WORKSOURCE TRADE ACT ASSISTANCE AND DISLOCATED WORKER CO-ENROLLMENT POLICY

Policy Number: 306, Revision 7
Effective Date: February 1, 2021
Date Last Revised: April 30, 2026

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

The U.S. Department of Labor (DOL) published the TAA Program Reversion Provisions of the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) that apply to the program benefits applicable to workers covered by petitions filed on or after July 1, 2021.

DOL published the updated and consolidated TAA Final Rule on August 21, 2020. 20 CFR 618.325 requires co-enrollment of all TAA participants into the WIOA Title IB Dislocated Worker (DW) program, subject to eligibility, unless they decline.

Though there is no equivalent 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.

III. POLICY

A. 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.

1. Notice to TAA Participants and Documenting Declination
    a. TAA case managers will inform TAA participants about the benefit and option of co-enrolling in 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 the date co-enrollment was offered, confirmation that declining will not affect TAA services, and 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.

2. 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
        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.

3. Enrollment into the DW Program Services
    a. Co-enrollment should occur within 30 days of TAA program enrollment unless the participant declines.
    b. 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.

    c. 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.

    d. 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.

    e. Services are dependent upon the availability of funds.

4. Coordinated Services and Case Management
    a. Coordination between TAA and DW staff must follow the communication, collaboration, and operational alignment expectations outlined in the region's Memorandum of Understanding (MOU), including coordination facilitated by the One-Stop Operator (OSO) when appropriate.
    b. TAA staff will upload the TAA assessments in the shared MIS system.

c. 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.
d. 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, 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.

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 the time constraints, and DW staff can process the request.

a. DW and TAA staff will upload and inform of 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
- South Central Workforce Development Memorandum of Understanding (MOU)
- TEGL 4-20
- TEGL 24-20
- WIOA State Policy 5617, Revision 3