

**SOP 20-04**  
**Trade Adjustment Assistance (TAA) Co-enrollment in the**  
**Workforce Innovation and Opportunity Act (WIOA)**  
**Dislocated Worker (DW) Program**  
**Standard Operating Procedures**  
**Grow Southwest Indiana Region 11**  
**Approval Date: 12/04/2020**

**Purpose**

To provide guidance on the TAA's program new regulatory requirements for WIOA DW co-enrollment.

**References**

- Trade Adjustment Assistance for Workers, 85 Fed. Reg. 51,896 (August 21, 2020).
- 20 CFR 618 Trade Adjustment Assistance

**Action**

DWD Policy 2020-06 Trade Adjustment Assistance (TAA) Co-enrollment in the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker (DW) Program will be implemented as SOP 20-04 Trade Adjustment Assistance (TAA) Co-enrollment in the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker (DW) Program in Region 11.

**Background**

On August 21, 2020, The Employment and Training Administration of the U. S. Department of Labor (USDOL) published the final rule for the Trade Adjustment Assistance for Workers in the Federal Register at 20 CFR 618 (the TAA Final Rule). The TAA Final Rule amends 20 CFR parts 617 (Trade Adjustment Assistance for Workers under the Trade Act of 1974) and 618 (Trade Adjustment Assistance for Workers under the Trade Act of 1974, as Amended) and CFR 90 (Certification of Eligibility to Apply for Worker Adjustment Assistance) to expand protection and support for U. S. workers adversely impacted by foreign trade. In addition to various changes in the TAA program, the TAA Final Rule codifies integrated service strategies and WIOA DW Program co-enrollment. The final rule is effective September 21, 2020.

## **Content**

### ***Improved Outcomes***

As stated in the Federal Register, the co-enrollment of TAA program participants in the WIOA Dislocated Worker program drastically improves the quality of service to trade-affected workers and improves participant outcomes. Data between FY 2009-2017 shows that TAA participants who were co-enrolled in the DW program have superior post-program employment results, by a consistent margin, to TAA participants who were not co-enrolled in a WIA/WIOA DW program. No adverse impacts on outcomes were identified in data under the DW program as a result of co-enrolling the TAA participants.

### ***Authority***

Under the Governor-Secretary Agreement, states are bound to implement the TAA Final Rule. The Agreement binds the entire executive branch of the state governments to the terms and conditions of the Agreement and to the implementation of the TAA program which includes the implementation of the co-enrollment requirement. The Governor, through the Governor's Workforce Cabinet, has the authority to enforce the co-enrollment requirement at the state and local area levels.

### ***Co-Enrollment***

All TAA participants that are also WIOA DW eligible will be co-enrolled in the WIOA DW program. The TAA program is required to pay for all training and related costs and the majority of employment services. Trade affected workers often benefit from WIOA's supportive services and post-employment follow up services that are not fundable under TAA services. WIOA funding should be used to provide services only when TAA does not provide for that service, e.g. supportive services, and post-employment services.

Services from other appropriate programs will be made available to the trade-affected worker. Programs, such as but not limited to, Wagner-Peyser, Vocational Rehabilitation services, veterans' programs, and other one-stop partner programs, will be provided as appropriate.

### ***Participant Notification Requirement***

Case managers will make trade-affected workers aware that they are being enrolled in WIOA programs. Evidence of the notification and when it was provided will be maintained in the participant file. Case notes documentation of co-enrollment is sufficient.

### ***Participant Right to Decline***

A trade-affected worker may decline co-enrollment which will have no effect on eligibility for benefits and services under the TAA program. Evidence of the declination and when it occurred will be maintained in the participant's file. Region 11 will utilize the correct TAA form; the form will be uploaded into the participant's file.

### ***Potential Barriers to Co-enrollment***

A few barriers exist to co-enrollment including:

- Adversely Affected Incumbent Workers (AAIW) are ***generally*** not eligible for the WIOA DW program; however, in certain circumstances, such as the general announcement of a closure, they ***may*** meet those eligibility requirements and will be co-enrolled.
- Some partially separated workers' wages and time on the job will have decreased, but they have remained employed and do not meet any other eligibility requirements of the WIOA DW program.
- WIOA requires that certain males be registered under Selective Service provisions. There is no Selective Service requirement for the TAA program. A trade affected worker cannot be refused benefits and services through the TAA program due to the lack of registering with the Selective Service. If a trade affected worker knowingly and willingly fails to register with the Selective Service, the co-enrollment requirement does not apply to that individual.

WIOA co-enrollment is not meant to create barriers to accessing TAA-funding training. TAA participants that are co-enrolled with WIOA are required to meet the TAA training requirements found in 20 CFR 618.600 – 618.665. WIOA training requirements outside of the scope of the TAA program are not applicable and should not otherwise prohibit or delay access to TAA-funding training.

**Action**

Grow Southwest Indiana Workforce will implement appropriate procedures to operationalize the co-enrollment requirement for all WIOA DW eligible TAA program participants.

**Effective Date**

Immediately

**Ending Date**

Upon rescission

**Additional Information**

Questions regarding the content of this publication may be directed to DWD policy:  
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