

Trade Act Co-enrollment Technical Assistance Guide (TAG)

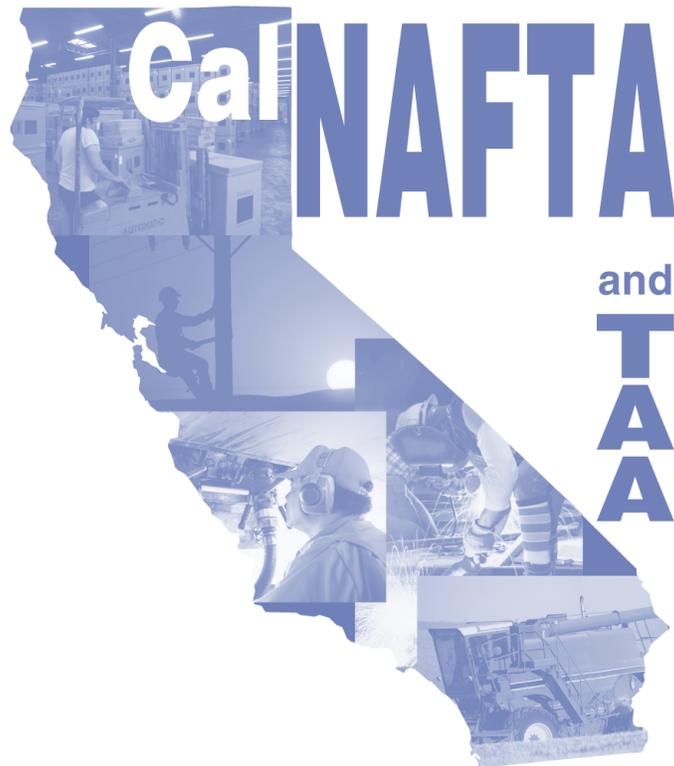


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The California State Employment Development Department (EDD) is a recipient of federal and state funds, is an equal opportunity employer/program, and is in compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA).

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I. INTRODUCTION

In September 1995, the United States Department of Labor (DOL) allocated \$1,285,000 in federal funds to the State of California, Employment Development Department (EDD). The two year Trade Act NAFTA-TAA Demonstration Project (TANDP) was designed to establish systems which focused on methods to encourage co-enrollment of trade-affected dislocated workers in both Trade Adjustment Assistance (TAA) or North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA), and Job Training Partnership Act (JTPA) programs. The funding also established Regional EDD Trade Act Coordinator positions. During the demonstration project, the Trade Act Coordinators along with members from the Southern California JTPA community created the procedures for co-enrollment.

This TAG was revised through a cooperative effort of partners from EDD and Local Workforce Investment Areas (LWIAs). This revision reflects the changes required by the implementation of the Workforce Investment Act (WIA) of 1998 and continues to evolve to reflect the goals and deliverables of the TANDP of 1999 and WIA programs.

II. PURPOSE, POLICY, and PARTNERS STATEMENT

TRADE ADJUSTMENT ASSISTANCE (TAA) NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA) WORKFORCE INVESTMENT ACT (WIA)

PURPOSE: These procedures are designed to promote cooperative partnerships, maximize resources, and establish requirements for determining and verifying the eligibility of co-enrollment of applicants for TAA/NAFTA-TAA and WIA. These procedures should be used in conjunction with existing procedures or manuals.

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

PARTNERS STATEMENT: We are committed to the delivery of customer-focused, integrated, and coordinated services and the sharing of relevant customer program information and records, including referrals, assessment results, training plans, progress reports and job development strategies. We will strive to promote co-enrollments and to coordinate cohesive and consistent services, which complement and strengthen the services offered by each of our organizations. We will motivate our customers to utilize the full spectrum of each partner's services to enhance successful program outcomes.

III. DEFINITION OF TERMS

- ∴ **TAA - Trade Adjustment Assistance**
Provides funding for additional weekly benefits, training, job search, and relocation allowances for trade-affected workers.

- ∴ **NAFTA- TAA - North American Free Trade Agreement Transitional Adjustment Assistance**
Provides funding for additional weekly benefits, training, job search, and relocation allowances for workers affected by the trade agreement with Canada and/or Mexico.

- ∴ **TRA - Trade Readjustment Allowances**
Provides additional weekly benefits to trade affected workers.

- ∴ **SWIB – State Workforce Investment Board**
Appointed by the governor to assist in the implementation and development of a statewide system of workforce investment carried out through a One-Stop delivery system.

- ∴ **WIB – Workforce Investment Board**
Refers to the entity, which is responsible for administering WIA programs in a particular region or area.

- ∴ **Co-enrollment**
Concurrent or dual-enrollment in WIA and TAA or NAFTA-TAA programs.

- ∴ **WIA - Workforce Investment Act**
Comprehensive reform legislation replaced JTPA. The Workforce Investment Act provides a comprehensive workforce investment system through a One-Stop delivery, that is both customer focused and streamlined.

- ∴ **LWIA – Local Workforce Investment Area**
The LWIA is designated by the Governor to provide information and employability services to the public through a One-Stop delivery system.

•• **Primary Affected Worker**

Workers whose companies have been affected, or are threatened as a direct result of increased imports from Canada or Mexico, or as a result of a shift in production to Canada or Mexico.

•• **Secondary Affected Workers**

Workers in secondary companies who are indirectly affected by trade with Canada or Mexico. For example, a secondary company supplies materials to a primary company, which has been affected by trade with Canada or Mexico; workers of these secondary firms may be eligible for added benefits.

•• **WIA Core Services**

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

1. Self-Directed: No eligibility requirements
2. LWIA Staff assisted: Eligibility requirements apply

•• **ETPL- Eligible Training Provider List**

The approved statewide WIA training vendor list.

IV. PROCEDURES FOR CO-ENROLLMENT

EDD PROCEDURES

WIA PROCEDURES

A. PROCESS OF REFERRAL

1. IDENTIFY POTENTIAL ELIGIBILITY FOR TAA/NAFTA-TAA

Presenting a letter or indicating that they are a potentially affected worker can identify customers.

The EDD staff may identify primary and secondarily affected companies by reviewing the TRA Conference Board located in EDD Totally Automated Office (TAO).

2. DETERMINE STATUS OF PETITION

If the customer is identified as an affected worker (primary or secondary (NAFTA-TAA)) and a petition has not been filed, the EDD staff may issue a petition application to the customer or contact a Regional EDD Trade Act Coordinator to assist the customer in filing a petition.

3. FILE A TAA/APPLICATION

The EDD staff will instruct the customer to call their local EDD office that files unemployment insurance (UI) claims. The number is listed in the phone directory under "State of California, Employment Development Department."

If the customer contacts an EDD Training Specialist, the Training Specialist will also refer the customer to WIA to begin the core service process using TAA/WIA/NAFTA-TAAREFERRAL FORM, DE 8308.

1. IDENTIFY POTENTIAL ELIGIBILITY FOR TAA/NAFTA-TAA

The One-Stop staff will identify TAA/NAFTA-TAA eligibility through core services.

2. DETERMINE STATUS OF PETITION

If the One-Stop staff identify the customer as an affected worker, the staff will consult with the EDD staff to determine if a petition has been filed. If a petition has been filed, staff will refer the customer to EDD using a TAA/NAFTA-TAA/WIA REFERRAL FORM, DE 8308. If a petition has not been filed, staff may contact an EDD Regional Trade Act Coordinator to facilitate the filing of a petition. Acting as a Community Based Organization, the WIA agency may file a NAFTA-TAA petition.

3. FILE A TAA/APPLICATION

No action required.

EDD PROCEDURES

WIA PROCEDURES

A. PROCESS OF REFERRAL

4. DETERMINE TAA/NAFTA-TAA ELIGIBILITY AND NOTIFY CUSTOMER

The SCO in Sacramento will determine if the customer is eligible, notify the customer, and post eligibility status on the customer's UI claim. The customer will notify the EDD Training Specialist, who will verify eligibility via the customer's UI claim and notify the LWIA representative.

5. PROVIDE ONE-STOP SERVICES ORIENTATION, SCREENING, ASSESSMENT, AND INTAKE

The EDD staff will share all relevant program information and documents with LWIA /One-Stop staff.

4. DETERMINE TAA/NAFTA-TAA ELIGIBILITY AND NOTIFY CUSTOMER

No action required.

5. PROVIDE ONE-STOP SERVICES ORIENTATION, SCREENING, ASSESSMENT, AND INTAKE

No action required.

EDD PROCEDURES

WIA PROCEDURES

B. PROCESS OF COORDINATING RESOURCES

1. DETERMINE RESOURCES

The EDD Training Specialist will collaborate with the One-Stop staff to determine resources. If TAA/NAFTA-TAA training funds are available, the EDD Training Specialist will coordinate training needs and funding sources with the LWIA staff. The EDD Training Specialist will review the status of affected worker's UI benefits and other financial resources to determine if the customer will be able to complete training.

2. DETERMINE AND COORDINATE SERVICES NEEDED

The EDD Training Specialist and the LWIA staff will discuss and identify an Individual Plan (IP).

3. RECEIPT OF ASSESSMENT RESULTS FROM LWIA

The EDD Training Specialist will receive and review assessment results with the LWIA staff and customer.

4. CONFIRM AGREEMENT FOR SERVICES AND DEVELOP WRITTEN TRAINING PLAN

If TAA/NAFTA-TAA training resources are available, the EDD Training Specialist will complete a Training Plan, DE 8751. Complete a Training Request (DE 8320) which gives final approval for training and notify the LWIA staff.

Coordinated agreement between all partners (EDD, LWIA staff, and the customer) on the approved training plan is essential to the successful outcome of the co-enrollment process.

1. DETERMINE RESOURCES

The LWIA staff and the EDD Training Specialist will review training and service options to include, but not be limited to, assessment results, labor trends, employability, training availability, entrance requirements and prerequisites, length and hours of training, cost and funding sources, and status of unemployment insurance 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

The LWIA staff and the EDD Training Specialist will discuss and an Individual Plan (IP).

3. RECEIPT OF ASSESSMENT RESULTS BY EDD

The LWIA staff will provide and review the assessment results with the EDD Training Specialist.

4. CONFIRM AGREEMENT FOR SERVICES AND DEVELOP WRITTEN TRAINING PLAN

Document confirmation of services by updating the IP.

Coordinated agreement between all partners (EDD, LWIA staff, and the customer) on the approved training plan is essential to the successful outcome of the co-enrollment process.

EDD PROCEDURES

WIA PROCEDURES

B. PROCESS OF COORDINATING RESOURCES

5. COMPLETE TRAINING AGREEMENT

The EDD Training Specialist will e-mail the Educational Encumbrances form to the EDD Central Office and will negotiate and process the Educational Training Agreement (DE 8391) or On-The-Job-Training Agreement (DE 8390) with the vendor, affected worker or employer.

5. COMPLETE TRAINING AGREEMENT

Complete WIA enrollment/registration form (WIA EWIE) indicating concurrent participation.

EDD PROCEDURES

WIA PROCEDURES

C. PROCESS OF FOLLOW-UP AND PLACEMENT

1. TRACK AND MONITOR CUSTOMER ACTIVITY

The EDD Training Specialist will maintain coordination and monitor progress. Update the LWIA staff.

2. VERIFY COMPLETION OF TRAINING

The EDD Training Specialist will verify completion of training through verbal or written confirmation with the vendor or customer.

3. PROVIDE JOB PLACEMENT SERVICES

The EDD will provide necessary job search services to include workshops, resumes, job leads, referrals, and use of resource center. Maintain ongoing coordination with the LWIA staff and training vendor, if applicable, for job placement activities.

4. IDENTIFY NEED FOR JOB SEARCH ALLOWANCE

The EDD staff will evaluate the customer's need for out-of-area job search allowance, complete DE 8318 and DE 8319 and send forms to SCO. The SCO staff will determine eligibility and notify the customer.

1. TRACK AND MONITOR CUSTOMER ACTIVITY

The LWIA staff will maintain coordination and monitor progress. Update the EDD Training Specialist.

2. VERIFY COMPLETION OF TRAINING

The LWIA staff will verify completion of training through coordination with the EDD Training Specialist or the training vendor if necessary.

3. PROVIDE JOB PLACEMENT SERVICES

The LWIA staff will provide necessary job search services to include employability workshops, resumes, job leads, referrals, and use of resource center. Maintain ongoing coordination with the EDD staff.

4. IDENTIFY NEED FOR JOB SEARCH ALLOWANCE

The LWIA staff will evaluate the customer's need for out-of-area job search allowance. If a need is determined, refer customer to the EDD Training Specialist and document in the file.

EDD PROCEDURES

WIA PROCEDURES

C. PROCESS OF FOLLOW-UP AND PLACEMENT

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

The EDD JS staff will conduct regular follow-ups and confirm job placement and inform the LWIA staff of the results.

6. IDENTIFY NEED FOR RELOCATION ALLOWANCE

The EDD JS staff will evaluate the customer's need for relocation allowance when customer obtains employment out of the area. Issue the Relocation Benefits Informational Sheet, DE 8321C to the customer. Complete the DE 8318 and DE 8321 and send forms to SCO. The SCO staff will determine eligibility and notify the customer.

7. REPORT CUSTOMER ACTIVITY

The EDD JS staff will complete the Employability Services Under the Trade Act, DE 563. The EDD staff will send the completed DE 563 by e-mail to UI Division on a quarterly basis.

The EDD staff will complete the TAA/NTAA Participant Termination Report, in the Program Activity Support System (PASS).

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

The LWIA staff will conduct regular follow-ups and confirm job placement. The LWIA staff will inform the EDD JS staff of job placement information and complete forms for placement (WIA EWIT & WIA EWIF).

6. IDENTIFY NEED FOR RELOCATION ALLOWANCE

The LWIA staff will evaluate customer's need for relocation allowance when customer obtains employment out of the area. If a need is determined, will refer the customer to EDD and document file.

7. REPORT CUSTOMER ACTIVITY

No action required.

**V. PROCEDURES FOR CO-ENROLLMENT:
QUICK REFERENCE SUMMARY**

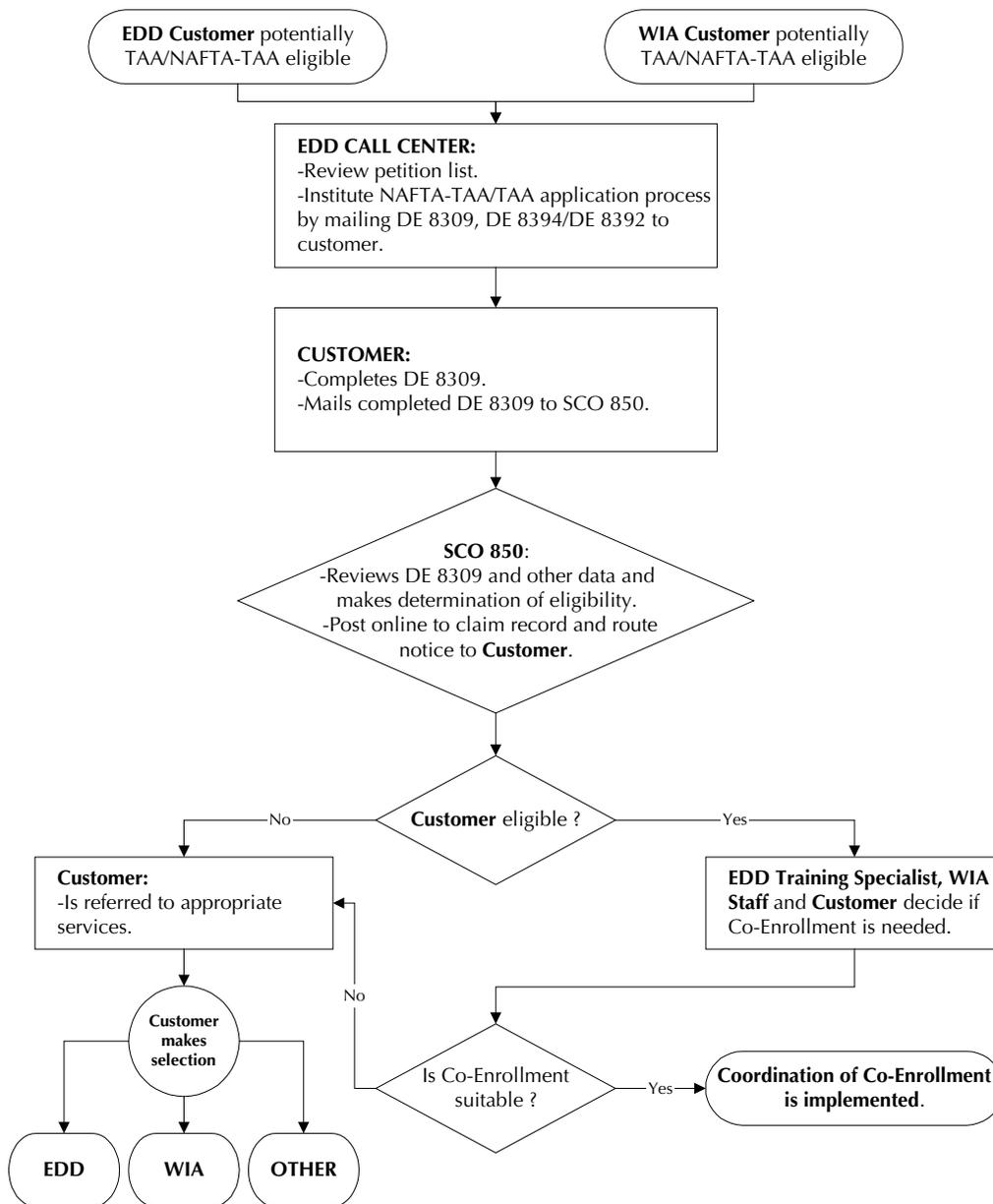
**TRADE ADJUSTMENT ASSISTANCE (TAA)
NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA)
WORKFORCE INVESTMENT ACT (WIA)**

<u>PROCEDURES</u>	<u>RESPONSIBLE AGENCY</u>
A. PROCESS OF REFERRAL	
1. Identify potential eligibility for TAA.	EDD/LWIA
2. Determine status of petition.	EDD/LWIA
3. File a TAA/ NAFTA-TAA application.	EDD
4. Determine TAA eligibility and notify customer. (Special Claims Office [SCO])	EDD
5. Provide One-Stop orientation, screening, assessment, and registration.	LWIA
B. PROCESS OF COORDINATING RESOURCES	
1. Determine resources.	EDD/LWIA
2. Determine and coordinate services needed.	EDD/LWIA
3. Collection and review of assessment results.	LWIA
4. Confirm agreement for services and develop written employability/training plan.	EDD/LWIA
5. Complete training agreement.	EDD/Vendor/Trainee
C. PROCESS OF FOLLOW-UP AND PLACEMENT	
1. Track and monitor customer activity.	EDD/LWIA
2. Verify completion of training.	EDD/LWIA
3. Provide job placement services.	EDD/LWIA /Vendor
4. Identify need for job search allowance.	EDD/LWIA
5. Follow up on job placement and inform partner of results.	EDD/LWIA
6. Identify need for relocation allowance.	EDD/LWIA
7. Report customer activity.	EDD

**VI. CO-ENROLLMENT DECISION PROCESS
(PETITION ALREADY CERTIFIED)**

**TRADE ADJUSTMENT ASSISTANCE (TAA)
NAFTA TRADE TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA)
WORKFORCE INVESTMENT ACT (WIA)**

**CO-ENROLLMENT
DECISION PROCESS
(PETITION ALREADY CERTIFIED)**



VII. REFERRAL FORM

TRADE ADJUSTMENT ASSISTANCE (TAA) NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA) WORKFORCE INVESTMENT ACT (WIA)



**TRADE ADJUSTMENT ASSISTANCE (TAA)
NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA)
WORKFORCE INVESTMENT ACT (WIA)**

CUSTOMER INFORMATION

NAME: Last First MI SOCIAL SECURITY # _____
 ADDRESS: Number Street (Apt.#) City State Zip _____
 PHONE NUMBER: () Area Code () Area Code _____
 I consent to the sharing of information between the Employment Development Department and Workforce Investment Act 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 _____
 PURPOSE: (Please check 1 or more)
 Assessment CalJobs Enrollment Career Transition/Employability Workshop
 Co-Enrollment Counseling Job Search Workshop Job Club
 Job Referral OJT Testing Training
 WIA Registration Other _____
 REFERRED BY: Organization Contact Person/Title _____
 PHONE: () Area Code DATE OF REFERRAL: _____

TAA/NAFTA-TAA INFORMATION (TO BE COMPLETED BY EDD ONLY)

CURRENT PETITION (CHECK ONE): Approved Waiting Not filed
 PETITION INFORMATION: Petition Number _____
 Company Name _____
 Date filed _____ Impact Date _____ Date certified _____ Termination date _____
 CUSTOMER INFORMATION: Approved Pending Denied

OUTCOME

Signature: () EDD Rep () LWIA Rep Date

OFFICE STAMP

INSTRUCTIONS FOR COMPLETION OF REFERRAL FORM ON THE REVERSE SIDE

The purpose of the referral form is to assist both Workforce Investment Act (WIA) and Employment Development Department (EDD) partners in the referral of potentially eligible Trade Adjustment Assistance (TAA), North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) and WIA customers for co-enrollment.

CUSTOMER INFORMATION (Block 1)

Information to be completed by the referring agency or the customer. The customer must sign the release of the information.

REFERRAL INFORMATION (Block 2)

To be completed by LWIA or EDD, depending on which agency does the initial referring. 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 (EDD or LWIA), the agency contact person and the address of the agency.

The agency contact person should complete all the appropriate items in the section "REFERRAL INFORMATION". 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 their organization, their name and title, their telephone number, and the date of referral.

TAA/NAFTA-TAA INFORMATION (TO BE COMPLETED BY EDD ONLY) (Block 3)

If EDD is the referring agency they will complete this block showing the pertinent information. The status of the petition is obtained from the TRA conference board in EDD Totally Automated Office (TAO). The customer information is obtained either from the customer's approval letter from SCO or from the Unemployment Insurance claim notes.

OUTCOME (Block 4)

The OUTCOME block is to be used to exchange information between LWIA and EDD regarding status in WIA components, enrollment in training, completion of training, job placement or other activities that are relevant to case management.

The signature is to be completed by the referring agency representative. In the OFFICE STAMP block: Stamp or write in local office name and address.

VIII. TRADE ACT INQUIRY FORM



TRADE ACT INQUIRY FORM

- Trade Adjustment Assistance was established under the Trade Act of 1974 to assist American workers who have lost their jobs as a result of increased imports from other countries.
- In 1993, the North American Free Trade Agreement (NAFTA) was signed which provided free trade between Mexico, Canada, and the United States, and amended the Trade Act of 1974 to include workers who lost their jobs due to NAFTA.
- American workers who have lost their jobs because of imports from any country or from the effects of NAFTA may qualify for special assistance under the Trade Act Program.

To determine if you can apply for additional benefits, please answer the following questions about your last employment:

1. Did your employer lose business because imports from other countries cost less than the same product your employer manufactured?
 Yes No If yes, specify which country and product: _____
2. Did you lose your job because your employer moved part of its manufacturing operation to Mexico or Canada? Yes No
3. Did your employer supply or assemble/finish products for another company that lost business because of imports from Mexico or Canada? Yes No
4. Did your employer lose sales because customers began purchasing imports? Yes No

If you answered yes to any question above, complete the following:

Date: _____ Social Security Number: _____

Name: _____ Phone Number: _____

5. Please provide information on your employer:

_____	_____
Company Name	Address
_____	_____
Name	Phone Number

6. What product manufactured by your employer was affected by imports or its production shifted to Canada or Mexico? _____
7. What was the last date that you actually worked for this employer? _____ Hourly Wage: _____
8. What was your job title? _____ What department did you work in? _____
9. How many other employees were laid off? _____
10. Please provide information on your union (if applicable):

_____	_____
Union Name and Local Number	Union Phone Number

Customer submit this form to:

EDD is an equal opportunity employer/program. Special requests for alternate formats need to be made by calling the phone number of your local EDD office (listed in the phone directory under "State of California, Employment Development Department").

INSTRUCTIONAL INFORMATION ON THE TRADE ACT INQUIRY FORM

The purpose of the Trade Act Inquiry Form is to assist in identifying trade affected workers of firms who may qualify for assistance through Trade Adjustment Assistance (TAA) or North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA).

AGENCY: This form will assist the agency in identifying trade affected workers for co-enrollment. If the customer answers "yes" to any of the questions 1 through 4, then the customer will complete the entire form. The agency should submit the fully completed form to a local Employment Development Department (EDD) Training Specialist for review and petition filing. If the customer answers "no" to questions 1 through 4, no further action is required.

POSSIBLE POINTS OF DISTRIBUTION:

- Career Center Reception
- One-Stop Career Centers
- Employment Development Department Job Service offices
- Rapid Response meetings
- Individual Assistance Workshops
- Community Based Organizations
- Local Workforce Investment Area (LWIA) Roundtable meetings
- Trade and Vocational Schools
- Community Colleges
- Chambers of Commerce

CUSTOMER: Complete this form to determine if you can apply for additional benefits. If you answer "yes" to any of the questions 1 through 4, then complete the entire form and submit it to the issuing agency. If you answer "no" to questions 1 through 4, do not complete the rest of the form. Return the form to the issuing agency.

**IX. QUESTIONS AND ANSWERS
ON
TAA/NAFTA-TAA and WIA
POLICIES AND PROCEDURES**

Q 1. What training approval options do EDD Training Specialists have?

- A 1.** EDD Training Specialists have the option of using:
- Eligible Training Provider List (ETPL)
 - Public institutions.
 - Facilities used by Department of Rehabilitation.
 - Facilities that have been in business for at least five years and have a high placement rate.
 - Facilities accredited by a recognized accrediting association.

Q 2. Can individuals enrolled in TAA funded training be employed?

- A 2.** It is possible for individuals to be employed while in training. However, UI benefits will be affected.

Q 3. What happens if partners (EDD, LWIA, Customer) disagree on the type of training?

- A 3.** The EDD Training Specialist has the final decision on whether to approve or deny training. If the customer disagrees with the decision he or she may appeal (appeal rights are on the back of the DE 8320), if the LWIA disagrees they may chose not to participate. However, a coordinated agreement between all partners (EDD, LWIA staff, and the customer) on the approved training plan is essential to the successful outcome of the co-enrollment process.

Q 4. Can LWIAs/WIBs use EDD's completed training plan in lieu of the WIAs individual-training plan (ITP)?

- A 4.** Theoretically, yes. However, the answer will vary based on the internal policies of the LWIA/WIB.

Q 5. Can records and information be shared?

- A 5.** While it is encouraged, the practice is based on each individual Memorandum of Understanding (MOU).

Q 6. Can one partner's vendor monitoring results be accepted by the other?

A 6. Monitoring of a training vendor is conducted by the funding agency. Partners will coordinate and leverage monitoring responsibilities.

Q 7. Does the partnership allow us to share customer information or are we bound by confidentiality laws?

A 7. We may share information necessary for the co-enrollment process. Reference in UI Code Section 1094 and 1095 and the EDD Information Practices Handbook.

Q 8. Can LWIAs do assessments for EDD offices without the registration of the customer in a WIA program?

A 8. No. A customer must be registered in a WIA program prior to individual assessment.

Q 9. What options are available for LWIAs that consider co-enrollment procedures and paperwork as an extra administrative burden?

A 9. It is the intent of this program to leverage (i.e., cost of training) EDD coordination and WIA resources, allowing our systems to provide the most comprehensive services, to the greatest number of individuals.

Q 10. What specific criteria will be used to determine a need for referral?

A 10. The EDD staff may refer a customer to begin the WIA process when a NAFTA-TAA petition has been filed for the customer's employer and EDD has recommended to the Department of Labor that the petition be certified. This will reduce the time it takes to assist a NAFTA-TAA eligible customer. If the individual is not Trade Act eligible but was laid off, WIA may still be able to assist the customer. The EDD staff may refer a customer when the individual's employer has received a TAA certification and the customer has filed a TAA application (DE 8309).

Refer to Procedures for Co-Enrollment Section A, Process of Referral.

Q 11. What are the criteria to co-enroll?

A 11. Co-enrollment is determined by two factors:

- The person must be eligible for both programs. In most cases a Trade Act eligible customer will be eligible for WIA.
Note: WIA requires compliance with Selective Service Registration. Trade Act programs do not.
- The plan must be feasible for both agencies.

Q 12. What are the time limitations to be eligible for NAFTA-TAA weekly benefits?

A 12. The time limits are as follows:

NAFTA-TAA customer must be enrolled in approved training that begins within 30 days of the later of:

- A) the last day of the 16th week of such affected worker's qualifying separation date
- or
- B) the last day of the 6th week after the week in which the Secretary of Labor issues a certification covering the worker.

Q 13. How will an agreement for services be confirmed with the LWIA staff?

A 13. Agreement for individual's services will be done through the continual coordination and communication between EDD and LWIA staff. Formally, it will be accomplished by the coordination and agreement of the respective individual and training plans. Copies of the plans will be exchanged between EDD, LWIA, and customer.

If TAA/NAFTA-TAA training resources are available, an EDD Training Specialist will complete the DE 8751 (Training Plan), and the DE 8320 (Training Request) giving final approval for training, and forward copies to LWIA staff.

The LWIA staff will document confirmation of services through the completion of the Individual Plan (IP).

Q 14. What is the process for co-enrollment?

A 14. The process for co-enrollment is as follows:

- Referral/Eligibility for both programs occurs.
- The partners confirm agreement for services and develop a written IP and Training Plan (DE 8751) with the customer.
- If applicable, the EDD Training Specialist completes training agreement.
- The LWIA staff documents activity in participant file, completes Management Information Systems forms, and forwards copy to EDD Training Specialist.

Refer to Procedures for Co-Enrollment Sections B and C, Processes of Coordinating Resources and Follow-up and Placement.

Q 15. How will the EDD staff know the resources of the LWIA (i.e. childcare, vouchers for clothing, training, OJT)?

A 15. The EDD staff will need to contact each LWIA to identify available resources. Customers will determine which EDD and LWIA/One-Stop offices to utilize.

Q 16. How does the EDD staff keep LWIA staff informed on the customer's progress in training? What information will be shared?

A 16. Communication and coordination is critical to the success of co-enrollment projects. It is suggested each EDD/LWIA partnership develop ongoing internal processes for cooperative partnerships, which focus on customer service, and successful program outcomes (i.e., training progress and attendance reports).

Q 17. Is there a referral form for co-enrollment?

A 17. Yes, a referral form (DE 8308) is used prior to enrollment, which contains the client's consent for the sharing of information between EDD and LWIA.

Q 18. When the EDD Training Specialist determines a need to extend the training beyond the agreed ending date, how is the change communicated to the LWIA staff?

A 18. The EDD Training Specialist and LWIA staff discuss the amendment to the Individual Plan, and document the change to the Individual Plan; the EDD Training Specialist completes an Amendment of Agreement, DE 8391, and forwards a copy to LWIA staff.

Q 19. How does EDD define 'local area' (labor market), for job search, re-employment/jobs and relocation?

A 19. Each situation should be evaluated independently based on the local labor market and commuting patterns.

Q 20. Which WIA funding sources can/should be utilized for co-enrollments of TAA/NAFTA-TAA customers?

A 20. Theoretically, co-enrollments could occur in almost any WIA Title I funding. However, most co-enrollments should be made into Title I Dislocated Worker allocations.

Q 21. Besides tuition, what may be included in training allowances?

A 21. Any item(s) that a vendor/training provider normally requires for the training program, i.e., books, tools, uniforms/safety equipment, is permitted as a training allowance. Other allowances may include transportation (if outside normal commute) and subsistence (in extreme cases) where training is not available locally.

Q 22. Are affected workers, who have accepted intermittent "stop-gap" employment since their original lay-off, still eligible for Trade Act Programs?

A 22. Intermittent stop-gap employment will not automatically disqualify affected workers for benefits including job search and relocation allowances, and/or tuition, as long as they meet the applicable Trade Act Program criteria. Affected workers may/may not be eligible for TRA weekly benefits.

Q 23. Are affected workers, who are separated from a subsequent job(s) after the qualifying Trade Act job still eligible for Trade Act benefits?

A 23. 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 the applicable Trade Act Program criteria. Affected workers may/may not be eligible for TRA weekly benefits.

Q 24. Can TAA/NAFTA-TAA training reimbursements be made retroactively to training vendors/LWIA etc.?

A 24. No, training reimbursements cannot be made retroactively; however TAA/NAFTA-TAA training resources can begin at a regularly scheduled break in training, for training programs already in progress, when approved by an EDD Training Specialist.

NOTE: Co-enrollment should be coordinated from the start, whenever possible, to include the training plan. This will assist in insuring a positive outcome for all parties involved.

Q 25. How will the LWIA case managers ensure that LWIA customer procedures and monitoring requirements are met since the EDD staff will be responsible for monitoring training?

A 25. Concurrent enrollments should be documented in the customers' LWIA case files in both IP and the case management notes. The LWIA Case Managers should document the substantial service provided at a minimum of every 90 days.

NOTE: The EDD office and/or LWIA should work to establish generic procedures to address case management issues.

Q 26. What is the maximum number of TRA weekly benefits under TAA/NAFTA-TAA that may be paid?

A 26. An affected worker may be eligible up to a maximum of 78 weeks of benefits depending on their training status.

Q 27. Can Training Specialists approve training outside the State of California?

A 27. Yes, the Training Specialists may approve training anywhere within the United States as long as it is unavailable in the local area. (Note: This applies to TAA/NAFTA-TAA but does not apply to WIA.)

Q 28. Is training required for TRA benefits under both TAA and NAFTA-TAA?

A 28. The TAA training may be waived in some circumstances. Training is mandatory to receive TRA benefits under NAFTA-TAA.

Q 29. Are there restrictions to receiving weekly benefits if there is a break in training?

A 29. The TRA benefits under the Trade Act Programs will continue unless the break is longer than 14 days.

Q 30. Are basic readjustment services, workshops, etc. considered training for the purposes of the Trade Act?

A 30. No.

Q 31. What is the impact of federal educational grants on TRA weekly benefits?

A 31. Educational grants will not affect TRA weekly benefits.

Q 32. To what extent does “customer choice” exist when it comes to deciding on training?

A 32. Training will be determined by the EDD Training Specialist, LWIA staff and the customer as agreed upon in the Individual Plan.

Cooperation between all partners (EDD, LWIA staff, and the customer) on the approved individual plan is essential to the successful measurement (outcome) of the co-enrollment process.