



LOS ANGELES COUNTY

WIA Rapid Response Program

DIRECTIVE

Number: WIARR D14-02

**Subject: Workforce Investment Act (WIA)
Rapid Response (RR) 121 & 122 Completion Instructions**

Date: October 1, 2014

Effective Date: Immediately

THIS DIRECTIVE SUPERCEDES WIARR D09-02 DATED 10/21/09

OVERVIEW:

As part of a comprehensive strategy to meet the workforce development needs of businesses and dislocated workers, the Los Angeles County Local Workforce Investment Area (LWIA) provides Rapid Response services to employers and workers who have been affected by permanent business closures, mass lay-offs, natural or other disasters, and other events of worker dislocation described within the Workforce Investment Act (WIA).

Purpose

This directive provides information and guidance to County Workforce Investment Act (WIA) program contractors on the policies and procedures concerning the completion of 121 for WIA Rapid Response services & 122 Layoff Aversion Activities.

Scope

This directive supplements Federal and State guidance and applies to County-funded WIA service providers that are specifically contracted to provide Rapid Response services and activities.

References

- WIA Section 101(38), 133(a)(2), and 134(a)(2)(A)
- Title 20 Code of Federal Regulations (CFR) Sections 639, 665.300, 665.310, 665.320, 665.340, and 667.262(b)
- State EDD Workforce Investment Act Directive WSD14-3 (September 3, 2014) - Rapid Response and Layoff Aversion Activities
- State EDD Workforce Investment Act Directive WIAD05-18 (June 14, 2006) —Dislocated Worker 25 Percent Funding Policy
- State EDD Workforce Investment Act Information Bulletin WIAB03-80 (April 20, 2004) —Rapid Response Policy — Input Requested
- State EDD Workforce Investment Act Information Bulletin WIAB03-85 (May 14, 2004) — Proposed Dislocated Worker 25 Percent Funding Policy
- U.S. Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 27-12, Funds Administration Flexibility for WIA Title I and Wagner-Peyser Act (WPA) of 1933 Funds (May 10, 2013)

- DOL TEGL 26-09 Change 1, WIA Waiver Policy and Waiver Decisions for Program Year (PY) 2009 and 2010, Change 1 (August 16, 2012)
- DOL TEGL 33-11, Annual Program Guidance for the PY 2012 WIA Adult, Dislocated Worker, and WPA programs (June 8, 2012)
- DOL TEGL 30-09, Layoff Aversion Definition and the Appropriate Use of WIA Funds for Incumbent Worker Training (IWT) for Layoff Aversion Using a Waiver (June 8, 2010)
- DOL Training and Employment Notice (TEN) 09-12, Layoff Aversion in Rapid Response Systems (August 31, 2012)
- DOL TEN 31-11, The Rapid Response Framework (March 1, 2012)
- DOL TEN 32-11, Rapid Response Self-Assessment Tool (March 1, 2012)
- DOL TEN 03-10, The National Rapid Response Initiative (August 9, 2010)
- California Labor Code Sections 1400-1408
- California Unemployment Insurance Code Section 1253
- California's Strategic Workforce Development Plan: 2013-2017, Shared Strategy for a Shared Prosperity
- Workforce Services Directive WSD13-8, WIA Statewide Waivers and State Plan PY 2013-2017 (January 8, 2014)
- WSD12-3, Quarterly and Monthly Financial Reporting Requirements (July 18, 2012)
- WSD13-1, Authorization to Work Verification Requirements (July 2, 2013)
- WIAD04-22, State Required Surveys of Dislocated Workers (June 15, 2005)
- WIAD04-18, Title I Eligibility (March 29, 2005)
- WIAD02-9, Worker Displacement Prohibition (November 22, 2002)
- WIAD01-14, Layoffs, Furloughs, Temporary Layoffs and Lockouts (March 11, 2002)
- Workforce Services Information Notice WSIN13-70, Program Year 2014 Rapid Response Funding (June 12, 2014)
- WSIN13-9, Keep Your Home California Campaign and Rapid Response Events (August 9, 2013)
- WSIN11-5, California Training Benefits (CTB) Program Changes, CTB Streamline Refresher Training and Forms Update (August 2, 2011)

BACKGROUND:

Within California, LWIAs, such as the County of Los Angeles, work closely with the State to deliver Rapid Response services. As the administrator for the County's WIA program, Community and Senior Services (CSS) receives employer notices issued in compliance with the Federal and State requirements under the Worker Adjustment and Retraining Notification (WARN) Act and coordinates WIA Rapid Response (RR) activities and contractors to address the dislocation events specified in these notices. CSS also receives notice of impending layoffs directly from companies, WorkSource Centers, individuals and other sources.

Rapid Response

The primary purpose of Rapid Response as related in federal guidance is to enable affected workers to return to work as quickly as possible following a layoff, or to prevent layoffs altogether. To accomplish this, the workforce development system must be coordinated, comprehensive, and proactive in communicating with business. This includes providing labor market and workforce information, integrating industry requirements into training strategies and career pathways, brokering relationships and job connections, making services efficient and easy to access, and coordinating with regional partners to reduce duplication.

A sound Rapid Response infrastructure should include early warning systems which are necessary to ensure a timely response to worker dislocations. Early indicators can be recognized in a variety of ways

including through close communication with employer representatives, industry groups, organized labor, utilities, or through local media. Rapid Response also tracks labor market trends, increased unemployment insurance claims, and public announcements through the California Worker Adjustment and Retraining Notification Act (WARN) notice. In each region, systems should be in place to regularly monitor all potential early warning indicators and notification channels, and employers must be informed about their legal responsibilities to issue advance notifications of layoffs and closures.

It is critical that regional Rapid Response teams build relationships with employers, labor organizations, workforce and economic development agencies, training institutions, service providers and community-based organizations. Proactive Rapid Response systems rely on good intelligence. Their value to economic development efforts can be increased by providing ready access to information regarding available talent. States gain a competitive edge when they can leverage accurate information about regional economic trends, labor markets, new business development, impending layoffs, regional assets, and education and training resources.

The Role of Layoff Aversion in Rapid Response

[California's Strategic Workforce Development Plan: 2013-17](#), Shared Strategy for a Shared Prosperity, calls for the development and implementation of a "...layoff aversion strategy that helps retain workers in their current jobs and/or provides rapid transitions to new employment, minimizing periods of unemployment" (Chapter IV, under common goals for Adults). Layoff aversion is a central component of a high-performing Rapid Response strategy, requiring a shared responsibility among numerous partners at the state, regional, and local levels. The WIA Regulations (Title 20 CFR 665.310) describe required Rapid Response activities, including that Rapid Response teams assess, "...the potential for averting the layoff in consultation with the State or local economic development agencies, including private sector economic development entities." Section 665.320 provides more context for allowable layoff aversion activities.

It is important to emphasize that Rapid Response does not stop layoffs. Only a company can save jobs. The intent here is to offer assistance to companies that request it and to save jobs. Additionally, it is often too late to avert layoffs at the time a closure is announced. To save jobs, 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. This requires a new Rapid Response culture of prevention and a strong infrastructure, including clarity of roles among regional partners. It requires data collection and analysis of trends, early warning mechanisms that can alert of problem areas, and well-trained staff.

Led by local boards, Rapid Response teams should be regional partnerships among a range of organizations and intermediaries that can help identify and design appropriate interventions. Partners should include the Department of Commerce's Trade Adjustment Assistance for Firms, the Manufacturing Extension Partnership, public and private economic development entities, Chambers of Commerce, Small Business Development Centers, community-based organizations, community colleges, local labor councils, and others.

Rapid Response activities such as those described in Title 20 CFR 665.320(d), customized training, dislocated worker services, employment services, and prefeasibility studies are among the many WIA funded components that the workforce system can deploy to assist companies in averting layoffs.

A valuable resource is the use of incumbent worker training (IWT), which can provide needed skills upgrading for existing workers. The Employment Training Panel is an important source of IWT funding. Additionally, California has been granted a waiver from the DOL to use a portion of local WIA funds to provide IWT as part of a layoff aversion strategy. Another important tool is California's Work Sharing

program, which allows for the payment of unemployment insurance benefits to individuals whose wages and hours have been reduced. This program is an effective and practical alternative to layoffs.

As described in DOL TEGL 30-09, significant benefits accrue to workers, employers, taxpayers, and communities when layoffs are averted:

- For workers, the loss of income and benefits associated with unemployment can be financially devastating. Retaining the same position or transitioning to a different position with retooled skills at a comparable wage maintains financial stability compared to the loss of income sustained when drawing unemployment compensation, which on average is 36 percent of the worker's average weekly wage when employed.
- For employers, retaining a known reliable worker can save costs associated with severance; costs associated with having unfilled, vacant job openings; costs associated with recruiting and orienting a new employee with requisite skills to the procedures, culture and systems of the company that the former worker already knew; and intangible costs such as avoiding lower overall company morale for remaining workers when their co-workers are laid off. Additionally, layoffs often lead to increases in that employer's unemployment compensation tax rates.
- For taxpayers, averting layoffs saves outlays from unemployment trust funds and other taxpayer-funded services that the unemployed worker may draw.
- For communities, averting layoffs is far less disruptive and costly compared to providing emergency food and health services to financially strained families, and the loss of property taxes associated with high home foreclosure rates. It also facilitates the maintenance of overall community economic wellness, which can be threatened when a mass layoff creates tertiary layoffs due to reduced overall consumption in the community.

POLICIES/PROCEDURES:

The following policies, procedures and service priorities have been established by the County as part of its overall strategy to deliver WIA RR services. Contractors must make available all RR services required under WIA. Additional services that are specified in the contractor's Statement of Work may also be provided.

Policies

It is the policy of the Los Angeles County Workforce Investment Area that contractors must complete WIA 121 form for required "**On-Site Services**" only and 122 form for all Layoff Aversion Activities. The 121 & 122 forms were developed for reporting Rapid Response & Layoff Aversion activities to obtain the quantitative layoff data for WARN and non-WARN activities.

Uses of Rapid Response 25 Percent Funds

Attachment 6 describes the required and allowable uses of Rapid Response funds. The State has expanded the list of activities local areas may fund with formula-allocated Rapid Response dollars to include employer outreach and job development activities authorized by WIA Regulations at Title 20 CFR Section 667.262(b). These alternative uses of Rapid Response funds for allowable activities, including those covered by Section 667.262(b), do not mitigate the fact that it is the State's policy priority that the full scope of required Rapid Response activities, as described in Section 665.310, must be provided in each local area.

Priority High-Growth Sectors

The L.A. County Workforce Investment Board approved the 5 Year Local Strategic Workforce Plan on June 27, 2013, in which the following priority high-growth sectors were identified: Construction, Manufacturing with an added emphasis on Advanced Manufacturing, Hospitality, Logistics, Healthcare, and Transportation.

Procedures

Rapid Response 121 Completion and Submittal

Rapid Response Required Activities On-Site Visit (CSS Form 121) Form (Attachment 1)

A CSS 121 Form must be completed for any **on-site** visit to assist dislocated workers in obtaining reemployment because of a permanent closure or layoff of employees at a plant, business facility, or enterprise. Reportable **on-site** visits include WARN and non-WARN events. Complete separate CSS 121's for each on-site visit occurring on different days, at different locations, or at different employers. **Do not complete a 121 for any service that does not result in an on-site visit.**

Note: Job fairs should not be recorded on a 121, unless they are conducted as part of the on-site response to a significant dislocation. Please refer to State EDD WIA Directive No. WIAD04-9 for more information on required RR activities. The WIA 121 may be used to determine future RR allocations.

See attachment 3 for instructions on completing CSS Form 121.

1. 121 On-Site Visit Reports must be completed **THOROUGHLY AND ACCURATELY**. Complete the On-Site Visit Report 121 and submit it electronically to the RR Coordinator at RapidResponse@css.lacounty.gov **within seven (7) days** from the date of activity.
2. If any intervention strategy or layoff aversion plan is used, RR contractor shall describe it in an e-mail to RR Coordinator and include information in monthly report.
3. RR contractor shall maintain files by company that contain all completed required RR documentation.

Layoff Aversion 122 Completion and Submittal

Layoff Aversion Activities Form (CSS Form 122) (Attachment 2)

The Excel spreadsheet report is designed to collect data to be considered as a factor in the process of allocating layoff aversion funds to Local Workforce Investment Areas (local areas). Activities reported on the Layoff Aversion 122 Report are those relating to layoff aversion activities conducted during any stage of the business cycle as defined by the California Workforce Investment Board. Complete a separate form for each successful employer contact. A contact is considered successful if the result of the activity identifies a specific employer need.

See attachment 4 for instructions on completing CSS Form 122.

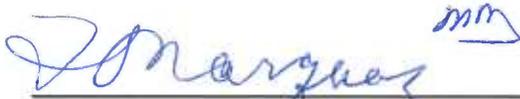
The Layoff Aversion 122 Form must be completed **THOROUGHLY AND ACCURATELY**. Complete the 122 and submit it electronically to the RR Coordinator at RapidResponse@css.lacounty.gov **within seven (7) days** from the date of activity. Only one report is required per agency, per month.

ACTION:

Los Angeles County WIA Rapid Response contractors will adhere to the policies and procedures described herein are communicated throughout the operations, management and governance structure of the contractor organization and that this Directive is appropriately maintained until further notice.

INQUIRIES:

Inquiries regarding this directive and the policies and procedures described herein should be directed to CSS Staff at RapidResponse@css.lacounty.gov.

A handwritten signature in blue ink that reads "Josie Marquez" with a stylized "mm" monogram above the name.

**Josie Marquez, Assistant Director
Workforce & Community Services Branch**

Attachments:

1. On-site Visit Form (CSS 121 Form)
2. Layoff Aversion Activity Form (CSS122 Form)
3. On-site Visit Form Line Item Instructions
4. Layoff Aversion Activity Form Line Item Instructions
5. Examples of the Categorization of Rapid Response Activities
6. Required Rapid Response Activities
7. Allowable Rapid Response Activities
8. Rapid Response Related Terms & Resources

LOS ANGELES COUNTY RAPID RESPONSE REQUIRED ACTIVITIES ON-SITE VISIT FORM 121

This form must be only completed to report on-site visits by Agency staff to conduct required Rapid Response activities. See attachments 6 & 7 for a definition of the distinction between required and allowable activities. Activities reported on this form are those relating to on-site visits that respond to significant layoffs, as defined by the LWIB for dislocated worker eligibility. Reportable on-site visits include WARN and non-WARN events. If multiple sessions are conducted on the same day, at a single location, and for a single employer, complete this report with consolidated information for that specific date, location, and employer. Complete separate reports for each on-site visit occurring on different days, at different locations, or at different employers.

General Information

Date of Visit: _____		Name of Reporting Agency: _____	
Agency Contact Person: _____		Telephone Number: _____	
E-mail Address: _____		Cell Phone: _____	Fax: _____
Primary Reason for On-site Visit (Please circle one) _____		Orientation - Planning	
Explanation of Other Reasons _____			
Local Area Priority Sector (Please circle one) _____		Yes or No _____	

Employer Information

Name of Company: _____		EAN: _____	
Street Address: _____		City: _____	Zip Code: _____
Company Contact Person: _____		Title: _____	
Telephone Number: _____		Fax Number: _____	
Date of Layoff that Caused Visit: _____		Number of Affected Local Employees: _____	
Was a WARN notice filed? (Please circle) _____ Yes or No		Was a Trade Act petition filed? (Please Circle) _____ Yes or No	
Industry Type: _____			
What job classifications are being affected? Briefly Describe: _____			
Are the layoffs caused because the employer is relocating jobs? (Please circle) _____ Yes or No			

Layoffs Scheduled Over Next Six Months

Month	January	February	March	April	May	June
Number of Layoffs Expected	_____	_____	_____	_____	_____	_____
Month	July	August	September	October	November	December
Number of Layoffs Expected	_____	_____	_____	_____	_____	_____

Meeting Attendees

Meeting Logistics

<input type="checkbox"/> Employer Representatives	Agency Staff Hours to Prepare for Visit: _____
<input type="checkbox"/> Union Representatives - Union Name(s) & Local #(s): _____	Length of Meeting (in hours): _____
<input type="checkbox"/> Affected Employees -How many? _____	Number of Agency Staff at Meeting: _____
<input type="checkbox"/> Employment Development Department	How many affected workers completed a Rapid Response survey during this on-site? _____
If EDD did not attend, person and date contacted: _____	
<input type="checkbox"/> News Media specify if known _____	
<input type="checkbox"/> Others _____	

Comments/Explanatory Notes

E-mail to: RapidResponse@css.lacounty.gov

County Only -- WARN Number: _____

RAPID RESPONSE REQUIRED ACTIVITIES ON-SITE VISIT (CSS WIA 121) FORM

The CSS WIA 121 Form spreadsheet is designed to collect data to be considered as a factor in the process of allocating Rapid Response funds to Local Workforce Investment Areas (local areas). Activities reported on the CSS WIA 121 Form are those relating to employer contacts in response to layoffs or closures, as defined by the California Workforce Investment Board. Reportable employer contacts include Worker Adjustment and Retraining Notification (WARN) and non-WARN events. The CSS WIA 121 Form must be completed to report employer contacts by local America's Job Center (AJCC) staff when conducting layoff/closure orientations with 10 or more affected workers ONLY, and/or layoff or closure planning meetings. Planning meetings are for information only and will not be used in the calculation of the dislocation-based formula funding factor.

Complete a separate CSS WIA 121 for each employer contact occurring on different days, locations, or employers. Complete a single CSS WIA 121 Form if multiple sessions are conducted on the same day, for a single employer with the note of how many multiple orientations were made that day.

The CSS WIA 121 Form must be completed after each on-site visit and submitted via e-mail within seven (7) days to RapidResponse@css.lacounty.gov.

GENERAL INFORMATION SECTION	
<i>Date of Visit</i>	Date on which Rapid Response on-site services were provided to a business or commercial establishment where workers are being laid off. If the on-site services span more than one day or extend to more than one site, fill out a separate form for each day and/or site that Rapid Response on-site services are provided at location.
<i>Name of Reporting Agency</i>	Contractor Agency Name.
<i>Agency Contact Person</i>	Name of RR contractor's employee responsible for the RR on-site services. This contact person should have knowledge regarding this report.
<i>Cell Phone Number</i>	Cell phone number of the agency contact person identified above.
<i>Email Address</i>	Email address of RR contractor's employee identified above.
<i>Fax</i>	Fax number of RR contractor's employee identified above.
<i>Primary Reason for On-Site Visit</i>	Circle one: Orientation - Planning
<i>Explanation of Other Reasons</i>	If the contractor had other reasons for providing a Rapid Response on-site visit, enter the reason and an explanation.
EMPLOYER INFORMATION	
<i>Name of Company</i>	Official name of the company (As it appears on the WARN , if available) receiving on-site Rapid Response services.
<i>Street Address</i>	Street address of company (location of on-site visit).
<i>City</i>	City where company is located (location of on-site visit).
<i>Zip Code</i>	Zip code for location of on-site visit.
<i>Company Contact Person</i>	Name of company contact person for Rapid Response relative to the location entered above. (If more than one, please enter in comments section.)
<i>Title</i>	Title of on-site company contact person for Rapid Response.

Telephone Number	Telephone number of on-site company contact person for Rapid Response.
Fax Number	Fax number of on-site company contact person for Rapid Response.
Date of Layoff that Caused Visit	Date of first layoff (must match WARN).
Number of Affected Local Employees	Number of employees within the contractor's service area affected by the layoff/closure (must match WARN).
Was a WARN notice filed?	Circle: Yes - No
Was a Trade Act petition filed?	Circle: Yes - No
Industry Type	Select the employer's industry description from the pull-down menu.
What job classifications are being affected? Briefly describe	Provide a brief description of the job classifications of affected workers along with the number of affected workers [e.g., truck drivers (25), electronic assemblers (55), machinists (20) , other (5)1]
Are the layoffs caused because the employer is relocating jobs?	Circle: Yes - No
LAYOFFS SCHEDULED OVER THE NEXT SIX MONTHS	
Month	These fields are self-populated based on the date of visit. No entry is required.
MEETING ATTENDEES	
Employer Representatives	If the employer had representatives (other than affected workers) at the on-site, enter a check mark. Point the cursor at the box and click the mouse to enter a check mark.
Union Representatives — Union Name(s) and Local Number(s)	Enter a check mark if a union representative was present at the on-site visit. Enter the union name(s) and local number(s) in the space after the check box (e.g., SEIU 250).
Affected Employees — How Many?	Enter a check mark if affected employees were present at the on-site visit, and enter the total number of affected workers that attended the on-site orientations or meetings on date for which this 121 report is being completed.
Employment Development Department	Enter a check mark if EDD had a representative was present at the on-site visit.
If EDD did not attend, person and date contacted	Provide the name of the EDD representative contacted and date contacted.
News Media? Specify if known	Enter a check mark if any media representatives were in attendance, and provide a brief description of these media persons or groups if known.
Others	Enter a check mark if any others attended and provide the names and organizations of others attending (e.g., ERISA, Consumer Credit Counseling, other LWIAs, etc.)
MEETING LOGISTICS	
Agency Staff Hours to Prepare for Visit	Cumulative time spent by all RR contractor staff in preparation for this on-site meeting (e.g., assembling materials, planning, etc.)
Length of Meeting (in	Cumulative hours of all meetings and orientations

hours)	conducted during this on-site visit, including time for travel.
Number of Agency Staff at Meeting	Number of RR contractor staff attending the meetings/orientations on this date. <i>The product of time and staff represents the on-site hours dedicated to this on-site event.</i>
How many affected (laid-off) workers completed a Rapid Response Survey during, this on-site?	Number of affected works that completed a needs survey during this on-site visit.
COMMENTS/EXPLANATORY NOTES	
<i>Any information not collected in this form, but would be useful to CSS for funding or information purposes. Additional comments or notes.</i>	

**LAYOFF AVERSION ACTIVITIES
CSS WIA122 FORM**

The CSS WIA 122 Layoff Aversion Form spreadsheet is designed to collect data to be considered as a factor in the process of allocating layoff aversion funds to Local Workforce Investment Areas (local areas). Activities reported on the Layoff Aversion 122 Report are those relating to layoff aversion activities conducted during any stage of the business cycle as defined by the California Workforce Investment Board.

Complete a separate line item entry for each successful employer contact. A contact is considered successful if the result of the activity identifies a specific employer need.

The CSS WIA 122 Form must be completed after each successful employer contact and submitted via e-mail within seven (7) days to RapidResponse@css.lacounty.gov.

GENERAL INFORMATION SECTION	
Date of Contact	Date of successful employer contact.
Type of Contact	Select item from drop down menu
Name of Contractor Agency	Contractor Agency Name.
Agency Contact Person	Name of agency's employee responsible for the services. This contact person should have knowledge regarding this report.
Telephone Number	Telephone number of on-site company contact person for Rapid Response.
Email Address	Email address of RR contractor's employee identified above.
Cell Phone Number	Cell phone number of the agency contact person identified above.
Fax	Fax number of RR contractor's employee identified above.
Primary Reason for On-Site Visit	Select item from drop down menu
Local Area Priority Sector	Select item from drop down menu
EMPLOYER INFORMATION	
Company Name	Name of the company.
Street Address	Street address of company, which is location where Rapid Response services were provided.
City	City of company.
Zip Code	Zip code of company.
Company Contact Person	Name of company contact person for Rapid Response relative to the location entered above. (If more than one, please enter in comments section.)
Title	Title of on-site company contact person for Rapid Response.
Telephone Number	Telephone number of on-site company contact person for Rapid Response.
Business area of need addressed	Select item from drop down menu
Did layoff aversion activity result in successful outcome	Enter "Y" for yes and "N" for no.
Number of jobs saved by layoff aversion activity	Enter number of jobs saved

Industry Type	Select from drop-down menu
Testimonial letter/documentation provided by business	Enter "Y" for yes and "N" for no.
Was a WARN notice filed?	Enter "Y" for yes and "N" for no.
Was a non-WARN requested?	Enter "Y" for yes and "N" for no.
MEETING ATTENDEES	
Employer Representatives	If the employer had representatives (other than affected workers) at the on-site, enter a check mark. Point the cursor at the box and click the mouse to enter a check mark.
Union Representatives	Enter a check mark if a union representative was present at the on-site visit. Enter the union name(s) and local number(s) in the space after the check box (e.g., SEIU 250).
Local Chamber of Commerce	Enter a check mark if Local Chamber of Commerce had a representative was present at the on-site visit.
Employment Development Department	Enter a check mark if EDD had a representative present at the on-site visit.
Los Angeles Economic Development Corporation	Enter a check mark if LAEDC had a representative present at the on-site visit.
Community College	Enter a check mark if Community College had a representative present at the on-site visit.
MEETING LOGISTICS	
Agency Staff Hours to Prepare for Visit	Cumulative time spent by all staff in preparation for this on-site meeting (e.g., assembling materials, planning, etc.)
Length of Meeting	Cumulative hours of all meetings and orientations conducted during this on-site visit, including time for travel.
Number of Agency Staff at Meeting	Number of contractor staff attending the meetings/orientations on this date.
How many affected workers completed a survey	Number of affected works that completed a needs survey during this on-site visit.
COMMENTS/EXPLANATORY NOTES	
Comments	Additional comments, notes, explanations.

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 SM 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 SM (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.

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) Immediate and on-site contact with the employer, representatives of the affected workers, and the local community, which may include an assessment of the:</p>
<ol style="list-style-type: none"> (1) Layoff plans and schedule of the employer; (2) Potential for averting the layoff(s) in consultation with State or local economic development agencies, including private sector economic development entities; (3) Background and probable assistance needs of the affected workers; (4) Reemployment prospects for workers in the local community; and (5) Available resources to meet the short and long-term assistance needs of the affected workers.
<p>(b) The provision of information and access 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 provision of guidance and/or financial assistance in establishing a labor-management committee 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. The assistance to this committee may include:</p>
<ol style="list-style-type: none"> (1) The provision of training and technical assistance to members of the committee; (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 (WIA)-authorized services to affected workers. Typically, such support will last no longer than six months; and (3) Providing a list of potential candidates to serve as a neutral chairperson of the committee.
<p>(d) The provision of emergency assistance adapted to the particular closing, layoff or disaster.</p>
<p>(e) The provision of assistance to the Local Workforce Investment Board and chief elected official(s) to develop a coordinated response 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:

- | |
|--|
| <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"> (1) Develop prospective strategies for addressing dislocation events, that ensure rapid access to the broad range of allowable assistance; (2) Identify strategies for the aversion of layoffs; and (3) Develop and maintain mechanisms for the regular exchange of information relating to potential dislocations, available adjustment assistance, and the effectiveness of rapid response strategies. |
| <p>(b) In collaboration with the appropriate State agency(ies), collect and analyze information related to economic dislocations, 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) Participate in capacity building activities, including providing information about innovative and successful strategies for serving dislocated workers, with local areas serving smaller layoffs.</p> |
| <p>(d) Assist in devising and overseeing strategies for:</p> <ol style="list-style-type: none"> (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; (2) Incumbent worker training, including employer loan programs for employee skill upgrading; and (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. |

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)]

Rapid Response-Related Terms and Resources

Layoff Aversion - The process of using a series of activities, studies, and networks to examine a business or sector's cycle, logistics, organizational condition, markets, and broad community relationships, in an effort to determine a series of workforce interventions that can mitigate short or long-term job loss, or save jobs altogether.

Incumbent Worker - An employee of the business applying for IWT funds in accordance with WIA.

Incumbent Worker Training - Developed with an employer or employer association to upgrade skills of a particular workforce. The employer agrees to retain the trained worker(s) upon completion of the training. Frequently, such training is part of an economic development or layoff aversion strategy.

Jobs Saved - A layoff is averted when: 1) a worker's job is saved 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 or a new job with a different employer and experiences short term or no unemployment. To be considered as a job saved, the maximum period of unemployment shall not exceed 1 week. This definition is based on the California Unemployment Insurance Code Section 1253. See DOL [TEGL 30-09](#).

Employer Contact (Rapid Response 121 Report) - A visit to an employer by staff for the purposes of conducting Rapid Response activities. This visit may be in person, by telephone or through the use of other interactive technology.

Employer Contact (Layoff Aversion 122 Report) - 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.

Business Cycle - A business cycle is identified as a sequence of four phases:

- Contraction: A slowdown in the pace of economic activity
- Trough: The lower turning point of a business cycle, where a contraction turns into an expansion
- Expansion: A speedup in the pace of economic activity
- Peak: The upper turning of a business cycle

[Work Sharing Program](#) - Work Sharing is described in [Section 1279.5](#) of the California Unemployment Insurance Code and provides employers with an alternative to layoffs and provides their employees with the payment of reduced unemployment insurance benefits.

[Manufacturing Extension Partnership \(MEP\)](#) - The National Institute of Standards and Technology's (NIST) Hollings MEP works with small and mid-sized U.S. manufacturers to help them create and retain jobs, increase profits, and save time and money. The nationwide network provides a variety of services, from innovation strategies to process improvements to green manufacturing. The MEP also works with partners at the state and federal levels on programs that put manufacturers in position to develop new customers, expand into new markets and create new products.

[Employment Training Panel \(ETP\)](#) - The ETP provides funding to employers to assist in upgrading the skills of their workers through training that leads to good paying, long-term jobs. The ETP is a funding agency, not a training agency. Businesses determine their own training needs and how to provide training. ETP staff is available to assist in applying for funds and other aspects of participation.

Economic Development - There are probably as many definitions for economic development as there are people who practice it. The [International Economic Development Council](#) defines economic development as a program, group of policies, or activity that seeks to improve the economic well-being and quality of life for a community, by creating and/or retaining jobs that facilitate growth and provide a stable tax base. For a good resource, see the [California Association of Local Economic Development](#).

[Small Business Development Centers of California \(SBDC\)](#) – The SBDC model is simple: (1) provide training to small business owners and aspiring entrepreneurs, and (2) provide high quality, no-cost one-on-one counseling to help small business and entrepreneurs overcome obstacles to growth. Topics range from: start-up assistance, planning for growth and expansion, technology and innovation, and perhaps most important, access to capital. California has a long history of launching entrepreneurial start-ups, and the California SBDC program has played an important role in that history.