

TRAINING AND EMPLOYMENT NOTICE	NO. 31-11
	DATE March 1, 2012

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE INVESTMENT BOARD
CHAIRS and DIRECTORS
STATE LABOR COMMISSIONERS
STATE RAPID RESPONSE COORDINATORS

FROM: JANE OATES /s/
Assistant Secretary

SUBJECT: The Rapid Response Framework

1. **Purpose.** There are three main purposes of this TEN.
 - To share key global attributes of a successful Rapid Response system, building upon the 10 elements of the Rapid Response Self-Assessment Tool.
 - To support continuous improvement on the part of Rapid Response teams and practitioners in concert with technical support and sharing of best practices.
 - To ensure that all state and local leaders understand the full array of strategies and activities that can be carried out by Rapid Response units.

2. **References.**
 - Workforce Investment Act (WIA) Final Rules, 20 CFR parts 665.300 – 665.320
 - Training and Employment Guidance Letter (TEGL) 30-09
 - Training and Employment Notice (TEN) 3-10

3. **Introduction: Rapid Response Is About Returning to Work.** The primary purpose of Rapid Response is to enable affected workers to return to work as quickly as possible following a layoff, or to prevent their layoff altogether. This deceptively simple statement is the heart of Rapid Response—it focuses on the outcome and addresses the flexibility required to achieve it. This flexibility allows Rapid Response to add value to the economy. ETA will continue to provide guidance for this program accordingly.

Rapid Response is made up of the strategies, policies, processes, and networks that ensure that every worker affected by a layoff is given the best opportunity to return to work as soon as possible and that employers are able to access the skilled workers or other solutions they need.

To successfully achieve this primary purpose, Rapid Response strategies require:

- Provision of accurate, relevant information and direct reemployment services for workers
- Solutions for employers in transition, whether in growth or decline
- Establishing, convening, facilitating, and brokering connections, networks, and partnerships
- Strategic planning, data gathering and analysis designed to anticipate, to prepare for, and to manage economic transition

Our hope is that the Rapid Response Framework, discussed below, is one of many strategic tools that will help teams to achieve the desired outcome of reemployment.

4. **Background.** In August 2010, the Employment and Training Administration (ETA) issued TEN 3-10, announcing the National Rapid Response Initiative, an effort to promote consistent, high quality, timely and innovative Rapid Response activities.

Rapid Response activities are designed to respond to layoffs and plant closings by coordinating services to provide immediate assistance to employers and affected workers. WIA requires certain Rapid Response activities and allows for others.

Rapid Response activities include, but are not limited to, the provision of information and access to unemployment compensation benefits, employment and training services, including those provided by the One-Stop system, emergency services, development of a coordinated response, and other significant services, including services for employers and supportive services for workers. As mentioned, WIA's regulatory language (Sec. 665.300) provides flexibility in defining what constitutes a Rapid Response activity.

These activities are funded through the use of up to 25 percent of the WIA Dislocated Worker program funds allotted to each state, as reserved by the Governor in accordance with WIA. In addition to WIA-funded services, other state and Federal resources may be leveraged to support Rapid Response activities, and some further flexibility exists with the approval of waivers. Additional information regarding waivers can be accessed at www.doleta.gov/waivers. The waiver database is located under the Tools and Reports section of this web page.

5. **Rapid Response Framework.** Over the past few years, ETA has engaged in extensive dialogue with state and local Rapid Response practitioners in an effort to identify the critical components of successful Rapid Response. We have identified 10 elements from this process that are intended to encompass the goals and practice of Rapid Response. These elements correspond to the 10 elements that comprise the Rapid Response Self-Assessment Tool, which is the focus of TEN 32-11.

The Rapid Response Framework depicts these elements and provides both context and strategic analysis for how these elements may be better understood and ultimately incorporated into every Rapid Response unit's strategies and operations. Given the

dynamic nature of Rapid Response, a state can use the framework and tool in its entirety or look across certain elements to assess the quality of execution. States can also add their own improvement plans and benchmarks.

PLANNING AND PREPARATION

The first five elements are grouped under the thematic heading, “Planning and Preparation,” and involve activities that establish a Rapid Response infrastructure. This section includes longer-term objectives such as: cultivating important relationships with a wide array of stakeholders; creating written policies and procedures; building and maintaining an economic and market intelligence-gathering network; and working closely with employers to promote Rapid Response.

It is notable that half of the 10 elements of the Self-Assessment Tool refer to activities that should be taking place whether or not a layoff is impending or in process, reflecting the view that much of Rapid Response is about doing work where the timeline is measured in months or years, as opposed to only weeks or days.

This difference may require a conscious shift in the way Rapid Response practitioners are accustomed to thinking about their role. However, workforce experts agree that being proactive in planning and preparation ahead of any specific layoff event is time well-spent and pays significant dividends when a Rapid Response team does need to act.

Element 1: Establishing a Rapid Response Infrastructure

Under WIA, each state is required to have a Rapid Response system and a Dislocated Worker Unit. Rapid Response systems manage economic transitions by working with key stakeholders to develop strategies and solutions for regional economic stability and growth.

Though Rapid Response is administered differently state by state, each state is required to have a state Rapid Response coordinator in place to serve as the primary contact for Rapid Response activities and to ensure that state processes are established and roles are defined. The coordinator works closely with a team of stakeholder representatives.

Any sound Rapid Response infrastructure should include early warning systems, which are necessary to ensure a timely response to worker dislocations. Layoffs can be identified in a variety of ways, including discussions with employer representatives or employees, meetings with organized labor, increased Unemployment Insurance (UI) claims, press attention, or, more formally, with a public announcement or Worker Adjustment and Retraining Notification Act (WARN) notice. Systems should be in place to regularly and proactively monitor all of these notification channels.

Finally, effective Rapid Response systems must establish funding mechanisms that commit specific state and/or local funds to support at least the required

Statewide Rapid Response Activities identified in 20 CFR 665.310. Other resources could also be leveraged, and sub-grants to labor and employer organizations could be awarded to enhance Rapid Response activities.

Element 2: Building and Maintaining Relationships with Stakeholders

It is critical that Rapid Response teams build relationships with stakeholders and system partners such as employers, labor organizations, workforce and economic development agencies, training institutions, service providers, and communities. This is an on-going process that begins far in advance of a dislocation event. Established relationships enable Rapid Response providers to effectively respond to employer and worker needs, gain intelligence on economic transitions, ensure ownership by all stakeholder groups, and work together to develop solutions. Building a stakeholder network that can be expanded or streamlined depending on the type of dislocation begins with identifying the critical connections that need to be made, making those connections, and maintaining them over time.

Element 3: Developing Policies and Procedures

To ensure that the Rapid Response system provides effective, long-term solutions, it is essential for each state to establish policies and procedures, including plans for staff training, provision of pre-layoff services, and contingency plans for atypical dislocations. Systems are most effective when the staff that administers and delivers Rapid Response services is guided by procedures that are clearly defined. However, it is also important that policies and procedures allow and encourage flexibility. They should embrace both a variety of dislocations as well as a forward-thinking, proactive vision to continually improve the system's effectiveness.

Contingency planning is also a way to improve the effectiveness of the Rapid Response system. In preparing a contingency plan, states may implement policies to ensure that flexible responses are in place to handle large or unusual dislocations that have an extraordinary impact whether statewide or locally. Established fiscal procedures, communication strategies, and timelines for responses are recommended. Contingency planning can also contribute to long-term sustainability and succession planning, which in turn enables smooth transitions when staff changes occur.

Element 4: Gathering Intelligence

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 national and regional economic trends, current and long-range labor market information, new business development and impending layoffs, regional assets, services, and education and training resources. Rapid Response providers can gather information from published data and information sources, but an active communication network should be integrated into a stakeholder network. Regular conversations with employer contacts,

training and service providers, and workforce and economic development contacts can produce valuable early information and create beneficial partnerships.

Element 5: Promoting the Effectiveness of Rapid Response Services

One way to gain access to good information is to have successful and productive relationships with employers who invest in and operate in a Rapid Response team's state or community. Employers must be educated about their responsibilities to issue notifications of layoffs and closures. This conversation could be a starting point for a relationship long before a dislocation occurs. States are encouraged to build ongoing relationships with employers by engaging them in business-focused contexts such as chambers of commerce, civic clubs, or industry meetings and conventions, in order to solicit their input. Employers who are approached in this manner will be more open to working together at all points during the business life cycle to achieve the best outcomes for their workforce.

During the process of building relationships with stakeholders, Rapid Response providers should use a variety of strategies and tools to promote the effectiveness of Rapid Response. Effective strategies include the provision of workforce information tailored to employer needs, assisting employers with information on Federal and state requirements or laws, and linking employers with entities that can assist with layoff aversion. State and local workforce investment boards could be called upon to create opportunities, such as workshops, presentations, meetings, or other venues where this kind of interaction can take place.

Experienced practitioners agree that it is often too late to implement important Rapid Response strategies such as layoff aversion at the time a closure is announced. Pre-existing relationships can build the trust needed to share information and to create a dialogue with employers to encourage them to seek assistance before it is too late.

PROVIDING CUSTOMIZED, COLLABORATIVE SOLUTIONS, AND CONSISTENT, QUALITY RESULTS

Another important theme that is woven throughout discussions on effective Rapid Response is that services and strategies should be customized, yet consistent. This dual attribute is most relevant to the way Rapid Response is carried out with respect to specific layoff events, and is strongly correlated with elements six through eight, which are organized under the heading, "Providing Customized, Collaborative Solutions, and Consistent, Quality Results."

Certainly no two layoffs are identical. The needs of employers and dislocated workers will differ, as will the type and scale of need for services, the impact on the local economy, and the availability of job opportunities. While Rapid Response must be consistent across all layoffs with respect to the quality, effectiveness, and timeliness of service delivery, it must be customized and responsive to each specific event.

For example, layoffs can differ across industries, in terms of the demographics of the workforce, or by the presence or absence of organized labor. A Rapid Response strategy for a large layoff at a manufacturing company will be different from a smaller layoff at a pharmaceutical company. The timing of layoffs may also differ from event to event; some layoffs may be phased or staggered, others may occur all at once.

Despite the differences that exist among layoffs, Rapid Response must be consistent. Workers in one place should receive the same quality of services as workers in any other; employers should receive consistent information from one layoff event to another. Rapid Response, in all cases, should begin well before a potential layoff whenever possible. Rapid Response services should always be carried out according to standard operating procedures or other written policies that have already been developed. The underlying reasons for calling attention to the value of consistency are fairness and trust. Workers and employers are justifiably frustrated by inconsistency in the quality and timeliness of service delivery. It is difficult to serve a worker or employer, or build trust, when information is inconsistently conveyed.

Consistency can only be achieved when all stakeholders are in agreement as to how Rapid Response should be delivered, and when they act in concert to achieve it. Attaining customized consistency, the ability to tailor Rapid Response to the specific needs of any layoff while delivering services in a predictable, consistent manner, requires strong collaboration among Rapid Response stakeholders.

Element 6: Assessing Potential Dislocations

A proactive Rapid Response system assesses potential layoffs and develops an intervention plan prior to the dislocation event in order to ensure that Rapid Response is timely, comprehensive, and accessible. As early as possible, Rapid Response staff should work together with employers, representatives of affected workers, including unions if applicable, as well as with the local community to anticipate potential dislocations and their impact on the community. If the Rapid Response team is able to intervene prior to a layoff, it increases the likelihood of layoff aversion, a strategic effort that can lead to reduction or even avoidance of impending layoffs.

The Rapid Response team may also explore the possibility of the impending layoff being trade-related and, if appropriate, begin the Trade Adjustment Assistance (TAA) petition process. Early filing allows workers to access TAA services prior to, or shortly after, a layoff. Similarly, early intervention also enables the team to begin information-gathering for a strong National Emergency Grant (NEG) application if the dislocation is one that cannot be accommodated within the state's existing formula-based Dislocated Worker resources.

Practitioners agree that it is best to conduct the employee meeting at the employer site whenever possible. However, meetings may also be held at a nearby facility. To provide Rapid Response services in remote areas, the use of remote meeting

technology or mobile units can be deployed to ensure effective communication among the Rapid Response team, stakeholders, employers and workers. It is important that the team remains flexible and customizes its approach so that employers and affected workers can all be accommodated.

Element 7: Collecting and Analyzing Worker Survey Data

States are accustomed to collecting data on workers affected by layoffs to help inform their reemployment strategies. With a wide array of information on the demographics, skill sets, and training needs of the workforce, Rapid Response systems must be strategic in assessing what kinds of information are needed to structure service delivery. With this in mind, it is important to remember that Rapid Response meetings are critical opportunities to gather dislocated worker data in person. These face-to-face opportunities may not be repeatable; therefore, Rapid Response teams and stakeholders must have survey methodology and design prepared well in advance of such meetings, so that information can be gathered efficiently and consistently. Data gathered at Rapid Response meetings should be thoroughly analyzed and shared, as appropriate, using applications that can quickly aggregate data or produce customized analysis and reports. It should be noted that NEG applications rely on such data.

Element 8: Providing Information, Solutions, and Services to Employers, Workers, and the Community

Rapid Response events are not only critical opportunities to collect worker information; they are also critical opportunities to convey information to both workers and employers. It is important, therefore, that Rapid Response practitioners focus on how to deliver information so that it is heard, understood, and ultimately inspires action. Rapid Response entails a great deal of information about services and benefits, including unemployment insurance, health insurance, severance and retirement pay, and potentially social services related to financial management, child care, housing, or legal issues. This volume of information can be conveyed through multiple modes: in person, in writing, even electronically, and taken together can be overwhelming and ineffective if it is not delivered in a clear and orderly manner.

ENSURING RECOVERY AND COMPREHENSIVE REEMPLOYMENT SOLUTIONS

Employers have a significant stake in the welfare and productivity of dislocated workers who go on to make up the talent available for jobs in every community. However, it must be emphasized that Rapid Response also provides a service to the workforce system and the regional economy. Elements 9 and 10 ensure that linkages with employers and One-Stop Career Centers are comprehensive and move beyond present and future potential layoffs toward reemployment for workers and even economic development.

The reason that employers and workforce partners are integral to ensuring comprehensive reemployment solutions is not simply because affected workers have a relationship with the employer and are then assisted with reemployment services.

Rapid Response is often framed as an approach to planning for and managing economic transitions. If seen as playing a role in an economic transition, employers and workforce partners become an integral part of the local or regional economy. Rapid Response then becomes a bridge for workers to transition from one role to the next in a changing economic environment.

Rapid Response requires access to good information, much of which is held by the employers and service providers. Economic and market intelligence gathering is more robust if there are positive working relationships with business and industry groups that are developed outside of specific dislocations. The development of these long-term relationships may be an ideal role for state or local workforce investment boards.

By the same token, reemployment solutions can be better targeted if all the One-Stop partners' resources are well-known and relationships are well-developed. This includes One-Stop partners who assist job seekers with resume writing and interview skills, job fairs, as well as information on registered apprenticeship programs and other education and training opportunities. Rapid Response is just a first step for many workers and employers whose needs can be addressed by the larger workforce system.

Element 9: Connecting Affected Workers to the Workforce System and One-Stop Career Centers

Once the initial information about worker benefits and opportunities is provided, Rapid Response providers can focus on connecting workers to the workforce system. One-Stop Career Center staff can prepare individual worker service and training strategies, based on worker survey results and other information, and provide a comprehensive array of services to offer accelerated reemployment. The connection to the workforce system is best made during Rapid Response meetings so that the duration of unemployment is minimized and that dislocated workers receive the skills training needed for available jobs. To ensure that the transition to One-Stop services is smooth, it is important that One-Stop Career Centers are prepared to handle dislocations of any size, and that the capability exists to establish transition centers or One-Stop satellite offices as needed.

While most of the effort is usually expended in the early stages of a dislocation event or an impending dislocation, it is important to continue Rapid Response services until all worker and employer needs are met. This may require transition centers to continue many months beyond the dislocation event, with a full range of workforce services, including personal and peer counseling services.

Element 10: Providing Services to Employers

Many employers recover, re-hire, or re-engineer their operations in a way that leads to new opportunities. There is a natural cycle in business, and employers should expect consistent customer services by the workforce system so that they can engage it at any time. Employers should be comfortable approaching the

system when they are looking for new workers, seeking assistance to avert a layoff, and helping their workers transition to a new job in the event they have to end their local operation. Even those employers who have closed their doors for the last time may bring their experience to a new company or organization with a new product or service, and their experiences with Rapid Response and the workforce system will be brought with them.

As previously mentioned, when a dislocation event is imminent, it is often too late to establish a connection with employers. Without their cooperation, access is limited, and because timeliness is a key factor in addressing dislocation events, access is vital. It is, therefore, important to develop a longer-term strategy to engage employers and develop a relationship with them both to earn their trust and to ensure that they understand the full range of solutions offered by Rapid Response.

6. **Conclusion: Rapid Response Continuous Improvement.** Layoffs, whether small or large, are unpredictable, complex events for which no framework, self-assessment tool, flowchart, or step-by-step technical assistance guide is sufficient to teach Rapid Response practitioners what to do. Much of Rapid Response is learned by doing; nationally-recognized experts in Rapid Response have achieved that status because of their many years of experience.

However, in an era of rapid economic change, it is incumbent upon Rapid Response practitioners to accelerate their learning processes by reflecting on their decisions, documenting their successes and failures, and sharing this knowledge widely. Creating an environment of continuous improvement through reflective practice and cross-state collaboration is one of the highest and most important goals that can be attained by any Rapid Response network.

7. **Inquiries.** Questions regarding this TEN should be directed to the appropriate ETA Regional Office.