



TAA and WIOA DISLOCATED WORKER CO-ENROLLMENT

Workforce Innovation and Opportunity Act Policies and Procedures

EFFECTIVE DATE: TBD

POLICY #: P213 v.2

I. PURPOSE:

The U.S. Department of Labor (DOL) published the updated and consolidated TAA Final Rule on August 21, 2020. 20 CFR 618.325 requires co-enrollment of all Trade Adjustment Assistance (TAA) program participants into the WIOA Title I-B Dislocated Worker (DW) program, subject to eligibility, unless they decline.

Though there is no equivalent Workforce Innovation and Opportunity Act (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.

II. POLICY:

TAA participants must be co-enrolled in the WIOA Title I-B DW program if they are determined eligible, 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 do not qualify under TAA Reversion 2021 (see [WIOA Title I Policy 5617, Revision 1](#)).

A. Notice to TAA Participants and Documenting Declination

1. TAA case managers will inform TAA participants about the benefit and option of co-enrolling into WIOA Dislocated Worker program services (WIOA DW) and that declining to co-enroll in WIOA DW will have no adverse impact on their services from TAA.
2. TAA case managers should inform the individual that co-enrollment into WIOA DW is dependent upon meeting eligibility criteria.
3. If the participant declines co-enrollment, TAA case managers will enter a case note into the MIS system stating that the individual declined the referral.
4. If a TAA participant declines co-enrollment, the individual may change their mind and request a referral to the WIOA DW program at a later date.

B. Referral Process

1. TAA staff will refer participants for enrollment into WIOA DW by sending an email to the WIOA email: info@seakingwdc.org
 - a) The referral information will indicate that this is a co-enrollment referral from TAA on the

subject line. The body of the email will include the individual's first name and the MIS number associated with the participant, as well as the individual's preferred language and zip code/city. If there is an assigned TAA case manager for the referred individual, this should also be included.

2. TAA staff sending the referral will receive confirmation from WIOA DW staff that the referral was received.
3. WIOA DW staff will follow up with TAA staff with an update regarding the outcome of the referral, including a determination of WIOA DW eligibility and whether the referred individual successfully enrolled or declined to participate in the WIOA DW program, or if enrollment may be delayed until a later date. WIOA DW staff will notify TAA staff of the referral outcome by replying to the original referral email within seven to ten business days of receiving the referral. WIOA DW staff will enter a case note in the MIS system documenting the follow up communication with TAA staff and the referral outcome.

C. Enrollment into the WIOA DW Program Services

1. WIOA DW staff will start conducting outreach to the participant for an eligibility determination within five business days of receiving the referral. WIOA 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.
2. In the event that the TAA participant is no longer interested in WIOA DW enrollment when a connection is made, the DW staff will case note the declension in the MIS system and will inform the TAA participant that they may, if eligible, enroll during their TAA Program participation.
3. It is expected that the enrollment should occur within five days of a completed eligibility determination or upon the delivery of a service that triggers participation into WIOA DW. Staff may conduct a basic assessment of barriers and determine prospective support service needs as the service that triggers participation.
4. Should the participant decline to participate in a service that triggers participation, enrollment may be delayed until a service that triggers participation occurs. WIOA DW staff will enter a case note into the shared MIS system that the TAA participant declined services at the time of eligibility determination. This should not be construed as an ongoing declination of services. The individual may be enrolled at a later date when the person is ready to engage in WIOA DW services.
 - a) It is expected that once a WIOA DW eligibility determination has been completed, the TAA participant retains their eligibility status for WIOA DW through the duration of TAA program participation unless the TAA participant obtains permanent employment at 80% of their job of dislocation.
5. Services are dependent upon availability of funds.

III. 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 total or partial separation.

IV. REFERENCES:

- 20 CFR 618.325
- Washington WorkSource System Policy 5617 Co-enrollment of Trade Adjustment Assistance participants into the WIOA Title I-B Dislocated Worker program.
- TEGL 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
- [WIOA Title I Policy 5617, Revision 1](#)- Co-enrollment of Trade Adjustment Assistance (TAA) participants into the Workforce Innovation and Opportunity Act (WIOA) Title I-B Dislocated Worker program