



2021.06.09.A.2

Strategic Policy

Title:	Rapid Response and Layoff Aversion System
Adopted:	06/09/2021
Effective:	06/09/2021

I. PURPOSE

The federal Workforce Innovation and Opportunity Act (WIOA) encourages states to implement and promote programs and strategies that are consistent, high quality, timely and provide innovative responses within a comprehensive economic transition model that supports a broad vision for Rapid Response and embraces Layoff Aversion as one of its central tenets.

It is the intent of the state workforce development board for state and local Rapid Response teams to develop high quality, comprehensive and effective Rapid Response and Layoff Aversion strategies that maximize their ability to assist businesses, especially small businesses, in their local community. Rapid Response and Layoff Aversion activities should be focused on proactively engaging with businesses to prevent layoffs as well as reacting to announced layoffs and assisting affected workers.

II. BACKGROUND

WIOA requires states to provide statewide Rapid Response activities to assist employers and impacted workers prior to and immediately following the announcement of a permanent closure, layoff or natural or other disaster resulting in a mass job dislocation. This requires informed, strategic local business engagement.

Rapid Response and Layoff Aversion activities authorized under WIOA deliver solutions to address the needs of businesses in transition and throughout the business lifecycle (growth,

expansion, maintenance, or downsizing), including comprehensive business engagement and Layoff Aversion strategies. These activities maximize available assistance to local areas that experience natural disasters, mass layoffs, plant closings, or other events that impact businesses and increase the number of unemployed individuals. These activities include but are not limited to upskilling, Reemployment Assistance benefits, Short-Time Compensation, and employment services that help companies retain valuable skilled workers.

Effective Rapid Response and Layoff Aversion services promote economic recovery and vitality by developing ongoing, comprehensive approaches to identifying, planning for, or responding to layoffs or dislocations and preventing or minimizing their impacts on workers, businesses, and communities. It includes engagement with employers of all sizes, economic development organizations, chambers of commerce, small business development centers, business associations, and other critical partners in developing workforce solutions that 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 and support a competitive, resilient local workforce.

Small businesses represent a large percentage of the overall businesses in the state of Florida. Accordingly, many layoffs do not fall within the federal Worker Adjustment and Retraining Notification Act (WARN) requirements and may go undetected because they affect fewer than 50 employees. A strong rapid response/layoff aversion program will assist businesses of all sizes.

The benefits of an effective Rapid Response and Layoff Aversion system include saving jobs and giving companies of all sizes access to skilled workers necessary to increase growth and economic productivity while decreasing the negative impacts of unemployment and ensuring more immediate resources are available to individuals with greater needs.

III. STRATEGIC POLICY

Local workforce development boards shall implement a comprehensive, proactive Rapid Response system with an emphasis on Layoff Aversion activities that dedicate resources and efforts to the following:

- Strategic planning, business intelligence data gathering, and analysis designed to predict, prepare for, and mitigate layoff events.
- Strategies designed to maintain effective business engagement with companies of all sizes and industries within the community.
- Outreach and education regarding the provision of comprehensive, employer-based Layoff Aversion services to include Short-Time Compensation, federal emergency grant

and loan programs, local and community assistance programs, and incumbent worker training to avert layoffs and facilitate connections to other support services.

- Establishing early warning systems to identify businesses that may be at risk of closing, so that immediate support may be provided to avoid layoffs. Establishing local points of contact within the early warning system network to communicate and be accountable for Rapid Response services.
- Defining quantitative outcomes sought including but not limited to return on investment, employees retained or positions filled, business market penetration, and number of established partnerships.
- Defining service level standards and response times when notified of pending layoffs.

The allowable activities are defined in [20 CFR 682 Subpart C of the WIOA regulations \(covering 20 CFR 682.300 through 682.370\)](#) and described in [Training and Employment Guidance Letter No. 19-16](#).

For workers who are at risk of dislocation due to mass layoffs, plant closings, state or federal declared emergencies, or foreseeable events where local workforce development boards and the Department of Economic Opportunity are informed that layoffs may result in unemployed individuals, the maximum allowable percentage of funds may be reserved.

The Department of Economic Opportunity is the state administrative agency for Title I of WIOA. The Department has the responsibility for the distribution and management of the WIOA statewide Rapid Response funds. Of the total federal WIOA Dislocated Worker funding provided to the state, 25 percent may be reserved by federal law for the purposes of establishing and operating a Rapid Response system.

Funds shall be set aside to maintain an emergency reserve and fund the operational costs of the DEO Rapid Response Unit.

Pursuant to this policy, Rapid Response funds shall be used by local workforce development boards to establish Rapid Response and Layoff Aversion systems and provide Rapid Response and Layoff Aversion systems as described above.

IV. SCOPE

This policy applies to CareerSource Florida, the Florida Department of Economic Opportunity (DEO), and all 24 local workforce development boards. Local workforce development boards shall describe strategies for implementing and sustaining effective Rapid Response and Layoff Aversion systems in their local workforce development plans.

V. AUTHORITY

[Public Law 113-128, the Workforce Innovation and Opportunity Act](#)

[Chapter 445.003-445.007, Florida Statutes](#)

[Training and Employment Guidance Letter No. 19-16](#)

[20 CFR Part 665, Subpart C, Section 665.300 – Section 665.340](#)

[20 CFR Part 680, Subpart C, Section 682.300 – Section 682.370](#)

[CareerSource Florida Administrative Policy 100 – Work-based Training](#)

VI. REVISION HISTORY

Date	Description
TBD	Amends and replaces Strategic Policy 2003.03.19.A.3 Rapid Response Process Modifications