
	<b>NCWorks Commission</b>
	<b>NCWorks Commission Policy Statement Number: CPS 04-2024</b>
	<b>Date: May 8, 2024</b>
	<b>Subject: Rapid Response and Layoff Aversion Policy</b>
	<b>From:</b>  <hr style="width: 30%; margin: auto;"/> <b>Tom B. Rabon, Jr.</b> <b>Chair, NCWorks Commission</b>

**Purpose:** To establish a policy that ensures consistency and clarity for Rapid Response employer engagement programs and grants, including the Worker Adjustment and Retraining Notification (WARN) Act and Layoff Aversion.

This CPS and the procedures herein supersede all previous policies, procedures, and guidelines regarding Rapid Response and Layoff Aversion Guidance.

**Background:** Reauthorized from the Workforce Investment Act to the Workforce Innovation and Opportunity Act (WIOA) in 2014, Rapid Response is the primary gateway to the workforce system, as mandated in Sec. 134(a)(2)(A). The purpose of Rapid Response services and Layoff Aversion strategies is to provide comprehensive solutions to businesses throughout their business lifecycle and promote economic recovery and vitality by developing an ongoing, comprehensive approach to layoffs and dislocations to prevent or minimize their impacts on workers, businesses, and communities. Respectively, 20 CFR § 682.330 and 20 CFR § 682.320 require layoff aversion activities as part of Rapid Response and detail what layoff aversion is and appropriate strategies and activities.

Business Edge, North Carolina’s layoff aversion program, is one of several required Rapid Response activities the NCWorks workforce system must provide. The Business Edge strategy helps employers retain a skilled workforce or minimizes periods of unemployment or underemployment. Business Edge is a central component of a high-performing business engagement strategy requiring a shared responsibility among numerous partners at the state, regional, and local

levels to provide business solutions to companies that want to retain jobs and remain competitive. To achieve this, a business engagement team must be able to identify an at-risk company well in advance of layoffs, obtain executive-level commitment to work together, assess the needs of the company, and deliver solutions to address risk factors.

**Action:** The state’s Rapid Response Team leads all layoffs and layoff aversion activities triggered by the WARN Act. Each Local Area Workforce Development Board (WDB) must:

- identify a local Rapid Response Coordinator and Rapid Response team, by county, to partner with the state for local delivery of services;
- provide required Rapid Response services that enable dislocated workers to transition to new employment as quickly as possible following either a permanent closure or mass layoff or a natural or other disaster resulting in a mass job dislocation;
- coordinate smaller layoffs and layoff aversion activities that do not rise to the threshold of WARN; and
- designate who will be responsible for activities reported to the Division of Workforce Solutions (DWS) Rapid Response state team.

For Business Edge, WDBs will:

- create and maintain an Early Warning Network, which will be active in each of the counties within each board’s local area; and
- develop and deliver, along with Network partners, customized solutions that can potentially result in saving jobs.

The DWS will provide toolkits and guidance on how WDBs can provide Rapid Response WARN and Business Edge Layoff Aversion activities, and on collection and reporting employer and participant services.

**Effective:** July 1, 2024

**Expiration:** Indefinite

**Contact:** DWS Business Services