

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 are able to begin 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 \(WARN\) Act](#); 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 (Worker Adjustment and Retraining Notification) 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@state.vt.us

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 United States Department of Labor. For more information on the [Trade Act Program and its benefits](#), contact your state's [Dislocated Worker Unit](#).

The Trade Adjustment Assistance Program

Overview and Petition Process

The Trade Adjustment Assistance (TAA) Program is a federal entitlement 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. Since 1975, the TAA program has served more than 2 million U.S. workers.

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 (DOL). Petitions are available on-line and may also be obtained at American Job Centers. The petition may be filed by:

- Three or more workers in the same firm or subdivision;
- The workers' employer;
- A union official or other duly authorized representative of such workers; or
- American Job Center operator (VT Department of Labor) (including state workforce agencies and dislocated worker units)

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, 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.

Employment and Case Management Services	Skills assessments, individual employment plans, career counseling, supportive services, and information on training, labor markets and more (through TAA or other American Job Center Programs)
Training	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.
TRADE Readjustment Allowances (TRA)	Income support available in the form of weekly cash payments to workers who are enrolled in a full-time training course and have exhausted their unemployment compensation benefits. Up to 104 weeks of cash payments may be available for eligible workers.
Job Search Allowance	Reimbursement for costs of seeking employment outside of the worker's commuting area.
Relocation Allowance	Reimbursement for relocation costs for employment outside of the worker's commuting area.
Alternative Trade Adjustment Assistance (ATAA)	A wage subsidy for up to two years that is available to re-employed older workers (50 years of age or older) and covers a portion of the difference between a worker's new wage and their old wage (up to a specified maximum amount).

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/>