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

FROM: Elizabeth Brannigan, Deputy Director Office of Workforce Development

Date: November 17, 2021

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

Purpose

The purpose of this interim guidance 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 the co-enrollment opportunity.

Background

WIOA emphasizes integrating services to better serve workforce customers. The TAA Final Rule furthers this effort by requiring the co-enrollment of trade-affected workers with the WIOA DW program. Employment and Training Administration (ETA) published a Final Rule implementing the TAA 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.

Requirements

To ensure the availability of a comprehensive array of services, 100% 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 the co-enrollment opportunity.

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 note this information in OWCMS.
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. OWCMS will generate and email a Co-Enrollment Referral Report to the WIOA local area designees once per week. The generation of this email 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. The 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. The 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 he or she 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 OWCMS.
4. The 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 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, the 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 a WIOA staff is unable to make contact with the TAA participant or the TAA participant is no longer interested in WIOA DW co-enrollment, they 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 should actively use OWCMS to record the customer’s services, needs, and progress.

To increase efficiency and reduce unnecessary duplication, assessments (initial, comprehensive, and specialized) and Individual Employment Plans (IEPs) should be shared between TAA and WIOA. The TDP and WIOA staff may supplement these assessments and plans to 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 618.625 (c) 1-3. of TAA Final Rule)

E. Co-Exit and Follow-up

The TAA/DW participant will only be exited when no further services are needed and 90 days have lapsed since the participant last received services from either program. Closure of only WIOA services does not exit the customer from WIOA, nor does closure of only TAA services exit the customer from TAA. Exit of a co-enrolled participant must be done through a
coordinated effort between the TDP and WIOA staff to ensure services have been completed for both programs.

After exit, the WIOA staff will provide and document follow-up services to the TAA/DW participant in accordance with WIOA PL 15-08.1 and local policy. The WIOA staff will share all appropriate follow-up information with the TDP.

Please contact Jay Mendoza, Bureau Chief with any questions or comments regarding this interim guidance at OWDPolicy@jfs.ohio.gov