

WIOA Fact Sheet

Rapid Response

About WIOA

The Workforce Innovation and Opportunity Act (WIOA) is landmark legislation signed into law in July 2014 that seeks to transform the workforce system to help job seekers and workers succeed in the labor market and match employers with the skilled workforce they need to compete in the global economy. In June 2016, the Department of Labor and federal partner agencies released the WIOA Final Rule, which outlines the final regulations for the implementation of WIOA. This fact sheet provides information about the final regulations related to the **Rapid Response program**.

Rapid Response is authorized by the Workforce Innovation and Opportunity Act at 134(a)(2)(A). The Rapid Response Regulations are found at 20 CFR 682.300.

Rapid Response Program Overview

Rapid Response encompasses strategies and activities for the state or designated entity to respond as quickly as possible following an announcement of a permanent closure, mass layoff, or natural or other disaster which results in mass job loss. Through Rapid Response, the state or designated entity delivers services to enable dislocated workers to transition to new employment as quickly as possible. The purpose of Rapid Response is to promote economic recovery and vitality by developing an ongoing, comprehensive approach to identifying, planning for, or responding to layoffs and dislocations, and preventing or minimizing their impacts on workers, businesses, and communities.

Funding – Per WIOA (section 133(a)(2)) the Governor may reserve up to 25% of the total dislocated worker formula allocation to the state for Rapid Response activities. The Governor determines how much funding will be reserved for Rapid Response activities on an annual basis.

State Agencies -- Rapid Response activities must be carried out by the state or an entity designated by the state.

When is Rapid Response Delivered -- States are responsible for determining the specific situations in which Rapid Response will be delivered; Rapid Response must be provided when one or more of the following circumstances occur:

- *Announcement or notification of a permanent closure, regardless of the number of workers affected;*
- *Announcement or notification of a mass layoff (as defined by state policy), or 50 or more workers laid off;*
- *A mass job dislocation resulting from a disaster as defined by state or local emergency management policies; or,*
- *A TAA petition is filed.*

Rapid Response Activities – Rapid Response activities and strategic planning efforts include:

- *Informational and direct reemployment services for workers, including but not limited to: information and support for filing unemployment insurance claims; information about the Trade Adjustment Assistance (TAA) program and support for filing petitions for TAA certification; information on the impacts of layoff on health coverage or other benefits; information on and referral to career services; reemployment-focused workshops and services; and training;*
- *Delivery of solutions to address the needs of businesses in transition, provided across the business lifecycle (expansion and contraction), including comprehensive business engagement and layoff aversion strategies and activities*

Learn More About WIOA

Information and **guidance** for WIOA can be found here: doleta.gov/WIOA

ION, the technical assistance initiative for WIOA, can be accessed by visiting **WorkforceGPS** here: ion.workforcegps.org



The Workforce Innovation and Opportunity Act

designed to prevent or minimize the duration of unemployment;

- *Convening, brokering, and facilitating the connections, networks and partners to ensure the ability to provide assistance to dislocated workers and their families such as home heating assistance, legal aid, and financial advice; and*
- *Strategic planning, data gathering and analysis designed to anticipate, prepare for, and manage economic change.*

Reporting Requirements -- *In certain instances, states must report certain information on recipients of Rapid Response services. Where a WIOA individual record exists for an individual served under programs reporting through the WIOA individual record, states must report information regarding the receipt of Rapid Response services for such an individual.*

Layoff Aversion Strategies & Activities -- *Layoff aversion strategies and activities are designed to prevent, or minimize the duration of, unemployment resulting from layoffs. Layoff aversion is a comprehensive approach requiring the integration of data, relationships, partnerships, and policies and procedures to allow an assessment of the economic situation that exists within a given area. This approach enables the development of a plan that may be applied, at any time, to intervene and manage transition that occurs within that area. Layoff aversion strategies and activities are customized to specific needs, quickly deployable, informed by economic data, and designed and coordinated with partners as necessary.*

Some examples of layoff aversion activities and strategies include:

- Ongoing engagement, partnership, and relationship-building activities with businesses;
- Funding feasibility studies to determine if a company's operations may be sustained through a buyout or other means to avoid or minimize layoffs;
- Developing, funding, and managing incumbent worker training programs or other worker up skilling approaches as part of a layoff aversion strategy or activity;
- Establishing linkages with economic development activities at the Federal, state and local levels and available state and local business retention and expansion activities;
- Partnering or contracting with business-focused organizations to assess risks to companies, propose strategies to address those risks, implement services, and measure impacts of services delivered; and,
- Conducting analyses of the suppliers of an affected company to assess their risks and vulnerabilities from a potential closing or shift in production of their major customer.

Other Allowable Activities – *WIOA offers significant flexibility with regard to the use of Rapid Response funds. States or designated Rapid Response providers may, in order to conduct layoff aversion activities or to prepare for and respond to dislocation events, devise additional strategies or conduct activities to those identified in the Regulations, that are intended to minimize the negative impacts of dislocation on workers, businesses, and communities and to ensure that workers impacted by layoffs are able to be reemployed as quickly as possible.*

Additionally, when circumstances allow, Rapid Response operators may provide guidance and/or financial assistance to establish community transition teams to assist the impacted community in organizing support for dislocated workers, and in meeting the basic needs of their families. Such assistance can include, but is not limited to providing heat, shelter, food, clothing and other necessities and services that are beyond the resources and ability of the one-stop delivery system to provide.

WIOA Implementation Technical Assistance

The Innovation and Opportunity Network (ION) is a community of practitioners, program staff, partners, planners, industry leaders, and stakeholders that strive for system improvement, capacity building, and excellence in the public workforce system. ION is a national, regional, state, and local alliance that makes available the technical assistance, information sharing, and training needed to implement the vision of WIOA. Visit ION at: <https://ion.workforcegps.org>

