

Trade Adjustment Assistance (TAA) Assessment Criteria

The Code of Federal Regulations 617.21(c) of the Trade program mandates that testing shall be used to determine which individual skills or potentials can be developed by appropriate training. The operating instructions for the 2009 Act, TEGL 22-08, provides additional clarification by requiring states to provide a skill assessment geared toward evaluating whether the worker meets the six criteria for training approval or matches up to specific career opportunities in the community.

Program regulations do not dictate what kind of assessment tools are to be used by the states to determine training eligibility. Regulations only direct states to provide assessments that will meet the assessment criteria. Whether an assessment is provided by a partner, training provider or TAA specialist, assessment results must provide information that demonstrates the six criteria for training approval are met and/or a client is capable of acquiring skills through training for specific career opportunities in the community. Assessment results must be included in each TAA client file and readily available for review.

The Six Criteria for TAA Training Approval

Please note that all six criteria must be met in order for TAA training to be approved. The six criteria are as follows:

Criteria #1: There is no suitable employment available for the adversely affected worker (CFR 617.22(a)(1)(i)): This criteria is for the client for whom approval of training is being considered, no suitable employment is available at that time for that client, either in the commuting area, or outside the commuting area (which is an area the worker desires to relocate with the assistance of relocation allowance), **and** there is no reasonable prospect of suitable employment becoming available in the foreseeable future.

Note: Suitable employment is employment with a wage equal or higher skilled level not less than 80% of wages from previous trade affected employment.

Criteria #2: The worker would benefit from appropriate training (CFR 617.22(a)(2)): There is a direct relationship between the needs of the worker for skills training or remedial education and what would be provided by the training program under consideration for the worker. In addition, the worker has the mental and physical capabilities to undertake, make satisfactory progress in, and complete the training. This includes the further criterion that the individual will be job ready on completion of the training.

Criteria #3: There is a reasonable expectation of employment following completion of training (CFR 617.22(a)(3)(i)): Given the job market conditions expected to exist at the time of the completion of the training program, there is, fairly and objectively considered, a reasonable expectation that the worker will find a job, using the skills and education acquired while in training, after completion of the training.

Note: The 80% wage requirement from previous employment does not pertain to goal occupation.

Criteria #4: Training is reasonable available to the worker (CFR 617.22(a)(4)): Training is reasonably accessible to the worker within the worker's commuting area. First consideration shall be given to training within the worker's normal commuting area. Training outside the worker commuting area should be approved only if such training is not available in the worker's normal commute area.

Criteria #5: The worker is qualified to undertake and complete the approved training (CFR 617.22(a)(5)): Emphasis must be placed on the worker's personal qualifications to undertake and complete approved training. Evaluation of the worker's personal qualifications must include the worker's physical and mental capabilities, educational background, work experience and financial

resources, and all the above must be adequate to undertake and complete the specific training program being considered. (Evaluation of the worker's financial ability shall include an analysis of the worker's remaining weeks of UI and TRA payments in relation to the duration of the training program).

Criteria #6: Training is suitable for the worker and available at a reasonable cost (CFR 617.22(a)(6)(i)(ii)): Available at a reasonable cost means training may not be approved at one provider when, all costs being considered, training substantially similar in quality, content and results can be obtained from another provider at a lower total cost within a similar time frame. Costs of a training program shall include tuition and related expenses (books, tools, and academic fees), travel or transportation expenses, and subsistence expenses.

An application for training shall be denied if it is for training in an occupational area which requires an extraordinary high skill level and for which the total costs of the training are substantially higher than the costs of other training which is suitable for the worker.

Note: Specialists do not have to automatically choose the least expensive training provider. If it is determined that a training provider at a higher cost (with a more comprehensive training program) would provide a client a better opportunity for employment in their goal occupation, a specialist can approve the higher cost training.