



## **WORKSOURCE TRADE ACT ASSISTANCE AND DISLOCATED WORKER CO-ENROLLMENT POLICY**

**Policy Number: 306, Revision 6**  
**Effective Date: February 1, 2021**  
**Date Last Revised: November 8, 2023**

### **I. PURPOSE:**

The purpose of this policy is to communicate the requirement to co-enroll Trade Adjustment Assistance (TAA) participants into the Workforce Innovation and Opportunity Act (WIOA) Title I-B Dislocated Worker program if they are eligible unless they decline.

### **II. BACKGROUND:**

WIOA emphasizes integrating services to better serve workforce customers. The U.S. Department of Labor (DOL) published the updated and consolidated Trade Act Assistance (TAA) Final Rule on August 21, 2020 (85 FR 51896). The TAA Final Rule is codified at 20 CFR Part 618 and became effective on September 21, 2020.

Section 618.325 of the Trade Adjustment Assistance (TAA) Final Rule mandates co-enrollment between the TAA Program and WIOA Dislocated Worker (DW) Program and strongly encourages co-enrollment in other programs to ensure coordinated services for trade-affected workers unless the participant declines.

Though there is no equivalent Workforce Innovation and Opportunity Act (WIOA) Final Rule or WIOA-operating guidance, DOL commented on page 51913 of the TAA Final Rule that States, under their Governor-Secretary Agreements, are required to implement the Final Rule. The Agreements bind state governments to the terms and conditions of the Agreement and implementation of the TAA program, including the co-enrollment requirement, and the ability to enforce the co-enrollment requirement at the state and local levels.

Co-enrollment can further be enhanced and expanded to include a broad range of services available through other workforce programs to produce successful outcomes. Such programs may include, but are not limited to, Wagner-Peyser Act Employment Service (ES) activities, WIOA Adult program, WIOA National Dislocated Worker Grants, Unemployment Insurance (UI), other WIOA partner programs, faith-based and community-based programs, vocational rehabilitation services, and services for Veterans.

### III. POLICY:

1. All TAA participants must be co-enrolled into the WIOA Title I-B Dislocated Worker program unless the participant declines. For TAA participants being served under the TAARA of 2015, co-enrollment would include Adversely Affected Incumbent Workers (AAIW) (see definition below). However, AAIW does not qualify under TAA Reversion 2021.
  - a. Notice to TAA Participants and Documenting Declination
    - a) TAA case managers will inform TAA participants about the benefit and option of co-enrolling into WIOA I-B Dislocated Worker program services (DW) and that declining to co-enroll in DW will have no adverse impact on their services from TAA.
    - b) TAA case managers should inform the individual that co-enrollment into DW is dependent upon meeting eligibility criteria.
    - c) If the participant declines co-enrollment, TAA case managers will enter a case note into the MIS system stating that the individual declined the referral.
    - d) If a TAA participant declines co-enrollment, the individual may change their mind and request a referral to the DW program at a later date.
  - b. Referral Process
    - a) A referral to a WIOA Title I-B Dislocated Worker service provider is required for all participants unless they decline prior to the referral being made.
    - b) TAA staff will send an email to DW staff at: [mmaldonado@pfp.org](mailto:mmaldonado@pfp.org)
      - i. The referral email will indicate that this is a co-enrollment referral from TAA in the subject line. The body of the email will include the individual's first name, contact information, and the MIS number associated with the participant. If there is an assigned TAA case manager for the referred individual this should also be included.
    - c) Staff sending the referral will receive confirmation from the other staff that the referral was received.
  - c. Enrollment into the DW Program Services
    - a) DW staff will start conducting outreach to the participant for an eligibility determination within five business days of receiving the referral.
      - i. DW staff will enter a case note in the MIS system if multiple outreach attempts do not result in a successful connection with the TAA participant.
    - b) In the event that the TAA participant is no longer interested in DW enrollment when a connection is made, the WIOA IB staff will case note the declination in the

MIS system, email the TAA staff of the outcome and inform the TAA participant that they may, if eligible, enroll during their TAA Program participation.

- c) It is expected that the enrollment should occur within 14 days of a completed eligibility determination or upon the delivery of a service that triggers participation in DW.
- d) Services are dependent upon the availability of funds.

d. Coordinated Services and Case Management

- a) TAA staff will upload the TAA assessments in the shared MIS system.
- b) DW and TAA staff will enter services into the shared MIS system, including the type of service. It is expected that this will prevent duplication of services.
- c) TAA services will be considered the primary dollar resource for allowable training and individualized program services.
  - i. In the event of funding limits for a specific service, the programs may co-fund a service if it is determined appropriate, and allowable, and will result in a strong likelihood that the participant will obtain suitable employment.
  - ii. After DW staff consult with TAA staff, and it has been determined that a service cannot be delivered in a timely manner, thus preventing a participant from obtaining needed services, DW may be determined as the most appropriate fund source.
  - iii. It is expected that communication between DW staff and TAA staff will occur as needed to ensure continued coordination of services.
    - 1. Example: A participant received little notice about an interview scheduled outside the local area. Out-of-area-job search assistance is an immediate need for a bona fide job opening at a suitable wage. TAA staff are unavailable to process the request within time constraints and DW staff can process the request.
- d) DW and TAA staff will upload and inform the documentation of progress, credentials, and measurable skill gains. in the shared MIS system.

IV. DEFINITIONS:

**Adversely Affected Incumbent Workers (AAIW)** – A worker who: (1) Is a member of a worker group certified as eligible to apply for the TAA program under subpart B of the TAA Final Rule; (2) has not been totally or partially separated from adversely affected employment; and (3) DOL determines, on an individual basis, is threatened with a total or partial separation.

REFERENCES:

20 CFR 618.325  
TEGL 4-20  
TEGL 24-20  
WIOA State Policy 5617, Revision 2