- Increased imports;
- A shift in operations to certain countries;
- Supply or downstream production to certain companies with TAA-certified workers

After the investigation, USDOL determines group eligibility to apply for TAA benefits and services. Workers in a certified group will be notified by their state, at which time they may apply for individual eligibility for benefits and services.

## Benefits and Services

If a worker is a member of a worker group certified by USDOL, that worker may be eligible to receive the following benefits and services of a local American Job Center – Vermont Department of Labor Career Resource Center.

<b>Employment and Case Management Services</b>	Skills assessments, individual employment plans, career counseling, supportive services, and information on training, labor market and more (through TAA or other Programs)
<b>Training</b>	Occupational skills training, on-the-job training, customized training designed to meet the needs of a specific employer or group of employers, apprenticeship programs and more.
<b>Trade Readjustment Allowances (TRA)</b>	Income support available in the form of weekly payments to workers who are enrolled in a full-time training course and have exhausted their unemployment compensation benefits. Up to 130 weeks of benefits may be available.
<b>Job Search Allowance</b>	Reimbursement for costs of seeking suitable employment outside of the worker's commuting area.
<b>Relocation Allowance</b>	Reimbursement for relocation costs for suitable employment outside of the worker's commuting area.
<b>Reemployment Trade Adjustment Assistance (ATAA)</b>	RTAA is a Wage Subsidy reimbursement for up to two years, or \$10,000 (whichever comes first) and is available to eligible individuals who are at least 50 years of age at time of reemployment. The wage subsidy reimbursement is 50 percent of the difference between the old wage and new wage.

The Vermont Department of Labor – Career Resource Center offers services including information about employment and training opportunities, skills assessments, job placement, job counseling and other supportive services.

It is important to maintain contact with your local Career Resource Center to meet required deadlines, ensure proper understanding of the rules and receive guidance on benefits and services available to workers.

Related Link: <http://www.doleta.gov/tradeact/>