

## Required Rapid Response Activities

Title 20 Code of Federal Regulations (CFR) Section 665.310: What Rapid Response activities are required?

Rapid Response activities must include:

<p>(a) <b>Immediate and on-site contact</b> with the employer, representatives of the affected workers, and the local community, <b><u>which may include an assessment</u></b> of the:</p> <ol style="list-style-type: none"> <li>(1) Layoff plans and schedule of the employer;</li> <li>(2) Potential for averting the layoff(s) in consultation with State or local economic development agencies, including private sector economic development entities;</li> <li>(3) Background and probable assistance needs of the affected workers;</li> <li>(4) Reemployment prospects for workers in the local community; and</li> <li>(5) Available resources to meet the short and long-term assistance needs of the affected workers.</li> </ol>
<p>(b) The <b>provision of information and access</b> to unemployment compensation benefits, comprehensive One-Stop system services, and employment and training activities, including information on the Trade Adjustment Assistance (TAA) program and the North American Free Trade Agreement (NAFTA)-TAA program (19 U.S.C. 2271 et seq.);</p>
<p>(c) The <b>provision of guidance and/or financial assistance in establishing a labor-management committee</b> voluntarily agreed to by labor and management, or a workforce transition committee comprised of representatives of the employer, the affected workers and the local community. The committee may devise and oversee an implementation strategy that responds to the reemployment needs of the workers. <b><u>The assistance to this committee may include:</u></b></p> <ol style="list-style-type: none"> <li>(1) The provision of training and technical assistance to members of the committee;</li> <li>(2) Funding the operating costs of a committee to enable it to provide advice and assistance in carrying out rapid response activities and in the design and delivery of Workforce Investment Act (<b>WIA</b>)-authorized services to affected workers. Typically, such support will last no longer than six months; and</li> <li>(3) Providing a list of potential candidates to serve as a neutral chairperson of the committee.</li> </ol>
<p>(d) The <b>provision of emergency assistance</b> adapted to the particular closing, layoff or disaster.</p>
<p>(e) The <b>provision of assistance to the Local Workforce Investment Board and chief elected official(s) to develop a coordinated response</b> to the dislocation event and, as needed, obtain access to State economic development assistance. Such coordinated response may include the development of an application for National Emergency Grant under Title 20 CFR Part 671. [WIA Sections 101(38) and 134(a)(2)(A)]</p>

## Allowable Rapid Response Activities

Title 20 CFR Section 665.320: May other activities be undertaken as part of Rapid Response?

A State or designated entity may provide Rapid Response activities in addition to the activities required to be provided under Section 665.310. In order to provide effective Rapid Response upon notification of a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation, the State or designated entity may:

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| <p>(a) In conjunction, with other appropriate federal, State and local agencies and officials, employer associations, technical councils or other industry business councils, and labor organizations:</p> <ol style="list-style-type: none"> <li>(1) <b>Develop prospective strategies</b> for addressing dislocation events, that ensure rapid access to the broad range of allowable assistance;</li> <li>(2) <b>Identify strategies</b> for the aversion of layoffs; and</li> <li>(3) <b>Develop and maintain mechanisms</b> for the regular exchange of information relating to potential dislocations, available adjustment assistance, and the effectiveness of rapid response strategies.</li> </ol> |
| <p>(b) In collaboration with the appropriate State agency(ies), <b>collect and analyze information related to economic dislocations</b>, including potential closings and layoffs, and all available resources in the State for dislocated workers in order to provide an adequate basis for effective program management, review and evaluation of rapid response and layoff aversion efforts in the State.</p>   |
| <p>(c) <b>Participate in capacity building</b> activities, including providing information about innovative and successful strategies for serving dislocated workers, with local areas serving smaller layoffs.</p>  |
| <p>(d) Assist in <b>devising and overseeing strategies</b> for:</p> <ol style="list-style-type: none"> <li>(1) Layoff aversion, such as prefeasibility studies of avoiding a plant closure through an option for a company or group, including the workers, to purchase the plant or company and continue it in operation;</li> <li>(2) Incumbent worker training, including employer loan programs for employee skill upgrading; and</li> <li>(3) Linkages with economic development activities at the federal, State and local levels, including federal Department of Commerce programs and available State and local business retention and recruitment activities.</li> </ol>                           |

Title 20 CFR Section 667.262: Local Workforce Investment Areas may also use Rapid Response funds to support the following activities:

(a) Under WIA Section 181(e), WIA Title I funds may not be spent on employment generating activities, economic development, and other similar activities, unless they are directly related to training for eligible individuals. For purposes of this section, employer outreach and job development activities are directly related to training for eligible individuals.

(b) These employer outreach and job development activities include:

- (1) Contacts with potential employers for the purpose of placement of WIA participants;
- (2) Participation in business associations (such as chambers of commerce); joint labor management committees, labor associations, and resource centers;
- (3) WIA staff participation on economic development boards and commissions, and work with economic development agencies, to:
  - (i) Provide information about WIA programs,
  - (ii) Assist in making informed decisions about community job training needs, and
  - (iii) Promote the use of first source hiring agreements and enterprise zone vouchering services,
- (4) Active participation in local business resource centers (incubators) to provide technical assistance to small and new business to reduce the rate of business failure;
- (5) Subscriptions to relevant publications;
- (6) General dissemination of information on WIA programs and activities;
- (7) The conduct of labor market surveys;
- (8) The development of on-the-job training opportunities; and
- (9) Other allowable WIA activities in the private sector. [WIA Section 181(e)]

## Examples of the Categorization of Rapid Response Activities

Activity	Code	Required	Allowable	Prohibited
Conducting planning meeting with employer	20 CFR 665.310(a)	X		
Assessing layoff aversion potential	20 CFR 665.310(a)2	X		
Conducting orientation meeting with employees	20 CFR 665.310(b)	X		
Providing TAA orientation	20 CFR 665.310(b)	X		
Delivering/mailing Rapid Response informational materials	20 CFR 665.310(b)	X		
Providing access to CalJOBS <sup>SM</sup> and SkillsMatch on-site, using company's or mobile facility	20 CFR 665.310(b)	X		
Enabling participants to register with One-Stop Center [(i.e., America's Job Centers of California <sup>SM</sup> (AJCC))] on-site	20 CFR 665.310(b)	X		
Job fair or information expo focused on one or more dislocation events, at or not at the dislocation site	20 CFR 665.310(b)	X		
Coordinating Labor-Management/Workforce Transition Committee	20 CFR 665.310(c)	X		
Providing information about services available in the AJCCs and setting up systems to provide on-site access to information and services	20 CFR 665.310(d)	X		
Providing training orientation on industry specific opportunities (ex: Biotech)	20 CFR 665.310(d)	X		
Providing resources for food, shelter, clothing and other emergency assistance	20 CFR 665.310(d)	X		
Reaching out to businesses	20 CFR 665.320(a)3 or (d)1		X	
Collaborating with EDD/LMID to research business activity	20 CFR 665.320(b)		X	
Attending Regional Roundtable	20 CFR 665.320 (b)/(c)/(d)		X	
Attending conferences	20 CFR 665.320 (b)/(c)/(d)		X	
Devising layoff aversion strategies with employer	20 CFR 665.320(d)		X	
Providing layoff aversion technical assistance to employer	20 CFR 667.262(b)		X*	
Conducting business services workshops	20 CFR 667.262(b)		X*	
Training affected workers to upgrade skills for another position in company			X	
Conducting interview technique workshops			X**	
Conducting job search assistance and resume writing workshops			X**	
Completing UI applications				X
Job fair or information expo not related to a dislocation event				X

\* Allowable per State policy decision as part of employer outreach and job development activities authorized by WIA regulations Section 667.262(b) if funded with formula-allocated Rapid Response funds or, if specifically authorized, by yearly directive describing the use of Rapid Response Competitive-Priorities funds for that program year.

\*\* Local Workforce Investment Areas may conduct group workshops (e.g. job search assistance and/or resume writing workshops) as part of on-site Rapid Response to business closures or significant layoffs and charge the cost to their 25 Percent Rapid Response funds if they have determined, in consultation with the local Workforce Services manager, that Workforce Services staff are not available to conduct such workshops.