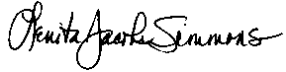


U. S. Department of Labor Employment and Training Administration Washington, D.C. 20210	CLASSIFICATION TAA/NAFTA-TAA
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TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 21-00

TO : ALL STATE WORKFORCE LIAISONS
 ALL STATE EMPLOYMENT SECURITY AGENCIES
 ALL STATE WORKER ADJUSTMENT LIAISONS
 ALL ONE-STOP CENTER SYSTEM LEADS

FROM : LENITA JACOBS-SIMMONS
 Deputy Assistant Secretary 

SUBJECT : Guidance on Integrating Services under the Trade Act Programs -
 Trade Adjustment Assistance (TAA) and North American Free
 Trade Agreement - Transitional Adjustment Assistance
 (NAFTA-TAA) - with the Services Provided under the
 Workforce Investment Act (WIA)

1. Purpose. To transmit guidance promoting the seamless integration and coordination of services provided under the Trade Act programs - TAA and NAFTA-TAA - with the services provided under the WIA.
2. References. The Trade Act of 1974 (P.L. 93-618), as amended; 20 CFR part 617; the Workforce Investment Act of 1998 (P.L. 105-220); Training and Employment Information Notice (TEIN) No. 1-00; Training and Employment Guidance Letter (TEGL) No. 7-99; TEGL No. 5-00.
3. Background. TEGL No. 5-00 outlined a vision to integrate the Trade Act programs and services into the One-Stop service delivery system established by the WIA and stated that additional guidance would be issued to assist State and local partners with fully integrating and coordinating Trade Act services through the One-Stop system. This communication is intended to provide such guidance.
4. Co-enrollment in a One-Stop Environment. Co-enrollment, also referred to as dual-enrollment, of trade-certified workers in partnership with the Job Training Partnership Act (JTPA) proved to be a successful service delivery model. In the One-Stop environment established by WIA, which includes comprehensive and affiliate centers, the concept of co-enrollment can be further enhanced and expanded to include multiple enrollments with a

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broader range of service delivery partners and programs, in order to produce successful outcomes for trade-impacted workers. Multiple enrollment resources may include, but are not limited to, Wagner-Peyser activities, faith-based and community-based programs, vocational rehabilitation services, and veterans services. While there may be barriers that appear to impede coordination and cooperation among programs, every effort should be made by all One-Stop partners to eliminate or minimize the barriers. Attachment A includes examples of barriers that may arise and potential solutions to those barriers.

The timely provision of core and intensive services to trade-impacted workers is an important step toward improving both the efficiency and effectiveness of the Trade Act programs. The strict deadlines that must be met if individuals are to take full advantage of the Trade Act benefits and services should not be barriers in a system that maximizes all the resources available in a One-Stop environment. Since most trade-impacted workers meet dislocated worker eligibility criteria, these individuals should enter the One-Stop service delivery system immediately following the announcement of a layoff. Immediately beginning the process of needs assessment improves participation rates and allows individuals more time to consider all of the options available to them. This is particularly critical due to the time lapse that could occur while awaiting TAA or NAFTA-TAA petition determinations.

Many States have instituted “work-first” policies for their WIA Title I programs. It is important to note that neither WIA nor its implementing regulations require the adoption of such an approach. In fact, the regulations clearly state that there are no federally imposed minimum waiting periods before participants can progress to the next tier of services, whether intensive services or training. This clarification was provided in order to help meet the needs of dislocated workers and participants in Trade Act programs.

In a large-scale layoff, early intervention services should be available as part of the WIA dislocated worker-funded Rapid Response. Early intervention services that will be beneficial to potential trade-affected workers may include, but are not limited to, orientation, surveying the workers, initial assessment of skill levels, aptitudes, and abilities, the provision of labor market information, job search assistance, stress management, and financial management workshops. The staff that provide these services may come from a variety of funding sources, particularly Wagner-Peyser or WIA Title I.

As individuals begin to formulate reemployment plans and more intensive services are required, Rapid Response, One-Stop and other partner staff should continue coordinated approaches to addressing the needs of the customers while maximizing the limited resources available within the system. Once TAA or NAFTA-TAA eligibility has been established and workers have been informed that they are covered by a certification, all partner staff should continue to work together and use the systems and processes in place to serve the adult and dislocated worker populations, rather than using a parallel process that duplicates services available through the One-Stop system.

5. Action. We urge State and local officials to consider this information while developing their workforce investment systems and to encourage the seamless integration and coordination of the Trade Act programs and their services into the WIA One-Stop service delivery system.
6. Inquiries. Questions should be directed to the appropriate ETA Regional Office.
7. Attachments.
 - A. Co-Enrollment in a One-Stop Environment
 - B. Resources

Attachment A

Co-Enrollment in a One-Stop Environment

Benefits of “Co-Enrollment”

Co-enrollment means enrollment in more than one program at a time, such as simultaneous enrollment in the WIA Dislocated Worker program and the TAA or NAFTA-TAA program. Most TAA and NAFTA-TAA-eligible workers are *by definition* dislocated workers for the purposes of WIA Title I. In addition, the WIA Dislocated Worker program, as well as the TAA and NAFTA-TAA programs, are required partners in the One-Stop system. As a result, the One-Stop system must be responsive to the needs of these programs and their customer groups. It is important to be able to explain the benefits of co-enrollment to the various system partners if it is to become a widely accepted practice. These benefits include:

! Benefits to WIA Customers and Programs

- **Additional Resources to Provide Training and Income Support:** The Trade Act may provide additional training and income support resources for certified individuals that would reduce WIA Title I out-of-pocket costs for two of the most costly components.
- **Improved Participant Outcomes:** By coupling the Trade Act training and income support dollars with WIA’s capacity for counseling, case management, and follow-up, superior performance outcomes may be obtained in both programs.

! Benefits to TAA/NAFTA-TAA Customers and Programs

- **Enhanced Service Delivery:** Co-enrollment in WIA and/or other programs can provide TAA and NAFTA-TAA certified customers with access to a wide array of vitally important services such as career counseling and case management.
- **Increased Services to Customers:** Co-enrolled workers may gain access to supportive services like child care and local transportation, as well as to other services like in-depth assessment, interest inventories, reviews of transferable skills, and to certain kinds of training (short-term, incumbent worker training, etc.) not normally covered by the TAA or NAFTA-TAA programs.

Barriers to Co-Enrollment and Possible Solutions

Barrier: *Differing Eligibility and Regulatory Requirements*

Discussion: There are numerous differences between WIA, and TAA and NAFTA-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 Trade Act and WIA programs include the availability and amounts of training funds, and rules for reimbursing travel expenses.

Solution(s): Local Workforce Investment Boards (Local Boards) should have a basic understanding of the Trade Act programs, including similarities and differences with WIA and other partner programs. Local Boards should be encouraged to establish local policies that support the needs of all dislocated workers, including those impacted by trade, and to promote goals for seamless service delivery. Memoranda of understanding between Local Boards and the Trade Act programs may serve as vehicles for articulating opportunities for coordination among programs

We have undertaken an extensive, sustained national capacity building effort to ensure that all appropriate State and local workforce investment staff are aware of the services and requirements of the Trade Act programs. For example, we have sponsored the development of a wide variety of training materials, including the California Co-Enrollment Technical Assistance Guide and a desktop Quick Reference Guide for TAA and NAFTA-TAA. Attachment B provides contact information for obtaining these and other resource materials.

In addition, extensive information about the Trade Act programs is available through the Employment and Training Administration (ETA) Web site for dislocated workers at <http://www.doleta.gov/layoff> or directly from State web sites where State-specific supplemental information about the Trade Act programs is available. The National Trade Act Taskforce is examining other capacity building methods to support awareness and knowledge of services available through the Trade Act programs.

Barrier: *Different Case Management and Financial Management Information Systems (MIS) Across Programs*

Discussion: States and local areas often have a separate MIS for the Trade Act programs and for other comparable programs such as WIA. This can make it difficult for staff from different programs to effectively coordinate case management efforts and expenditures. A separate MIS for the Trade Act and WIA programs sends a message that the 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. Expansion of the One-Stop Operating System (OSOS) and similar projects may foster the expansion of a common MIS. The Trade Act Participant Report (TAPR) and the WIA Standardized Record Data (WIASRD) are aligned to allow participant information to be kept on one system.

Barrier: ***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.

Barrier: ***Different Assessment Systems***

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 that do not enhance service planning. 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.

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 would be the acceptance of partners' assessments, and the elimination of redundant assessment steps. Additionally, assessment 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 instruments that fulfill the requirements, needs and objectives of all partners. Already existing

tools, such as those accessible through O*NET, may help partners reach common solutions.

Barrier: ***Single Enrollments Can Maximize the Absolute Number of Customers Served***

Discussion: Some Local Boards and program operators believe that the best way to maximize the number of individuals served with limited funding is to refrain from practices such as co-enrollment. For example, even though TAA and NAFTA-TAA participants come with access to training funds and income support, from the perspective of some, providing case management services at the WIA Title I level to co-enrolled TAA or NAFTA-TAA participants is a drain on available staff resources.

Case management is considered an administrative expense for Trade Act participants. As a result, only limited Trade Act resources are available. TAA and NAFTA-TAA program funds may not be used to purchase or reimburse these services. Accessing case management services for Trade Act participants from other funding sources is essential to improving program performance and outcomes.

Solution(s): Case management, while staff intensive and costly, increases customer service and leads to more positive outcomes. Linking dislocated worker services provided through WIA to Trade Act participants is an essential element of a successful One-Stop. There are a number of options available to secure funding/staff for case management of Trade Act participants including WIA dislocated worker and National Emergency Grant (NEG) funds.

The primary benefit of co-enrollment is to the participant. One of the principles of the WIA is to improve customer service and this should guide the provision of services. There is no disagreement that co-enrollment dramatically improves the quality of service.

Barrier: ***Enrollment of Trade-Affected Workers Will Reduce the Local Board's Ability to Meet WIA Performance Standards***

Discussion: There is the perception that trade-affected workers may have multiple barriers that may impede the Local Board's ability to meet WIA performance standards.

Solution(s): TAA and NAFTA-TAA performance goals will be fully aligned with WIA performance goals in FY 2003. In order to encourage integration of services, TEGL No. 7-99 outlines a strategy for recognizing shared contributions toward outcomes. This strategy allows WIA programs to claim credit for outcomes on core measures attained by participants who receive non-WIA funded services,

once the participants are registered for WIA funded services. Thus, the successes of co-enrolled workers will contribute to the Local Board's ability to meet WIA performance standards. Additionally, performance information from NEG co-enrollment projects indicates that co-enrollment in fact enhances the Local Board's ability to meet performance standards.

Barrier: ***Lack of Sufficient Trade Act Administrative 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): 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 TEGL No. 5-00 provides an explanation of what benefits and services each funding stream may be used to provide.

Barrier: ***Trade Knowledgeable Staff May Not be Present at the Reception Point in One-Stop or Affiliate Centers***

Discussion: The requirements of a comprehensive One-Stop center include making Trade Act services available to customers. Staff at local One-Stop or affiliate offices should have sufficient information and training to recognize potential eligibility for various partner program(s). 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): Initial and ongoing training and information must be provided and available to One-Stop staff to ensure that trade-affected workers are identified and advised of available services. Several States have developed reference and training materials to assist with co-enrollment. Contact information for obtaining these materials is provided in Attachment B.

Barrier: ***Interstate Dislocated Workers may not Receive the Same Level of Service Due to Different State Interpretations of the Federal Trade Act Regulations***

Discussion: Workers separated in one State and seeking services in another State may be required to undergo a new WIA eligibility determination. As a result, lack of coordination between States may unreasonably delay the provision of services to

the dislocated worker. Some dislocated workers could access WIA services in multiple States since there is no residency requirement under WIA.

Solution(s): Reciprocal agreements with border States should be entered into in accordance with the WIA and should include provisions for TAA and NAFTA-TAA coordination. Ultimately, those agreements should be extended to include States other than border States.

Other Forces Promoting Integration

In discussing the topics of Eligible Training Provider Lists and Individual Training Accounts, the National Trade Act Taskforce affirmed that these requirements under WIA were compatible with the requirements of the TAA and NAFTA-TAA programs, and would serve as strong unifying forces promoting an integrated service delivery system. The National Trade Act Taskforce will be providing future guidance related to these issues.

Attachment B

Resources

The following resources were developed to assist States and local areas in the co-enrollment of WIA and TAA and NAFTA-TAA workers. Some of these materials are available online at http://wdsc.doleta.gov/trade_act/wdp.asp. Information and copies may also be obtained from the contacts shown below:

California Co-enrollment Technical Assistance Guide

Contact: Roger Schmitt, (916) 653-4803, e-mail rschmitt@edd.ca.gov

Texas TAA/NAFTA-TAA Reception Guide

Contact: Harry Crawford, (512) 463-2227, e-mail harry.crawford@twc.state.tx.us

Texas TAA/NAFTA-TAA Desk Aide

Contact: Harry Crawford, (512) 463-2227, e-mail harry.crawford@twc.state.tx.us

Quick Reference Guide for TAA and NAFTA-TAA

Contact: Wanda Ostrander, (801) 526-4311, e-mail wostrand@state.ut.us

Contact: Erin FitzGerald, (202) 693-3506, e-mail efitzgerald@doleta.gov

One-Stop Operating System (OSOS)

Contact: Greg Hitchcock, (202)693-3601, e-mail ghitchcock@doleta.gov