



September 27, 2022

WIOAPL 22-01 (Trade Adjustment Assistance and WIOA Dislocated Worker Co-Enrollment)

TO: Trade Representatives, Local Workforce Development Board Directors,
OhioMeansJobs Center Operators

FROM: Matt Damschroder, Director

SUBJECT: Guidance on Trade Adjustment Assistance and WIOA Dislocated Worker Co-Enrollment

I. Purpose

The purpose of this policy is to communicate the procedures for co-enrolling recipients of Trade Adjustment Assistance (TAA) program services into the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker (DW) program, unless the TAA recipient is not eligible for the WIOA DW program or opts-out of the co-enrollment opportunity.

II. Effective Date

Effective Immediately

III. Background

WIOA emphasizes integrating services to better serve workforce customers. The TAA regulations further this effort by requiring the co-enrollment of trade-affected workers with the WIOA DW program. In accordance with 20 CFR Part 618, co-enrollment is mandated between the TAA Program and WIOA DW program and it strongly encourages co-enrollment in other programs to ensure coordinated services for trade-affected workers.

Like the TAA Program, the WIOA DW program is designed to help dislocated workers overcome barriers to employment and return to work as quickly as possible. When individuals become dislocated due to job loss, mass layoffs, global trade dynamics, or transitions in economic sectors, the WIOA DW program provides services to assist them in re-entering the workforce. Services for dislocated workers include career, training, and supportive services to help them re-enter the workforce.

Additionally, section 121 of WIOA designates the TAA Program as a required one-stop partner and 20 CFR 618.305 directs states to ensure the TAA Program complies with WIOA's one-stop partnership requirements, which include, among other requirements, paying infrastructure costs where the TAA Program is being carried out.

IV. Requirements

To ensure the availability of a comprehensive array of services, all TAA participants, including Adversely Affected Incumbent Workers must be referred and co-enrolled into the WIOA DW program unless the TAA recipient is not eligible for the WIOA DW program or opts-out of the co-enrollment opportunity. As outlined in § 618.325, a State must co-enroll trade-affected workers who are eligible for WIOA's dislocated worker program. Workers may choose to decline co-enrollment in WIOA. A State cannot deny such a worker benefits or services under the TAA Program solely for declining co-enrollment in WIOA. Detailed information about the participant's choice to not be co-enrolled must be documented through case notes in Ohio's designated case management system as defined in OAC 5101:9-30-04.

Although not required, co-enrollment of trade-affected workers can also be expanded to include a broad range of services available through other workforce programs such as, Wagner-Peyser Act Employment Service (ES) activities, WIOA Adult program, WIOA Dislocated Worker special grants, other WIOA partner programs, vocational rehabilitation services, and services for veterans. See Training and Employment Guidance Letter (TEGL) 4-20 Guidance on Integrating Services for Trade-Affected Workers under the Trade Adjustment Assistance Program with the Workforce Innovation and Opportunity Act (WIOA) Title I Dislocated Worker (DW) Program for additional opportunities to align workforce programs.

A. TAA Enrollment

1. The Trade Delivery Professional (TDP) will conduct the standard TAA application and enrollment process, including assistance with registration on OhioMeansJobs.com.
2. To assist with WIOA DW eligibility, the TDP will check the TAA participant's Selective Service registration status and will document this information in Ohio's designated case management system. Selective Service registration can be documented using any of the allowable sources outlined in [WIOAPL 15-07.2 Source Documentation for Workforce Innovation and Opportunity Act Title I Program Eligibility](#) in the Attachment A Allowable Source Documentation for WIOA Program Eligibility.
3. The TDP will provide the customer with a general introduction to the WIOA program and the benefits of co-enrollment.
4. The TDP will complete a Co-Services Possibilities List (see Section D., below) to identify the services that could be provided by TAA as well as those that could be provided by WIOA.

B. Referral Process

1. All TAA participants will be referred to the WIOA DW program via the Co-Enrollment Referral Report. The location of TAA participants generated on this report are based on their county of residence.
2. The Co-Enrollment Referral Report will be sent to the WIOA local area designees once per week. The generation of the Co-Enrollment Referral Report will serve as the starting date for the 30-day co-enrollment window into WIOA DW.
3. Upon receiving the Co-Enrollment Referral Report, the WIOA local area designee will coordinate WIOA DW co-enrollment by assigning the TAA participants to a WIOA staff member for service delivery.

C. Co-Enrollment into the WIOA DW program

1. WIOA staff will review the Co-Services Possibilities List (see Section A., above) and will start conducting outreach to the participant to coordinate co-enrollment into the WIOA DW program immediately after receiving the referral.
2. WIOA staff must note all efforts to contact the customer in case notes to provide clear documentation of the actions taken to promote co-enrollment.
3. Upon contact, the WIOA staff should ask the TAA participant what county they would like to receive WIOA services (i.e., the specific OhioMeansJobs location). The WIOA staff should either setup an appointment or make the referral to WIOA staff in the participant's desired county. If a referral is made, it should be noted in case notes in Ohio's designated case management system.
4. WIOA staff will collect supplemental information as needed to meet eligibility requirements and co-enroll into the WIOA DW program, including but not limited to assistance with Selective Service registration, identification of barriers to employment, notification of WIOA complaint process, declaration of related party, information about being impacted by substance misuse disorder, and/or any other Local Area requirements.
5. After determining eligibility, WIOA staff must make every effort to provide a participating career service (per [WIOAPL 15-08.1](#)) to referred TAA participants within 30 days of receiving the Co-Enrollment Referral Report. This will promote co-enrollment within the same quarter as the first TAA service.
6. In the event WIOA staff is unable to contact the TAA participant or the TAA participant is no longer interested in WIOA DW co-enrollment, the WIOA staff must document that the TAA participant is unable or unwilling to complete the WIOA DW eligibility documentation or participating service in case notes.

D. Co-Services

Upon co-enrollment into the WIOA DW program, the TDP and WIOA staff will coordinate service delivery through a Co-Services strategy for participants using the Co-Services Possibilities List. The Co-Services Possibilities List along with frequent communication (i.e., phone, e-mail, messenger, and case notes) are key components of this strategy and will assist the TDP and WIOA staff in determining the best combination of appropriate services for the participant, keeping in mind the requirements of each of the programs. The Co-Services Possibilities List should be updated and modified as needed throughout the participant's enrollment in both programs. WIOA staff and the TDP must use Ohio's designated case management system to record the customer's services, needs, and progress. Please note that the Co-Services Possibilities list is intended to assist in the coordination of service delivery and does not replace the Individual Opportunity Plan (IOP).

To increase efficiency and reduce unnecessary duplication, assessments (initial, comprehensive, and specialized) and IOPs must be shared between TAA and WIOA. The TDP and WIOA staff may supplement these assessments and document any additional information that may be required or aid in the service delivery of their respective program.

Of note, TAA funds will serve as the primary source of Federal assistance to trade-affected workers. Sharing training costs with WIOA may only occur if TAA funds are not available to cover the total cost of training. In the event a participant was enrolled in WIOA prior to being enrolled in TAA, then TAA may not reimburse WIOA for any training costs that were accrued before the date the training program was approved under TAA. (See 20 CFR 618.625(c)1-3)

E. Co-Exit and Follow-up

The Participation Period for the TAA/DW participant can be completed once no additional services are needed. The closure of all WIOA services does not complete the Participation Period, nor does the closure of all TAA services complete the Participation Period. The Participation Period is closed once all programs have been completed and requires a coordinated effort between the TDP and WIOA caseworkers to ensure services have been completed for both programs.

After both programs are completed and the Participation Period is closed, the WIOA caseworkers will provide and document follow-up services to the TAA/DW participant in accordance with WIOAP 15-08.1 and local policy. The WIOA caseworker will share all appropriate follow-up information with the TAA caseworker.

V. Reporting Requirements

Local areas must report participant data in the state's designated case management reporting system. Each participant enrollment, service, and all other case information must be reported in that manner, within 30 days of occurrence.

The outcomes of participants co-enrolled in WIOA DW and TAA will be included in performance outcome metrics for both programs.

VI. Monitoring

At the local level, the local area must conduct oversight of the implementation of the TAA/DW co-enrollment requirement to ensure that customers have been properly co-enrolled and provided identified services.

Through the state's monitoring system, ODJFS program monitors will conduct annual reviews, including a participant file review during the onsite monitoring review of the local area for compliance with all applicable federal and state laws, regulations, and guidance letters including this guidance letter. Any findings will be addressed through the state's monitoring resolution process.

VII. Technical Assistance

For additional information, contact the Office of Workforce Development at WIOAQNA@jfs.ohio.gov

VIII. References

85 FR 51896

20 CFR Part 618

O.A.C. 5101:9-30-04

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-02.1, Adult and Dislocated Worker Eligibility, (October 1, 2020).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-07.2, Source

Documentation for Workforce Innovation and Opportunity Act Title I Program Eligibility, (February 20, 2019).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-08.1, Career Services for Adults and Dislocated Workers, (June 6, 2017).

Training and Employment Guidance Letter No. 4-20, Guidance on Integrating Services for Trade-Affected Workers under the Trade Adjustment Assistance Program (TAA Program) with the Workforce Innovation and Opportunity Act (WIOA) Title I Dislocated Worker (DW) Program, (October 29, 2020).