



Rapid Response and Layoff Aversion Activities

Department: San Francisco Office of Economic
& Workforce Development

Effective Date: February 1, 2026

Directive # 25-06

Supersedes: # 24-08

PURPOSE

This policy provides guidance on the development and execution of rapid response services to support workers and employers facing or impacted by layoffs. It also emphasizes the importance of layoff aversion as a key element of an effective rapid response system.

REFERENCES

- California Employment Development Department (EDD) Workforce Services Directive (WSD) 16-04, [Rapid Response and Layoff Aversion Activities](#)
- [29 United States Code \(USC\) Chapter 23, Worker Adjustment and Retraining Notification \(WARN\)](#)
- Code of Federal Regulations (CFR), 20 CFR § 639 (2024), WARN
- California Labor Code § 1400-1401, Relocations, Terminations, and Mass Layoffs, Relocations, Terminations, and Mass Layoffs
- [EDD Worker Adjustment and Retraining Notification \(WARN\) Website](#)
- [EDD WARN Frequently Asked Questions](#)
- [California Employment Development Department](#)
- [San Francisco Office of Economic and Workforce Development: Get help for your business before a layoff](#)

BACKGROUND

The California Worker Adjustment and Retraining Notification (WARN) Act has a notice requirement that covered employers must give a 60-day notice to employees affected by plant closings and mass layoffs, as well as to State and Local representatives. A covered employer has 75 or more full-time or part-time employees at one work site. Employees who are employed for six months or more are covered.

A California WARN is enacted when there is a plant closure affecting any amount of employees or layoff of 50 or more employees within a 30-day period regardless of the percentage of the workforce affected. Additionally, a WARN would be enacted when there is a relocation of at least 100 miles affecting any number of employees or relocation of a call center to a foreign country regardless of the percentage of workforce affected (California Labor Code Section 1400.5 (d)-(f) and 1409 (b)).



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The Federal WARN is applicable only to employers with 100 or more full-time employees who must have been employed for at least six months of the 12 months preceding the date of required notice to be counted (29 USC 2101 and 20 CFR 639.3).

Employers should carefully review the California WARN provisions and the Federal WARN law for a full understanding of the notification requirements to employers.

There are several exceptions and exemptions to the California WARN Notice Requirements. California WARN does not apply when the closing or layoff is the result of the completion of a particular project or undertaking of an employer subject to Motion Picture Industry regulations (specifically, Wage Orders 11, 12 or 16) , or Construction, Drilling, Logging and Mining Industries, and the employees were hired with the understanding that their employment was limited to the duration of that project or undertaking (California Labor Code Section 1400.5(g)(1)).

POLICY

This policy outlines the implementation of the California and Federal WARN Acts in the local area of the San Francisco City and County through Rapid Response and Layoff Aversion services.

Rapid Response Policy

Rapid Response is an employer-focused program designed to assist companies facing potential layoffs or plant closures.

As stated in Federal guidance, 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 layoffs altogether. To accomplish this, the workforce development system must be coordinated, comprehensive, and proactive in communicating with employers. 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. Rapid Response services are tailored to each company based on the needs of the affected employees.



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A Local Rapid Response Coordinator, in collaboration with America's Job Center of California (AJCC) and the Employment Development Department (EDD), forms the Rapid Response Team to support employers and workers facing or impacted by layoffs. Additional partners may be invited to the team based on employer need.

Workforce Investment San Francisco (WISF)—the local workforce development board whose operational arm is the San Francisco Office of Economic and Workforce Development (OEWD)—is the Local Rapid Response Coordinator and is responsible for monitoring early warning layoff indicators. The responsibilities of the Local Rapid Response Coordinator include maintaining close communication with employer representatives, industry groups, and organized labor. Additionally, the Coordinator tracks labor market trends, monitors increases in unemployment insurance claims, reviews public announcements through the California Worker Adjustment and Retraining Notification (WARN) notices and keeps an eye on news and social media. The role also involves analyzing economic data to assess the health of employers and industries.

Layoff Aversion Policy

Layoff aversion, a critical component of an effective Rapid Response system, helps employers retain a skilled workforce and facilitate a rapid transition for workers to new employment, thereby reducing the length of workers' unemployment. While Rapid Response cannot entirely prevent layoffs, it provides tailored employer solutions for companies committed to saving jobs. To achieve this, OEWD's Rapid Response team collaborates with other regional business engagement/services teams to help identify at-risk companies well before layoffs occur, secure executive-level commitment to collaborate, assess the company's specific needs, and implement targeted solutions to mitigate risk factors.

Employer engagement activities such as customized training, incumbent worker training, and work-sharing strategies are among the many WIOA-funded strategies that the workforce system can deploy to assist companies in averting layoffs:

- Ongoing engagement, partnership, and relationship-building activities with employers in the community, in order to create an environment for successful layoff aversion efforts and assist dislocated workers in obtaining reemployment as soon as possible.



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- Customized training designed to support training for new and existing employees and enable employers to remain competitive, productive, and profitable, while helping employees retain high-wage, high-skilled jobs.
- Incumbent worker training programs that help employers enhance their employees' skills to sustain a skilled workforce and avert the need for layoffs.
- Connecting companies to other Federal, State, and Local resources to address employer needs.
- Connecting companies to short-term compensation or other programs designed to prevent layoffs or to reemploy dislocated workers quickly, as offered under Unemployment Insurance programs, such as the EDD Work Sharing Program, which allows employers to reduce employee hours and wages instead of resorting to layoffs. Affected employees are eligible to receive a percentage of Unemployment Insurance benefits. Employers can retain trained employees until business conditions improve and avoid the expense of recruiting, hiring, and training new employees.
- Connecting employers and workers to short-term, on-the-job, or customized training programs and registered apprenticeships before or after layoff to help facilitate rapid reemployment.

Required WARN Reporting in City and County of San Francisco

Employers covered by the WARN Act must provide layoff notice within 60 days of scheduled layoff to their affected employees, the State WARN Act Coordinator, City and County of San Francisco Office of Economic and Workforce Development (SFOEWD Workforce Division), and the Office of the Mayor. Contact information is below:

WARN Act Coordinator

Statewide Services Unit
Workforce Services Division
Employment Development Department
722 Capitol Mall, MIC 69/Room 3099
Sacramento, CA 95814
eddwarnnotice@edd.ca.gov

San Francisco City/County

Director of Workforce Development



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1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103
warn.notice@sfgov.org

Mayor Daniel Lurie

Office of the Mayor
City Hall, Room 200, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
mayorspressoffice@sfgov.org

RAPID RESPONSE AND LAYOFF AVERSION SERVICES FOR COVERED EMPLOYERS

OEWD's Employer Services Unit acts as the Rapid Response Coordinator for the City and County of San Francisco and provides Rapid Response and Layoff Aversion services.

The OEWD Employer Services Unit is responsible for responding to WARN notices and offering layoff services and resources to employees impacted by layoffs. Rapid Response services give employers the opportunities to provide impacted workers with important tools that can speed up their return to work and support them during their transition to new employment.

The OEWD Employer Services Unit also engages layoff aversion strategies to prevent or minimize unemployment resulting from layoffs activities. Using various data resources, the unit identifies at-risk employers and works with them to minimize or avert layoffs. Layoff aversion activities by the Employer Services Unit may include customized training, incumbent worker training, and work sharing strategies.

Rapid Response Services for Employers with Mass Layoffs

Covered employers must notify OEWD in the event of a mass layoff (50 or more employees within a 30-day period). OEWD uses these notifications to initiate Rapid Response activities.

In cases when a layoff notice is submitted, the Employer Services Unit connects with employer representatives to offer rapid re-employment services to help affected workers re-enter the workforce quickly, minimizing the impact on employers, employees, and the community. A customized set of in-person or virtual services will be provided for affected workers, including information about:



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- Career counseling and job search assistance
- Résumé preparation and interviewing skills workshops.
- Education and training opportunities.
- Unemployment Insurance.
- Access to public benefits.
- Information about options on health insurance coverage and retirement plans.

Per the California WARN Act, the employer's WARN to affected employees and government agencies must include the following information:

- Whether the employer chooses to coordinate with the local workforce development board (SFOEWD Workforce Division) or another entity,
- A functioning email and telephone number of SFOEWD Workforce Division, and
- Local Workforce Development Boards and their partners support individuals who have been laid off, with finding new employment or training opportunities. Visit an America's Job Center of California location near you. You can get help with your resume, practice interviewing, search for jobs, and more. You can also learn about training programs to help start a new career.

If the employer chooses to coordinate services with the local workforce development board or another entity, the employer shall arrange services within 30 days from the date of notice.

Rapid Response Services for Non-Covered Employers

Small businesses with fewer than 75 employees are not subject to Federal and State WARN requirements, but OEWD provides free and no-cost services to all employers. Non-covered employers may reach out to the OEWD Employer Services Unit (employer.services@sfgov.org) for more information.

OEWD REPORTING OF RAPID RESPONSE AND LAYOFF AVERSION ACTIVITIES

The Rapid Response 121 report is completed and submitted quarterly to the State to report all Local Area employer layoff, closure planning, and orientation meetings. Activities included on



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the Rapid Response 121 Report are those relating to employer contacts in response to layoffs or closures, as defined by the State Board.

Layoff Aversion 122 report is completed and submitted quarterly to the State to capture and report business solution strategies delivered to employers during any stage of the business cycle that relate to and result in job retention and/or rapid re-employment. An example of a business solution strategy would be sharing open positions for a particular industry that could be opportunities for rapid re-employment for recently laid off workers.

DEFINITIONS

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

Covered Employer – Under California WARN, defined a “covered establishment” that employs or has employed in the preceding 12 months, 75 or more full and part-time employees. As under the federal WARN, employees must have been employed for at least 6 months of the 12 months preceding the date of required notice in order to be counted [California Labor Code Section 1400.5 (a) and (h)]. Under Federal WARN, defined as employers with 100 or more full-time employees who must have been employed for at least 6 months of the 12 months preceding the date of required notice. (29 USC 2101 and 20 CFR 639.3)

Employer Contact – 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.

Exceptions and Exemptions to Notice Requirements – California WARN does not apply when the closing or layoff is the result of the completion of a particular project or undertaking of an employer subject to Wage Orders 11, 12 or 16, regulating the Motion Picture Industry, or Construction, Drilling, Logging and Mining Industries, and the employees were hired with the



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understanding that their employment was limited to the duration of that project or undertaking [California Labor Code Section 1400.5 (g)(1)].

Incumbent Worker – An employee of a business applying for incumbent worker training funds to up-skill and/or retrain in accordance with the WIOA.

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.

Layoff Aversion – The process of using a series of activities, studies, and networks to examine a business or sector's cycle, organizational conditions, markets, and broad community relationships etc., in an effort to determine workforce and economic solutions that can mitigate job loss or save jobs.

Mass Layoff, Termination, Relocation, or Relocation of a Call Center – Under California WARN, plant closure affecting any amount of employees. Layoff of 50 or more employees within a 30-day period regardless of % of workforce. Relocation of at least 100 miles affecting any amount of employees. Relocation of a call center to a foreign country regardless of the percentage of workforce affected [California Labor Code Section 1400.5 (d)-(f) and 1409 (b)]. Under Federal WARN, plant closings involving 50 or more employees during a 30-day period. Layoffs within a 30-day period involving 50 to 499 full-time employees constituting at least 33% of the full-time workforce at a single site of employment. Layoffs of 500 or more are covered regardless of percentage of workforce (29 USC, et seq., 2101 and 20 CFR 639.3).

Non-Covered Employer – Employers with fewer than 75 employees which are not subject to Federal and State WARN requirements.

Notice Requirements – Under California WARN, an employer must give notice 60-days prior to a mass layoff, termination, relocation, or relocation of a call center. In addition to the notifications required under federal WARN, notice must also be given to the Local Workforce Development Board, and the chief elected official of each city and county government within which the termination, relocation or mass layoff occurs. (California Labor Code Section 1401)



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Rapid Response 122 Report – This form is used only to report the development, implementation and completion of a business solution strategy(s) relating to and resulting in job retention at the current place of employment and the rapid re-employment (talent transfer) of affected workers. This is a cumulative report.

Work Sharing Program/Short Term Compensation – 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. Note: This activity is considered a job saved/retained as this strategy does minimize the impact on the Unemployment Insurance fund and should be reported on the Layoff Aversion Form 122.

INQUIRIES

Inquiries should be addressed to the OEWD Director of Workforce Development at (628) 652-8400 or email workforce.development@sfgov.org.

OEWD and its service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.