

**Trade Adjustment Assistance (TAA) and
Workforce Innovation and Opportunity Act (WIOA) Policy**

Policy Number: TAAP 01-21; WIOAP 03-21

To: Idaho Department of Labor – TAA Programs – Managers, Staff, and All WIOA Subrecipients

From: Danilo Cabrera – Program Operations Manager *Danilo Cabrera*

Effective Date: July 1, 2021

Subject: Co-enrollment between Trade Act programs, Trade Adjustment Assistance (TAA), Reemployment Trade Adjustment Assistance (RTAA), Alternative Trade Adjustment Assistance (ATAA), and Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Program

1. Purpose:

On August 21, 2020, the U.S. Department of Labor (USDOL) published the updated and consolidated TAA Final Rule which addresses states' co-enrollment policy for TAA participants and WIOA Dislocated Worker and other partner programs, per Code of Federal Regulations (CFR) 618.325 - Integrated Service Strategies and WIOA Co-enrollment, and TAA Reversion 2021 TEGL 24-20.

Although there is no equivalent WIOA Final Rule or WIOA-operating guidance, USDOL requires states to implement co-enrollment of WIOA Dislocated Workers with the TAA programs. Under the agreements with USDOL, state governments are bound to the agreements' terms and conditions when implementing the TAA program, including the co-enrollment requirement and the ability to enforce the co-enrollment requirement at the state and local level.

2. Background:

With few exceptions, the US Department of Labor requires states to co-enroll all TAA and RTAA/ATAA participants with the WIOA Dislocated Worker (DW) program. Co-enrollment with the WIOA Dislocated Worker program allows trade-affected workers to receive supportive services not offered through TAA. The US Department of Labor expects states to continue this practice.

Petitions under Trade Act 2002 numbered 69,999 and below, and petitions under Reversion 2021 numbered 98,000 - 98,999, may use Trade funding for the TAA initial assessment and TAA program participant costs only. Ongoing case management services will be provided through other federal programs, such as WIOA Title I, Dislocated Worker Grant, Rapid Response, or Wagner-Peyser funds.

Petitions under Trade Acts 2009, 2011, 2014, and 2015, numbered 70,000 to 97,999, are mandated by the US Department of Labor (USDOL) to use a minimum of 5 percent Trade funding allocations to provide employment and case management services including participant costs and staff time charges.

3. Policy:

Co-enrollment with the WIOA Dislocated Worker program is required for all TAA and RTAA/ATAA participants approved for any one or a combination of the following Trade Act services: employment and case management, training, job search allowance, relocation allowances, and wage subsidy for older workers (RTAA/ATAA). The exception of co-enrollment with the WIOA DW program is if the TAA/RTAA/ATAA participant does not meet DW eligibility, such as Selective Service registration. Co-enrollment of a TAA participant with the WIOA Adult program, or other partner programs, is encouraged for supportive services when a participant is not eligible for the DW program.

WIOA DW programs are to accept referrals of TAA participants. A referral process between the programs should be established. Co-enrollment must occur upon assessment of the TAA participant's eligibility for the DW program, and within 10 business days of the referral. The DW program will inform the TAA program of the TAA participant's enrollment in the DW program through a standardized process as soon as possible and no later than 5 business days after the enrollment is completed.

Congruently, a WIOA DW participant who is potentially eligible for a TAA/RTAA/ATAA program must be referred to the TAA program who shall accept the referral. Upon assessment of TAA eligibility and enrollment in a TAA program, the TAA program must inform the DW program within 5 business days of co-enrollment completion.

4. Supersedes:

TAAP #06-20 – Co-Enrollment Requirement – Trade Adjustment Assistance (TAA) with Workforce Innovation and Opportunity Act (WIOA), dated March 22, 2021.

TAAP #05-20 – Co-Enrollment Requirement – Trade Adjustment Assistance (TAA) with Workforce Innovation and Opportunity Act (WIOA), dated April 6, 2020.

TAAP #02-17 – Trade Adjustment Assistance and Workforce Innovation and Opportunity Act Co-Enrollment Policy, dated July 27, 2017.

5. References:

Workforce Innovation and Opportunity Act of 2014

WIOA Final Rule; 20 CFR Parts 676, 677, and 678; Federal Register, Vol. 81, No. 161, August 19, 2016

WIOA Final Rule; 20 CFR Parts 603, 651, 652, et al; Federal Register, Vol. 81, No. 161, August 19, 2016

20 CFR 618.25 - Integrated service strategies and Workforce Innovation and Opportunity Act co-enrollment, Trade Adjustment Assistance Final Rule, Federal Register, Volume 85, No. 163, August 21, 2020.

Training and Employment Guidance Letter (TEGL) 04-20 - Guidance on Integrating Services for Trade-Affected Workers under the TAA Program with the WIOA Title I DW Program, October 29, 2020.

Direct Inquiries to:

Workforce Programs Administration Division

TAA Program - trade@labor.idaho.gov