



Administrative Policy

**POLICY
NUMBER 107**

Title:	Training Services
Program:	Trade Adjustment Assistance (TAA)
Effective:	06/04/2020

I. PURPOSE AND SCOPE

The purpose of this policy is to provide to Local Workforce Development Boards (LWDBs) the minimum requirements for administering training to trade-affected workers under the Trade Adjustment Assistance (TAA) program.

II. BACKGROUND

The Trade Act of 1974 established the Trade Adjustment Assistance for Workers Program, referred to as the TAA Program, to assist workers who have been laid off or whose jobs have been threatened because of foreign trade or competition (trade-affected workers). The TAA program has been amended several times in the last forty years, most significantly in 2002, 2009, 2011 and 2015. The 2015 amendment, known as the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), reauthorized TAA and is the most current. Provisions from prior versions of the Act remain applicable in limited cases based on the petition number.

To be eligible for TAA benefits, a group of workers must establish that they were separated from their employment either because their jobs moved outside the United States or because of an increase in directly competitive imports. To establish eligibility, a group of workers (or their representative) must file a petition with the United States Department of Labor (USDOL). Upon receipt of the petition, USDOL conducts an investigation to verify the role of foreign trade in the workers' job losses. If USDOL determines that the workers meet TAA requirements, it will issue a certification which renders the workers eligible to apply to a local career center for individual services and benefits, which include training services among other services and benefits.

III. AUTHORITY

[Trade Adjustment Assistance Act of 1974, as amended](#)

[Trade Adjustment Assistance Reform Act \(TAARA\) of 2002](#)

[Trade and Globalization Adjustment Assistance Act \(TGAAA\) of 2009](#)

[Trade Adjustment Assistance Extension Act \(TAAEA\) of 2011](#)

[Trade Adjustment Assistance Reauthorization Act \(TAARA\) of 2015](#)

[20 Code of Federal Regulations \(CFR\) Part 617](#)

[Training and Employment Guidance Letter \(TEGL\) 05-15 Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Reauthorization Act \(TAARA\) of 2015](#)

[TEGL 09-05 Approval of Distance Learning Under the Trade Adjustment Assistance \(TAA\) Program](#)

[TEGL 15-10 Increasing Credential, Degree, and Certificate Attainment by Participants of the Public Workforce System](#)

[Public Law 107-288: Jobs for Veterans Act](#)

IV. POLICIES AND PROCEDURES

The purpose of TAA training is to assist trade-affected workers in obtaining the skills necessary to gain suitable, long-term employment. Training, whether full-time or part-time, is available to TAA participants who do not possess the skills to secure suitable employment in the existing labor market.

A. Comprehensive Assessment

To determine whether the TAA participant is job ready or will require training to gain the necessary work skills to become reemployed, a comprehensive assessment must be conducted during the initial one-on-one meeting between the Local TAA Coordinator and the TAA participant as described within [Administrative Policy XXX: Trade Adjustment Assistance Employment and Case Management Services](#).

B. Individual Employment Plan

An Individual Employment Plan (IEP) is required for TAA participants who lack the skills to secure suitable employment in the existing labor market and will be entering TAA-approved training, as described within [Administrative Policy XXX: Trade Adjustment Assistance Employment and Case Management Services](#). The IEP must precede the approval of any training, or waiver of training requirement, as outlined in [DEO Memorandum: Trade Adjustment Assistance Individual Employment Plan Reporting](#).

If any relevant barriers that may hinder the participant's ability to successfully complete training or obtain employment were identified during the comprehensive assessment, the steps (objectives) and/or supportive services necessary to complete training must be included in the TAA participant's IEP.

C. Training Program Selection

The Local TAA Coordinator must work with the TAA participant to select a training program that targets a specific occupation, coincides with the participant's IEP and supports the participant in obtaining suitable employment at the best wage available. The Local TAA Coordinator must provide all trade-affected workers interested in training with guidance regarding the required steps to enroll in TAA-funded training. The Local TAA Coordinator must also work with the trade-affected worker to secure a cost estimate of the requested training program from the training provider. The TAA participant must provide the Local TAA Coordinator with the requested training's course curriculum, documentation of acceptance into the training program, the participant's assessment results (if applicable), and any other relevant educational records. This documentation and any other documents that support the training application must be uploaded to the Employ Florida documents (staff) section under the participant's General Profile.

D. Training Application

Once all training program selection documentation is submitted by the TAA participant, the Local TAA Coordinator must create a training application within the Training Applications subsection of the participant's Employ Florida TAA program application. The Local TAA Coordinator must create a training application before enrolling the TAA participant in any TAA-funded training services. When developing a participant's training application, the Local TAA Coordinator must indicate whether the training will include remedial or prerequisite training. These issues should be discussed, and testing should be conducted to determine if remedial or prerequisite training should be a part of the TAA participant's planned course work. The training application must be signed by the participant and Local TAA Coordinator and be stored in the Employ Florida documents (staff) section under the participant's General Profile.

Although the IEP is separate from the training application, the training being requested by the TAA participant should be stated as objectives within the IEP. The IEP must demonstrate that the completion of the approved training will support the TAA participant in achieving his/her overarching employment goal.

E. Trade Readjustment Allowance

Trade Readjustment Allowance (TRA) is an income support monetary benefit for TAA participants who have exhausted Reemployment Assistance (RA) and are enrolled in full-time training or have received a temporary waiver of the training requirement. To facilitate participation in training, TAA participants who are enrolled in full-time training may be eligible to receive up to 130 weeks of TRA monetary benefits. Although TAA participants may choose either part-time or full-time training, TAA participants attending part-time training are not eligible to receive TRA.

For a TAA participant to be eligible to receive TRA, the Local TAA Coordinator must assist the participant to complete and submit a TRA ETA 855: Request for Determination of Entitlement to Trade Readjustment Allowances form to the State Trade Program office at TRA@deo.myflorida.com. The TRA ETA 855 form must be completed during the initial eligibility review as outlined in [Administrative Policy XXX: Trade Adjustment Assistance](#)

[Employment and Case Management Services](#). For the participant to remain eligible for TRA while in training, the Local TAA Coordinator must assist the TAA participant to enroll in and start full-time TAA-approved training prior to the training enrollment deadline which is 26 weeks after the participant's last day of full-time work or the date the participant was certified by USDOL as trade impacted, whichever is later.

A TAA participant is considered enrolled in training when the participant's application for training is approved by the LWDB and the training institution has furnished written notice that the participant has been accepted in the approved training program. The training program must begin within 30 calendar days of the date of such approval. Post enrollment, the Local TAA Coordinator must verify that the participant has started training within 30 calendar days and submit the approved training application to the State Trade Program Office at TRA@deo.myflorida.com.

There are three types of TRA benefits:

1. Basic

Basic TRA benefits are paid when the participant has exhausted his/her RA benefits. TAA participants can receive up to 52 weeks of combined RA and Basic TRA benefits (12 weeks of RA and 40 weeks of Basic TRA). Participants have two years (104 weeks) of eligibility after separating from a trade-affected employer to receive basic TRA benefits. To qualify for Basic TRA benefits participants must be enrolled in TAA-approved training or receive a waiver of the training requirement prior to the training enrollment deadline date or have completed TAA-approved training and be actively seeking employment.

2. Additional

TAA participants can qualify for Additional TRA benefits if they have previously qualified for Basic TRA and are enrolled in full-time TAA-approved training. After exhausting Basic TRA, TAA participants may be able to receive Additional TRA for up to 65 weeks or until they complete training, whichever comes first.

3. Completion

Completion TRA provides TAA participants who have successfully met training benchmarks an additional 13 weeks of TRA benefits. Completion TRA is payable within a 20-week period immediately preceding the end date of the TAA-approved training. Completion TRA is payable only for weeks the participant attends TAA-approved training and is not payable during scheduled breaks. TAA participants must have exhausted Additional TRA to be eligible and only 13 weeks of benefits are available within the 20-week period.

F. Waiver of Training Requirement (Training Waiver)

A TAA training waiver is a written statement to a TAA participant waiving the requirement to be enrolled in training prior to the participant's deadline date. The training approval deadline date is the last day of the 26th week from either the TAA participant's layoff date, or the date of the participant's TAA certification by the USDOL, whichever is later. The Local TAA Coordinator is responsible for determining the need for and approving TAA training waivers.

The need for a training waiver must be supported by the evaluation conducted through the comprehensive assessment. The Local TAA Coordinator must evaluate the results of the comprehensive assessment, and select one of the following three reasons for issuance of a waiver:

1. Health

The TAA participant is unable to participate in training for health reasons, except that the basis for a waiver does not exempt the participant from the active work search requirements under federal or state Reemployment Assistance laws. Note: Supporting medical documentation is not required; information about TAA participant health issues, if any, and sensitive/personal and confidential information must not be documented in Employ Florida nor stored in the participant's electronic or hard-copy case file.

2. Enrollment Unavailable

The enrollment date for the approved training is not immediately available but is within 60 days from the date the waiver is issued, or, if the training starts beyond 60 days of the date of the waiver, there are extenuating circumstances for the delay in enrollment. (e.g., The participant's training was approved beyond the deadline for the current semester and the participant will have to wait until the following semester to begin training.)

3. Training Not Available

Training approved by the LWDB is not reasonably available to the TAA participant from either governmental agencies or private sources (which may include area vocational education schools and employers), no training that is suitable for the TAA participant is available at reasonable cost, or no training funds are available.

Training waivers may not be approved unless the participant has worked with the Local TAA Coordinator to develop an IEP.

The training waiver must be created in the Waiver Entry subsection of the TAA participant's Employ Florida TAA program application. Training waivers must be issued for a six-month period. The Local TAA Coordinator must review the training waiver at least once every 30 days until the waiver expires or is revoked due to enrollment into training and/or non-compliance. The review process requires the Local TAA Coordinator to confirm the status of

the reason for the training waiver is unchanged, the participant is making ongoing efforts to enroll in full time TAA-approved training and is available for full-time work. The results of the review must be documented in Employ Florida case notes.

Waiver reviews must be completed in the Waiver Entry subsection of the TAA participant's Employ Florida TAA program application. For training waiver reasons "Enrollment Unavailable" and "Training Not Available" the review must include documentation that indicates progress toward entering training is being made while the waiver is active. If the TAA participant ceases efforts to enter training without reasonable justification (e.g., death in the family) or training is no longer feasible, the waiver must be revoked.

The Local TAA Coordinator must inform the TAA participant that while the participant is on a training waiver, weekly work searches are mandatory. Participants with training waivers must also make ongoing efforts to enroll in full-time, TAA-approved training and be able and available for full-time work.

It is acceptable to allow a waiver to expire, but waiver reviews must continue every 30 days until the expiration occurs. A training waiver will expire when one of the following occurs:

1. A TAA participant exhausts Basic TRA payments; or
2. The 104-week (two year) eligibility period for Basic TRA expires.

G. Training Waiver Revocation

The Local TAA Coordinator must revoke a waiver once a TAA participant enrolls in TAA-approved training and may revoke it if it determines that the basis for the waiver is no longer applicable. However, once a waiver is revoked, it cannot be reissued unless the revocation is reversed by redetermination or appeal through the State Trade Program Coordinator. If a waiver is revoked, both the TAA participant and the State Trade Program Office must be notified in writing of this action. Notification to the State Trade Program Office must be sent to TRA@deo.myflorida.com and include the participant's name, Employ Florida state identification number, and the reason for waiver revocation.

A waiver must be revoked under any one of the following circumstances:

1. The TAA participant is enrolled in TAA-approved training;
2. The reason for the waiver no longer exists;
3. The TAA participant refuses to participate in waiver reviews;
4. Basic TRA benefits have expired; or
5. The 104-week eligibility period for Basic TRA has expired.

Under no circumstance should a waiver be revoked without giving the TAA participant ample opportunity to participate in the review process. For example, a revocation should not occur without a minimum of six attempts to contact the participant over a three-week period that are documented in Employ Florida case notes.

H. Training Waiver Deadline Extension

The training waiver deadline may be extended past the deadline date if the participant meets extenuating circumstances defined as:

1. Language barriers;
2. Medical problems;
3. Enrolled in a training program that is cancelled at the last minute; or
4. Other extenuating circumstances deemed beyond the participant's control by the State Trade Program Office.

To receive a training waiver deadline extension, the Local TAA Coordinator must submit a written request to the State Trade Program Office at TRA@deo.myflorida.com. The State Trade Program Office will make the determination regarding the participant's extenuating circumstances.

I. Training Approval

Once the Local TAA Coordinator has worked with the TAA participant to select an appropriate training program, and the participant has submitted all documentation required by the Local TAA Coordinator, the Local TAA Coordinator must create a training application within the Employ Florida TAA program application subsection: Training Applications.

The Local TAA Coordinator must approve or deny the TAA participant's training application in accordance with locally established training approval guidelines. Approval of training must be recorded by the appropriate service code in the TAA participant's Employ Florida TAA program application as outlined within [DEO Memorandum: Trade Adjustment Assistance TR0 and TA1 Employ Florida Service Code Changes](#).

Allowable types of training include: classroom training, on the-job training, customized training designed to meet the needs of a specific employer or group of employers, apprenticeship programs, post-secondary education, prerequisite education or coursework and remedial education, which may include GED preparation, literacy training, basic math, or English as a Second Language. Per 20 CFR 617.22(i), all TAA-approved training must take place within the United States. Study abroad opportunities are not permissible and will result in cancellation of the full TAA training application and program eligibility.

In accordance with 20 CFR 617.22 (f)(2), a TAA participant may only be approved for a single training program per certified TAA petition. This does not prohibit a LWDB from utilizing more than one training provider for a trade-affected worker when necessary to support the TAA participant's training program. A training program may consist of a single course or group of courses which is designed for a TAA participant to meet a specific occupational goal.

Training is an entitlement under the Trade Act, but it is not an unconditional entitlement. In order for a trade-affected worker to be approved to receive TAA-funded training, the participant must meet each of the following six criteria for approval of training:

1. There is no suitable employment available for a trade-affected worker. It is the responsibility of the Local TAA Coordinator to determine the availability of suitable employment in the statewide commuting area as defined in [DEO Memorandum: Trade Adjustment Assistance State Definition of Commuting Area](#) and that there is no reasonable prospect of suitable employment becoming available in the foreseeable future. This criterion must be satisfied by reporting Employ Florida service code 114 (Staff-Assisted Job Search) along with a supportive case note within the TAA participant's Employ Florida training application.
2. The trade-affected worker would benefit from appropriate training. This means there is a direct relationship between the trade-affected worker's need for skills training or remedial education and the skills that would be provided by the training program under consideration. The participant must also have the mental and physical capabilities to undertake, make satisfactory progress in, and complete the training, as well as be job ready upon completion of the training program.
3. There is a reasonable expectation of employment following successful completion of the training. This means that given the job market conditions expected to exist when the TAA participant completes the training program, there is a reasonable expectation that the participant will obtain employment using the skills obtained.
4. The approved training is reasonably available from either governmental agencies or private sources. In determining whether training is reasonably available, the Local TAA Coordinator must give first consideration to training opportunities available within the statewide commuting area. Training at facilities outside the statewide commuting area should be approved only if such training is not available within the commuting area or if there will be a cost savings to the TAA program.
5. The TAA participant is qualified to undertake and complete such training. The TAA participant's personal qualifications, including their physical and mental capabilities, educational background, work experience and financial resources must be determined adequate to undertake and complete the specific training program being considered.

Evaluation of the TAA participant's financial resources must include an analysis of the remaining weeks of Reemployment Assistance (RA) and/or TRA benefits in relation to the duration of the training program. If the affected worker's RA/TRA benefits will be exhausted before the end of the training program, the Local TAA Coordinator must work with the TAA participant to determine if personal, family resources, or other financial means will be available for the TAA participant to complete the training.

6. The training is suitable and available at a reasonable cost. This means that training may not be approved at one training provider when training substantially similar in quality, content and results can be obtained from another provider at a lower total cost within a similar time frame.

Further, the training application must include the cost of travel and subsistence if the training provider is outside the commuting area. If the training provider is outside the

commuting area, training may not be approved when the costs of the training are unreasonably high in comparison with the average costs of substantially similar training offered by other training providers within the commuting area.

Compliance with these six criteria must be certified by the Local TAA Coordinator by answering in the affirmative to all six criteria for the approval of training options, accompanied by supportive case notes within the participant's Employ Florida TAA Training Application.

J. Training Benchmarks

Training benchmarks assist the Local TAA Coordinator with monitoring the TAA participant's progress towards completing the approved training within the required timeframe. Additionally, substantially meeting benchmarks allows a TAA participant who is enrolled in TAA approved training, and who has exhausted Basic TRA and Additional TRA, to collect 13 weeks of Completion TRA. Training benchmarks are required to be established when a TAA participant enrolls in TAA-approved training exceeding eight weeks. The two required TAA training benchmarks are:

1. Maintaining satisfactory academic standing (not on probation or determined to be "at risk" by the instructor or training institution).
2. On schedule to complete training within the timeframe identified in the approved training application.

The Local TAA Coordinator must review benchmarks in intervals no greater than 60 days beginning on the training start date. The Local TAA Coordinator must record benchmark reviews in the TAA participant's Employ Florida TAA program application's training benchmark subsection. Local TAA Coordinators must verify training benchmark reviews in Employ Florida by uploading supporting documentation such as grades, test scores, instructor's communication or school progress reports. Benchmark reviews must also be incorporated into the participant's IEP as clearly stated objectives so that the participant understands the requirement to maintain contact with the Local TAA Coordinator to show ongoing and satisfactory participation in approved training activities, including reporting class schedules, attendance, grades, class drops or changes, other income from grants, and any resulting employment.

The TAA participant must meet both benchmarks to successfully pass a benchmark review. The first time a TAA participant fails a benchmark review the Local TAA Coordinator must provide the participant a printed copy of the Employ Florida Training Benchmark Review and issue a verbal or written warning. The Local TAA Coordinator must remind the participant that continuation in the TAA program and receipt of TAA benefits is dependent on making satisfactory progress and maintaining full-time attendance. The issuance of a warning must be documented in Employ Florida in the Training Benchmark's case note section of the TAA participant's TAA program application.

If the TAA participant receives a second substandard benchmark review the Local TAA Coordinator must modify the training application and IEP. The modification to the training application must include a change in the academic or vocational course of study outlined in the

participant's IEP. The modification to the IEP must include a change in occupation, type of training or training provider. If the TAA participant is encountering difficulties, the Local TAA Coordinator must document the intervention to be provided through additional objectives within the participant's IEP.

If the Local Training Coordinator does not revise the training application and IEP, or the TAA participant refuses the needed updates following two consecutive failed benchmark reviews, the participant will lose his/her eligibility for Completion TRA. Once the TAA participant's training application and IEP have been revised, the number of failed reviews resets and the process to determine the number of failed reviews restarts.

Failure of one or two benchmark reviews does not automatically result in termination of training, however, failing the first review should be a red flag to the Local TAA Coordinator regarding the appropriateness of the training program. TAA's six criteria for approval of training requires that the TAA participant is qualified to undertake and complete the training. If it becomes clear that the participant will not successfully complete training after a thorough review of the situation and possible consultation with the training provider, and if the TAA participant refuses to revise the training application and IEP, a recommendation to remove the participant from the TAA program must be submitted to the State TAA Coordinator at TAA@deo.myflorida.com.

K. Training Providers

It is recommended, but not required, that training providers be on the Eligible Training Provider List (ETPL) for the approval of a TAA training application. Training providers not on the ETPL may be utilized if the LWDB can confirm that the training institution is accredited by using the [U.S. Department of Education's Database of Accredited Postsecondary Institutions and Programs \(DAPIP\)](#). There must also be a reasonable expectation of employment following the successful completion of the training.

It is encouraged that training providers on the ETPL offering comparable training within the local area be considered before providers not on the ETPL as these training providers have been locally verified as offering training programs aligned with the LWDB's local in-demand occupations and industry sectors. However, LWDB's are not authorized to restrict TAA-funded training exclusively to training providers on the ETPL.

L. Training Program Duration

The Local TAA Coordinator must work with the TAA participant to determine the appropriate duration of training. The training must be of suitable duration to achieve the desired skill level to facilitate employment in the selected occupation in the shortest possible time. To calculate the total number of weeks a TAA participant will attend or has attended training, only the "actual" number of training weeks must be counted. TAA approved breaks in training, breaks between semesters, or holiday breaks are not counted against the maximum weeks allowed.

Contingent upon the petition series the trade-affected worker is certified under, TAA training may be approved for a duration as defined in the following chart.

Petition Numbers 50,000 – 69,999 (2002 Amendment)
<ul style="list-style-type: none"> • 104 weeks of full-time training • 130 weeks of full-time training if remedial training is required
Petition Numbers 70,000 – 79,999 (2009 Amendment)
<ul style="list-style-type: none"> • 130 weeks of full-time or part-time training • 156 weeks of full-time training or part-time if remedial or prerequisite training is required
Petition Numbers 80,000 – 80,999 (2011 Amendment)
<ul style="list-style-type: none"> • 104 weeks of full-time training • 130 weeks of full-time training if remedial training is required
Petition Numbers 81,000 and above (2015 Amendment)
<ul style="list-style-type: none"> • 130 weeks of full-time or part-time training

M. Remedial and Prerequisite Training

If the results of the comprehensive and/or specialized assessment indicate the need to correct or improve deficient skills (e.g., limited English proficiency) necessary for successful completion of the training program, remedial courses must be considered. (See [Administrative Policy XXX: Trade Adjustment Assistance Employment and Case Management Services](#) for requirements regarding comprehensive and specialized assessments.) Wherever practical, remedial training should be conducted concurrently with occupational skills training.

Prerequisite training is education designed to provide the required courses for entry into a specific approved occupational or vocational training program. Local TAA Coordinators may approve prerequisite courses as part of the TAA participant’s training program. If a TAA participant requires prerequisite training or remedial training which cannot reasonably be conducted concurrent with occupational skills training, the training application must be developed in such a way that any break between remedial/prerequisite and occupation skills training does not exceed 30 days, whenever possible. Every effort must be made to ensure a seamless transition from one component of training to the next.

If remedial and/or prerequisite training is required, the participant’s Employ Florida TAA training application must reflect these courses in their entirety to include the start and end dates of the entire training program, including the dates for each remedial and/or prerequisite training. Remedial and prerequisite training weeks must be included when determining training program duration.

N. Distance Learning

Training and Employment Guidance Letter (TEGL) 09-05 provided a revised interpretation governing distance learning, also referred to as online learning, to allow for its approval under TAA when the degree or certificate received is equivalent to that received through classroom

training. This interpretation expands the types of approvable training; to include scenarios in which the TAA participant completes all, or part of, an educational or vocational program online, or in a location that is not physically on the campus of the institution hosting the training program. LWDB's may not restrict the use of distance learning for TAA training.

For online learning to be approved, all six criteria for approval of training must be met. Online learning, in some cases, may be more self-paced than classroom training. The Local TAA Coordinator must work with distance learning providers to understand a specific program's participation requirements and benchmarks. Information from training providers informs the Local TAA Coordinator of progress, which is critical in reviewing benchmarks and gauging satisfactory academic progress. It is recommended that the Local TAA Coordinator review the syllabus of the online training program and ensure the participant is providing all required information from the training provider's management information system to demonstrate progress.

O. On-the-Job Training

On-the-Job Training (OJT) under TAA consists of up to a 104-week maximum of training provided by an employer to a TAA participant who has been hired by the employer. OJT is conducted while the TAA participant is engaged in productive work in a job that provides knowledge or skills essential to the full and adequate performance of the job. TAA participants may be approved for a training plan which consists of both classroom-based training and OJT, however, the duration of the total training plan must adhere to Section IV.L of this policy with the OJT portion of the training not exceeding 104 weeks.

LWDBs are responsible for ensuring OJT programs meet the following requirements:

1. Are reasonably expected to lead to suitable employment with the employer offering the OJT.
2. Are compatible with the skills of the TAA participant.
3. Include a curriculum through which the TAA participant will gain the knowledge or skills necessary to become proficient in the job for which the TAA participant has been hired and is being trained.

The LWDB may enter into a contract to pay the hiring employer not more than 50 percent of a TAA participant's salary, paid in monthly installments, using TAA funds, for a maximum of 104 weeks. The TAA participant must be engaged in learning new skills during OJT. If the job does not require 104 weeks of training time, the contract is written for the appropriate amount of time required to learn the skills.

OJT through the TAA program is not an incumbent worker training program; it is available to individuals who otherwise lack marketable skills and require training to return to suitable employment. Since TAA training may not be approved retroactively, a worker interested in OJT needs to apply for the OJT with the Local TAA Coordinator before beginning employment. Additionally, TAA does not permit OJT in the TAA participant's previous, trade-impacted occupation, with respect to the article produced or service provided by the worker's previous, trade-impacted employer.

LWDBs must ensure employers that exhibit a pattern of failing to provide workers with continued long-term employment and adequate wages, benefits, and working conditions as regular employees, are excluded from receiving OJT contracts.

TAA participants enrolled in OJT may not be able to access TRA due to their income earned through wages. However, TAA participants age 55 and older may be eligible for Reemployment Trade Adjustment Assistance (RTAA) while participating in OJT. RTAA is a cash benefit that pays 50% of the gap between what the participant earned in his/her previous, trade-impacted employment and what the TAA participant earns in his/her new job. This subsidy is paid over two years, or up to \$10,000, whichever comes first. Local TAA Coordinators who require assistance determining if a participant is eligible for TRA or RTAA may contact the State Trade Program Office at TRA@deo.myflorida.com.

Training benchmarks are associated with academically oriented training and securing a credential; therefore, OJT does not require benchmarks. If an OJT is being monitored as part of the training contract with the employer, TAA benchmark reviews and the accompanying Employ Florida data entries on the TRA Benchmarks tab are not required.

P. Retakes

If a TAA participant fails one or more courses, the TAA program may pay for the retake. The decision to pay for the retake, and the number of times the LWDB will pay for the course to be retaken must be made by the LWDB in accordance with local policy. The TAA participant's training application still must not exceed 130 weeks of training even if courses are retaken. The Local TAA Coordinator must document the following information in the training application case note section for participants granted a retake under TAA:

1. Name or course number of course(s) failed;
2. Reason for failure; and
3. Action to be taken to prevent another failure. Such actions may include, but are not limited to: tutoring, enrolling in a necessary pre-requisite course, changing the training goal within the same industry (certificate vs. degree), etc.

Q. Scheduled Breaks in Training

Scheduled breaks in training include all periods within or between courses, terms, quarters, semesters and academic years as provided for in the training provider's schedule or syllabus. Scheduled breaks are not included in the calculation of maximum allowable training weeks. Prior to the break in training, the TAA participant must request the break and the Local TAA Coordinator must issue an approval. Scheduled breaks must be reported in the TAA participant's Employ Florida TAA program application using service code 233 (TAA – Scheduled Break in Training). The service must include the begin and end date for the scheduled break. The maximum amount of days that a TAA participant can temporarily cease training is not defined; therefore, the length of interruption of training is at the discretion of the LWDB; however, the end date may not extend beyond the maximum allowable weeks for the training.

TAA participants may continue receiving TRA benefits during scheduled breaks that are no longer than 30 business days (not including state recognized holidays or weekends) and meet the following conditions:

1. The participant was participating in the training before the beginning of the break;
2. The break was published in the training provider's schedule or is indicated in the participant's approved training application; and
3. The participant resumes training immediately after the break.

Local TAA Coordinators must inform TAA participants that breaks in training have the following impacts on benefits:

1. No Basic or Additional TRA will be paid to a TAA participant for any week which begins or ends within a scheduled break that is 30 days or more;
2. The maximum amount of Basic TRA available is not affected by the weeks the TAA participant does not receive TRA while on a break, but the weeks will count against the 104-week eligibility period; and
3. For Additional TRA, any week(s) for which TRA is not paid will count against the eligibility period and, possibly, the number of weeks payable.

R. Unscheduled Breaks in Training

Generally, TAA participants in training must remain in training until it is completed. However, if it is necessary for the TAA participant to temporarily stop attending training the participant must request an unscheduled break. Unscheduled breaks of TAA-approved training are managed on an individual basis contingent upon the reason for the interruption. In general, TAA participants who voluntarily withdraw themselves from training for any reason cannot re-enter training. However, some exceptions may apply, especially in cases where the reason for the interruption is due to health or other personal reasons that are beyond the control of the TAA participant.

The Local TAA Coordinator will evaluate allowing TAA participants who stop training to return under the following circumstances:

1. The reason for the unscheduled break in training can be remedied by a short period away from school; or
2. When training can be completed within the maximum allowable weeks to complete training.

Any changes in training program end dates must be documented and the State Trade Program Office must be notified immediately by submitting the revised training application to TRA@deo.myflorida.com. TAA participants who are receiving TRA benefits (or are not yet receiving TRA because RA benefits have not yet been exhausted) must be informed that a period of interruption in training may affect their benefits.

S. Measurable Skills Gains

Measurable Skills Gains (MSG) is an indicator required by the Workforce Innovation and Opportunity Act (WIOA) designed to measure in-progress skills gains made by participants (including TAA participants) enrolled in education or training during a program year. TAA participants who receive any training service, regardless of funding source, and are co-enrolled with WIOA Adult or Dislocated Worker programs are included in MSG calculations for both TAA and WIOA programs. Therefore, to ensure MSG performance is captured appropriately, it is recommended that the LWDB cross-train TAA and WIOA staff to properly document and report Measurable Skills Gains.

All participants in TAA-approved training require Measurable Skills Gains to be documented in Employ Florida. Local TAA Coordinators must report participant progress in the Measurable Skills Gains subsection of the TAA participant's Employ Florida TAA program application. The participant's documented progress must meet one of the following criteria:

1. Educational Functioning Level (EFL) gain. An EFL gain is the advancement of educational level by making measurable improvement in educational attainment as measured by a pre-test and post-test such as the Test of Adult Basic Education (TABE).
2. EFL gain by entry into post-secondary education.
3. Credential attainment.
4. Earned 12 credits in one semester. Transcripts/report cards must not indicate that the participant withdrew from courses and/or dropped out of school, was removed from the institution, or otherwise indicate removal on academic or conduct grounds.
5. Progress report from the training provider.
6. Passing of an exam or test for a specific occupation (e.g. Welding Certification, Commercial Driver's License (CDL)). Tests administered as a part of a typical secondary or post-secondary education course do not count.

T. Credential Attainment

Training and Employment Guidance Letter (TEGL) 15-10 established "credential" as the umbrella term encompassing postsecondary degrees, diplomas, GEDs, licenses, and industry-recognized certifications. Credentials are designed to equip TAA participants to enter or re-enter employment, retain employment, or advance into better employment. The following are acceptable types of credentials that may be reported:

1. Secondary school diploma or recognized equivalent;
2. Associate degree;
3. Bachelor's degree;
4. Occupational licensure, certification, and certificate (includes Registered Apprenticeship, Career and Technical Education educational certificates, and technical diplomas); and
5. Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advancement in employment.

TAA participants may attain multiple credentials if the credentials are listed in the training application and are required for achievement of the participant's occupational goal. Examples of acceptable multiple credentials include the attainment of a bachelor's degree and a professional license.

Graduate degrees are not counted as a performance measure for credential attainment. TAA will continue to approve graduate degree programs if they are required for the attainment of the participant's occupational goal. However, since graduate degrees no longer count towards credential attainment, a professional or occupational license that is required for, or helpful to, the occupation must be included in the training application. This professional or occupational license must be coded as a credential. Note, in the case of an occupational license, the credential is earned when the license is earned; not when the licensing exam is taken.

Credentials must be reported in the TAA participant's Employ Florida TAA program application credentials subsection and a copy of the credential must be scanned and uploaded as source documentation. If the TAA participant is enrolled for a credential in WIOA (or another partner program) and a separate credential for TAA, both credentials must be reported when they are earned. If the participant is co-enrolled in WIOA and TAA with a single credential, the single credential must be reported under both programs.

WIOA participants have up to one year from program exit to obtain their credential for WIOA funded training, but under TAA they must be job ready upon completion of their TAA-approved training. Therefore, any credential obtained through TAA must be reported prior to closure of the participant's Employ Florida TAA program application.

U. Training Closure

When TAA participants are removed from, withdraw, or complete their training program, the Local TAA Coordinator must update the TAA participant's Employ Florida TAA program application. Updating the TAA application allows staff to record federal and local performance measures before the program exit occurs.

To prevent the overpayment of TRA, the Local TAA Coordinator must provide written notification to the State Trade Program Office at TRA@deo.myflorida.com within two business days following the termination of the participant's training or the participant exiting the program.

V. Veteran's Priority of Service

The TAA program must comply with the Jobs for Veterans Act. Covered veterans determined eligible for the TAA program must receive priority over non-veterans for the receipt of appropriate services provided under the TAA program.

W. State and Local Monitoring

Services and activities provided under TAA must be monitored annually for compliance with TAA requirements by DEO. DEO will monitor the requirements outlined in this policy and

local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the TAA participant and LWDB staff; and
2. Local monitoring procedures for implementation of this policy.

V. DEFINITIONS

1. **Affected Worker List:** A list of trade-affected workers, typically provided by the trade-impacted employer, who were separated or threatened with separations during the period beginning one year before the petition was filed and ending two years after the date of the certification.
2. **Local TAA Coordinator:** A merit-staff employee designated by the LWDB to determine TAA eligibility and to provide TAA case management and employment services with the goal of leading participants to suitable employment.
3. **Petition:** A request submitted to USDOL to certify an employer as adversely impacted by global trade or competition.
4. **Suitable Employment:** Work of a substantially equal or higher skill level than the trade-affected worker's past trade-affected employment, with wages no less than 80 percent of the trade-affected worker's average weekly wage from the trade-affected employment.
5. **TAA Participant:** Any trade-affected worker who completes the initial TAA application and is enrolled in the TAA program by a Local TAA Coordinator by receiving a staff-assisted service.
6. **Trade-Affected Worker:** An individual who has been totally or partially separated from employment in a firm or subdivision of a firm that has been certified under TAA.

VI. REVISION HISTORY

Date	Description
06/04/2020	Approved by CareerSource Florida Board of Directors.
06/04/2020	Issued by Florida Department of Economic Opportunity.