

**Trade Act  
Co-enrollment  
Technical Assistance Guide  
(TAG)**

**June 2015**

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Special requests for alternate formats need to be made by calling one of the numbers listed below.

ENGLISH	1-800-300-5616	VIETNAMESE	1-800-547-2058
SPANISH	1-800-326-8937	MANDARIN	1-800-303-0706
CANTONESE	1-800-547-3506	TTY (NON-VOICE)	1-800-815-9387

## I. CO-ENROLLMENT BENEFITS

The Trade Adjustment Assistance (TAA) Code of Federal Regulations dictates that all TAA eligible workers must have access to core and intensive services through the America's Job Center of California<sup>SM</sup> network. Co-enrollment in the TAA and Workforce Innovation and Opportunity Act (WIOA) will ensure workers receive the benefits and services they may be eligible for under the TAA and WIOA programs.

Co-enrollment benefits for TAA eligible workers and the TAA program in California:

- TAA eligible worker access to core and intensive service.
- TAA eligible worker access to TAA training and Trade Readjustment Allowances (TRA) benefits.
- TAA eligible worker access to supportive services.

Note: Supportive services include orientations, basic education, counseling, workshops, child care assistance, comprehensive assessments, job referrals, job placement, and any other services necessary to prepare a worker for full employment in accordance with the worker's capabilities and employment opportunities.

Co-enrollment benefits for WIOA partners:

- Training costs are paid by TAA funding.
- No specific limit to the number of qualified TAA eligible workers that can receive services.
- The TAA program is able to provide assistance to all training needs (e.g., remedial education, prerequisite education, higher education, and vocational training).

## II. PURPOSE AND POLICY

**PURPOSE:** The procedures in this Technical Assistance Guide are designed to promote cooperative partnerships, maximize resources, and establish requirements for determining and verifying the eligibility of co-enrollment of applicants for the TAA and WIOA programs. These procedures should be used in conjunction with existing procedures and manuals.

**POLICY:** To determine program eligibility, provide assessments and employability plans, identify services and resources, develop training plans, enroll in training, provide job placement assistance, and conduct follow-up employment services.

### III. DEFINITION OF TERMS

- **America's Job Center of California<sup>SM</sup> (AJCC)**

A single, nationwide network that assists job seekers to explore career opportunities, find education and training, search for employment, and provide business services to employers.

- **Trade Adjustment Assistance (TAA)**

The TAA program is a federal program that assists U.S. workers who have lost or may lose their jobs as a result of foreign trade. The program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed.

Provides funding for additional weekly benefits, training, job search allowances, relocation allowances, wage subsidies for older workers, and reemployment services.

- **Employment Development Department (EDD)**

The EDD is part of the Labor and Workforce Development Agency of the executive branch of the State of California. The EDD offers a variety of services to millions of Californians which includes job services, Unemployment Insurance, Disability Insurance, Workforce Investment Act programs, and labor market information.

- **Trade Readjustment Allowance (TRA)**

Provides additional weekly Unemployment Insurance benefits to trade affected workers.

- **TAA Staff or State Merit Staff**

State merit staff from the Employment Development Department who administer the TAA program within each state.

- **Eligible Worker**

A worker from a TAA certified company. The worker's company provided confirmation to the EDD that verifies the worker lost their job due to trade.

- **Special Claims Office (SCO) 850**

State merit staff who determines eligibility for TAA benefits, TRA benefits, TAA job search, and relocation allowances.

- **Cooperating State Agency (CSA)**

The agency assigned by the Governor to administer the TAA program. In the state of California, the CSA for the TAA program is the Employment Development Department.

- **State Workforce Development Board**

Appointed by the Governor to assist in the implementation and development of a statewide system of workforce investment carried out through the America's Job Center of California<sup>SM</sup> network.

- **Workforce Development Board**

Refers to the entity responsible for administering the WIOA program in a particular region or area.

- **Co-enrollment**

Enrollment in the TAA program and at least one other program that operates as part of the WIOA America's Job Center of California<sup>SM</sup> network, such as the adult program under WIOA.

- **Workforce Innovation and Opportunity Act (WIOA)**

Provides a comprehensive workforce investment system through the America's Job Center of California<sup>SM</sup> network, that is customer focused with streamlined services.

- **Local Workforce Development Area (local area)**

Local areas are designated by the Governor to provide information and re-employment services to the public through the America's Job Center of California<sup>SM</sup> network.

- **Trade Affected Workers**

Workers whose company has been affected by trade and are either laid off or threatened with layoff as a direct result of increased imports, or a shift in production to other countries.

- **WIOA Core Services**

Universal access to utilize information and self-directed job search activities.

- Self-directed: No eligibility requirements.
- Local area staff assisted: Eligibility requirements apply.

- **Eligible Training Provider List (ETPL)**

The approved statewide WIOA training vendor list.

Note: TAA-funded training may be provided by training providers not on the ETPL.

It is also not a requirement that all TAA-funded training providers be an accredited training provider. Non-accredited training providers can be used for the TAA program, but they are required to provide a curriculum that prepares a worker for employment at the completion of a training program and that helps the worker meet requirements of the six criteria for training approval. However, if a training provider grants training certifications (e.g., phlebotomist, certified nursing assistant), they must be an accredited training provider.

- **Rapid Response (RR)**

Rapid Response provides information to workers, employers, worker representatives, and the community. The information concerns the availability of services such as unemployment compensation, labor market information and strategies for re-employment, as well as Trade Act program information.

#### **IV. RAPID RESPONSE PRINCIPLES (Suggested Policies and Procedures)**

Rapid Response practitioners provide information to workers, employers, worker representatives, and the community. The information concerns the availability of services such as unemployment compensation, labor market information and strategies for re-employment, as well as Trade Act program information where appropriate. In order to maximize the utility of the information, it needs to be consistent, accurate, locally-driven, and timely. Also, in the best situations, information will be specific to the worksite and will include non-job-specific referrals to services and agencies. Rapid Response staff and their partners at the state and local level must engage in an ongoing information gathering process and establish contacts that can provide information for dislocated workers.

The delivery of services provided by different agencies, programs, or groups needs to be seamless; that is, the differences in programs or source of funding should be invisible to the customer. In order for this to occur, thorough coordination among partners and stakeholders is essential. The basis of coordination is a solid understanding of one another's goals and practices and a willingness to work together so the customers (the workers and employer) have a smooth and productive experience. A good communication system among all parties is essential.

Written agreements, procedures, and common information systems help establish a seamless delivery of services. Standardized written agreements such as a Memorandum of Operation can be used as a framework to customize agreements to each local area. A standardized outline of information presented during Rapid Response sessions should also be utilized.

Partnerships are key to the success of a seamless delivery of information during Rapid Response sessions. Partnerships are also key in ensuring dislocated workers are co-enrolled among agencies to ensure the allocation of additional resources and information to address a dislocation. Some common partners that are involved in Rapid Response events are the local America's Job Center of California<sup>SM</sup> network, Unemployment Insurance, Trade Adjustment Assistance (TAA), labor representatives, local economic development agencies, and Trade Adjustment Assistance Community College and Career Training (TAACCCT) grant partners. Other groups that may be involved in dislocation events include a variety of America's Job Center of California<sup>SM</sup> network partners such as vocational rehabilitation, child care agencies, mental health services, and community-based organizations.

The following is a recommended outline to conduct consistent and accurate Rapid Response sessions statewide for trade affected workers.

## **Foundation of a Rapid Response Session:**

### **Opening Remarks and Introductions**

***Rapid Response Specialist***

Thank the employer and introduce the team:

- Employer representative(s)
- Labor union representative(s)
- State of California Employment Development Department
- Local WIOA representative(s)
- Local partner(s)

### **Purpose of Meeting**

***Rapid Response Specialist***

Give information about services available.

Gather information on employer and employee workforce.

Brief overview of Worker Adjustment and Retraining Notifications (WARN) Act provisions (if applicable).

### **Plant Closure/Lay-Off Information**

***Employer***

Examples of employer talking points:

- Nature of industry?
- Future of industry?
- Closure or layoff?
- Reason for closure or layoff?
- Was the layoff caused by increase of imports from foreign countries or outsourcing?
- Will the company remain open? If so, what functions will remain?
- Will laid-off employees be recalled in the future?
- Is there a Labor-Management Committee in existence?
- Closure/lay-off date?
- Were employees offered the chance to relocate?
- Is company working with an outplacement firm?
- Number of employees affected?
- Schedule of lay-offs?
- Severance package/work continuance pay?
- Facility status? Lease/Vacant/Sold?

### **Explanation of Rapid Response**

***Rapid Response Specialist***

Basic orientation:

- Local area information
- Employment Development Department – Unemployment Insurance and Workforce Services
- Department of Labor website, Affordable Care Act, etc.

Extended orientation (if applicable):

- Personal financial planning
- Crisis and stress management
- Job search skills workshops
- Department of Social Services

**Explanation of WIOA Services**

***Rapid Response Specialist***

America’s Job Center of California<sup>SM</sup>:

- Thousands of job listings and networking opportunities.
- Access to job boards, websites, and databases.
- Access to computers, telephones, fax services, and copiers.
- Labor Market Information.
- Practical job skills, computer skills, entrepreneurial skills, and on-the-job training.
- Access to résumé building tools and help with your résumé and interview skills.
- Personalized career counseling to assist you with your new job or career.
- Education and training to improve job skills.

**Explanation of EDD Services**

***EDD UI and WS Representatives and TAA Coordinator/Specialist***

- Unemployment Insurance benefits
- Workforce Services
- Trade Adjustment Assistance

**Partner Presentations (when applicable)**

***Labor, TAACCCT Partners, Local Economic Development Partners***

**Discussion of Future Plans**

***TAA Coordinator/Specialist***

Schedule of Orientation(s) of Workers:

- Number of orientations (English, other languages)
- Location

**Closing Remarks**

***All***

**Rapid Response Marketing Tips**

In order to maximize efforts to reach all workers who have been dislocated or affected by a trade lay-off, consider using the following marketing recommendations:

- Include a worker’s contact information on the Rapid Response sign-in sheets for future marketing efforts.
- (For EDD staff) Utilize PC Queries to identify dislocated or trade affected workers who were unable to attend a Rapid Response session.

## V. PROCEDURES FOR CO-ENROLLMENT

EDD/TAA STAFF PROCEDURES	WIOA PROCEDURES
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### A. PROCESS OF REFERRAL

<p><b>1. IDENTIFY POTENTIAL ELIGIBILITY FOR TAA</b></p> <p>Worker presents a letter or indicates they are a potential trade affected worker.</p> <p>State TAA staff receives a copy of a TAA petition from a company or receives petition notification from the Department of Labor.</p> <p>Local TAA staff receives company layoff or closure information through workers, media, or company.</p> <p><b>2. DETERMINE STATUS OF PETITION</b></p> <p>If a worker is identified as trade affected and a petition has not been filed, the following can file a TAA petition on behalf of a worker(s):</p> <ul style="list-style-type: none"> <li>• Company official</li> <li>• Group of three affected workers</li> <li>• Union representative</li> <li>• WIOA staff</li> <li>• EDD staff</li> <li>• TAA state coordinator</li> </ul> <p>TAA petitions can be accessed on the Department of Labor website:  <a href="http://www.doleta.gov/tradeact/petitions.cfm">http://www.doleta.gov/tradeact/petitions.cfm</a></p> <p>Once a TAA petition has been certified by the Department of Labor and a worker has received TAA Notification Letter from the EDD, the worker can file an application for TAA.</p> <p><b>3. FILE A TAA APPLICATION (after a worker receives a TAA Notification Letter from the EDD).</b></p> <p>Instruct workers to file for Unemployment Insurance (UI) benefits (1-800-300-5616).</p> <p>Workers can submit the <i>Application for Trade Adjustment Assistance (TAA)</i>, DE 8309 form through TAA staff or directly to the UI Special Claims Office.</p>	<p><b>1. IDENTIFY POTENTIAL ELIGIBILITY FOR TAA</b></p> <p>1. WIOA staff identifies potential TAA eligible workers through Rapid Response.</p> <p>Local area receives company layoff or closure information through workers, media, or company.</p> <p><b>2. DETERMINE STATUS OF PETITION</b></p> <p>If a worker is identified as trade affected and a petition has not been filed, the following can file a TAA petition on behalf of a worker(s):</p> <ul style="list-style-type: none"> <li>• Company official</li> <li>• Group of three affected workers</li> <li>• Union representative</li> <li>• WIOA staff</li> <li>• EDD staff</li> <li>• TAA state coordinator</li> </ul> <p>TAA petitions can be accessed on the Department of Labor website:  <a href="http://www.doleta.gov/tradeact/petitions.cfm">http://www.doleta.gov/tradeact/petitions.cfm</a></p> <p>Once a TAA petition has been certified by the Department of Labor and a worker has received a TAA Notification Letter from the EDD, the worker can file an application for TAA.</p> <p><b>3. FILE A TAA APPLICATION (after a worker receives a TAA Notification Letter from the EDD).</b></p> <p>No action required.</p>
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<b>A. PROCESS OF REFERRAL</b>
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<p>The Special Claims Office address and fax number:</p> <p style="text-align: center;">Employment Development Department Special Claims Office 850 PO Box 419076 Rancho Cordova, CA 95741-9076 Fax: 916-464-3333</p> <p>Note: A DE 8309 can be accessed through a worker's TAA staff person. In addition, a DE 8309 is mailed to workers along with their TAA Notification Letter.</p> <p><b>4. DETERMINE TAA ELIGIBILITY AND NOTIFY CUSTOMER</b></p> <p>The Special Claims Office determines if a worker is eligible to receive TAA benefits. The Special Claims Office will notify a worker of their eligibility and post eligibility status on a worker's UI claim record.</p> <p>A worker's <i>Notice of Initial Entitlement to TRA/TAA Benefits</i>, DE 8313C form, provides a worker with contact information of their nearest America's Job Center of California<sup>SM</sup> (AJCC) with TAA staff.</p> <p style="text-align: center;"><b>CO-ENROLLMENT BEGINS</b></p> <p><b>5. PROVIDE AMERICA'S JOB CENTER OF CALIFORNIA<sup>SM</sup> SERVICES ORIENTATION AND INTAKE</b></p> <p>A TAA eligible worker will be processed through their local AJCC intake policy and procedures.</p> <p>TAA staff will provide a TAA worker with an overview of TAA benefits and services through a TAA orientation or in a one-on-one scheduled session.</p> <p>TAA staff will refer a TAA worker to WIOA staff to begin the core/intensive service process using (or responding to) a TAA/WIOA referral form, DE 8308.</p>	<p><b>4. DETERMINE TAA ELIGIBILITY AND NOTIFY CUSTOMER</b></p> <p>No action is required.</p> <p style="text-align: center;"><b>CO-ENROLLMENT BEGINS</b></p> <p><b>5. PROVIDE AMERICA'S JOB CENTER OF CALIFORNIA<sup>SM</sup> SERVICES ORIENTATION AND INTAKE</b></p> <p>A TAA eligible worker will be processed through their local AJCC intake policy and procedures.</p> <p>Local area staff will provide TAA workers with local service information through their normal local service orientation policy.</p> <p>WIOA staff will refer a TAA worker to TAA staff to begin the TAA benefit/service process using (or responding to) a TAA/WIOA referral form, DE 8308.</p>
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## B. PROCESS OF COORDINATING RESOURCES

**1. DETERMINE RESOURCES**

TAA staff will collaborate with the AJCC staff to determine resources. If TAA training funds are available, TAA staff will coordinate training needs and funding sources with partner staff. TAA staff will review the status of an eligible worker's UI benefits and other financial resources to determine if the eligible worker will be able to sustain themselves through their training program.

**2. DETERMINE AND COORDINATE SERVICES NEEDED**

TAA staff and partner staff will discuss and identify an Individual Employment Plan (IEP)/TAA Training Plan.

**3. RECEIPT OF ASSESSMENT RESULTS FROM PARTNER**

TAA staff will receive and review assessment results with partner staff and eligible worker.

Note: Coordinated agreement between all partners (TAA staff, partner staff, and the eligible worker) on an approved training plan is essential to the successful outcome of the co-enrollment process.

**4. CONFIRM AGREEMENT FOR SERVICES AND DEVELOP WRITTEN TRAINING PLAN**

TAA staff complete a *Trade Adjustment Assistance Training Plan*, DE 8751 form. In addition, TAA staff will complete a bona fide application for training, a *Request for Training Approval and Allowances While In Training*, DE 8320 form, and submit it to the EDD Special Claims Office.

TAA staff will notify WIOA partner staff of the completion of the eligible worker's TAA Training Plan and TAA Application for Training.

**1. DETERMINE RESOURCES**

Partner staff and TAA staff will review training and service options to include, but are not limited to, assessments, labor trends, employability of an eligible worker, training availability, entrance requirements and prerequisites, length and hours of training, cost and funding sources, and the status of an eligible worker's UI benefits. All services rendered are based on customer need, availability of resources, and the guidelines of the funding sources.

**2. DETERMINE AND COORDINATE SERVICES NEEDED**

TAA staff and partner staff will discuss and identify an Individual Employment Plan (IEP)/TAA Training Plan.

Partner staff will perform the eligible worker's assessment.

**3. RECEIPT OF ASSESSMENT RESULTS FROM PARTNER**

Partner staff will provide and review the assessment results with TAA staff.

Note: Coordinated agreement between all partners (TAA staff, partner staff, and the eligible worker) on an approved training plan is essential to the successful outcome of the co-enrollment process.

**4. CONFIRM AGREEMENT FOR SERVICES AND DEVELOP WRITTEN TRAINING PLAN**

Partner staff document confirmation of completion of TAA Training Plan and application on the eligible worker's IEP.

<b>EDD/TAA STAFF PROCEDURES</b>	<b>WIOA PROCEDURES</b>
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<b>B. PROCESS OF COORDINATING RESOURCES</b>
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<p><b>5. COMPLETE TRAINING AGREEMENT</b></p> <p>If TAA-funded training, TAA staff will complete an eligible worker’s <i>Trade Act Educational Agreement</i>, DE 8391 form, or a <i>Trade Act On-the-Job Training (OJT) Agreement</i>, DE 8390 form, and submit to the EDD Fiscal Programs Division.</p> <p>TAA staff verifies the eligible worker entered training through the California Training Benefits (CTB) Streamline Process and forwards the verification to the SCO 850.</p> <p>TAA staff notifies partner staff of the completion of the TAA agreement for TAA-funded training. (Include begin/end dates, training program name, and name of training provider.)</p> <p>TAA staff enters eligible worker information into the current data entry system (CalJOBS<sup>SM</sup>). Hard copies of completed data entry forms or screens are to remain in the eligible worker’s file.</p>	<p><b>5. COMPLETE TRAINING AGREEMENT</b></p> <p>If WIOA-funded training, partner staff will follow local area procedures to enroll eligible workers into training.</p> <p>Partner staff verifies the eligible worker entered training through the California Training Benefits (CTB) Streamline Process and forwards the verification to the SCO 850.</p> <p>Partner staff notifies TAA staff of the completion of the WIOA agreement for WIOA-funded training. (Include begin/end dates, training program name, and name of training provider.)</p> <p>Partner staff enters eligible worker information into their current data entry system. If it is their local policy, hard copies of completed data entry forms or screens are to remain in the eligible worker’s file.</p>
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### C. PROCESS OF FOLLOW-UP AND PLACEMENT

#### 1. TRACK AND MONITOR CUSTOMER

TAA staff will conduct 30-day monitoring reports for an eligible worker while they are in TAA training. TAA staff will provide copies of the monitoring reports to partner staff and will alert partner staff of any performance or personal eligible worker issues that may prevent the eligible worker from completing training.

#### 2. VERIFY COMPLETION OF TRAINING

TAA staff will verify completion of training through verbal or written confirmation with the training provider or the eligible worker.

Note: An eligible worker's training provider must provide a copy of the eligible worker's diploma, license, or certificate of completion to TAA staff. A copy must remain in the eligible worker's TAA file.

TAA staff will provide a copy of the eligible worker's completion paperwork to partner staff.

#### 3. PROVIDE JOB PLACEMENT SERVICES

TAA staff will provide necessary job search services to include workshops, CalJOBS<sup>SM</sup> (to be used for job leads), and the use of resource center. TAA staff will maintain ongoing coordination with partner staff and training vendor (if applicable) for job placement activities.

#### 4. IDENTIFY NEED FOR JOB SEARCH ALLOWANCE

TAA staff along with partner staff will evaluate the eligible worker's need for out-of-area job search allowance and determine which program will fund the allowance. If it is determined the TAA program will fund the allowance, TAA staff will complete a *Request for Job Search Allowances*, DE 8319 form, and send the form to SCO 850. The SCO staff will determine eligibility and notify the eligible worker.

#### 1. TRACK AND MONITOR CUSTOMER

Partner staff will monitor the eligible worker's progress per local policy guidelines. Partner staff will alert TAA staff of any performance or personal eligible worker issues that may prevent the eligible worker from completing training.

#### 2. VERIFY COMPLETION OF TRAINING

Partner staff will confirm completion of training with TAA staff or with the eligible worker's training provider (if necessary).

Partner staff will provide a copy of the eligible worker's completion paperwork to TAA staff (if necessary).

#### 3. PROVIDE JOB PLACEMENT SERVICES

Partner staff will provide necessary job search services to include workshops, job referrals, and the use of the resource center. Partner staff will maintain ongoing coordination with TAA staff and training vendor (if applicable) for job placement activities.

#### 4. IDENTIFY NEED FOR JOB SEARCH ALLOWANCE

Partner staff along with TAA staff will evaluate the eligible worker's need for out-of-area job search allowance, and determine which program will fund the allowance. If it is determined that the WIOA program will fund the allowance, the partner staff will follow their local job search allowance procedures.

## C. PROCESS OF FOLLOW-UP AND PLACEMENT

**5. FOLLOW-UP ON JOB PLACEMENT AND INFORM PARTNER OF RESULTS**

TAA staff will conduct regular follow-ups and confirm job placement and inform partner staff of the results.

**6. IDENTIFY NEED FOR RELOCATION ALLOWANCE**

TAA staff will evaluate the eligible worker's need for relocation allowance if the eligible worker obtains employment out of the area. TAA staff will complete a *Request for Relocation Allowances*, DE 8321 form, and send it to the SCO. The SCO staff will determine eligibility and notify the eligible worker.

**7. RECORD ELIGIBLE WORKER ACTIVITY**

TAA staff will document eligible worker activity in CalJOBS<sup>SM</sup>.

**5. FOLLOW-UP ON JOB PLACEMENT AND INFORM PARTNER OF RESULTS**

Partner staff will conduct regular follow-ups and confirm job placement and inform partner staff of the results.

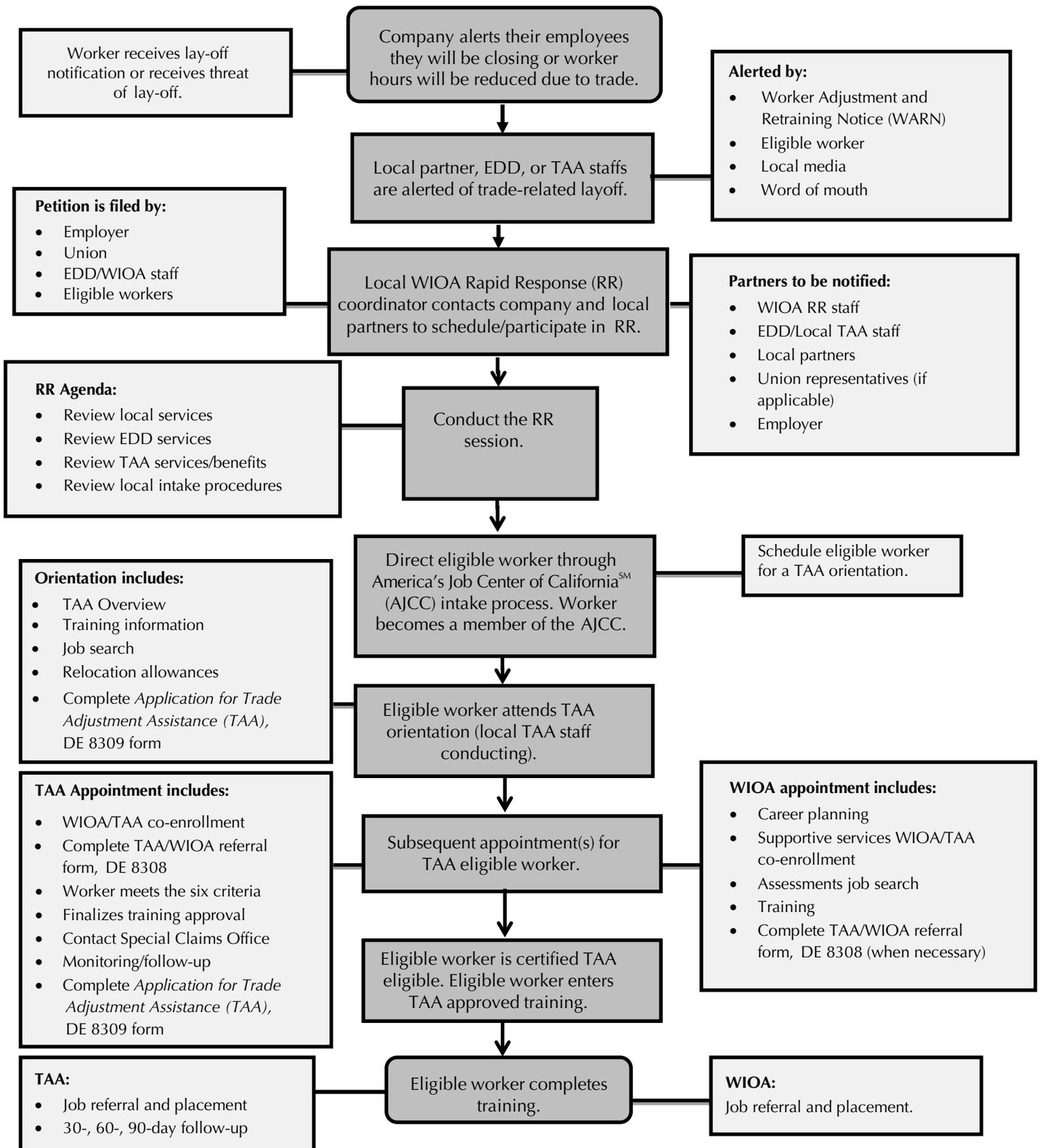
**6. IDENTIFY NEED FOR RELOCATION ALLOWANCE**

Partner staff will evaluate the eligible worker's need for relocation allowance if the eligible worker obtains employment out of the area. If a need is determined, partner staff will refer the eligible worker to TAA staff and document it in the eligible worker's file.

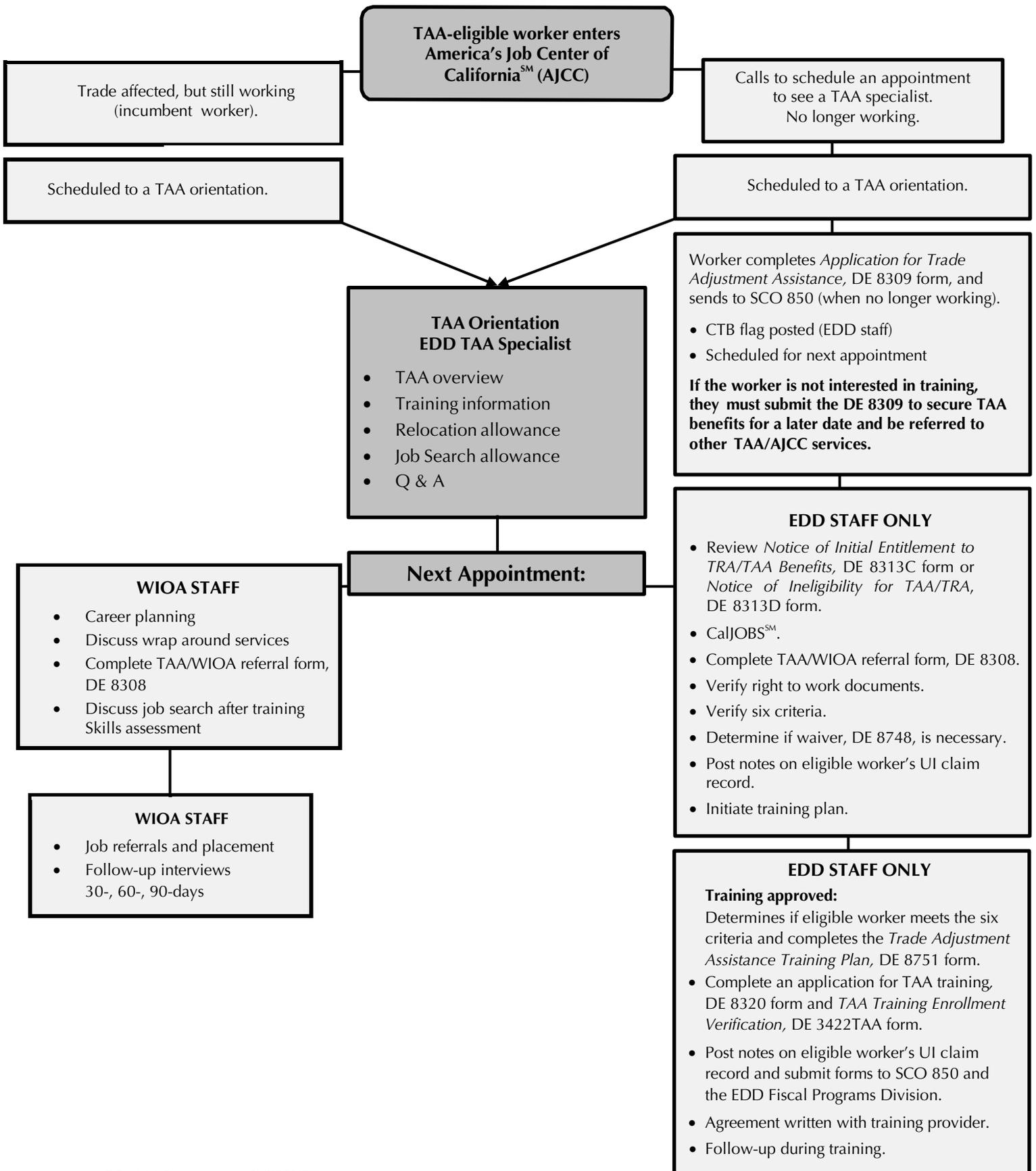
**7. RECORD ELIGIBLE WORKER ACTIVITY**

Partner staff will document eligible worker activity in their Virtual Online System (VOS) (whether it is their own VOS system or CalJOBS<sup>SM</sup>).

## VI. TRADE ADJUSTMENT ASSISTANCE (TAA) PROCESS FLOWCHART



## VII. TAA/WIOA PROCESS FLOWCHART (Petition Already Certified)



VIII. TAA/WIOA REFERRAL FORM, DE 8308



**TRADE ADJUSTMENT ASSISTANCE (TAA)  
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
CO-ENROLLMENT/REFERRAL FORM**

**CUSTOMER INFORMATION**

Name: \_\_\_\_\_ Social Security number: \_\_\_\_\_  
Last First MI

Address: \_\_\_\_\_  
Number Street (Apt. #) City State ZIP Code

Phone Number: \_\_\_\_\_  
(Area Code) Phone Number (Area Code) Phone Number

I consent to the sharing of information between the Employment Development Department (EDD) and Workforce Innovation and Opportunity Act (WIOA) program. I understand that the information shared will be used solely in assisting me with the development of an individual/training plan.

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**REFERRAL INFORMATION**

Appointment Date: \_\_\_\_\_ Appointment Time: \_\_\_\_\_

Report To: \_\_\_\_\_  
Organization Contact Person

Address: \_\_\_\_\_  
(Area Code) Phone Number

Purpose: (Please check 1 or more)

<input type="checkbox"/> Assessment	<input type="checkbox"/> WIOA registration	<input type="checkbox"/> CalJOBS™ enrollment
<input type="checkbox"/> Training	<input type="checkbox"/> Counseling	<input type="checkbox"/> Workshop
<input type="checkbox"/> Job referral	<input type="checkbox"/> Orientation	<input type="checkbox"/> Supportive services
<input type="checkbox"/> Testing	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Co-enrollment	(See Page 2 for more co-enrollment details)	

Co-enrollment Approved By: \_\_\_\_\_ Co-enrollment Date: \_\_\_\_\_

Co-enrollment Approval Signature: \_\_\_\_\_

Co-enrollment Denied By: \_\_\_\_\_ Co-enrollment Denial Date: \_\_\_\_\_

Co-enrollment Denial Reason: \_\_\_\_\_

**TAA INFORMATION (To be completed by EDD only)**

Petition Number: \_\_\_\_\_  Certified  Pending

Company Name \_\_\_\_\_

Date Filed \_\_\_\_\_ Impact Date \_\_\_\_\_ Date Certified \_\_\_\_\_ Termination Date \_\_\_\_\_

**REFERRAL OUTCOME (See Page 2 for referral outcome details)**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name of Referrer: \_\_\_\_\_ Signature of \_\_\_\_\_  
 EDD Rep  WIOA Rep Date: \_\_\_\_\_ Phone Number: \_\_\_\_\_

## **INSTRUCTIONS FOR COMPLETION OF CO-ENROLLMENT/REFERRAL FORM**

The purpose of the referral form is to assist both WIOA and EDD partners in the referral of potentially eligible TAA and WIOA customers for co-enrollment. When the form is submitted for services, the form **must be returned with the outcome noted**. The form can be submitted/returned in person or by fax.

### **CUSTOMER INFORMATION (Section 1)**

Information to be completed by the referring agency or the client. The customer must sign the release of information before any information can be shared between the Local Workforce Development Area (local area) and the EDD.

### **REFERRAL INFORMATION (Section 2)**

To be completed by a local area or the EDD, depending on which agency does the initial referral. An appointment date and time will be completed as scheduled by the referrer. Reporting instructions are to be completed showing the name of the organization (the EDD or local area), the agency contact person, and the address of the agency.

The agency contact person should complete all the appropriate items in the "REFERRAL INFORMATION" section. If the purpose of the referral is not one of those listed, then "Other" should be checked and an explanation of the purpose of the referral inserted. The referrer completes the name of the organization, name and title of staff being referred to, his/her telephone number, and the date of referral.

If the referral is coming from a local area case manager, attach the following documents to the referral form:

- Assessment and/or testing results (Wonderlic, Choices, etc.).
- WIOA application.
- Reason for WIOA/TAA co-enrollment if other than payment of training costs.

### **TAA INFORMATION (To be completed by the EDD only) (Section 3)**

If the EDD is the referring agency, EDD staff will complete this section showing the pertinent information. The status of the petition is obtained from the Trade Readjustment Allowances (TRA) conference board located on EDDNet. The customer information is obtained either from the customer's approval letter from Special Claims Office 850 or from the Unemployment Insurance claim notes.

### **OUTCOME (Section 4)**

The OUTCOME section is to be used to exchange information between local area and the EDD regarding status in WIOA components, enrollment in training, completion of training, job placement, or other activities that are relevant to case management. It is imperative that both the local area and the EDD work closely together to meet the goals of each of their respective programs. Both the local area and the EDD must agree on a client's training program before training is approved and training begins.

The signature and phone number are to be completed by the referring agency representative.

## **IX. TAA TRAINING CRITERIA (For Reference Purposes)**

**Before TAA training can be approved, each TAA eligible worker must meet all six criteria for the approval of TAA-funded training.**

**Criteria #1: There is no suitable employment available for the adversely affected eligible worker. Code of Federal Regulations (CFR) 617.22(a)(1)(i).**

For the eligible worker whom approval of training is being considered, no suitable employment is available at that time for that eligible worker, either in the commuting area, or outside the commuting area (which is an area the eligible worker desires to relocate with the assistance of relocation allowance), and there is no reasonable prospect of suitable employment becoming available in the foreseeable future.

Note: Suitable employment is employment with a wage equal or higher-skilled level not less than 80 percent of wages from previous trade affected employment.

**Criteria #2: The eligible worker would benefit from appropriate training. CFR 617.22(a)(2).** There is a direct relationship between the needs of the eligible worker for skills training or remedial education and what would be provided by the training program under consideration for the eligible worker. In addition, the eligible worker has the mental and physical capabilities to undertake, make satisfactory progress in, and complete the training. This includes the further criterion that the eligible worker will be job ready on completion of the training.

**Criteria #3: There is a reasonable expectation of employment following completion of training. CFR 617.22(a)(3)(i).**

Given the job market conditions expected to exist at the time of the completion of the training program, there is, fairly and objectively considered, a reasonable expectation that the eligible worker will find a job, using the skills and education acquired while in training, after completion of the training.

**Criteria #4: Training is reasonably available to the worker. CFR 617.22(a)(4).**

Training is reasonably accessible to the eligible worker within the eligible worker's commuting area. First consideration shall be given to training within the eligible worker's normal commuting area. Training outside the eligible worker's commuting area should be approved only if such training is not available in the eligible worker's normal commute area.

**Criteria #5: The worker is qualified to undertake and complete the approved training. CFR 617.22(a)(5).**

Emphasis must be placed on the eligible worker's personal qualifications to undertake and complete approved training. Evaluation of the eligible worker's personal qualifications must include the eligible worker's physical and mental capabilities, educational background, work experience, and financial resources, and all the above must be adequate to undertake and complete the specific training program being considered.

(Evaluation of the eligible worker's financial ability shall include an analysis of the eligible worker's remaining weeks of UI and TRA payments in relation to the duration of the training program).

**Criteria #6: Training is suitable for the worker and available at a reasonable cost.**

**CFR 617.22(a)(6)(i)(ii).**

Available at a reasonable cost means training may not be approved at one provider when, all costs being considered, training is substantially similar in quality and content, and results can be obtained from another provider at a lower total cost within a similar time frame. (It is up to the TAA specialists to determine which training program is the most cost effective; given the training program time frame, content, and certificates.) Costs of a training program shall include tuition and related expenses (books, tools, and academic fees), travel or transportation expenses, and subsistence expenses. An application for training shall be denied if it is for training in an occupational area which requires an extraordinary high skill level and for which the total costs of the training are substantially higher than the costs of other training which is suitable for the eligible worker.

**X. ROLES AND RESPONSIBILITIES  
(For reference purposes)**

**WIOA Partners  
EDD Staff/TAA Specialists  
Special Claims Office Staff (TAA, TRA, Job Search, Relocation Eligibility)**

<b>ROLES</b>	<b>RESPONSIBILITIES</b>
<p><b>WIOA Partner</b></p> <p>Provide WIOA services to workers in compliance with H.R. 803, the Workforce Innovation and Opportunity Act.</p>	<ul style="list-style-type: none"> <li>• Rapid Response services</li> <li>• AJCC services</li> <li>• Career counseling</li> <li>• Skills assessment</li> <li>• Labor Market Information</li> <li>• Job placement assistance</li> <li>• WIOA/TAA co-enrollment</li> <li>• On-the-job training</li> <li>• Supportive services (e.g., child care, transportation)</li> </ul>
<p><b>TAA Specialist or EDD Staff</b></p> <p>Provide TAA services to workers in compliance with the Trade Adjustment Assistance for Workers under the Trade Act of 1974, 20 CFR 617 and 20 CFR 618.</p> <p>Provide Wagner-Peyser services to workers.</p>	<ul style="list-style-type: none"> <li>• Provides TAA benefits and services</li> <li>• CalJOBS<sup>SM</sup> (résumé, job search, and job referral assistance)</li> <li>• WIOA/TAA co-enrollment</li> <li>• Unemployment Insurance (CTB and TRA)</li> <li>• Workshops</li> <li>• Experience Unlimited clubs</li> <li>• Prepare case files for audit</li> <li>• Case management services               <ul style="list-style-type: none"> <li>➤ TAA</li> <li>➤ Veterans (EDD staff)</li> <li>➤ Youth Employment Opportunity Program (EDD staff)</li> </ul> </li> </ul>

<p><b>TAA State Coordinator/Central Office TAA Staff</b></p> <p>(Does not participate in actual Rapid Response presentations, but are available for subject matter expertise.)</p>	<ul style="list-style-type: none"> <li>• State-level TAA Program representative.</li> <li>• Develop TAA policy and procedures per the federal regulations of the TAA program.</li> <li>• Communicate TAA policies and procedures to TAA specialists.</li> <li>• TAA program liaison with the Department of Labor.</li> <li>• Coordinates program policy with TAA division coordinators.</li> <li>• Monitor TAA case files for compliance.</li> <li>• Maintain state-level TAA petitions/communication link with affected employers.</li> <li>• Process TAA eligibility letters to affected workers.</li> </ul>
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Note: Per 20 CFR 618.890, only state merit staff can approve TAA program funded services and benefits.

<p><b>TAA Division Coordinators</b></p> <p>(May participate in actual Rapid Response presentations, when necessary. Available for subject matter expertise.)</p>	<ul style="list-style-type: none"> <li>• Provide program assistance and guidance to the division's Workforce Services (WS) Trade Act specialists, and local area partners.</li> <li>• Act in a lead capacity in the TAA program coordination of WS/WIOA partners.</li> <li>• Attend local area regional roundtables.</li> <li>• Review local area Memorandums of Operations for inclusion of the Trade Act as a specific program, and/or provide technical assistance to WS field office managers.</li> <li>• Maintain a list of all WS field office Trade Act specialists within the division.</li> <li>• Assist AJCC's with Trade Act marketing and outreach.</li> <li>• Provide individual and group Trade Act seminars to field staff within the division.</li> <li>• May participate in Rapid Response presentation within the division.</li> <li>• Provide Trade Act benefits and services presentations to employer and worker groups as needed or requested.</li> </ul>
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**Special Claims Office (TAA, TRA, Job Search, Relocation Eligibility)**

(Does not participate in actual Rapid Response presentations, but are available for subject matter expertise.)

- Determine TAA/TRA eligibility after separation from certified employer.
- Determine all eligibility decisions regarding TRA weekly benefits, training/travel allowances, job search allowances, relocation, and RTAA/ATAA allowances.
- Determine all UI eligibility issues such as CTB Streamline determinations, availability issues, and work search.
- Represent the EDD and DOL in appeal hearings.
- Compile statistical information for the Trade Adjustment Participant Report (TAPR) RTAA/ATAA payment report.
- File TRA claims and request TRA claim award recomputations.
- Process TRA new claim election.
- Compile cases for quarterly audits.
- Respond to all TRA customer calls.
- Respond to all TRA correspondence.
- Monitor available balances on all RTAA/ATAA, subsistence, relocation, job search, and transportation allowances.

## XI. QUESTIONS AND ANSWERS ON TAA AND WIOA POLICY AND PROCEDURES

**Q1. What training provider options does TAA staff have?**

**A1.** TAA staff can choose the following training provider options:

- California's Eligible Training Provider List (ETPL). The ETPL lists qualified training providers, including locations (city, county, and state), fees, programs, occupations, and apprenticeship programs.
- WIOA-approved training is an approvable TAA training option.
- The 2009, 2011, and 2014 Trade Acts provide that training options available under the TAA program are not limited to training programs available under WIOA. TAA training may be provided by training providers not on the ETPL. It is also not a requirement that all training providers be an accredited training provider. Non-accredited training providers can be used for the TAA program. But these training providers are required to provide a curriculum that prepares an eligible worker for employment at the completion of a training program and that helps the eligible worker meet requirements of the six criteria for TAA training approval. However, if a training provider grants training certifications (e.g., phlebotomist, certified nursing assistant), they must be an accredited training provider.

**Q2. Can an eligible worker enrolled in TAA-funded training be employed?**

**A2.** Yes, TAA eligible workers can be employed while in training; however, their Unemployment Insurance (UI) benefits may be affected.

**Q3. What happens if partners (TAA staff, partner staff, or eligible workers) disagree on the type of training?**

**A3.** TAA staff has the final decision on whether to approve or deny training. (Their decision will be based on whether the eligible worker meets the six criteria for the approval of TAA training.) If the eligible worker disagrees with the final decision, he or she can appeal (appeal rights are on the back of an application for TAA training, DE 8320). If the partner disagrees with the decision, they may choose not to be involved with co-enrollment of the eligible worker. However, a coordinated agreement between all partners on the approved training plan is essential to the successful outcome of the co-enrollment process.

**Q4. Can partners use an eligible worker's TAA Training Plan, DE 8751, in lieu of the partners Individual Employment Plan (IEP)?**

**A4.** Yes. However, the answer will vary based on the internal policies of the partner.

**Q5. Can an eligible workers records and information be shared?**

**A5.** Yes, as long as the eligible worker grants their permission by signing the TAA/WIOA referral form, DE 8308. However, if the TAA program and partners have a Memorandum of Operation (MOO) in place within the eligible worker's local area and its guidelines states a different policy; the guidelines of the MOO must be followed.

Note: When necessary, UI Code Section 1094 and 1095 and the EDD Information Practices Handbook allow information to be shared.

**Q6. Can one partner's eligible worker monitoring results be accepted by the other?**

**A6.** Eligible worker monitoring is the responsibility of the funding agency. The sharing of eligible worker monitoring reports is allowed if an eligible worker signs a TAA/WIOA referral form, DE 8308.

**Q7. Can partners do assessments for TAA eligible workers without the registration of the eligible worker in their program (i.e., WIOA program)?**

**A7.** No. An eligible worker must be registered in a partner program prior to an individual assessment.

**Q8. What options are available for partners that consider co-enrollment procedures and paperwork an extra administrative burden?**

**A8.** It is the intent of co-enrollment to leverage (i.e., cost of training/workload) TAA program coordination and partner resources, allowing both systems to provide the most comprehensive services to the greatest number of individuals.

**Q9. What specific criteria will be used to determine a need for referral?**

**A9.** TAA staff may refer an eligible worker when an eligible worker's employer has received a TAA certification and the eligible worker has filed an *Application for Trade Adjustment Assistance*, DE 8309 form. Partner staff may refer an eligible worker if/when they determine an eligible worker's previous employment was trade affected.

**Q10. What are the criteria to co-enroll?**

**A10.** Co-enrollment is determined by two factors:

- The eligible worker must be eligible for both programs (TAA and WIOA). In most cases a trade-eligible worker will be eligible for WIOA services. However, WIOA requires compliance with Selective Service registration; the Trade Act program does not.
- The co-enrollment plan must be feasible for both agencies.

**Q11. What are the time limitations to be eligible for TAA weekly benefits?**

**A11.** The time limits for an eligible worker are determined by what Trade Act regulations an individual's TAA petition is certified (2002, 2009, and 2011 Trade Acts).

- 2002 and 2014 Trade Act eligible workers: Must enroll in training within 8 weeks of certification or 16 weeks of layoff (whichever is later).
- 2009 and 2011 Trade Act eligible workers: Must enroll in training within 26 weeks of either certification or layoff.

**Q12. How does TAA staff keep partner staff informed on an eligible worker's progress while in training? What information will be shared?**

**A12.** Communication and coordination is critical to the success of co-enrollment. It is suggested staff involved with an eligible worker's co-enrollment partnership develop an ongoing internal communication process.

An eligible worker's information may be shared between TAA staff and partners as long as an eligible worker has signed a TAA/WIOA referral form, DE 8308.

- Q13. When TAA staff determines a need to extend training beyond an eligible worker's original training end date, how is the change communicated to partner staff?**  
**A13.** TAA staff will inform partner staff through their ongoing internal communication process. Partner staff will document the change in the eligible worker's IEP.
- Q14. How does the TAA program define "local area" for labor market, job search, and relocation?**  
**A14.** The TAA program considers a "normal commute" to be 25 miles each way or one hour each way. The TAA program uses the same parameters when considering labor market or eligibility for job search and relocation allowances.
- Q15. Which WIOA funding sources can/should be utilized for co-enrollment of TAA eligible workers?**  
**A15.** Theoretically, co-enrollment could occur in almost any WIOA funding.
- Q16. Besides tuition, what may be included in training allowances?**  
**A16.** Any items(s) that a vendor/training provider normally requires for a training program (e.g., books, tools, uniforms/safety equipment, is permitted as a training allowance). Other allowances may include transportation (if outside a normal commute) and subsistence (in extreme cases) where training is not locally available.
- Q17. Are eligible workers, who have accepted intermittent "stop-gap" employment since their original lay-off, still eligible for Trade Act benefits?**  
**A17.** Intermittent stop-gap employment will not automatically disqualify eligible workers for benefits including job search and relocation allowances, and/or tuition, as long as they meet applicable TAA criteria. (Affected workers may/may not be eligible for Trade Readjustment Assistance [TRA] weekly benefits.)
- Q18. Are affected workers, who are separated from a subsequent job(s) after qualifying for TAA benefits through previous employment still eligible for TAA benefits?**  
**A18.** Post-layoff employment from a subsequent job(s) will not automatically disqualify affected workers for benefits including job search and relocation allowances, and/or tuition, as long as they meet applicable TAA criteria. (Affected workers may/may not be eligible for Trade Readjustment Assistance [TRA] weekly benefits.)

- Q19. Can TAA training reimbursements be made retroactively to training vendors/partners, etc.?**  
**A19.** No. Per the federal regulations of the TAA program, training reimbursements cannot be made retroactively. If an eligible worker is in partner funded training, the TAA program can pick up the funding for that training at a regularly scheduled break in training (quarter, semester, and holiday break).
- Q20. Can training be approved outside of California?**  
**A20.** TAA-funded training may be approved anywhere within the United States as long as it is unavailable in an eligible worker's local area.
- Q21. Is training required for TRA benefits under TAA?**  
**A21.** Training is mandatory for an eligible worker to receive Additional TRA (A6 UI claim).
- Q22. Are basic reemployment services, workshops, etc. considered training for the purpose of the TAA program?**  
**A22.** No.
- Q23. What is the impact of federal educational grants on TRA weekly benefits?**  
**A23.** Educational grants or Pell Grants will not affect an eligible worker's TRA weekly benefits.
- Q24. To what extent does "customer choice" exist when it comes to deciding on training?**  
**A24.** Training for a co-enrolled eligible worker will be determined by the TAA staff, partner staff, and the eligible worker as agreed upon in the development of the eligible worker's training plan.