

# Illinois Agent / Liable State Fact Sheet

**Liable State Definition:** The Liable State means, for any individual, the State which administers the applicable State unemployment insurance law. The Liable State is responsible for making all determinations, redeterminations, and decisions on appeals on all claims for program benefits, including waivers and revocations of waivers, subsistence payments, and transportation payments. The liable State also is responsible for publishing newspaper notices, furnishing information and assistance to workers, furnishing reemployment services to all eligible workers covered by such certification, and carrying out other activities and functions required by the State's Agreement with the Secretary. To determine which state is liable, case manager should always ask from which state the customer has filed or is receiving unemployment insurance.

## IL is Liable State - The Customer Sees LWIA First

1. During the Rapid Response process the LWIA should find out how many customers live outside of Illinois and may want services in their state of residence or those customers that may move to another state. Those customers must fully understand that as the Liable State we must pre-approve any services delivered by the other State. If the customer has not already made contact with the Agent State, assist in that process and provide the Agent State with your contact information, commuting distance and the State's training cap amount. Discuss and agree upon the method and frequency of communication that will occur to ensure the customer is meeting all responsibilities for continued program eligibility. It is best to get all agreements in writing. Contact may occur by phone, but follow up all phone conversations with an email verifying the information. Copies of ALL completed Illinois forms must be provided to the Agent State. Case notes in IWDS should also document all agreements and communication.
2. The LWIA Case Manager must pre-approve any service in writing to the Agent State. The customer must be tracked in IWDS and all services must be recorded on the appropriate screens.
3. All copies of the Agent State forms must be obtained and kept in the customer's file. If the forms do not meet the need of our system requirements, the customer will need to fill our and return our forms.
4. Ensure that the customer has filed a UI/TRA claim in either the Agent State or the Liable State. If not, assist the customer with the referral.

## IL is Liable State – The Customer Sees IDES First

1. If the customer has not filed a UI/TRA claim in the Agent State and visits the IDES office prior to contact with the LWIA, the IDES staff person will take the claim and then notify the appropriate LWIA utilizing the Agent/Liable Contact List located on the DCEO Web Site and verify if the customer is in IWDS. The customer should be provided with the LWIA contact name and address and directed to that person immediately if contact with the Illinois LWIA has not been made.
2. ANY documentation that the IDES receives from the Agent State must be immediately provided to the LWIA contact for that customer. The LWIA Case Manager must provide all approvals for services in the Agent State. No information can be posted to the IDES web site unless it is verified and posted on the IWDS system for that customer.

## IL is Liable State – The Customer Sees Agent State First

1. Contact in this situation can occur many ways. Generally the Agent State will contact the TAA/TRA Coordinators to see who they need to work with. If the customer attended a Rapid Response workshop they may have the contact information that they can provide to the Agent State. At times, IDES receives a TRA claim from an Agent state. The IDES staff should check IWDS to see if the customer has had contact with any LWIA in IL. If no IWDS record exists, IDES needs to check the Illinois Agent Liable contacts list: <http://www.commerce.state.il.us/NR/rdonlyres/B3C5BE23-1F66-46CF-8A4A-6842D4A7C154/0/IllinoisAgentLiableContacts1.pdf>. IDES would then need to contact either the customer or Agent state case manager via phone and provide the appropriate LWIA contact in Illinois.
2. Once contact is made, make sure the Agent State understands that Illinois must pre-approve all services. Provide the Agent State with your LWIA contact information, documentation on Illinois' commuting distance and IL's training cap amount. Discuss and agree upon the method and frequency of communication that will occur to ensure the customer is meeting all responsibilities for continued program eligibility. It is best to get all agreements in writing. Contact may occur by phone, but follow up all phone conversations with an email verifying the information.

	Copies of ALL completed Agent State forms must be obtained and we must provide copies of any forms that may have been completed prior to the customer's move. Case notes in IWDS should also document all agreements and communication.
3.	The LWIA Case Manager must pre-approve any service in writing to the Agent State. The customer must be tracked in IWDS and all services must be recorded on the appropriate screens.
4.	All copies of the Agent State forms must be obtained and kept in the customer's file. If the forms do not meet the need of our system requirements, the customer will need to fill our and return our forms.

**Agent State Definition:** Agent State means, for any individual, any State other than the Liable State for the individual. Agent States shall be responsible for cooperating fully with the Liable State and assisting the Liable State in carrying out its activities and functions. These Agent State responsibilities shall be part of the activities and functions undertaken by the Agent States under their Agreements. Agent State responsibilities include cooperating with Liable States in taking applications and claims for TAA, providing reemployment services to certified workers, providing interstate claimants with TAA program information and assistance, assisting applicants or claimants to file claims for TAA program benefits and services, cooperating with the Liable State by providing information needed to issue determinations, redeterminations, and decisions on appeals, and procuring and paying the cost of any approved training, including subsistence and transportation costs, according to determinations issued by the Liable State.

#### Prior to the delivery of ANY service by the Agent State

Prior to the delivery of ANY service by the Agent State the LWIA Case Manager must first contact the Liable State to discuss and agree upon the method and frequency of communication that will occur to ensure the customer is meeting all responsibilities for continued program eligibility. It is best to get all agreements in writing. Contact may occur by phone, but follow up all phone conversations with an email verifying the information. Copies of ALL completed Illinois forms must be provided to the Liable State. Case notes in IWDS should also document all agreements and communication.

#### Agent State - The Customer Sees LWIA First

1. The LWIA Case Manager must ask if the customer filed a UI/TRA claim in the Liable State. If so obtain documentation from the Liable State for the Qualifying Separation, TRA eligibility and the customer's BPE date. If no UI/TRA claim was filed in the Liable State, the Case Manager should direct the customer to the IDES office to file an interstate TRA claim which will be transmitted to the liable state.
2. The Liable State must pre-approve the issuance of a waiver. Discuss how the waiver reviews will occur and be transmitted to the Liable State. The Liable State must approve the termination or revocation of a waiver.
3. The Liable State must pre-approve any Training. Obtain in writing what the Liable State's training cap and their commuting distance is and apply that to the development of the training plan and ITA. Attach all documentation to the appropriate forms in the customer's file and add a case note in IWDS explaining what these requirements are for monitoring purposes. Provide the Liable State with copies of all enrollment in training forms, attendance sheets, class schedules, grades etc. Any changes to the training plan must be pre-approved by the Liable State. Any absence or classes dropped must be reported to the Liable State immediately.
4. The Liable State must pre-approve any Out-of-Area Job Search Assistance utilizing the Liable State's commuting distance policy.
5. The Liable State must pre-approve any Out-of-Area Relocation Assistance utilizing the Liable State's commuting distance policy.
6. The Liable State must pre-approve any ATAA/RTAA benefits.

#### Agent State – The Customer Sees IDES First

1. If the customer has not filed a UI/TRA claim in the Liable State and visits the IDES office prior to contact with the LWIA, the IDES staff person will take the claim and then notify the appropriate LWIA utilizing the Agent/Liable

	Contact List located on the DCEO Web Site. The customer should be provided with the LWIA contact name and address and directed to that person immediately.
2.	ANY documentation that the IDES receives from the Liable State should be immediately provided to the LWIA contact for that customer.
3.	Follow the instructions listed in Agent State – The Customer Sees LWIA First for all services.

#### **Agent State – The Customer Sees Liable State First**

1.	Ideally the Liable State would make a referral prior to the customer moving. If that does not occur utilize the DOL website link listed below to contact the TAA/TRA Coordinator in the Liable State and make contact immediately.
2.	Follow the remaining steps listed in <u><a href="#">Agent State - The Customer Sees LWIA First</a></u> section.

*If the LWIA Case Manager or the IDES staff encounters any eligibility issues or disagreements between the states – please contact the Illinois TAA/TRA Coordinators immediately.*

#### **Illinois State TAA and TRA Coordinators**

Susan Boggs, TAA Coordinator Bureau of Workforce Development, IL Dept. of Commerce and Economic Opportunity 620 East Adams Street, 5th Floor Springfield, IL 62701 Phone: (217) 558-2474 Fax: (217) 558-2444 Email: <a href="mailto:susan.boggs@illinois.gov">susan.boggs@illinois.gov</a>	Janet Rosentreter, TAA Coordinator Bureau of Workforce Development IL Dept. of Commerce and Economic Opportunity 620 East Adams Street, 5th Floor Springfield, IL 62701 Phone: (217) 558-2433 Fax: (217) 558-2444 Email: <a href="mailto:janet.rosentreter@illinois.gov">janet.rosentreter@illinois.gov</a>	Deborah Geier, TRA Coordinator Special Programs Manager IL Dept of Employment Security 850 East Madison Springfield, IL 62794 Phone: (217) 558-1276 Fax: (217) 785-5108 Email: <a href="mailto:Deborah.geier@illinois.gov">Deborah.geier@illinois.gov</a>
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**All TAA and TRA Coordinators in the US are listed on the DOL website at:**

<http://www.doleata.gov/tradeact/contacts.cfm>

**The Illinois Agent/Liable Listing can be found on the DCEO Website at:**

[http://www.illinoisbiz.biz/dceo/Bureaus/Workforce\\_Development/Resources/Trade+Adjustment+Assistance+Program+Resources.htm](http://www.illinoisbiz.biz/dceo/Bureaus/Workforce_Development/Resources/Trade+Adjustment+Assistance+Program+Resources.htm)