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March 7, 2022

SN (50)

WIOA BULLETIN NO. 03-22

TO: WIOA Partners and WDD Branch Managers

FROM: Maricar Pilotin-Freitas, Administrator
Workforce Development Division

SUBJECT: Trade Adjustment Assistance and Workforce Innovation and Opportunity Act
Title I Dislocated Worker Program Co-Enrollment Policy

PURPOSE

The purpose of this bulletin is to provide guidance on the Co-Enrollment Policy between the Trade Adjustment Assistance (TAA) program and the Workforce Innovation and Opportunity Act (WIOA) Title I, Dislocated Worker (DW) program.

BACKGROUND

On August 1, 2020, the Employment and Training Administration (ETA) of the U.S. Department of Labor (USDOL) released a final rule to expand support to trade-affected workers implementing the Trade Adjustment Assistance Reauthorization Act of 2015. The final rule became effective September 21, 2020 and is codified at 20 CFR Part 618. ETA provided guidance through the Training and Employment Guidance Letter (TEGL) No. 4-20.

Although there is no equivalent WIOA Final Rule or WIOA-operating guidance, USDOL 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.

The new requirement seeks to improve service delivery by aligning with the WIOA to promote an integrated service delivery within the nation's public workforce system; integrating service models focused on reducing barriers to participation and eliminating duplication of efforts.

POLICY

TAA participants, including Adversely Affected Incumbent Workers shall be co-enrolled in the WIOA Title I DW program if they are determined eligible, unless the participant declines. WIOA Title I DW program shall accept referrals of the TAA participants from the TAA program in their Workforce Development area.

In addition to the USDOL required co-enrollment with the WIOA Title I DW program, based on the needs of the trade-affected worker, co-enrollment can be further enhanced and expanded to include a broad range of services available through other workforce programs in order to produce successful outcomes. Such programs include, but are not limited to, Wagner-Peyser Act Employment Service activities, WIOA National Dislocated Worker Grant, Unemployment Insurance, WIOA partner programs, vocational rehabilitation services and services for veterans.

Staff are required to assess each participant's needs to ensure that TAA and WIOA Title I DW services are meaningful and to leverage resources between these programs; using WIOA funding to provide services where TAA program funding may not be utilized for service.

TAA case managers are required to inform the TAA participants about the benefits and services available for co-enrolling into WIOA Title I DW program. TAA participants must be informed of their options and that declining to co-enroll in the WIOA Title I DW program will have no adverse impact on their services and benefits from TAA. TAA case managers should inform their participants that co-enrollment into WIOA Title I DW is dependent upon meeting DW program eligibility requirements.

The TAA Final Rule, at 20 CFR 618.350, requires TAA case managers to use the results of a worker's initial assessment as part of developing an Individual Employment Plan.

PROCEDURES

1. TAA case managers notify the WIOA Title I DW service provider and refer the TAA participant for co-enrollment.
2. Within five business days, the WIOA Title I DW service provider will contact the TAA participant to schedule a WIOA Title I DW eligibility assessment and enrollment meeting. Date and outcome of attempts to contact TAA participant must be documented in the case notes and recorded in HireNet Hawaii.
3. If the WIOA Title I DW TAA participant declines to follow through on the referral or the WIOA Title I DW service provider determines the TAA participant is ineligible, TAA case managers must enter a case note into HireNet Hawaii. However, if a TAA participant declines co-enrollment and then changes their mind, they may later request referral to the WIOA DW program.

4. Upon completion of the WIOA Title I DW eligibility assessment and enrollment determination, the WIOA Title I DW service provider will notify TAA program staff of the participant's DW enrollment status by email. The WIOA Title I DW program staff will document in HireNet Hawaii case notes of the date they notified the TAA staff of the participant's WIOA Title I DW program enrollment status. TAA staff must also document in HireNet Hawaii case notes that they received the enrollment status from the WIOA Title I DW program.
5. WIOA Title I DW service provider will ensure that at a minimum the service code Initial Assessment – 102 is recorded in the WIOA Title I DW enrollment in HireNet Hawaii. Initial Assessment will capture Participant Individual Record Layout data element (1004) and the Co-Enrollment measure for the Trade Adjustment Assistance Data Integrity Report.
6. TAA WIOA Title I DW case manager must have continuous communication/co-case management throughout the co-enrollment process to ensure alignment of services and goals for the participant and minimize the potential for duplication of services.

EFFECTIVE DATE

This policy is effective immediately.

INQUIRIES

Inquiries regarding this bulletin may be directed to Ms. Joni Heatherly at (808) 586-8815 or Joni.A.Heatherly@hawaii.gov.

REFERENCES

- TEGL No. 4-20
- 20 CFR 618.325
- Trade Adjustment Assistance Final Rule, Federal Register, Volume 85, No. 163, August 21, 2020, page 51987

ATTACHMENTS

- TEGL No. 4-20
- USDOL TAA and DW Co-Enrollment Fact Sheet #1 and #2

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Office of Trade Adjustment Assistance
	CORRESPONDENCE SYMBOL OTAA
	DATE October 29, 2020

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 4-20

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
AFFILIATE AMERICAN JOB CENTER MANAGERS
COMPREHENSIVE AMERICAN JOB CENTER MANAGERS
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
STATE UI DIRECTORS
RAPID RESPONSE COORDINATORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: JOHN PALLASCH 
Assistant Secretary

SUBJECT: 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

1. **Purpose.** To promote the integration and coordination of services provided under the TAA Program in alignment with services provided under the WIOA DW program in support of a One Workforce System.
2. **Action Requested.** State Workforce Agencies (SWAs or states) are asked to distribute this information to the appropriate state and local staff, update policies and procedures to align with the requirements described in this guidance, and ensure states adhere to a seamless service delivery model for dislocated workers including those who may be trade-affected.
3. **Summary and Background.**
 - a. Summary – WIOA emphasizes integrating services to better serve workforce customers. The TAA Final Rule furthers this effort by providing staffing flexibilities and requiring the co-enrollment of trade-affected workers with the WIOA DW program. Such co-enrollment advances a One Workforce System approach that integrates multiple programs to holistically meet the needs of workers and businesses at any point in the economic cycle. The TAA Program, which includes the TAA for Workers and the Reemployment TAA (RTAA) programs, provides assistance to workers who have been

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adversely affected by foreign trade.¹ The TAA Program's mission is to get trade-affected workers back to suitable employment as quickly as possible and at a reasonable cost.

- b. Background – The Employment and Training Administration (ETA) published a Final Rule implementing the Trade Adjustment Assistance Reauthorization Act of 2015 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 mandates co-enrollment between the TAA Program and WIOA DW program and strongly encourages co-enrollment in other programs to ensure coordinated services for trade-affected workers.

Similar to 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 workers 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 and are provided through the American Job Center (AJC) network.

Identifying barriers to reemployment and providing services to assist with getting trade-affected workers back to work is critical. Subpart C of the TAA Final Rule describes the employment and case management services that states must make available to trade-affected workers, either directly through the TAA Program or through arrangements with partner programs. To ensure states have the flexibility to make these services available, 20 CFR 618.890 removed the requirement that states must utilize state merit staff to provide TAA-funded employment and case management services.

WIOA serves as a key driver in the transformation of how workforce development programs working together can provide the best possible integrated service delivery. As states and local areas undergo the various stages to re-open their economies and deliver workforce services that will fuel recovery and effectively address acute unemployment challenges, the public workforce system has an opportunity to further advance the vision of a *One Workforce System* – an aligned, flexible, and simplified state and local-driven system of workforce development programs that bring all partners together with a shared goal of enhancing service delivery for American workers and jobseekers.

ETA issued guidance on March 20, 2020, to inform the state and local workforce development system of the policies and priorities that govern the award and use of National Dislocated Worker Grant (DWG) funds, pursuant to WIOA, Title I, Section 170 (see Training and Employment Guidance Letter (TEGL) No. 12-19).² DWGs are time-limited funding assistance in response to major economic dislocations or other events that cause significant impact on states and local areas that exceed the capacity of existing

¹ Also includes the Alternative TAA (ATAA) program, when in effect.

² wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9054

formula funds and other relevant resources to address. ETA considers DWGs to be supplemental resources that provide flexibility to states and communities in responding to and recovering from unexpected events that cause large-scale job loss that exceed the capacity of the state or local area to address with WIOA DW program resources. TEGL No. 12-19 encourages DWG co-enrollment with the TAA Program and no longer requires a separate DWG application to cover trade-affected workers. Instead, trade-affected workers may be served under Employment Recovery DWGs as applicable.

ETA strongly encourages co-enrollment with appropriate programs for eligible individuals, including those who are trade-affected. Employment Recovery DWGs may provide DWG participants who are trade-affected with allowable services not otherwise provided by the TAA Program. Generally, the TAA Program provides employment and case management services, training, income support, and job search and relocation allowances for eligible adversely affected workers and employment and case management services and training for eligible adversely affected incumbent workers.

- 4. Co-enrollment Requirements in the TAA Final Rule.** Co-enrollment of trade-affected workers in the WIOA DW program is a proven successful service delivery model yielding better outcome result for participants.³ Section 618.325 of the TAA Final Rule requires co-enrollment between the TAA Program and WIOA DW program if a trade-affected worker is eligible for the WIOA DW program. 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. Cross-training of case managers and other staff is important for successful integration and to ensure knowledge and understanding of all partner program requirements. Also of note are requirements in 20 CFR 618.860(i) for states to dedicate an appropriate portion of administrative and employment and case management funding under TAA for management information systems development, upgrades, and ongoing maintenance. The Department encourages states to consider adopting integrated case management systems. TAA funds can be used to pay for a proportional share of integrated systems.

In addition to the required co-enrollment with the WIOA DW program, based on the needs of the trade-affected worker, co-enrollment can be further enhanced and expanded to include a broad range of services available through other workforce programs in order to produce successful outcomes. Such programs may include, but are not limited to, Wagner-Peyser Act Employment Service (ES) activities, WIOA Adult program, WIOA DWGs, Unemployment Insurance (UI), other WIOA partner programs, faith-based and community-based programs, vocational rehabilitation services, and services for veterans. Partnerships can be facilitated at the state and local board level, as their leadership is critical to the success of co-enrollment.

To improve program coordination and co-enrollment, ETA has issued several resources on the TAA website including two fact sheets discussing perceived barriers titled Perceived

³ www.doleta.gov/tradeact/taa-data/participant-reporting/docs/Co-Enrollment_FAQ-1.pdf

Barriers of Cost & Performance and Perceived Barriers of Differing Eligibility & Benefit Service Provision that include examples of barriers that may arise and their potential solutions. They are located at www.dol.gov/agencies/eta/tradeact/practitioners/benefits.

- a. **One Workforce System:** The One Workforce System embraces a culture of a united workforce, so that any customer that walks into any AJC can be served by any staff. This allows all the resources and tools associated with all those programs to be instantly responsive to dislocated workers and dislocation surges. With the staffing flexibilities provided in 20 CFR 618.690, ETA envisions states posting jobs (or soliciting contracts) for staff to be cross trained in ES, WIOA, and the TAA programs. States and local workforce development boards may issue contracts for combined services. Each local area is encouraged to have cross-trained staff providing TAA, ES, and/or WIOA employment and case management services. There is no longer a need for there to be local staff providing WIOA, state staff providing ES, and separate state staff providing TAA.

This model gives states maximum flexibility to plan for changes in workload and shift as workload changes. For example, if a state or local area suffers a major dislocation, they have the utmost ability to react and address worker needs and 100 cross-trained staff are far more nimble and effective than 33 TAA staff, 33 ES staff, and 34 WIOA staff.

- b. **Early Intervention:** The timely provision of career services to trade-affected workers is an important step toward improving the employment outcomes for such workers. While the TAA Program has specific criteria that must be met if trade-affected workers are to take full advantage of the benefits and services of the program, these criteria do not prevent provision of immediate assistance from the WIOA DW or other programs to individuals, or *potential* trade-affected workers, who are members of a group of workers who are the subject of a petition filed for TAA, but are pending a petition determination. One of the features of an integrated system is a comprehensive approach to addressing the needs of trade-affected or potential trade-affected workers immediately from when they receive notice of a layoff through successful reemployment. By leveraging the programs discussed below, trade-affected and potential trade-affected workers can receive the services they need upon notice of a layoff, before or at the point a TAA petition is filed for the group of workers, and while a petition is under investigation:

Required Partnerships

WIOA Rapid Response — provides early intervention services, where applicable. Early intervention services that will be beneficial to trade-affected and potential trade-affected workers may include orientation; information on unemployment benefits; assistance in filing a petition for TAA or information about TAA benefits and services; worker surveys; initial assessment of skill levels, aptitudes, and abilities; the provision of labor market information; job search assistance; soft-skills instruction; and financial management workshops, among others. See the WIOA Final Rule at 20 CFR Part 682,

Subpart C of the TAA Final Rule, and TEGL No. 19-16, Section 18 for more information on Rapid Response.⁴

WIOA DW Program — provides employment and training services to eligible workers who have lost, or are close to losing, their job, regardless of whether that job loss is related to trade. The TAA Final Rule at 20 CFR 618.325(a)(1) requires states to co-enroll trade-affected workers with the WIOA DW program, if the worker is eligible.⁵ WIOA requires partnerships between programs, specifically that TAA Program benefits and services be available in the AJCs alongside WIOA DW services and other WIOA partner programs. ETA recommends states determine if a potential trade-affected worker is eligible for the WIOA DW program immediately following the announcement of a layoff to begin the provision of WIOA services as soon as possible. This is particularly critical due to the time lapse that could occur while awaiting TAA petition determinations.

Immediately beginning the process of intake and initial assessment improves participation rates and allows both trade-affected and potential trade-affected workers more time to consider all of the options available to them.⁶ By enrolling potential trade-affected workers in WIOA DW prior to a TAA petition being certified, states can ensure they meet the co-enrollment requirement in 20 CFR 618.325(a)(1). If a TAA petition results in a negative determination, or denial, the individual previously thought to be a potential trade-affected worker would not be eligible for the TAA Program but would continue on as a dislocated worker in the WIOA DW program.

Table 1: Timing of Services for WIOA Rapid Response (RR) and DW

WIOA RR and DW services to trade-affected workers can be provided:	WIOA RR and DW services to <i>potential</i> trade-affected workers can be provided:
<ul style="list-style-type: none"> ● prior to the time of layoff 	<ul style="list-style-type: none"> ● prior to the time of layoff
<ul style="list-style-type: none"> ● at the same time the worker is participating in the TAA Program 	<ul style="list-style-type: none"> ● after a TAA petition is filed and before a determination is rendered

Additional Opportunities to Align Workforce Programs

ES program — provides universal access to all job seekers, and serves as a key entry point into the AJC network. In many situations, unemployed job seekers receive ES services and, as appropriate, are referred to other WIOA partner programs based on their

⁴ wdr.doleta.gov/directives/corr_doc.cfm?docn=3851

⁵ A trade-affected worker has the option of declining co-enrollment with the WIOA DW program. However, states cannot deny such workers benefits or services under the TAA Program solely because such worker declined to be co-enrolled.

⁶ www.doleta.gov/tradeact/taa-data/participant-reporting/docs/Co-Enrollment_FAQ-2.pdf

service needs. By partnering with the ES program, both the WIOA DW and TAA programs can provide enhanced services to trade-affected workers. For more information on the ES program, please visit www.dol.gov/agencies/eta/american-job-centers/wagner-peyser.

Employment Recovery DWG Projects — authorized under section 170 of WIOA, expand WIOA DW funding to states and other eligible applicants to respond to large, unexpected layoff events causing significant job losses. DWGs can provide much needed assistance to trade-affected and potential trade-affected workers when WIOA funds are not sufficient to meet the needs of local areas when large or unexpected layoffs occur.

DWG project funds are available to assist trade-affected and potential trade-affected workers so that the duration of unemployment is minimized and workers receive the skills training needed for available jobs. If co-enrolled with a DWG, trade-affected workers can be served using a combination of TAA Program and DWG funds, but potential trade-affected workers can only be served using DWG and WIOA DW funds, as they are not yet eligible for the TAA Program.

TAA Program, WIOA DW, and DWG co-enrollment may provide trade-affected workers with career and supportive services that are not available through the TAA Program. And DWG co-enrollment can be used to provide potential trade-affected workers with career, training, and supportive services when state WIOA DW funds are not sufficient to provide such services. Eligible trade-affected workers may receive DWG-funded training only if the available training is not covered by the TAA Program, as is covered in more detail in 4.b. *Coordination of Funding Sources*, below. DWG and TAA funds must be managed in a coordinated manner to best meet the needs of the trade-affected workers while abiding by all applicable statutes, regulations, and federal policies. The DWG project guidance, TEGL No. 12-19, provides more details on the circumstances for provision of training.⁷

Table 2: Available Services through Employment Recovery DWG Projects

Services to trade-affected workers can include:	Services to <i>potential</i> trade-affected workers can include:
<ul style="list-style-type: none"> ● only career and supportive services that are not available through the TAA Program 	<ul style="list-style-type: none"> ● career and supportive services
<ul style="list-style-type: none"> ● training only when not covered by the TAA Program 	<ul style="list-style-type: none"> ● training

- c. **Transition to TAA Program Funding:** As trade-affected workers begin to formulate reemployment plans and require additional services, state and local staff responsible for Rapid Response, AJC, and other partner programs should continue to coordinate program resources to address the needs of such workers while maximizing the limited resources

⁷ wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9054

available within the system. The TAA Final Rule's staffing flexibility at 20 CFR 618.890 may make this coordination easier, as now there may be local staff teams funded with WIOA DW and TAA who can serve both programs' participants.

Coordination of Funding Sources — ETA expects states to set policies and manage processes to coordinate all relevant employment and training programs' services to all workers, including trade-affected and potential trade-affected workers, through the AJC network, including the WIOA DW, DWG, and TAA programs, in order to best meet the needs of the workers. States and local areas can braid funding to facilitate different programs providing services to the same individual and some states and local areas have already done this. States and local areas need to be aware of relevant statutes and regulations when braiding funding as the funds, although they are used together, are still subject to all of the requirements and restrictions of the original funding source.

The Trade Act, as amended, allows states to pay for a training program approved under the Act with TAA funds or from other sources, but does not allow duplication of payment of training costs. (See 20 CFR 618.625.) Under certain circumstances, a state can use funding from more than one program to fund training; however, TAA funds can only reimburse training costs incurred after a trade-affected worker was certified and determined individually eligible for TAA, and that training must be TAA-approved. Additionally, 20 CFR 618.625(c) requires that the TAA Program be the primary source of assistance to trade-affected workers. To the extent trade-affected workers enrolled in the TAA Program require assistance or services not authorized under the TAA Program, or for which TAA Program funds are unavailable or insufficient (including for required employment and case management services), states must provide such assistance through other federal programs, including the programs in the AJC network.

- d. **Intake, Initial and Comprehensive Assessments, and IEPs:** Subpart C of the TAA Final Rule codifies provisions for intake (20 CFR 618.310(b)(1)); initial assessments (20 CFR 618.335); comprehensive and specialized assessments (20 CFR 618.345); and Individual Employment Plans (IEPs) (20 CFR 618.350). Sec. 235 of the Trade Act, as amended, also requires states to provide, if appropriate, specific employment and case management services to trade-affected workers. Therefore, states must determine a worker's skills, employment barriers and service needs through assessments and identify appropriate employment goals.

States must provide all trade-affected workers an initial assessment after determining they are individually eligible for the TAA Program as part of the intake process. Intake includes these assessments but also the collection of demographic information for reporting purposes. The TAA Final Rule, at 20 CFR 618.350, requires case managers to use the results of a worker's initial assessment as part of developing an IEP. Using the initial assessment to create the IEP requires the state to review the worker's skills, aptitudes, abilities, and supportive service needs. Through the IEP, the state will document a strategy to provide the worker with the services needed to obtain employment and calibrate the worker's skills to available employment and workforce reentry. States must inform trade-affected workers of the availability of an IEP to

identify employment goals and objectives, and appropriate training and services needed to achieve those goals and objectives.

The initial assessment must include an evaluation of a trade-affected worker's skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs. States must make trade-affected workers aware of, such as by explaining, the advantages of receiving an initial assessment to trade-affected workers and also confirm that a worker may refuse an assessment, such as in cases where the worker already has an offer for a suitable job. The initial assessment must be scheduled timely in order to give trade-affected workers enough time and information to consider, request, and enroll in training or obtain a waiver of the training requirement for Trade Readjustment Allowances (TRA) before expiration of the 26-week deadlines for enrollment in training.

States must make available a comprehensive and specialized assessment to all trade-affected workers. It must take into account the trade-affected worker's goals and interests as they relate to employment opportunities and it must expand upon the initial assessment regarding the trade-affected worker's interests, skills, aptitudes, and abilities. This may include the use of diagnostic testing tools and instruments and in-depth interviewing and evaluation to identify barriers to employment and appropriate employment goals. Assessments are created in cooperation with the trade-affected worker and are an interactive process that requires more than a review of information available about the trade-affected worker, their education, and previous employment.

Non-duplication of Assessments — was ensured by aligning the TAA Final Rule with WIOA as closely as possible. The use of WIOA and other partner programs' assessments can increase efficiency, ensure that workers quickly receive appropriate reemployment services, and quickly identify those workers requiring a more comprehensive and specialized assessment of their skills. If an initial assessment completed in another program does not include the information required for the TAA Program, the state must supplement the initial assessment in conjunction with the worker.

Assessment Resources — See Attachment I for resources on assessments.

- e. **Co-enrollment and Reporting:** Co-enrollment between the TAA Program and the WIOA DW program drives the opportunity for collaborative partnership of funds, human resources, and system development to maximize the utility of benefits for participants that should be the hallmark of federally-funded programs. For more information on co-enrollment and reporting, please see TEGL No. 14-18⁸ and the TAA and WIOA DW FAQ, located on the TAA website.⁹

⁸ wdr.doleta.gov/directives/corr_doc.cfm?docn=7611

⁹ www.doleta.gov/tradeact/taa-data/participant-reporting/docs/Co-Enrollment_FAQ-3.pdf

5. **Inquiries.** Please direct inquiries to the appropriate Regional Office.

6. **References.**

- Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128) (July 22, 2014);
- Chapter 2 of Title II of the Trade Act of 1974, as amended (Pub. L. 93-618) (Trade Act) (codified at 19 U.S.C. §§ 2271 et seq.);
- WIOA Final Rule, 20 CFR Parts 680 and 687, 81 FR 56071 (August 19, 2016);
- TAA Final Rule, 20 CFR Part 618, 85 FR 51896 (August 21, 2020);
- TEGL No. 19-16, *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules* (March 1, 2017);
- TEGL No. 12-19, *National Dislocated Worker Grant Program Guidance* (March 18, 2020);
- TEGL No. 14-18, *Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)* (March 25, 2019); and
- Training and Employment Notice (TEN) No. 21-07 *Effective Use of Assessment in the Public Workforce Investment System and Transmittal of Testing and Assessment: A Guide to Good Practices for Workforce Investment Professionals* (December 13, 2007).

7. **Attachments.** Attachment I – Assessment Resources

Federal Assessment Resources

There are several assessment resources that are free and open for use provided by federal agencies.

The CareerOneStop website includes a section on Assessments at www.careeronestop.org/ExploreCareers/Assessments/self-assessments.aspx.

This site describes how assessments can be helpful and provides three free online assessments as part of the site:

- The Interest Assessment is a quick 30-question assessment that identifies an individual's interests and matches them to careers
- The Skills Matcher identifies an individual's skills and matches them to careers that use those skills
- The Work Values Matcher is a card sort that helps identify the qualities that are most important to an individual in a career and the type of place to work

There is also an online Interest Profiler within the My Next Move website at www.mynextmove.org/explore/ip.

In addition, the Competency Model Clearinghouse within CareerOneStop has a searchable Resource Database at www.careeronestop.org/CompetencyModel/FindResources/search.aspx. This database contains information on and links to a variety of assessments, both public or open and private, related to several activities and topics including career exploration. Try using various keywords or phrases, such as "career assessments," or "soft skills assessments" to refine your results.

The Online Work Readiness Assessment (OWRA) is a web-based tool that offers an approach to creating a plan for clients that summarizes their strengths and barriers, and makes recommendations on placement into work activities and work supports. Funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, the OWRA Tool offers social service agency caseworkers and staff services for clients through five modules, including a detailed, comprehensive assessment of client's strengths, barriers, and work readiness.

In addition, OWRA generates a Self Sufficiency Plan (SSP) and Work Readiness Resource (WRR) that offers a customized pathway using information from the Intake and Assessment Modules. The SSP highlights client strengths, suggests recommendations for reducing client barriers, and encouraged customized referrals and recommendations to address barriers. In addition, the WRR is available to help case workers and participants explore resume writing, soft skill development, interests, abilities, labor market information, and other important elements of employment and career pathways.

For more information, see peerta.act.hhs.gov/content/online-work-readiness-assessment-owra.

Evaluating and Selecting Assessment Tools

There are quite a few assessment tools available in the marketplace, many of which are proprietary and have associated costs. When reviewing potential assessments for use there are a number of variables to look for:

- **What audience was it designed for use with?** Try to identify assessment tools that are designed for use with adults, employer, and workforce development applications rather than with K-12 students.
- **Does the assessment have linked learning materials?** Particularly for soft skills assessments, if gaps are identified, it is helpful to have associated materials or resources to help develop needed skills.
- **How many and which skills or competencies are assessed by the tool?** There can be a wide variation among tools in this regard. Sometimes a tool may be described as assessing soft skills when perhaps it may focus more on foundational academic skills such as numeracy and literacy. As a useful reference, the Building Blocks model in the Competency Model Clearinghouse outlines and describes three tiers or groupings of foundational competencies including: Personal Effectiveness, Academic, and Work Readiness. For more information, see www.careeronestop.org/CompetencyModel/competency-models/building-blocks-model.aspx.
- **Does the tool assess elements that you think are relevant for the population and local economy you are serving?** For example, given the emphasis on online learning and work currently, you may want to look for tools that include an assessment of digital literacy or digital skills, or for a separate additional assessment of digital skills to administer.

As mentioned above, the Competency Model Clearinghouse resource database is one place to search for information about available assessment tools.

Finally, it is usually helpful to use multiple assessments of different types in order to acquire a fuller picture of an individual's strengths and needs, sometimes referred to as "whole-person assessment." For more information see Training and Employment Notice (TEN) No. 21-07 *Effective Use of Assessment in the Public Workforce Investment System and Transmittal of Testing and Assessment: A Guide to Good Practices for Workforce Investment Professionals*.¹

¹ wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2565

TAA and DW Co-Enrollment Fact Sheet #1:

Perceived Barriers of Cost & Performance

Data shows that co-enrollment between the TAA and Title I Dislocated Worker (DW) programs results in better performance outcomes that are significant and consistent over time. This is based on data reported for both programs. However, on average, only 50.3 percent of current TAA participants are co-enrolled with the DW program¹.

According to feedback from states, two main barriers to co-enrollment are perceptions of:

1. Cost
2. Performance

This FAQ aims to address these perceived barriers. ([TAA and DW Co-Enrollment Fact Sheet #2](#) addresses the perceived barriers of eligibility and benefit and service provision.)

COST

Myth: DW has limited funds, so TAA participants should be limited to TAA funds.

Busted:

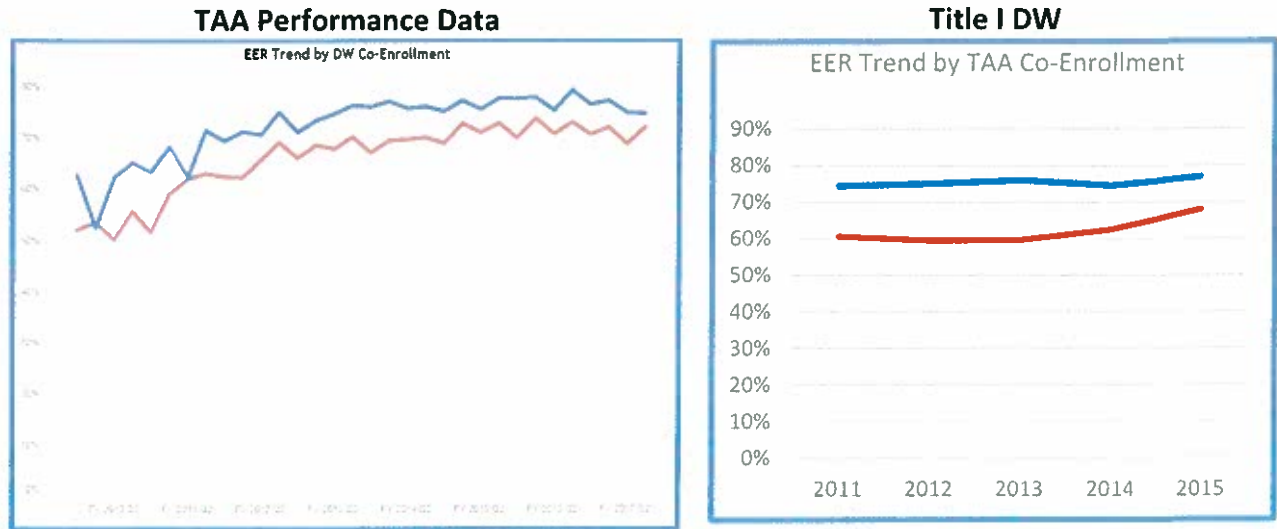
- Co-enrollment requires that WIOA program funds must contribute to at least one service, which could include case management alone (in either one-on-one, or group settings).
- There is no requirement that any portion of the training costs for TAA participants be funded by WIOA where participants are co-enrolled.
- There are many ways to coordinate co-enrollment that are a minimal cost burden for WIOA programs, including resume writing workshops, financial literacy, etc.

¹ Based on PIRL data, 1/1/18-3/31/18

PERFORMANCE

Myth: Co-Enrollment hurts WIOA performance.

Busted: Performance improves when TAA participants are co-enrolled with Title I DW (left table). The same is true for DW participants co-enrolled with the TAA program (right table). See these trends:



--- Co-Enrolled --- Not Co-Enrolled

TAPR Data: FY10-FY17

WIASRD Data: FY11-FY15

EER means entered employment rate which is the percentage of individuals that are employed in the first quarter after program exit. There is a significant difference in performance between those co-enrolled and those not.

There are other high performance results for TAA Participants Co-Enrolled with DW and for DW Participants co-enrolled with TAA. See the following table:

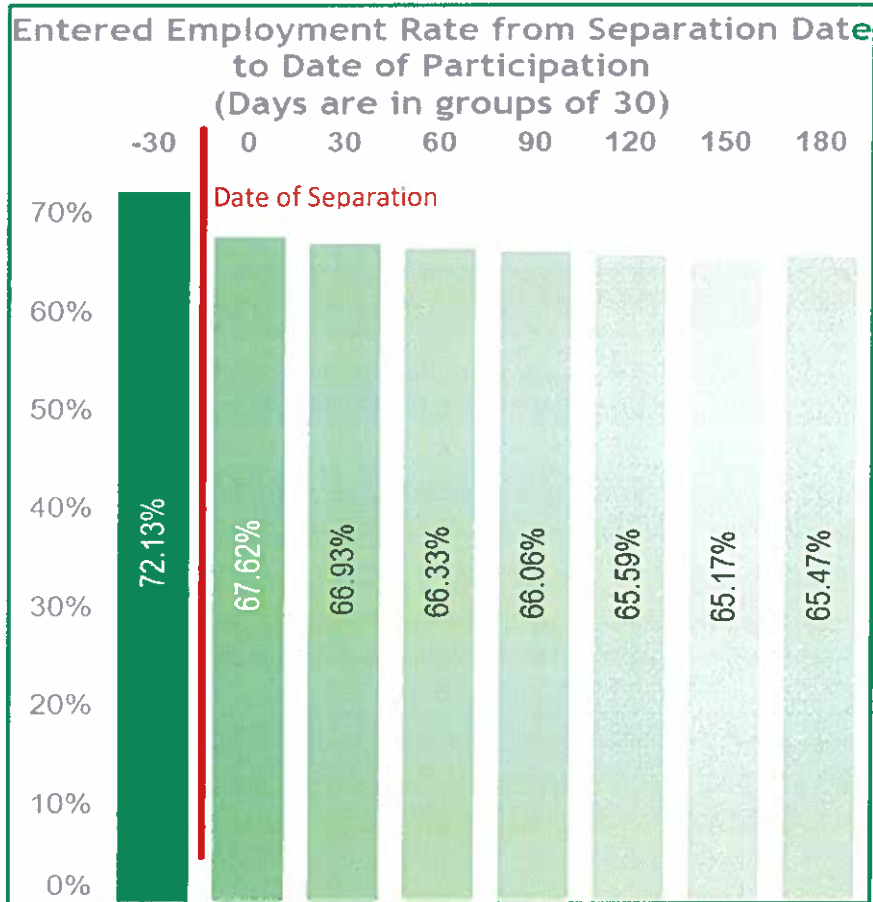
Measure	TAA Data ²			DW Data ³		
	Co-Enrolled with DW	Not Co-Enrolled	Net Benefit	Co-Enrolled with TAA	Not Co-Enrolled	Net Benefit
Training Participation	74%	50%	+24	59%	13%	+46
Training Completion	67%	65%	+2	49%	11%	+38
Credential Attainment	48%	26%	+22	41%	8%	+33

² TAPR: Exitors- 10/1/16-9/30/17, as of 7/30/18

³ WIASRD: Exitors - 7/1/15-6/30/16, as of 7/27/18

Performance, Continued

Individuals may be enrolled in WIOA while TAA group eligibility is still being determined. Therefore, co-enrollment provides access to early intervention services which lead to better outcomes.



Based on TAPR data, 10/1/08-9/30/17

Scenarios

Perceived Barrier #1: TAA Participation Will Hurt WIOA Performance Outcomes Because They Are Different Programs and Have Different Goals

Discussion: There is the perception that the TAA Program goals differ from that of WIOA, which results in different performance outcomes.

Solution(s): TAA primary indicators of performance are aligned with those of the WIOA DW program. The WIOA DW program can claim credit for outcomes on performance indicators attained by TAA program participants who receive TAA funded services, as long as they are determined eligible for the DW program and receive at least one qualifying WIOA DW-funded service. This can include case management. Thus, the successes of co-enrolled workers will contribute to the state's ability to meet WIOA performance standards. For more information on co-enrollment and costs, see above section on cost.

Perceived Barrier #2: TAA Participation Will Hurt WIOA Outcomes Because TAA Participants Are in the Program for Significantly Longer Periods than WIOA DW Participants

Discussion: Average participation in TAA is longer than in DW (459 days⁴ to 148 days⁵, respectively). There is the perception that this will hurt WIOA outcomes.

Solution(s): WIOA and TAA performance indicators are calculated after exit. Therefore, length of participation has no impact on WIOA outcomes. This topic has bearing on common exit policy (see [TAA and DW Co-Enrollment FAQ](#)).

TAA participants are often engaged in long-term training, but this should not be a disincentive to co-enrollment. In fact it can be an asset. The Measurable Skill Gains performance indicator under WIOA measures the progress of participants engaged in training so positive outcomes can be reflected even during long term training. For more information on Measurable Skill Gains, see [TEGL 10-16, Change 1, p.18](#).

⁴ TAPR data: FY17, as of 2/27/18.

⁵ WIASRD data: PY15, as of 7/31/18

Perceived Barrier #3: *Co-Enrolling TAA Participants Will Hurt Outcomes Because TAA Participants May Have Barriers to Employment such as Being an English Language Learner, an Older Individual, or Being Basic Skills Deficient*

Discussion: TAA participants are perceived as having barriers to employment which some consider to negatively impact performance outcomes.

Solution(s): WIOA requires an objective statistical adjustment model be used to make adjustments to the State negotiated levels of performance for actual economic conditions and the characteristics of participants served. It also is a factor used in setting State negotiated levels of performance. The statistical adjustment model is run before the program year to inform the negotiation process, and after the close of the program year to account for actual economic conditions and characteristics of participants served (WIOA section 116(b)(3)(A)(viii)). Therefore, the expected state results for participants with one or more barriers to employment will be adjusted in a manner that reflects the estimated impact those barriers will have on achieving a successful outcome.

Serving those with barriers to employment is a core mandate of WIOA, so it would be consistent that WIOA would welcome TAA participants who have these same barriers and who have access to additional funding sources (TAA).

Perceived Barrier #4: *Participants are Older Workers who are Close to Retirement Age. This Could Negatively Affect Performance.*

Discussion: The retirement waiver available under TAA was eliminated in 2011. Older workers who enroll in the program, and then retire, are perceived to negatively affect performance outcomes. And in fact, TAA Participants are typically older than the average age of a WIOA DW participants.

Solution(s): The statistical adjustment model and negotiated performance goals established under WIOA consider the age of participants when calculating performance targets. Thus, serving such workers will not have a negative impact on adjusted performance outcomes.

In addition, few TAA participant exit the program to retire. The Trade Act Participant Report (TAPR) allowed for reporting on Reason for Exit, including retirement. From FY14-FY17, there were only 345 EER Exiters recorded as exiting for retirement, which is less than 1% of the total TAA population served during that time period (345 exited for retirement purposes during this time/53,021 total TAA participants during this time = .65%). Thus, while those who retired had a lower EER, the low percentage of retirees did not have an impact on the overall performance.

TAA and DW Co-Enrollment Fact Sheet #2:

Perceived Barriers of Differing Eligibility & Benefit/Service Provision

Data shows that co-enrollment between TAA and the WIOA Title I Dislocated Worker (DW) program results in better performance outcomes that are significant and consistent over time. This is based on data reported for both programs.¹ However, only 50.3 percent of current TAA participants are co-enrolled with the DW² program.

In order to encourage evidenced-based strategies for improved outcomes, this FAQ addresses the perceived barriers to co-enrollment of differences in eligibility and benefit and service provision. ([TAA and DW Co-Enrollment Fact Sheet #1](#) addresses the perceived barriers to co-enrollment of cost and performance.)

Eligibility Requirement for Program/Service	DW Program	TAA Program	Comment
TAA Certified Worker Group		✓	Only those workers who are covered by a certified petition are eligible.
Selective Service	✓		TAA does not have this requirement, but non-compliance with Selective Service is extremely rare. Individuals can register with the Selective Service and be eligible to enroll in the WIOA DW program.
Requires Birth Certificate			Neither program requires individuals to present their birth certificates to be eligible to receive services. However, for the TAA program, documentation is needed to prove the individual's age and eligibility to work in the United States.
Assessment	✓	✓	Both programs require an assessment to provide services. Furthermore, the assessments are not duplicative and the TAA assessment can build off of the DW assessment.
Training – 6 Criteria for TAA Training Eligibility		✓	These criteria for approving training are required for TAA, but also represent a best practice approach in determining appropriate training for an individual.
Training – Requires Use of WIOA Eligible Training Provider List (ETPL)	✓		TAA must allow training through non-ETPL training vendors. However, many training vendors are already on the ETPL, so many TAA participants receive training from ETPL vendors. In addition, DW is not required to pay for any part of training for participants who are co-enrolled with TAA.

¹ For more details on performance outcomes for co-enrolled participants, see TAA and DW Co-Enrollment Fact Sheet #1.

² Based on PIRL data, 1/1/18-3/31/18

Scenarios

Perceived Barrier #1: Differing Eligibility and Regulatory Requirements

Discussion: There are numerous differences between WIOA and TAA program requirements for qualifying for various types of reemployment assistance. For example, there are differences in training approval criteria, availability and amounts of job search allowances, availability and amounts of relocation allowances, income support eligibility criteria, and different supportive services. Other differences between the TAA Program and WIOA include the availability and amounts of training funds and rules for reimbursing travel expenses.

Solution(s): States should ensure that local workforce staff possess a basic understanding of the TAA program, including similarities and differences with WIOA and other partner programs. States are encouraged to establish policies that support the needs of all dislocated workers, including those impacted by trade, and to promote goals for seamless service delivery.

Coordination between partner programs to develop a common framework or tools for customers may have a positive impact. Products or tools may be developed using TAA case management and employment funds. States should also consult with their Regional Office for guidance on additional allowable activities that can be supported with TAA funding.

Perceived Barrier #2: Different Case Management and Financial Management Information Systems (MIS) Across Programs

Discussion: State agencies and local areas often have a separate MIS for the TAA Program and for other comparable programs such as WIOA, and sometimes even between various program benefit components within these programs. This can make it difficult for staff from different programs to effectively coordinate case management efforts and expenditures. Separate MIS sends a message that the TAA and WIOA programs are distinct, segregated, and that true seamless integration is not a priority.

Solution(s): A common MIS promotes the one system concept in a very tangible way. Further, it may be the most effective means of promoting and supporting the seamless integration of services and co-enrollment. The PIRL reporting system was designed to allow participant information to be kept on one system. Where state policy does not allow for this, program staff may coordinate through other means.

Aside from integrating reporting systems, ensuring frequent communication between program staff occurs on the co-enrolled participants (such as weekly huddles) can help ensure participant success.

Perceived Barrier #3: *Multiple Eligibility Documents and Paperwork*

Discussion: Separate eligibility documents are burdensome to customers and staff, and reinforce the notion of separate delivery systems.

Solution(s): A combined applicant/participant and financial management system is the ideal solution. An alternative would be to have a common application with common data elements that meet the reporting needs of all required partners.

Perceived Barrier #4: *Different Assessment Systems and Individual Employment Plans*

Discussion: Partner programs within the One-Stop system may have different types of assessment instruments that can result in participants undergoing multiple rounds of assessment. Additionally, partners do not always share the same definition of assessment. For some it is a very specific *instrument*, which has to be administered and scored, while for others it is more of a *process* of goals, needs, and/or skills identification. Even when there may be general agreement on the definition and purposes of assessment, there may be substantial differences of opinion regarding the results of the assessment. In addition, programs may have a specific or required format for an Individual Employment Plan (IEP) or Reemployment Plan.

Solution(s): It is critical that the partners work together to develop a common understanding of what the assessment should *achieve*, and the appropriate mechanisms for obtaining that information. A next step toward integration could be the acceptance of partners' assessments or IEPs, and the elimination of redundant assessment or IEP steps. Additionally, assessment and IEP processes for co-enrollments should be addressed in appropriate State and local memoranda of understanding. Finally, the ideal solution would be the adoption of common assessment and IEP instruments that fulfill the requirements, needs and objectives of all partners.

Perceived Barrier #5: Co-Enrolling TAA Participants Reduces Resources for Other Dislocated Workers

Discussion: Some believe that the best way to serve dislocated workers as a whole is to refrain from practices such as co-enrollment. For example, even though TAA Program participants come with access to training funds and income support, from the perspective of some, providing services at the WIOA Title I level to co-enrolled TAA participants is a drain on available staff resources.

In the past, case management was considered an administrative expense for TAA Program participants. As a result, TAA Program funds could not be used to fund these services. However, since the 2009 amendments, costs for case management can be charged to TAA Program funds, but many states have failed to adjust their service models to take advantage of these funds.

Solution(s): Early intervention is critical to effectively serve dislocated workers, including those who are eligible for TAA. Given the delay caused by the TAA group eligibility process, co-enrolling TAA eligible workers in the DW program helps ensure expedited employment services, including training assessments. Case management and early intervention services increase customer service and lead to more positive outcomes. In addition, the current TAA Program requires that states spend at least five percent of their TAA Program funds for employment and case management activities. There is no maximum percent that can be expended on these activities.

Perceived Barrier #6: Lack of Sufficient TAA Program Funding to Provide Necessary Staff at the Local and State Levels

Discussion: Trade-affected workers may require more staff intensive services, e.g., job search assistance, relocation assistance, training, and follow-up. Service levels vary widely depending upon the available staff to provide these services to trade-affected workers.

Solution(s): TAA provides funding for employment and case management services. TAA funds are also used to support infrastructure and One-Stop operating costs. Local agreements should be established among the One-Stop partners that increase communication and include arrangements for cost pooling to enable utilization of other funding sources. The funding matrix available in the attachment to TEGE No. 15-12 provides some explanation of what benefits and services each funding stream may be used to provide. States should also consult with their Regional Office for guidance on additional allowable activities that can be supported with TAA funding.

A minimum of five (5) percent of TAA Program funds must be used for case management and employment services, but no maximum exists. This flexibility allows states to leverage program funds in a manner that may be customized for a variety of program needs.

Perceived Barrier #7: *Lack of TAA Program Knowledge at Comprehensive One-Stop Centers or Affiliate One-Stop Centers*

Discussion: The requirements of a comprehensive One-Stop center include making TAA services accessible to customers. A lack of adequate staff training and information may result in insufficient information being provided to trade-impacted workers and incorrect eligibility determinations being made.

Solution(s): According to TEGL 18-17, Attachment 3, Part B:

The TAA Program is a required One-Stop partner under the WIOA statute and regulations. As a WIOA required partner, the TAA Program is responsible for providing access to TAA benefits and services to adversely affected workers through the AJC network. Under WIOA and the Trade Act, states must integrate TAA services into their one-stop delivery system; provide rapid response and appropriate career services to worker groups on whose behalf a petition has been filed; and disseminate benefit information that provides workers an accurate understanding of the TAA Program's benefits and services in such a way that it is transparent to the worker applying for them. CSAs must also use their state's AJCs as the main point of contact for participant intake and delivery of TAA benefits and services.

Staff at comprehensive One-Stop and affiliate sites should have sufficient information and training to recognize potential eligibility for various partner program(s). Several States have developed reference and training materials to assist with co-enrollment. TAA Case Management funds are also available for providing this training to improve case management.

Perceived Barrier #8: *Participants Who Only Receive Reemployment Trade Adjustment Assistance (RTAA) Do Not Need the Benefits of Co-Enrollment*

Discussion: RTAA is a benefit for workers age 50 or older who do not earn more than \$50,000 annually in new employment. Recipients of RTAA receive a wage supplement when the recipient accepts new employment at a lower wage. Because these participants must be employed, there is a perception that they do not need to receive other services and be co-enrolled.

Solution(s): Individuals who may be eligible for RTAA should also be co-enrolled with the DW program. If they are co-enrolled in the DW program, they can begin receiving employment and case management services while waiting to be determined eligible for the TAA Program. They may also be available to receive supportive services through the DW Program. Additionally, RTAA participants who receive case management services are more likely to retain their employment than those who are eligible but do not receive RTAA.³

Even enrolled in DW, they should still also receive case management services through TAA. Note that RTAA participant should also receive Rapid Response services, as part of a petitioning worker group.

³ Summit Consulting, 2017