



LOCAL INSTRUCTION NUMBER WIOA 18-13

To: Upstate Workforce Board Grantees

Subject: Definition of "Substantial Layoff"

Issuance Date: 2/6/19

Effective Date: 2/1/19

Purpose: To issue the new State instruction regarding the definition of a "substantial layoff" as it applies to the definition of "Dislocated Worker" under the Workforce Innovation and Opportunity Act (WIOA). This policy rescinds local instruction 08-09.

Background: WIOA section 3(1S)(B)(i) defines a "dislocated worker" to include a worker who has been terminated or laid off, or has received notice of termination or layoff, from employment as a result of a permanent closure, or substantial layoff, at a plant, facility, or enterprise. WIOA does not further define "substantial layoff." Under the WIOA implementing regulations, the State may establish policies and procedures for use in determining an individual's eligibility as a dislocated worker, consistent with the definition at WIOA section 3(15).

Policy: Generally, the definition of a substantial layoff is any permanent reduction in force resulting in an employment loss of at least 50 employees at a single site over a 30-day period. In addition, the State Rapid Response Team may determine that a substantial layoff has occurred based on other factors that may indicate a significant, negative impact on the community and/or local economy. Such factors may include, but are not limited to:

- The local unemployment rate
- The employer size in comparison to the total number of jobs in the surrounding area
- If multiple employers, the potential number of employers involved and the potential number of employees impacted

The Upstate Workforce Board Associate Director may request that the State Rapid Response Team consider whether a local area layoff is "substantial" by emailing the State Rapid Response Team at RR@dew.sc.gov.

Action: Please ensure that appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to Ms. Dana Wood at wood@upstateworkforceboard.org.

A handwritten signature in black ink, appearing to read "Ann Angermeier", is written over a horizontal line.

Ann Angermeier, Executive Director

State Instruction Letter 18-08