

**Workforce Development Division Report  
On Rapid Response for  
March 31, 2016 Workforce Development Council Meeting**

Date: March 30, 2016  
Area: Statewide  
Prepared by: WDD Administration

- I. Early Intervention for Layoffs and Closures
  - A. Purpose: Ease transition of workers from layoff to new jobs to reduce their duration of unemployment.
  - B. Strategy
    1. Soon after announcement of impending layoffs or closure, WDD staff contacts employer, and any applicable union as appropriate, to offer information and services.
    2. As appropriate, WDD mobilizes the Rapid Response Core Team.
    3. Rapid Response Team Core Members -- consists of WDD as lead, Unemployment Insurance (UI) Division, and WorkHawaii (for Oahu layoffs). Other members such as State Department of Human Services, Community Colleges, Credit Counseling, and other agencies are added as appropriate for large layoffs and depending on worker needs.
    4. With the employer and applicable union, the Rapid Response Team plans and delivers information on Unemployment Insurance benefits, workforce services, registration in HireNet Hawaii, and other services. Sometimes the employer includes information about worker benefits such as health insurance coverage at the same time.
    5. For large layoffs, information is often provided at the employer's site or other site that is convenient and comfortable for workers.
    6. Multiple sessions are occasionally necessary for large numbers of affected workers, such as HC&S, Maui Memorial, and St. Francis Hospital.
    7. Besides information sharing, Rapid Response can include planning for other services, such as surveys of worker needs, preliminary assessments, and contacts with each individual.
- II. Rapid Response Sessions were conducted or plans/contacts were made in the last 4 months for the following businesses:
  - A. K-Mart Nimitz – 141 workers to be laid off
  - B. Macy's Kailua – 57 to be laid off
  - C. Ala Wai Driving Range – 15 to be laid off
  - D. Ohana Military Communities—contacts being made—205 affected
  - E. Maunakea Banana Company (HI County)—27 workers to be laid off
  - F. Hawaii Health Connector—21 to be laid off

- G. Hawaiian Commercial and Sugar – 675 workers to be laid off
- H. Maui Memorial—1700 affected workers

III. Hawaiian Commercial and Sugar (HC&S)

- A. Layoffs in phases: First group laid off March 7, last group will be Dec. 31, 2016
- B. Three (3) rapid response sessions were conducted for March 7 layoffs; another series is being planned for layoffs in April; and subsequent series will follow soon after or before each layoff.
- C. WDD is working very closely with four (4) HC&S Transition Coordinators (hired specifically to help with employee's termination and transition); ILWU business agents and ILWU Social Worker; Alexander and Baldwin Human Resources; County of Maui Office of Economic Development; Unemployment Insurance; and DOE Adult Education.
  - 1. HC&S set up a Transition Center on HC&S property, equipped with computers and internet connection to help individual workers and to conduct group sessions; training also can be conducted there.
  - 2. Rapid Response Core Team, ILWU, and employer regularly meet to plan services.
  - 3. WDD Maui Branch Manager also participates in Maui County's Task Force for HC&S Sugar, which includes but is not limited to, HC&S, Alexander and Baldwin, Governor's Office, Maui College; and Maui Chamber of Commerce.
- D. Worker Surveys: ILWU and employer are surveying workers. Information will be used for planning training and other services.
- E. Trade Adjustment Act (TAA) Petition
  - 1. ILWU submitted a petition for TAA to DOL to certify HC&S workers as TAA eligible. Petitions that are certified (approved) by USDOL qualify workers for assistance such as training, job search allowance, relocation assistance, and Trade Readjustment Allowance while in training.
  - 2. Prior Petitions submitted by ILWU for Sugar Plantation closures were denied TAA Certification because DOL determined that the closures were not due to adverse impact by foreign competition as required for TAA certification.
  - 3. Senator Schatz contacted USDOL Secretary, Tom Perez, for assistance.
  - 4. DOL determined that HC&S qualified for TAA under an International Trade Commission (ITC) investigation into Mexico's sugar dumping as cause of HC&S closure.
  - 5. TAA petition was certified March 22, 2016 for workers laid off from HC&S and leased employees from Exceptional Inc dba Employers Options Punene, from November 16, 2014 to November 16, 2016.
  - 6. DOL encouraged Hawaii to submit another TAA petition for workers being laid off after November 16, 2016 and will look into layoffs after first TAA expiration as qualifying since reason for closure is the same as determined in the first petition.

7. After USDOL's certification, DLIR submitted TAA funding request to USDOL for about \$2 million to provide vocational training, on-the-job training, job search allowance, relocation allowance, and case management services for qualified workers.
8. Trade Readjustment Allowance and Reemployment Trade Adjustment Assistance also may be administered to qualified individuals by Unemployment Division.
9. DOL, Region 6, is providing technical assistance on TAA benefits because they are complex and detailed.
  - a. Webinar was held by Region 6 staff March 30 to provide information to WDD, UI, ILWU.
  - b. More in-depth information will be provided when Region 6 staff comes to Hawaii in April.
10. Informational session on TAA benefits to HC&S workers is being planned for April 2016.
11. Fairs and Resource Fairs: Job/Resource Fair was held in early March 2016; more are being planned. Employers are contacting employer, union, WDD, Chamber and taskforce to indicate interest in hiring workers.

IV. On-going Employer Outreach

- A. Purpose: Build business relationships and trust to help businesses meet their workforce needs so that their businesses thrive and thereby avoid layoffs. This relationship facilitates the development of early intervention services in case of layoffs, when it's a sensitive time and not necessarily the most conducive time to build trust.
- B. Complements other business outreach activities of Wagner-Peyser, veteran services, and WIOA, in geographical areas where WIOA funds are used.

V. State Legislation for Laid-off Workers and Other Workforce Needs

- A. HB 2605 and SB 3081: Supports on-the-job training for workers laid off as result of HC&S closure.
- B. HB 1997: Supports teacher training in agriculture to increase pipeline of students into agricultural careers.
- C. HB 2475: Supports workforce training for maritime industry in Hawaii shipyards.

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-91,593

ALEXANDER & BALDWIN, LLC  
HAWAIIAN COMMERCIAL & SUGAR COMPANY  
A WHOLLY-OWNED SUBSIDIARY OF ALEXANDER & BALDWIN, INC.  
INCLUDING ON-SITE LEASED WORKERS FROM  
EXCEPTIONAL INC. DBA EMPLOYERS OPTIONS  
PUUNENE, HAWAII

Certification Regarding Eligibility  
To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. § 2273, the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

The group eligibility requirements for workers of a firm under Section 222(e) of the Act, 19 U.S.C. § 2272(e), are satisfied if the following criteria are met:

- (1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in--
  - (A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);
  - (B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or
  - (C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));
  
- (2) the petition is filed during the 1-year period beginning on the date on which--

- (A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1) (A) is published in the Federal Register under section 202(f)(3); or
  - (B) notice of an affirmative determination described in subparagraph (B) or (C) of paragraph (1) is published in the Federal Register; and
- (3) the workers have become totally or partially separated from the workers' firm within--
- (A) the 1-year period described in paragraph (2); or
  - (B) notwithstanding section 223(b), the 1-year period preceding the 1-year period described in paragraph (2).

The investigation was initiated in response to a petition filed on March 16, 2016 by the International Longshore and Warehouse Union, Local 142 on behalf of workers of Alexander & Baldwin, LLC, Hawaiian Commercial & Sugar Company division, a wholly-owned subsidiary of Alexander & Baldwin, Inc., including on-site leased workers from Exceptional Inc. dba Employers Options, Puunene, Hawaii. The workers' firm is engaged in activities related to the production of bulk raw sugar, specialty food grade sugars and molasses; leases agricultural land to third parties, and generates and sells electricity to the extent not used in segment operations.

The investigation revealed that on November 16, 2015, the International Trade Commission found that an industry in the United States is materially injured by reason of imports of sugar from Mexico, which have been found by the Department of

Commerce to be sold in the United States at less than fair value, and to be subsidized by the government of Mexico. A petition has been filed on behalf of workers of Alexander & Baldwin, LLC, Hawaiian Commercial & Sugar Company division, a wholly-owned subsidiary of Alexander & Baldwin, Inc., including on-site leased workers from Exceptional Inc. dba Employers Options, Puunene, Hawaii. That firm was publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in a category of determination that is listed in Section 222(e) of the Act, 19 U.S.C. § 2272(e). In addition, that determination was published in the Federal Register on November 16, 2015, which is within one year of the date of the petition filed requesting Trade Adjustment Assistance (TAA) Certification.

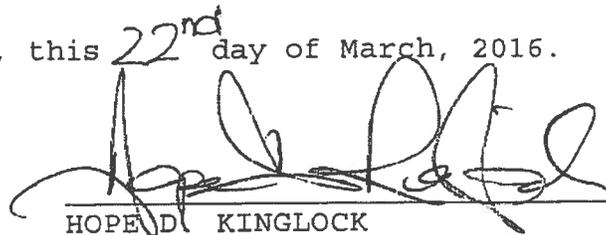
#### Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Alexander & Baldwin, LLC, Hawaiian Commercial & Sugar Company division, a wholly-owned subsidiary of Alexander & Baldwin, Inc., including on-site leased workers from Exceptional Inc. dba Employers Options, Puunene, Hawaii, engaged in activities related to the production of raw sugar, molasses, specialty sugars, and electricity meet the requirements of Section 222(e) of the Act.

In accordance with Section 223 of the Act, I make the following certification:

"All workers of Alexander & Baldwin, LLC, Hawaiian Commercial & Sugar Company division, a wholly-owned subsidiary of Alexander & Baldwin, Inc., including on-site leased workers from Exceptional Inc. dba Employers Options, Puunene, Hawaii, who became totally or partially separated from that employment on or after November 16, 2014, through the date of the certification and who become totally or partially separated from that employment from the date of the certification through November 16, 2016, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended."

Signed in Washington, D.C., this 22<sup>nd</sup> day of March, 2016.



HOPE D. KINGLOCK  
Certifying Officer, Office of  
Trade Adjustment Assistance

