



## Administrative Policy

**POLICY  
NUMBER 101**

<b>Title:</b>	Trade Adjustment Assistance Training and Other Activities Funding
<b>Program:</b>	Trade Adjustment Assistance (TAA)
<b>Effective:</b>	June 9, 2021

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide to Local Workforce Development Boards (LWDBs) the requirements for Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) funding.

### **II. BACKGROUND**

The Trade Act of 1974 established the Trade Adjustment Assistance for Workers Program, herein known 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 the TAA program and is the most current. Trade-affected workers may be covered and eligible to apply for TAA benefits and services under either the 2002, 2009, 2011 or 2015 amendments.

To be eligible for TAA benefits, a group of two or more 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, to include: training, employment and case management services, job search and

relocation allowances, Trade Readjustment Allowance (TRA), Reemployment Trade Adjustment Assistance (RTAA), and the Health Coverage Tax Credit (HCTC).

The TAA program is funded by a federal entitlement grant. Funds are allocated to the states via the USDOL Office of Trade Adjustment Assistance's grant allocation formula that considers past and anticipated program usage. States may expend training and reemployment service funds in the year of allocation or in either of the next two fiscal years. Fund allocations to LWDBs are made available through a Notice of Grant Award/Funding Availability that specifies which cost object the issued funds support.

The TAA program operates through three types of grants: Training and Other Activities, Trade Readjustment Allowances, and Reemployment Trade Adjustment Assistance. This policy covers the administration of funding allocated to LWDBs for Training and Other Activities. The Trade Readjustment Allowances and Reemployment Trade Adjustment Assistance are funded by a separate uncapped grant administered by the Florida Department of Economic Opportunity (DEO) and are not allocated to the LWDB. The Health Coverage Tax Credit is a federal tax credit that pays seventy-two-point five (72.5) percent of qualified health care insurance premiums for trade-affected workers and their families. This TAA program benefit is administered by the Internal Revenue Service.

### **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](#)

[20 Code of Federal Regulations \(CFR\) Part 618](#)

[41 Code of Federal Regulations \(CFR\) Chapters 300-304 Federal Travel Regulation \(FTR\)](#)

[Training and Employment Guidance Letter \(TEGL\) 05-15](#)

[TEGL 15-12](#)

[TEGL 22-08](#)

[TEGL 18-20](#)

### **IV. POLICIES AND PROCEDURES**

LWDBs must ensure that TaOA funds are used as the first option to support allowable expenses for trade-affected workers eligible for and receiving services under TAA, including those who are co-enrolled in the Workforce Innovation and Opportunity Act

Dislocated Worker program. TaOA funds allocated to LWDBs fall into four cost categories: Training, Case Management, Job Search and Relocation, and Administrative funds.

### **A. Training Funds**

Training funds are primarily used to directly fund training expenditures for eligible TAA participants. TAA participants who lack the education and skills to return to suitable employment may be eligible for training. 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. Eligible trade-affected workers request training services through the appropriate LWDB. The Trade Act requires that the LWDB must approve training for a trade-affected worker if the following six (6) program criteria are met:

- a) There is no suitable employment available for the worker;
- b) The worker would benefit from appropriate training;
- c) There is a reasonable expectation of employment following completion of such training;
- d) Training is reasonably available to the worker from either governmental agencies or private sources;
- e) The worker is assessed and qualified to undertake and complete such training; and
- f) The training is suitable for the worker (based upon the worker's capabilities, background and experience) and available at a reasonable cost.

Once approved and documented in the participant's Employ Florida TAA Program Application, training may be paid on the participant's behalf directly to the service provider or through a voucher system using TAA program funds at the local level. There is no federal or state limit on the amount of program funding that can be expended on training for a trade-affected worker so long as the cost is determined to be reasonable. Reasonable means that the costs of the training are not unreasonably high in comparison with the average cost of training of other workers in similar occupations at other providers. LWDBs may expend program funds on the following TAA training services (and all allowable benefits that accompany the services): classroom training, registered apprenticeship, on-the-job training, and customized training.

Examples of allowable costs accommodating training services include, but are not limited to: books, required supplies, course fees, registration fees, travel and subsistence costs for training outside the local commuting area, and other items or services deemed necessary by the training institution for the completion of training.

## **1. Employ Florida Reporting**

Local TAA Coordinators must report training expenditures for TAA participants in the State's online labor exchange and case management system, Employ Florida at the point of invoice. The point of invoice is the receipt date of the invoice. Electronically received invoices are date stamped via e-mail. Therefore, the received date and the invoice date shall be the same. Mailed invoiced should be stamped on the day of receipt. Therefore, the received date, stamped date, and invoice date shall be the same. As such, LWDBs must establish procedures that ensure the LWDB's financial team and Local TAA Coordinator receive access to invoices for TAA training expenditures and report those expenditures at the same time. Local TAA Coordinators must report TAA training expenditures in Employ Florida under the participant's TRA Payments subsection of the TAA program application. LWDB financial teams report TAA training expenditures in the Subrecipient Enterprise Resource Application (SERA).

LWDBs are required to report TAA-approved training costs in Employ Florida under the participant's TRA Payments subsection of the TAA application. TAA participant data is reported quarterly to USDOL through the Participant Individual Record Layout (PIRL). The TAA program has performance measures that seek to ensure data accuracy and gauge the program's effectiveness. Quarterly, DEO receives a report card from USDOL referred to as the Trade Adjustment Assistance Data Integrity (TAADI) report. The TAADI is a standardized review of high-quality data that is essential to evaluating the program's effectiveness and monitoring service delivery. The TAADI report requires cross validation between participant data and fiscal data. This process ensures expenditure data recorded in the PIRL, as reported within Employ Florida, align with corresponding data on the state's TAA financial report, Employment and Training Administration (ETA) Form 9130.

## **B. Case Management Funds**

States are required to use at least five (5) percent of their program allocation to provide case management and employment services to TAA participants, except for those covered under TAARA of 2002. Under TAARA of 2002, case management funds may not be used to support employment services for participants certified under this amendment. Workforce Innovation and Opportunity Act (WIOA) and/or Wagner-Peyser funds must be utilized to support employment services for TAA participants covered under TAARA of 2002.

In accordance with Section 235 of the Trade Act of 1974 P.L. 93-618, as amended, LWDBs must offer and document the following eight (8) employment services to trade-affected workers:

- a) Comprehensive assessments;
- b) Specialized assessments;
- c) Provision of labor market information;
- d) Individual career counseling;
- e) Development of an Individual Employment Plan;
- f) Information on training and financial aid;
- g) Information on the availability of supportive services; and,
- h) Short-term pre-vocational services.

The following list of activities are also considered to be case management and are allowable uses of case management funds:

- a) Outreach related to the public education and promotion of the TAA program's eligibility, benefits, and services to potentially trade-affected employers;
- b) Conducting Rapid Response TAA informational sessions;
- c) Entering data into Employ Florida, including entering service codes and case notes;
- d) Establishing and updating training benchmarks;
- e) Developing and tracking training plans (including verifying satisfactory participation);
- f) Monitoring TAA participant files;
- g) Developing, updating, and monitoring IEPs to include removing employment barriers;
- h) Costs associated with training TAA and LWDB staff on the TAA program, including activities and services available to TAA participants;
- i) Maintaining and enhancing tools and equipment (including electronic equipment) that would improve case management services;
- j) As a mandatory workforce program partner, program-related supplies, equipment, travel, postage, utilities, rental, and maintenance of office space for the Local TAA Coordinator;
- k) Indirect costs associated with the program; and
- l) Any other staff costs related to case management.

## **1. Local TAA Coordinators**

As outlined in Training and Employment Guidance Letter (TEGL) No. 01-10, the TAA program operates in accordance with merit principles established under the Wagner-Peyser Act. Under this guidance, DEO, as the State Workforce Agency is required to use TAA funds to hire merit-staff employees to provide case management and employment services to trade-affected workers, and apply to these personnel the standards for a merit system of personnel administration in

accordance with Office of Personnel Management regulations at 5 CFR Part 900, subpart F.

To ensure case management and employment services are provided by state personnel, each LWDB is required to designate at least one merit-staff employee under their functional supervision as the Local TAA Coordinator. Local TAA Coordinators are primarily funded by Wagner-Peyser to provide TAA services to trade-affected workers. The case management cost category supports direct charges for Local TAA Coordinator salary and benefits.

### **C. Job Search and Relocation Allowances**

LWDBs may receive funding to provide job search and relocation allowances. This funding should be used for TAA participants who have no reasonable expectation of securing suitable employment within the state-defined commuting area (see DEO memorandum, [State Definition of Trade Adjustment Assistance Commuting Area](#)).

Job search allowance is a support service that may be used to subsidize transportation and subsistence (lodging and meals) costs related to job search activities outside the state-defined commuting area. The amount payable is ninety (90) percent of the total costs for transportation and ninety (90) percent of the total costs for subsistence. Costs for transportation are determined by the prevailing amount authorized under U.S. General Services Administration's (GSA) privately-owned vehicle mileage reimbursement rates. Costs for subsistence payments are determined by the federal per diem rate as defined by GSA. Reimbursement for these expenses may not exceed \$1,250 for any worker.

Relocation allowance is a support service that may be used to subsidize the moving costs of TAA participants who have secured permanent employment outside of the state-defined commuting area. The amount payable is ninety (90) percent of the reasonable and necessary expenses of moving the participant, their family, and their household items. Relocating TAA participants may also be eligible for a lump sum equivalent to three times their weekly wage, up to a maximum of \$1,250. Under TAARA of 2002, TAAEA of 2011 and TAARA of 2015, participants can receive an allowance equal to ninety (90) percent of each of their job search and relocation expenses, up to a maximum of \$1,250 for each benefit. Under TGAAA of 2009, participants may receive up to \$1,500 for each benefit.

Job search and relocation funds shall be requested by LWDBs on an as-needed basis. LWDBs may request job search and relocation funds by emailing the request to the State Trade Program Office at [TAA@deo.myflorida.com](mailto:TAA@deo.myflorida.com). The State Trade Coordinator will review all requests and route to the DEO Bureau of Financial Management for approval DEO's Bureau of Financial Management.

#### **D. Administrative Funds**

Administrative funding is limited to ten (10) percent of the state's total allocation. Administrative funding is used primarily to support state-level administration of the TAA program including Trade Readjustment Allowances and Reemployment Trade Adjustment Assistance. Funds for the Trade Readjustment Allowances and Reemployment Trade Adjustment Assistance are issued directly to DEO by USDOL and are not issued to the LWDBs.

#### **E. Initial Allocation Funding Methodology**

At the beginning of each state program year (PY), DEO will automatically carry over the remaining allocation from the previous PY. If an LWDB does not have carry over funds, and a TAA petition is certified in their service area, the LWDB may request an initial allocation by emailing the request to the State Trade Program Office at [TAA@deo.myflorida.com](mailto:TAA@deo.myflorida.com). The State Trade Coordinator will review requests and route to the DEO Bureau of Financial Management for approval. It is recommended that LWDBs with recently certified petitions submit the request to DEO after the TAA informational session with the trade-affected workers has been held. This will allow the LWDB to submit a request for funds that considers:

- a) The number of trade-affected workers;
- b) Estimated participant levels (based upon the workers who indicated an interest in receiving TAA services and benefits in the informational session or one-on-one meeting); and
- c) The projected cost of training.

LWDBs are expected to expend these funds within the period defined in the Notice of Grant Award/Fund Availability. LWDBs must ensure these funds are used in addition to, and not to offset, any funds the LWDB receives under Wagner-Peyser, WIOA or any other program.

#### **F. Supplemental Funds**

After LWDBs expend initial allocations for the PY, LWDBs may request additional TAA program funds by emailing the request to the to the State Trade Program Office at [TAA@deo.myflorida.com](mailto:TAA@deo.myflorida.com). The State Trade Coordinator will review requests and route to the DEO Bureau of Financial Management for approval. For supplemental funding requests, it is recommended that the LWDB's Chief Financial Officer review and approve each submission.

## G. 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. If necessary and the documents are not easily located in Employ Florida, then DEO shall request documents from the LWDB during a monitoring review. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

- a) Roles of the Local TAA Coordinator and LWDB financial staff; and
- b) Local operating and monitoring procedures for implementation of this policy.

## V. DEFINITIONS

**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.

**Petition** - A request submitted to USDOL to certify an employer as adversely impacted by global trade or competition.

**Reemployment Trade Adjustment Assistance (RTAA)** - A wage subsidy for trade-affected workers 50 years of age or older who return to work paying less than their trade-impacted employment.

**Subsistence** - A monetary allowance to offset the costs of housing and meals when a participant must attend a training facility outside his or her normal commuting area.

**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.

**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.

**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.

**Trade Readjustment Allowance (TRA)** - An income support payment for trade-affected workers who have exhausted Unemployment Compensation while attending TAA-approved full-time training or, if waived from training, while conducting work search.



**VI. REVISION HISTORY**

<b>Date</b>	<b>Description</b>
06/09/2021	Approved by CareerSource Florida Board of Directors.
06/18/2021	Issued by Florida Department of Economic Opportunity.