

**NORTEC  
POLICY STATEMENT  
LAYOFF AVERSION REPORTING**

*Effective: July 1, 2014  
Last Updated: April 17, 2017*

**PURPOSE**

The purpose of this policy is to provide guidelines to the Service Providers (NoRTEC Subcontractors) for the purposes of reporting quarterly Layoff Aversion Activities. The report is designed to capture and report layoff aversion activities and jobs saved resulting from those activities. These activities are part of a Subcontractor's overall Rapid Response strategy.

The primary purpose of Rapid Response (*which includes layoff aversion activities*) is to enable affected workers to return to work as quickly as possible following a layoff, or to prevent layoffs altogether. To accomplish this, NoRTEC and its Subcontractors must be coordinated, comprehensive, and proactive in communicating with business. This includes providing labor market information and workforce information, integrating industry requirements into training strategies and career pathways, brokering relationships and job connections, and making service efficient and easy to access. Relationships must be built with employers, labor organizations, workforce and economic development agencies, training institutions, service providers, community-based organizations and other appropriate entities. These relationships provide timely information and help assure an early warning system is in place to allow a timely and effective response to potential layoffs and business closures.

It is important to emphasize that Rapid Response does not stop layoffs if services are only offered when a closure or layoff is announced or is taking place. The intent of layoff aversion as a business engagement strategy is to provide business solutions to companies that want to save jobs. The intent of layoff aversion activities is to offer assistance to companies who request it. Only a company can save jobs, and in order to assist an employer, a Rapid Response team must be able to identify an at-risk company well in advance of layoffs, get executive level commitment to work together, assess the needs of the company, and deliver services to address risk factors.

**DEFINITIONS**

Employer Contact (Layoff Aversion 122 Report) – The report is used to report the development, implementation and completion of business solution strategy(s) relating and resulting in job retention at the current place of employment and the rapid re-employment (talent transfer) of affected workers. This may be an onsite or telephonic (conference call, online chat, Skype, etc.) engagement with a representative of the employer that is involved with the development of strategies or in a policy making position within the business contacted. The content of the

discussion must include well-being of the business, training needs, etc. to determine how the local area may provide the range of available business service interventions and/or referrals.

Layoff Aversion – The process of using a series of activities, studies, and networks to examine a business or sector’s cycle, logistics, organization condition, markets, and broad community relationships, etc., in an effort to determine workforce and economic solutions that can mitigate job loss or save jobs.

Jobs Retained – A layoff is averted when: (1) a worker’s job is retained with an existing employer that is at risk of downsizing or closing; or (2) when a worker at risk of dislocation transitions to a different job with the same employer.

Rapid Re-Employment (Talent Transfer) – A laid off worker is hired by a different employer and experiences short term unemployment (45 calendar days or less). To qualify for this activity, a confirmed job offer must be on file from the hiring employer and issued within 45 days of the date the participant becomes unemployed.

## **ACTIVITIES**

Following is a link to State defined examples of Rapid Response Activities also described in Title 20 CFR 682.330:

- [Rapid Response Activities](#)

Additional activities such as customized training, incumbent worker training, and work sharing strategies are among the many WIOA funded strategies that the workforce system can deploy to assist companies in averting layoffs. *It should be noted, however, that the customized training, incumbent worker training, and work sharing are not generally paid for with Rapid Response funding—prior permission from NoRTEC must be obtained if a Subcontractor wishes to do so.*

## **REPORT INFORMATION AND INSTRUCTIONS**

Layoff Aversion (122 Reports) reports shall contain data for a year, beginning on April 1 and ending on March 31. Reports shall be submitted to NoRTEC each quarter, five days after the end of the quarter<sup>1</sup>:

- First Quarter (July 1-September 30) – Report due October 5
- Second Quarter (October 1-December 31) – Report due January 5
- Third Quarter (January 1-March 31) – Report due April 5
- Fourth Quarter (April 1-June 30) – Report due July 5

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<sup>1</sup> If the due date of each quarterly report falls on a holiday or weekend, the report will be due by close of business on the next business day.

Following is a link to a template of the report, along with a copy of the instructions for completing the report:

- [122 Report Template](#)
- [122 Report Instructions](#)

Each quarter's report will contain cumulative numbers, beginning on April 1 of each year through the end date of the quarter being reported.

This report is designed to develop and capture layoff aversion activities and jobs saved resulting from those activities. This report may include a "single" job saved at an individual employer. Activities reported are those relating to employer contacts when an activity or resource is introduced, planned, or involves follow-up or wrap-up of a prior activity.

Documentation of outcomes must be retained for audit purposes and will be subject to Federal, State, and NoRTEC monitoring processes.

Attachment A includes an example of evidence that can be used to document a job(s) saved.

### **POLICY EXCEPTIONS**

Service Providers (NoRTEC Subcontractors) may make exceptions to this policy only with prior written authorization from the NoRTEC Administrative entity.

Date

Company Name:

Company Address:

Company Phone Number:

RE: Business Solution Strategy from Alliance for Workforce Development, Inc.

Dear Sir/Madam,

Our organization met with a representative from Alliance for Workforce Development, Inc., on \_\_\_\_\_ . During this meeting, our company and AFWD, Inc. discussed information relating to our company's current economic and/or organizational situation. The representative from Alliance for Workforce Development, Inc. provided information and guidance to our company in the area of:

\_\_\_\_\_

\_\_\_\_\_

Our organization anticipates that, through implementing the above indicated strategies, our workforce is better prepared to operate in our organization's economic climate. A total of \_\_\_\_\_ jobs within our organization will be saved.

Regards,

\_\_\_\_\_  
Name of Representative

\_\_\_\_\_  
Title