

Summary of Comments and DWD-DET's Responses | Policy Effective Date: April 19, 2021

13.1.1 Required Co-Enrollment with the Dislocated Worker Program

13.1.2 Funding and File Coordination for Co-Enrolled Participants

1) Comment:

In many cases, won't DW career planners be providing services to potential TAA participants first? So would the participant even have a TAA career planner? I may not understand the process. Maybe the wording *primarily responsible* takes care of that.

Response:

DWD-DET agrees that dislocated workers may be enrolled in the Dislocated Worker Program prior to being found eligible for the Trade Adjustment Assistance (TAA) Program. When there is a certification, it is up to TAA staff to contact all impacted individuals and provide them the opportunity to enroll in the TAA Program. If the individual enrolls in the TAA Program, co-enrollment is achieved, and the person will be assigned a TAA career planner.

Per the new TAA regulations, the TAA Program is now required to offer Dislocated Worker Program co-enrollment to participants. The wording "primarily responsible" is used to reflect this requirement. However, as partners, Dislocated Worker Program staff may proactively connect DW participants to a local TAA career planner if it is known that a TAA petition has been certified.

To clarify this in the policy, DWD-DET expanded the second sentence in 13.1.1 to read "TAA career planners are primarily responsible for informing participants of the option to co-enroll in the Dislocated Worker Program and connecting them to the appropriate local program staff if they are interested **and not already enrolled.**"

2) Comment:

What if the DW declines to take TAA?

Response:

The policy has two purposes: (1) to inform Dislocated Worker Program staff that the TAA Program has the responsibility to inform its participants of the option to co-enroll; and (2) to discuss funding and file coordination between the two programs. The situation raised in the question is outside of the policy scope. However, according to the TAA regulations at 20 CFR § 618.625(c), "TAA Program funds are the primary source of Federal assistance to trade-affected workers, as identified in §618.804(h)(4). If the costs of training a trade-affected worker can be paid under the TAA Program, no other payment for such costs may be made under any other provision of Federal law." DWD-DET thinks that DOL likely would take the position that it is impermissible for individuals to continue to receive Dislocated Worker Program-funded training services after declining enrollment in the TAA Program. As such, if this situation were to occur, the local WDB may be at risk of disallowed costs.

3) Comment:

What happens when the TAA program is approved? Does TAA contact the DW career planner? How does this process work?

Response:

For the first question, DWD-DET believes that this is referencing when a TAA petition is certified. Once DWD is aware of a certification, DWD reaches out to potentially eligible individuals to invite

them to apply. If an individual applies for the program and is found eligible, they are assigned a TAA career planner. Consistent with the policy, "the assigned TAA career planner is responsible for informing their participants of the option to co-enroll in the Dislocated Worker Program and connecting them to the appropriate local program staff if they are interested." At the local level, the two programs may establish a shared process for co-enrolling interested individuals.

4) Comment:

Will the client have to fill out TAA forms such as enrollment forms? This change affects the client. Is there anyway the client can stay with the current career planner and the exchange of dollars takes place behind the scenes? So the transition to TAA is seamless to the client? This process doesn't appear to be in the clients best interest but it's easier for us to keep the dollars and performance in the right areas.

Response:

An individual who enrolls in the TAA Program will have to fill out the required forms for TAA enrollment, even if they are already enrolled in the Dislocated Worker Program. Each program continues to have its own documentation requirements that have not changed due to this co-enrollment mandate.

DWD-DET believes that the second question in this comment is asking whether Dislocated Worker Program career planners are able to provide TAA services to co-enrolled individuals, so they only have one career planner. The new TAA regulations offer flexibility to states to adopt this type of service strategy; however, DWD is not adopting this strategy at this time.

DWD-DET recognizes that co-enrollment may present challenges for our clients. If an individual is co-enrolled, DWD-DET recommends that the Dislocated Worker Program and TAA Program career planners connect to discuss a service strategy for that individual, helping to make the individual's experience smoother. One way the career planners can do this is through jointly using the online Comprehensive Employment Planning Toolkit (CEPT). For example, by using the CEPT Employment Plan, the two programs can create a single employment plan for the co-enrolled individual.

5) Comment:

What additional services does TAA have? Why can't the current career planner provide those services? Please give the Boards a timeframe for transfer, 30 days or 60 days. The next logical break is too broad. I sense there will be some challenges in the future with the grant dollars and who pays for which services for how long. It may help with future financial challenges. I totally understand the need for collaboration between programs to further the investment in the client. However, other things have to change.... performance and how its measured, how money is handled between grants etc. We are making it so difficult to administrate, spending more money than we anticipate, There needs to be a deep dive into some areas.

Response:

Please see the [TAA Benefits and Services](#) webpage to review the services offered by the TAA Program. Some services, such as career exploration, can be provided by either the Dislocated Worker Program or the TAA Program. There are some services that are unique to each program. For instance, only the TAA Program offers Reemployment Trade Adjustment Assistance, and only the Dislocated Worker Program offers follow-up services. Please review DWD-DET's response to Comment 4 for a response to the second question.

The commenter expressed concern with this policy's use of the term "next logical break." DWD-DET is using this language consistent with the TAA regulations found at [20 CFR § 618.615\(c\)](#) which reads in part, "When a TAA Program petition has been filed by or on behalf of a group of workers but a determination of group eligibility has not been made, training may be approved for a worker under another State or Federal law or authority. ... After [TAA] eligibility has been determined, any such training may be approved, if it meets all of [TAA's] requirements ... The cost of training must be shifted to the TAA Program at the next logical break in training – such as the end of a semester – for workers who become eligible for the TAA Program and whose training is approved under the TAA Program."

6) Comment:

"DWD-DET encourages Title I career planners to upload any documentation that is relevant to both programs to the participant's ASSET case file to help ensure coordinated service delivery. Both Title I and TAA career planners are responsible for performance reporting for co-enrolled individuals, however, performance reporting must not be duplicated by career planners to avoid potential reporting errors." Can you elaborate in this area? How do career planners avoid duplicating performance data? Is this saying that career planners that have worked with a client who is later approved for TAA, does not get the MSG or credential for that time period? This ties in to my comment above. It's going to be confusing if these areas aren't defined.

Response:

DWD-DET understands the confusion around the statement about performance reporting. Therefore, the policy has been updated to state: "DWD-DET encourages Title I career planners to upload any documentation that is relevant to both programs to the participant's ASSET case file to help ensure coordinated service delivery. **Either the Dislocated Worker Program or the TAA Program must ensure any credential or measurable skill gain that the participant attains is recorded in ASSET. To see how co-enrollment impacts the credential attainment rate and the measurable skill gain performance indicators see [11.5.7 Credential Attainment Rate](#) and [11.5.8 Measurable Skill Gain](#).**"

Consistent with 11.5.7 and 11.5.8, any credential or measurable skill gain reported in ASSET applies to all [common exit](#) programs in which the participant is/was participating, so long as one of the common exit program has/had a program-funded training service entered in ASSET. Both the Dislocated Worker Program and the TAA Program are part of common exit. The order in which individuals enroll in the programs does not matter.

7) Comment:

*"DWD-DET encourages Title I career planners to upload any documentation that is relevant to both programs to the participant's ASSET case file to help ensure coordinated service delivery. **Both Title I and TAA career planners are responsible for performance reporting for co-enrolled individuals, however, performance reporting must not be duplicated by career planners to avoid potential reporting errors.**" How will performance measure credit be given to WIOA vs TAA? Will it follow funding source?*

Response:

Please review DWD-DET's response to Comment 6 as the policy has been modified. Performance results are recorded at the participant level, not program level. That means that "credit" is given to each program the participant is participating in. Therefore, if a participant is co-enrolled in the

Dislocated Worker Program and the TAA Program, the performance outcomes for that participant will count towards both programs. Please see [Chapter 11\) Performance Accountability and Reporting](#) of the WIOA Title I-A and I-B Policy and Procedure Manual for more information about performance for co-enrolled individuals.

8) Comment:

Funding and File Coordination for Co-Enrolled Participants, TAA funding should be the primary source of funds. If a client additionally qualifies for Pell or other type assistance, does this funding need to be applied before Title I funding is utilized?

Response:

DWD-DET believes that this question falls outside of the scope of this policy. Please see [8.5.1 Eligibility for Training Services](#) and the corresponding Summary of Comments and DWD-DET's Responses (email sent on 11/13/2020) for a discussion on funding coordination with Pell Grants.

9) Comment:

Co-Case Management Procedures: [TEGL 4-20](#) states that the cross-training of case managers and other staff is important for successful integration and to ensure knowledge and understanding of all partner program requirements. Can the State provide more detailed guidance for TAA and T1 DW on effective co-case managing strategies across programs in order to ensure efficient and non-duplicative service delivery and resource-sharing?

Response:

DWD-DET understands that co-case management can present challenges to both clients and career planners. To facilitate co-case management and enhance career planning, DWD-DET created the Comprehensive Employment Planning Toolkit (CEPT). The CEPT tools can help career planners from multiple programs work collaboratively with co-enrolled individuals. To see how these tools work, please review the [CEPT Tutorial Video Series](#).

Additionally, the Integrated Service Delivery Communications Team – comprised of staff from all WIOA core and partner programs – has created a Wisconsin WIOA [webpage](#), as well as a training titled [An Introduction to WIOA](#). These resources are for staff from all WIOA core and partner programs to help build their knowledge and understanding across programs. This webpage is a work in progress and will be continuously updated to add and enhance information.

10) Comment:

Impacts of Co-Enrollment and RTAA Services: Can the State provide guidance and clarification on service provision, performance reporting, and customer communication for both the TAA and DW program when a customer's participation is extended 2 additional years due to the receipt of RTAA benefits? For example, how will the TAA program episode extension impact the programmatic and follow-up reporting procedures for the T1 DW program?

Response:

DWD-DET understands the desire for additional guidance and clarification regarding the process for co-enrollment and co-case management and has provided some examples of how to do that in this document. The examples provided are not exhaustive; DWD-DET encourages staff to develop effective local processes that work for both programs as far as service provision and customer

communication. Please see DWD-DET's responses to Comments 6 and 7 for a discussion on performance reporting for co-enrolled individuals.

If a client's participation is extended due to the receipt of RTAA or TAA-funded training services, the client remains enrolled in the Title I Dislocated Worker Program, due to [Wisconsin's Common Exit](#) policy. Therefore, the client will not exit either program until they have not received any services for 90 days and there are no future services planned (excluding follow-up services) from either program.