



Administrative Policy

**POLICY
NUMBER
108**

Title:	Employment and Case Management 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 providing employment and case management services 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 three or more 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 covered eligible to apply to a local career center for individual services and benefits, which include employment and case management services.

III. AUTHORITY

[Higher Education Act of 1965 \(20 U.S.C. 1087tt\)](#)

[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 15-12 Delivery of Benefits and Services to Trade Adjustment Assistance \(TAA\) Program Recipients through the American Job Center Network Delivery System](#)

IV. POLICIES AND PROCEDURES

Upon determination of TAA eligibility under the TGAAA of 2009, TAAEA of 2011, or TAARA of 2015 law, LWDBs are required to ensure trade-affected workers who are covered under a petition have access to employment and case management services as described in this policy.

A. TAA Informational Session

When a petition is certified by USDOL, the State Trade Program Coordinator will notify the LWDB responsible for the county within which the trade-affected employer is located. The notification will include a copy of the certified trade petition, the contact information for the trade-affected employer and instructions to secure a list of the trade-affected workers from the employer within 10 business days and provide the list to the State Trade Program Office. Upon receipt of this notification, the LWDB must coordinate with the employer to offer the trade-affected workers the opportunity to attend a TAA informational session conducted by the Local TAA Coordinator. Each LWDB is required to designate a Local TAA Coordinator as outlined in [Administrative Policy 101: Trade Adjustment Assistance Funding](#).

The informational session will review the benefits and services offered by the TAA program. When 20 or more trade-affected workers are covered under a certified petition, LWDBs must coordinate with the employer to afford the workers the option to attend the informational session at the employer's location or the career center nearest to the employer's location. Once scheduled, the Local TAA Coordinator must provide the date(s), time(s) and location(s) of all group TAA informational sessions to the State Trade Program Office by emailing TAA@deo.myflorida.com. For those trade-affected workers who are unable to attend, or for groups with fewer than 20 trade-affected workers, the opportunity to schedule an individual session with the Local TAA Coordinator must be afforded.

Trade-affected employers may have affected workers who reside in a different geographic location than the work site location. Trade-affected workers may choose to receive services from the LWDB of their choice, regardless of geographical location with regards to residence. The LWDB may refer the trade-affected worker to a closer location for the worker's convenience but may not refuse to provide services if the worker declines to use another LWDB.

B. TAA Eligibility Review

Following the group or individual informational session, the Local TAA Coordinator must schedule a one-on-one, in-person meeting with each trade-affected worker who is interested in receiving services. The meeting may be conducted immediately following the informational session if time permits. Local TAA Coordinators are encouraged to have all trade-affected workers who are interested in receiving services complete an Employ Florida registration prior to the meeting. During the initial meeting, the Local TAA Coordinator must verify that the worker's name is recorded on the affected workers list provided by the employer or the State Trade Program Coordinator. Once eligibility is verified, the Local TAA Coordinator must create a Wagner-Peyser program application, followed by a TAA program application, in Employ Florida for the trade-affected worker.

If the trade-affected worker's name is not present on the affected workers list, the Local TAA Coordinator must contact the employer to determine the individual's eligibility. If the employer is unable to be contacted, the Local TAA Coordinator must coordinate with the State Trade Program Office to determine the trade-affected worker's eligibility. If the individual is determined to be trade-affected, the Local TAA Coordinator must update the affected workers list and notify the State Trade Program Coordinator. If the individual is determined ineligible for TAA services, the Local TAA Coordinator must ensure the appropriate Wagner-Peyser services to assist the individual with securing employment are provided.

C. Initial TAA Program Participation

Once the TAA application has been created and the trade-affected worker has been identified as eligible to apply for TAA services and benefits, the Local TAA Coordinator must assist the trade-affected worker with completing the Request for Determination of Entitlement to Trade Readjustment Allowance (TRA) form (TRA ETA 855) and the acknowledgement of TRA Eligibility Deadlines form (TRA 345). The Local TAA Coordinator must upload the completed forms to the trade-affected worker's Employ Florida Staff Document folder.

The Local TAA Coordinator must contact the State Trade Program Office at TRA@deo.myflorida.com to provide notification that the trade-affected worker's information is available in Employ Florida and ready for review. The State Trade Program Office will review the worker's request form and issue a determination for TRA benefits. Once completed, a service code TR0 (Eligibility Review "Local TAA Coordinator Use") must be recorded under the worker's TAA program application. This service code reflects the initial eligibility activity that will establish the individual's participation in the TAA program. The TR0 service code must be entered in accordance with [DEO Memorandum: Trade Adjustment Assistance TR0 and TA1 Employ Florida Service Code Changes](#).

D. Employment and Case Management Services

In accordance with Section 235 of the Trade Act of 1974, as amended by the TAARA of 2015, LWDBs are required to ensure the following employment and case management services are available to all TAA participants:

- Comprehensive assessments
- Specialized assessments
- Provision of labor market information
- Individual career counseling
- Development of an Individual Employment Plan (IEP)
- Information on available training and financial aid
- Short term pre-vocational services
- Information relating to the availability of supportive services

The purpose of these services is to provide trade-affected workers the necessary information and support throughout their participation in the TAA program for obtaining suitable employment. Case management services assist TAA participants by establishing goals to overcome barriers to employment; providing guidance through occupational training to overcome a skill deficiency or increase participant marketability; and by establishing a plan to increase wages for those participants that have secured employment at a lesser wage than his/her trade-affected employment and will receive wage subsidies through the Reemployment Trade Adjustment Assistance (RTAA) program.

Local TAA Coordinators must document employment and case management services in the participant’s Employ Florida TAA program application by recording the service code which corresponds to the service provided, as follows:

Service Code	Service Code Description
T01	TAA - Comprehensive Assessment
T02	TAA - Specialized Assessment
T03	TAA - Provision of Labor Market Information
T04	TAA - Individual Career Counseling
T05	TAA - Individual Employment Plan (IEP)
T06	TAA - Provision of Training Information
T07	TAA - Provision of Supportive Service Information
T08	TAA - Short-term Prevocational Services
T09	TAA - Follow-up Services

All service codes and corresponding case notes must be entered in accordance with the requirements prescribed in the [Employ Florida Service Code Guide](#).

Note: There may be other services that are provided, but the services indicated in the table above, except for follow-up services, are required for all trade-affected workers who are interested in participating in TAA-funded training.

1. Comprehensive Assessment

Each TAA participant must be provided a comprehensive assessment to determine the appropriate service level and path to obtain suitable employment. The comprehensive assessment is performed using in-depth interviewing and evaluation to identify barriers and appropriate employment goals. This assessment must also determine if the TAA participant is job ready or will require training to gain the necessary work skills to become reemployed.

When it is determined that a TAA participant has no barriers to employment, possesses marketable employment skills and suitable employment is available, he/she must be provided the appropriate Wagner-Peyser services, to include service code 114 (Staff-Assisted Job Search), to facilitate the TAA participant obtaining employment as soon as possible. When the TAA participant has barriers to employment, lacks the required skills to obtain suitable employment, and/or suitable employment is not available, the Local TAA Coordinator should ensure the information in the comprehensive assessment is addressed in the participant's IEP as further outlined in section IV.D.4. of this policy.

The comprehensive assessment will serve as the foundation and justification for all TAA participants receiving TAA-funded training services and should guide the development of the IEP. The assessment must include a detailed examination of the TAA participant's qualifications, skills and capabilities and explore any relevant barriers that may hinder the participant's ability to secure suitable employment. This examination may include, but is not limited to, a review of the TAA participant's:

- a. Educational background
- b. Employment history
- c. Financial situation
- d. Emotional and physical health (including disabilities)
- e. Attitude towards work
- f. Motivation
- g. Supportive service needs

As determined by the LWDB's local operating procedures, the comprehensive assessment may be created using the Employ Florida Objective Assessment Summary or a locally developed assessment tool. The comprehensive assessment must be recorded in Employ Florida using service code T01 (TAA - Comprehensive Assessment) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#). 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.

Exception: If a comprehensive or initial assessment has already been completed by LWDB staff through a partner program, the Local TAA Coordinator may use the results from that

assessment. If any elements of that assessment are missing, the Local TAA Coordinator must administer the missing elements and document the results in a case note.

2. Specialized Assessments

Specialized assessments help establish a TAA participant's skill levels and service needs. The Local TAA Coordinator may use a multi-faceted approach to the specialized assessment process by using the following assessment tools and techniques: interest inventories, aptitude and skill tests, career guidance instruments and basic skill tests.

These services may be provided through the Workforce Innovation and Opportunity Act (WIOA) program, which will require the Local TAA Coordinator to assist the TAA participant with scheduling the assessment(s). When referring TAA participants to WIOA for specialized assessments, this service must be recorded by the Local TAA Coordinator in Employ Florida using service code 211 (Referral to WIOA Assessment (TABE/CASAS testing)). Specialized assessments may include, but are not limited to, a review of the following:

- a. Basic literacy in math, reading, or writing
- b. Occupational skill levels
- c. Transferable skills
- d. Interests and aptitude
- e. English language proficiency

The outcomes of these assessments must be recorded in Employ Florida using service code T02 (TAA – Specialized Assessment) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

3. Labor Market Information

The Labor Market Information (LMI) service involves the provision of workforce and labor market employment statistical information, including the delivery of accurate information relating to local, regional, and national labor market areas, such as:

- a. Job vacancy listings
- b. Information on job skills necessary to obtain listed jobs
- c. Information relating to local high-demand occupations and the earnings, skill requirements, and opportunities for advancement in those jobs

LMI must be used by Local TAA Coordinators when assisting TAA participants in selecting appropriate occupational skills training and/or developing an IEP. The provision of LMI must be recorded in Employ Florida using service code T03 (TAA - Provision of Labor Market Information) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

4. Individual Career Counseling

Individual career counseling must be provided by the Local TAA Coordinator following the comprehensive assessment to assist the participant in making informed educational, training and occupational choices and may include the following:

- a. Assisting in developing a participant's knowledge of educational and occupational opportunities, and/or the steps involved in career planning;
- b. Assisting in developing career goals by using sound information including appropriate assessments and career explorations that focus on the talents, knowledge, transferable skills, interests, values, and aptitudes of the participant;
- c. Interpreting the local job market(s) and providing the steps necessary for the TAA participant to obtain and retain suitable employment in an occupation of the participant's interest;
- d. Providing specific information about job duties, working conditions and hiring requirements of occupational areas of interest; and
- e. Helping a participant explore and select occupational skills training opportunities.

Individual career counseling must be recorded in Employ Florida using T04 (TAA - Individual Career Counseling) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

5. Individual Employment Plan

The IEP is a negotiated agreement between the TAA participant and the TAA program detailing what the TAA participant will do to return to suitable employment and what the TAA program will do to support his/her efforts. The IEP must include a clear employment goal, outline the steps necessary (objectives) to achieve the goal, any barriers that may prohibit the TAA participant from achieving the goal and the supportive services and steps necessary (objectives) to overcome any barriers.

The LWDB must ensure that an IEP is recorded for TAA participants who require assistance in overcoming employment barriers in order to return to suitable employment, lack the skills necessary to secure suitable employment in the existing labor market and will be entering TAA-approved training, or secured employment at a lesser wage than their trade-affected employment and will receive wage subsidies through the Reemployment Trade Adjustment Assistance (RTAA) program.

a. Developing the IEP

TAA participant IEPs must be created using the Employ Florida IEP/Service Strategy wizard or a locally-developed IEP tool, as determined by the LWDB's local operating procedures. If using a locally developed IEP tool, a copy of the plan must be scanned and uploaded to Employ Florida under the Staff Documents section of the participant's file. The IEP service must be recorded in Employ Florida using service code T05 (TAA – Individual Employment Plan (IEP)) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#). The IEP must be signed by the TAA participant and

retained in the participant's file. If the participant is going to receive TAA-funded training, the IEP must be completed prior to the date of the first date of training or waiver of training requirement, as outlined in [DEO Memorandum: Trade Adjustment Assistance Individual Employment Plan Reporting](#).

b. Establishing Goals and Objectives

Each IEP should have one employment goal that drives the plan. The description of the employment goal should be written in a manner that is succinct and pertinent. If the Local TAA Coordinator is using the IEP/Service Strategy wizard in Employ Florida, additional details can be added in the Goal Details text box. If a locally-developed tool is being used, the details of the IEP must be included in the case note attached to the service code T05 (Individual Employment Plan (IEP)), as prescribed in the [Employ Florida Service Code Guide](#). The term of a goal can be identified as long-term (12+ months), intermediate (3-12 months), or short-term (0-3 months).

The objectives of the IEP break down the larger goal into comprehensive steps required to reach the goal. Effective objectives will include dates for achievement and identify an individual responsible for completing the objective. Ensuing review dates should be connected to the objectives outlined within the IEP to ensure satisfactory progress.

c. Reviewing the IEP

The IEP must be treated as a living document and reviewed by the Local TAA Coordinator on a regular basis with the participant. At a minimum, the IEP must be reviewed every 60 days. The IEP must be amended, as appropriate, when additional needs are identified, or objectives are achieved. When new objectives are added, the IEP should be reviewed and signed by the TAA participant and accompanied by service code T05 (TAA - Individual Employment Plan (IEP)) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

6. Provision of Training Information

If the results of the comprehensive assessment reveal that the TAA participant requires training, and the participant is interested in training, the Local TAA Coordinator must provide individual counseling to determine suitable training, offer information on available training programs, and provide guidance on how to apply for such training.

Additionally, the Local TAA Coordinator must provide information on how to apply for financial aid. This includes informing the participant that he/she may request the training institution's financial aid administrator to use the administrators' discretion under Section 479A of the [Higher Education Act of 1965 \(20 U.S.C. 1087tt\)](#) to use current year income data, rather than preceding year income data, for determining the amount of need for federal financial assistance.

The provision of training information must be recorded in Employ Florida using service code T06 (TAA – Provision of Training Information) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

7. Supportive Service Information

Local TAA Coordinators must provide TAA participants with information relating to the availability of supportive services, including services related to child care, travel assistance, dependent care, housing assistance, and needs-related payments that are necessary to enable the participant to successfully participate in TAA-funded training.

The provision of supportive service information must be recorded in Employ Florida using service code T07 (TAA – Provision of Supportive Service Information) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

8. Short-term Prevocational Services

Local TAA Coordinators must provide short-term prevocational services to help trade-affected workers attain employment or successfully participate in training. Short-term prevocational skills include communication and interviewing skills, punctuality, study skills, professional conduct, and basic computer literacy and competencies. Short-term prevocational services also include providing counseling on workplace expectations, professional conduct and personal maintenance, when appropriate.

The provision of short-term prevocational services must be recorded in Employ Florida using service code T08 (TAA - Short-term Prevocational Services) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

9. Follow-up Services

Local TAA Coordinators must maintain consistent communication by following up with TAA participants to ensure the successful completion of objectives in the IEP. Follow-up services include, but are not limited to, discussing the status of objectives with the participant, securing documentation for reimbursement of travel costs while in training and reviewing training benchmarks.

The provision of follow-up services must be recorded in Employ Florida using service code T09 (TAA - Follow-up Services) and include a case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

E. 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 Workers 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.