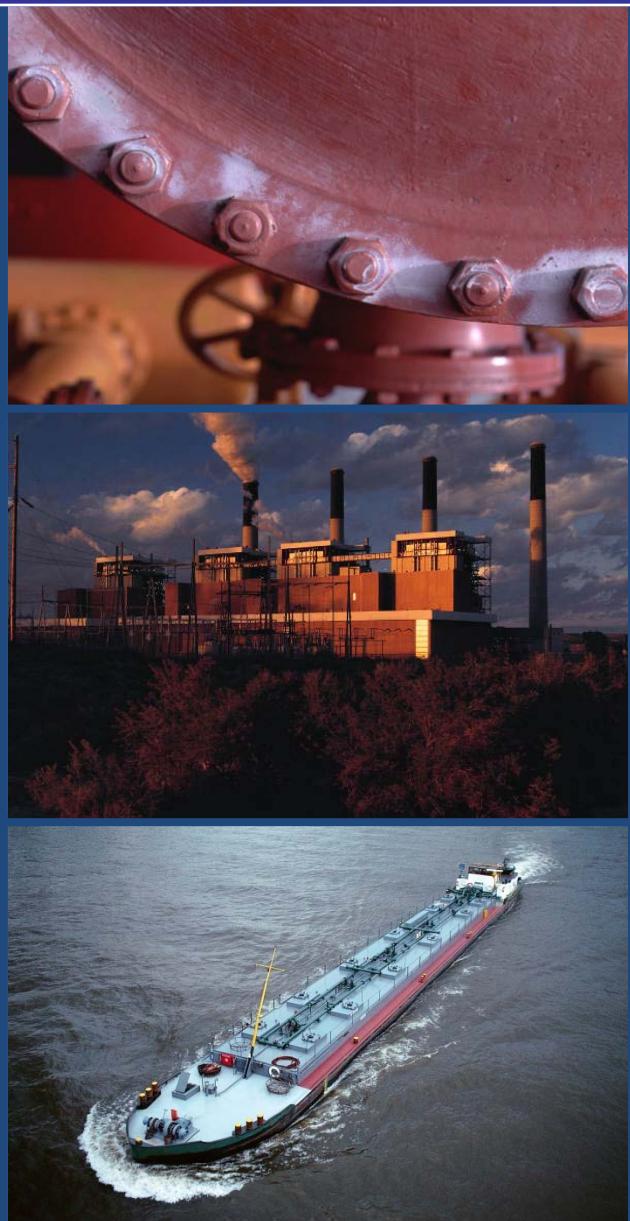


2009

Trade Adjustment Assistance Operating Instructions

Certifications Prior to May 18, 2009



Development
Department of Commerce and Economic Opportunity
July 2009

Trade Adjustment Assistance Policy and Procedures

Illinois Department of Commerce & Economic Opportunity

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Overview

Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) help trade-affected workers who have lost their jobs because of increased imports **or shifts in production out of the United States**. Under the Trade Act of 1974, as amended, workers who experience a partial or total separation from employment due to increased imports may apply for TAA, which offers a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. The first step in the process is certification. Once a group of workers is certified, an individual worker may be eligible to receive one or more of the following benefits:

Rapid Response Assistance – provided to workers who experience an adverse affect in their employment with information on available services and how to access such services to ensure a rapid return to the workforce.

Income Support (Trade Readjustment Allowances (TRA)) – is available to provide income support to workers while participating in full-time training. Under certain circumstances, TRA is also available to certified workers for whom training is not feasible or appropriate. There are three (3) categories of TRA Benefits: Basic TRA, Additional TRA, and Remedial TRA. Each category has its own set of eligibility requirements.

Training – provided to workers that do not have sufficient skills to obtain suitable employment in the current labor market. Allowable types of training include Classroom Training; On-Line; Distance Learning; On-the-Job Training (OJT); Vocational, Customized; and Basic or Remedial Education.

Waiver from the Training Requirement – under certain circumstances, an eligible worker may receive a waiver from the requirement for training, if they meet one of the six following conditions: recall, marketable skills, retirement, health, enrollment unavailable, or training not available. Only BASIC TRA is payable during the waiver period.

Out-of-Area Job Search Assistance – may cover expenses for a pre-approved job interview that occurs outside the worker's normal commuting area if suitable employment as defined by State law is not available in the area. The commuting area in Illinois is 25 miles.

Out-of-Area Relocation Assistance – may cover expenses for a pre-approved move of the worker, their families and their household goods, outside the worker's normal commuting area if suitable employment as defined by State law is not available in the area. The commuting area in Illinois is 25 miles. The worker must have a bona fide offer of work.

Reemployment Services (Wrap-Around Services) – may be available to eligible workers if they are co-enrolled in WIA. The services can include Employment Counseling; Resume Writing and Interview Skills Workshops; Career Assessment; Job Development; Job Search Programs; Job Referrals; and Supportive Services.

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Alternative Trade Adjustment Assistance (ATAA) - maybe provided as an alternative to the benefits offered under the regular TAA program. Participation in ATAA allows older workers, for whom retraining may not be appropriate, to accept reemployment at a lower wage and receive a wage subsidy.

Health Coverage Tax Credit (HCTC) – provides a tax credit for 80% (effective May 2009 through December 2010) of the monthly health insurance premium for eligible workers. Specifically this includes workers who:

- ▶ Receive either an unemployment insurance or TRA payment for any week the worker is unemployed within a month;
- ▶ Receive an ATAA payment for a pay period in which the worker was employed within a month;
- ▶ Those who are at least 55 years old and receive pension benefits from the PBGC;
- ▶ Receive unemployment compensation, whether or not they meet the TAA enrollment in training requirements; or
- ▶ Certain individuals who have a break from training

Appeal Rights for Services and Benefits – provides the right for certified workers who are dissatisfied with the determination of their individual applications for reemployment services or benefits to appeal. This appeal right is the same as provided under state Unemployment Insurance (UI) law. The determination notice that certified workers receive after filing their applications for each benefit will explain their appeal rights and time limits for filing appeals.

Veterans Preference - the "Jobs for Veterans Act", [Public Law 107-288](#), provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job-training program directly funded, in whole or in part, by the Department of Labor (DOL). Please note that, to obtain priority of service, a veteran must meet eligibility requirements ([TEGL 05-03](#) and [PY'04 WIA Policy Letter 04-01](#)).

Staff responsible for implementing the Trade Adjustment Assistance (TAA) program needs to have a good understanding of its policies and procedures to ensure trade-impacted workers are able to return to the workforce. This manual gives direction for operating the TAA program in a way that maximizes training and benefit resources. Starting with the basics of getting workers certified this manual provides systematic guidance for serving these workers. The operating instructions contained within this manual apply only to eligible workers who are included in a certification prior to May 18, 2009. Appendix A (Recommended Reading) provides additional information on the rules and regulations of the Trade Adjustment Assistance program. Listed below are links to Appendix B, the forms to provide services to a trade-affected worker.

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TAA Forms Listing

Form 001 - TAA Benefits, Rights and Obligations

Form 002 - Trade Adjustment Assistance Standard Application

Form 002 Instructions

Form 003 - Illinois Waiver From Training

Form 003 Instructions

Form 003a - Waiver Termination Letter

Form 003b - Waiver Non-Compliance Letter

Form 003c - Potential Suspension Letter

Form 003d - Waiver Revocation Letter

Form 003e - Waiver from Training Fact Sheet

Form 004 - TAA Bona Fide Application for Training (210)

Form 004 Instructions

Form 004a - Training Requirements Fact Sheet

Form 005 - Eligibility Determination for TAA Travel

Form 005 Instructions

Form 006 - Verification of TAA Training Enrollment

Form 006 Instructions

Form 006a - Verification of TAA Training Attendance

Form 006a Instructions

Form 007 - Individual Training Account Projection

Form 007 Instructions

Form 008 - TAA Agreement (OJT)

Form 008 Instructions

Form 009 - TAA Invoice (OJT)

Form 009 Instructions

Form 010 - TAA Monitoring (OJT)

Form 010 Instructions

Form 011 - ATAA Application – Approval/Denial

Form 011 Hard Copy

Form 011 Instructions

Form 012 - Application for TAA Job Search Allowance

Form 012 Instructions

Form 012a - Reconciliation for TAA Out-of-Area Job Search

Form 012a Instructions

Form 012b - Job Interview Confirmation Letter

Form 013 - Application for Relocation Allowances

Form 013 Instructions

Form 013a - Reconciliation for Relocation Allowance

Form 013a Instructions

Form 013b - New Employment Confirmation Letter

Form 014 - Individual Employment Plan (IEP)

Form 014 Instructions

Form 015 - TAA Customer File On-Site Review

Form 015 Instructions

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1 Rapid Response for Trade Affected Workers

Dislocated workers must first be “certified” as trade-impacted workers by the U.S. Department of Labor’s Division of Trade Adjustment Assistance (DOL/DTAA) to get either TAA training or TRA benefits. The process of TAA certification begins with a “petition” asking that a group of workers be “certified” as trade-impacted. As previously mentioned, these instructions only apply to those petitions submitted prior to May 18, 2009.

However, federal regulations require Rapid Response Services for all TAA petitions regardless of whether or not the petition is certified. Just the process of filing represents dislocated workers in need of services and thus constitutes the need for Rapid Response. There are several steps in the Rapid Response Process that the LWIA must go through to ensure the dislocated workers receive services that lead to obtaining reemployment as soon as possible.

This Chapter provides an overview of conducting Rapid Response services to dislocated workers. To ensure all Rapid Response policy is adhered to and for further detail, follow the guidance on providing Rapid Response services found in [WIA Policy Letter No. 00-17](#) dated March 29, 2001. The guidance includes Early Warning Procedures (WARN Notice), an Initial On-Site Meeting, a Pre-Layoff Workshop, the Planning for Services and Project Implementation.

1.1 Certification Overview

In Illinois, an individual or group meeting the following criteria may file a petition for certification:

- ▶ A group of three or more workers
- ▶ Company Official
- ▶ Union Official or authorized representative (AFL)
- ▶ State Agency (DCEO or Illinois Department of Employment Security (IDES))
- ▶ Local Agency/Illinois workNet Center™

To receive certification for a petition, a significant number or proportion of the workforce must receive a threat of layoff or be laid-off in the 12 months preceding the date of the petition. A company does not need to close permanently nor do recalls affect whether to certify a worker group. Specific criteria toward certification include:

- ▶ The workers' company must produce a product;
- ▶ A required minimum of the workforce has been laid off (temporarily or permanently) in the 12 months preceding the date of the petition or is threatened with layoffs (3 workers in groups of fewer than 50, or 50% of the workforce in groups of 50 or more); and
- ▶ One of the following:
 - Increased imports contributed importantly to an actual decline in sales or production, and to a layoff or threat of a layoff; or
 - There has been a shift in production to certain countries outside the United States; or
 - There has been a shift in production outside the United States and there has been or is likely to be an increase in the import of like or similar articles; or

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- Loss of business as a supplier of component parts, a final assembler, or a finisher for a TAA certified firm contributed importantly to an actual decline in sales or production, and to a layoff or threat of a layoff.

Generally, the certification covers all members of the specified worker group laid off during the three-year period beginning one year before the petition filing and ending two years after the date of the certification. The LWIA must document that each worker is part of the certified worker group and that their lay off occurred between the Impact Date and the Expiration Date when applying for service.

Putting it Together

"All customers of Levolor Kirsch Window Fashions, Freeport, Illinois including leased on-site customers of Spherion, (this is the worker group that has been certified) who became totally or partially separated from employment on or after December 5, 2004 (this is the impact date) through two years (expiration date would be 9-15-2007) from the date of certification are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance (also eligible for ATAA) under Section 246 of the Trade Act of 1974."

Signed in Washington, D. C., this **15th day of September, 2005** (the Certification Date)

Below is the timeline of the above petition that was filed and certified on September 15, 2005.

<----- ----->		
December 5, 2004 Impact date	September 15, 2005 Certification date	September 15, 2007 Expiration date



After approved certification, each worker in the specified group may then apply for services to determine individual TAA eligibility for services and benefits.

1.2 Initiating Rapid Response

Initiate the first step in Rapid Response by contacting the company utilizing the information provided in the petition. During this contact, request an initial meeting with key management and labor representatives. In addition, request the following:

- ▶ The list of workers currently employed as well as those separated from employment within one year prior to the filing date of the petition – unless already requested by IDES. In this event, use the IDES list.
- ▶ Request names of any affected workers currently on worker's compensation
- ▶ Arrange the initial meeting
- ▶ Set up specific workshops for the affected workers, the size of the affected worker group does not matter.

The initial meeting begins the planning process to discuss available services, exchange information, and garner commitments from all parties involved. This meeting sets the tone for all future activity with the company and union and/or workers, and contributes significantly to the overall success of rapid response efforts.

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1.2.1 Entering the Event in DETS

In addition to the initial request for information, enter the basic information concerning the event in the Dislocation Event Tracking System (DETS) of the Illinois Workforce Development System (IWDS). This system maintains information concerning the size and nature of the specific dislocations. Specific guidance on DETS entry is in [WIA Policy Letter o8-PL-49](#).

1.2.1.1 Current Events

If a current event already exists for the company/worker group in DETS and no layoffs have occurred prior to the Impact date of the certification, tag the event TAA certified and add all the relevant data added in IWDS. A DETS event that is at least 18 months old and has fewer than five (5) active registrants receives a closed status in IWDS.

IWDS Illinois Workforce Development System Dislocation Event Tracking System

Menus Staff Menu

Spell Check FAQs I'm Done: Log Off

Add Dislocation Event

*Company: Search
LWA: 16 - Career Link

*Event Type:

Next >

Cancel

Copyright 2004 by the State of Illinois. Using this web site indicates acceptance of [DCEO User Agreement](#) and [IWDS Privacy Notice](#).

1.2.1.2 New Event

If layoffs did occur prior to the Impact Date and there is not a current event, add and maintain the new DETS event in IWDS. DETS guides the case manager through the process of adding a dislocation event.

IWDS Illinois Workforce Development System Dislocation Event Tracking System

Menus Staff Menu

Spell Check FAQs I'm Done: Log Off

Add Dislocation Event

*Company:

*Address:

County:

*LWA:

*Event Type: Trade WARN

*Make Event Public: Yes

Next >

Cancel

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Generally, an event plan will specify an end date for project services between eighteen to twenty-four months after the initial layoff date. Some projects will last longer due to the layoff schedule and some events will be designated as inactive almost immediately if services are not needed (e.g., a layoff of highly employable white-collar workers).

In addition to ensuring the event is properly recorded in DETS, all TAA customers being served must be associated with a DETS event by entering the DETS ID number on the customer's Dislocation Employment Record. DOL requires States to indicate when the customer last received Rapid Response assistance. Also, add this date to the customer's Dislocation Employment Record.

If you are serving a customer that was dislocated from another state, the LWIA may choose to enter the event into DETS. However, the federal Rapid Response requirement belongs to the state where the dislocation occurred.

1.2.2 Employee Lists

Upon receipt of a petition for certification, contact the employer/company for a list of those impacted. This initial list may include a larger number of workers than will actually be certified. When certification occurs, verify whether the certification names all the workers or only a specific worker group. In the case where only a specific worker group is included, obtain a revised affected worker list.

Share the employee list with IDES and DCEO. IDES determines the IDES Regions and Local Offices to which the workers will report and provide that information to the IDES Regional Office and the TAA Unit at DCEO. In the event that DCEO receives the list prior to the LWIA, DCEO assigns the "TAA event" to the appropriate LWIA and notifies IDES at the same time.

Coordinate the determination of specific impacted workers of a company with IDES, as this is a shared responsibility. Ultimately, it is up to the LWIA to ensure that both IDES and DCEO have the company list. It would be preferable to get any listing electronically, but a hard copy is acceptable. Send copies of any listing received (at petition or certification) to the following:

IDES

Federal Programs
Attn: Janis Crawford
33 South State Street, 9th Floor
Chicago, IL 60603
Fax: (312) 793-6814
Email: Janis.Crawford@illinois.gov

DCEO

Bureau of Workforce Development
Attn: Susan Boggs or Janet Rosentreter
620 East Adams Street, 5th Floor
Springfield, IL 62701
Fax: (217) 558-2444
Email: Susan.Boggs@illinois.gov
Janet.Rosentreter@illinois.gov

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After receiving the list, determine if a substantial number of workers live outside the LWIA's service area. If there is a substantial number, invite the other LWIAs, IDES Regional/Local Office and DCEO to all TAA Workshops.

The next step, after the identification and verification of the impacted workers and the establishment of the IDES Offices and the LWIA(s), is for IDES to generate Outreach Letter. In some cases, depending upon what has been coordinated between IDES and the LWIA, the TAA Workshop information may be included in the letter. At a minimum, the letter notifies the worker of the TAA certification, the eligible benefits and the office in which the worker should apply for services. The LWIA(s) will receive a copy of the IDES Outreach Report.

Eligibility for TAA Services is determined on an individual basis once the petition is certified and the worker applies and is not contingent upon the inclusion or exclusion of a worker's name on the list.



an

When appropriate, part of the coordinated effort should include work with the union and AFL-CIO/MAP to ensure the provision of information on benefits available along with specific deadlines to receive said services.

Record all attempts to notify workers on the Maintain Documentation Screen of DETS. Each attempt must have the method of contact and the outcome of the attempt. Demonstrate these attempts by documenting, in narrative fashion, the methods of the attempted contacts and the outcome of those attempts in the Maintain Documentation Section of DETS. Once coordination and scheduling of the workshop occurs, notification must occur to the affected workers through individual letters via mail and/or via a newspaper notice in the location(s) of the company.

Record all attempts to notify workers on this screen.

Illinois Workforce Development System Dislocation Event Tracking System

Maintain Documentation
Event #20040222L01 - M4 Main Office - LWA 02

NOTES

Created By: Susan DeGennaro
Date: 02/28/2004

*Type: *Skipped: No Reason Skipped:

Subject:
Comments:

MEETING

*Meeting: No
Date From: Date To:
of Meetings: Date Notified:
Expected: # Attended:
Place:
Location:

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If an employee list is not available, attempt to hold a TAA workshop for the affected workers by advertising the place, date and time for the workshop in the newspaper and/or radio. In addition, work with the union and AFL-CIO/MAP staff to contact the workers, or utilize other methods to notify the workers of the benefits available and the deadlines to receive those services. To the extent possible, follow the procedures outlined above for notification and documentation in the event a list is not available.

1.2.3 Rapid Response TAA Workshops

Rapid Response TAA Workshops may be the first point of contact between the LWIA and the impacted workers. These workshops provide an opportunity to conduct outreach and recruitment activities, to encourage the early involvement of workers in TAA & WIA programs, and to collect information about the workforce for use in planning activities.

During the workshop, provide the affected workers with an overview of services available, the LWIA's role in coordinating the delivery of services and the conducting the worker needs survey. Compilation and entry of the Survey results on the Worker Needs Survey screen in IWDS is mandatory. [WIA Policy Letter No. 00-17](#) dated March 29, 2001, provides specific guidance on holding the workshop.

The screenshot shows the IWDS (Illinois Workforce Development System) Dislocation Event Tracking System. The main window title is "Worker Needs Survey" with the sub-title "Event #20080722L05 - A & H PRECISION PRODUCTS, INC. - LWA 16". The left sidebar menu includes "Staff Menu", "Dislocation Event", "Event Menu", "Event Summary", "Basic Info", "Add Info", "Documentation", "Phase Info", "Contacts", "Layout Info", "Term Benefits", "Peer Outreach", "Wkr Not Need Svc", "WIA", "WIA", "Cust Satisfaction", "Readi Detail", "Readi Summary", "Readi Logon TAA", "Readi Sum TAA", "Readi Finance", "Spell Check", "FAQs", and "I'm Done: Log Off". The main content area is titled "SURVEYS" and contains fields for "Form Distribution Date" and "# Surveys Distributed". Below this is the "WORKERS PLAN TO" section with fields for "Look for Another Job", "Retrain for Another Career", "Plan to Retire", and "Not Sure". The "RETRAINING CATEGORY" section includes fields for "Vocational Classroom", "Basic/Remedial Education", "Entrepreneurial Training", and "Lit for Non-English Speaking". The "BASIC READJUSTMENT CATEGORY" section includes fields for "Job/Career Counseling", "Job Placement Assistance", "Transportation Assistance", "Labor Market Information", "Personal/Stress Counseling", and "Other Basic Readjustments". To the right of these sections is a "Start Own Business" section with fields for "Relocate out of Area", "Leave Work Force", and "Other Plans". Further down are fields for "GED", "Academic", "Other Retraining", and "On the Job Training". The bottom right of the screen shows "Save" and "Cancel" buttons, and the bottom left shows "Done" and "Internet" icons.

Compilation and Entry of the Survey Results must occur on this screen.

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In addition, go over all forms and provide ample time for questions and answers. A date and a signature both in ink must be on all forms. If time does not allow for the completion of these forms at the Workshop, a subsequent appointment must be scheduled before the 8/16 deadline expires.

The forms below start the eligibility determination for TAA services. Detailed instructions for each form are available by link in the Overview Section.

The 8/16 deadline is either the last day of the 8th week after the week of issuance of the certification of eligibility covering the worker or the last day of the 16th week after the worker's most recent total qualifying separation, whichever is later.



DCEO/TAA Form # 001 - Benefit Rights and Obligations (BRO)

Review to ensure the worker is aware of the TAA benefits available to them as well as the responsibility on their part for accepting the benefits. The case manager shall read the entire document during the workshop to the group of workers.

DCEO/TAA Form #002 – TAA Standard Application

The standard application is a tool used to collect pertinent eligibility information needed to establish TAA eligibility. This application serves as the initial assessment.

DCEO/TAA Form #003 – Waiver from the Training Requirement

This form preserves the customer's eligibility for TAA in the event that the training program is not available and the customer is on a waiting list or if training is not appropriate at this time. The worker must meet one of six criteria to receive a waiver from training. It is important the worker understands the purpose of a Waiver from Training and what each of the criteria for granting a Waiver means, as well as the documentation that is required to justify the criteria selected. The worker also must understand the obligations of a waiver from the training requirement.

DCEO/TAA Form #004 - Bona Fide Application for Training (210)

Every worker must complete this application, even if the worker is not interested in training. The customer should understand that without this completed form they would never be eligible for Additional TRA benefits should they decide to go to training.

As part of the workshop, every worker must register for an Illinois workNet account and complete **DCEO/TAA Forms #001-#004** above. Use the Illinois workNet™ Portal at www.illinoisworknet.com to register workers for an Illinois workNet account.

Once gathered enter the information from the forms in IWDS and place a copy in the customer's file. This entry may occur during the customer's on-site appointment at the Illinois workNet Center or within 30 calendar days of the appointment. Additionally, document all relevant information regarding the workshops including the number held, number attending and all TAA workshop presenters in the Maintain Documentation and Add Contact Sections of DETS

2 Trade Readjustment Allowances (TRA)

Trade Readjustment Allowances (TRA) are available to provide income support to workers either while participating in full-time job search or full-time training once all entitlement to UI benefits have been exhausted. Under certain circumstances, TRA is also available to certified workers for whom training is not feasible or appropriate, as long as the customer has a properly issued and maintained waiver status. Generally, a worker can be eligible for up to 104 weeks of income support, although a customer in remedial training may receive up to 130 weeks.

There are three types of TRA: basic TRA, additional TRA, and additional TRA for remedial training (remedial TRA). Basic TRA is payable if the worker is enrolled or participating in TAA approved training, has completed such training, or has obtained a waiver of such training requirement. Additional TRA is payable only if the worker has a properly executed [DCEO/TAA Form #004 – Bona Fide Application for Training \(210\)](#) form on file and is participating in TAA approved training and has exhausted all rights to basic TRA. Remedial TRA is payable only to workers who enrolled in approved remedial education and have exhausted all rights to basic and additional TRA. Appendix C (IWDS Check List - TAA Application) is a checklist that will assist in ensuring all elements for determining eligibility are contained in the file.

As mentioned above, under certain circumstances, eligible workers may still receive basic TRA if it is determined that the training is not feasible or appropriate and the worker has a waiver as a requirement for basic TRA eligibility. To be eligible the worker must meet one of these reasons: (See [Chapter 4 – Waiver from Training](#)):

- ▶ Will be recalled to work within 6 month;
- ▶ Has marketable skills for suitable employment and a reasonable expectation of employment in the foreseeable future
- ▶ Is within two years of eligibility for a pension or social security
- ▶ Is unable to participate in or complete training due to a health condition
- ▶ Is unable to participate in a training program as it is not immediately available, training may be determined.

There is one exception; TRA is not available if the customer is participating in an OJT program.

2.1 Qualifying Requirements

The length of an employee's service is not an eligibility requirement for TAA services. However, a customer must meet the qualifying requirements to be eligible for TRA benefits at a future date. One of the requirements is determining the qualifying separation date. Below are additional qualifying requirements for payment of TRA. Make this determination in conjunction with IDES staff.

Qualifying separation is the date of separation from trade-impacted employment that qualifies the customer to receive benefits and/or services under the Trade Act.



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2.1.1 Qualifying Separation Date

The Qualifying Separation Date occurs between the Impact Date and the Expiration Date of a valid certification. In addition to the date, the Illinois workNet Center needs to ensure the customer meets the qualifying requirements listed below ([2.1.2 – Qualifying Requirements Defined](#)).

Request from IDES staff written verification of the customer's Qualifying Separation date for IWDS entry and for completion of [DCEO/TAA Form #002 – Trade Adjustment Assistance Standard Application](#). Verification may also occur by confirming the Qualifying Separation date on /for hdtrainq TRA Basic Claim Inquiry Screen.

2.1.1.1 45-day Extenuating Circumstances Provision

Once the 8/16 has passed for a customer who through no fault of their own missed the 8/16 deadline, a 45-day extenuating circumstances allowance can be invoked. Granting an extenuating circumstance should be rare and handled on a case-by-case basis. There is no guidance on granting an extenuating circumstance in either Federal Regulation or State policy. However, an example of when to use the 45-day extenuating circumstance provision may include non-notification of TAA/TRA benefits and services by the State or Illinois workNet Center.

Once the 45-day allowance has passed, no circumstances exist in which the customer is eligible for TRA.

Attach the documentation that justifies the granting of the 45-day extenuating circumstances provision to the waiver. Place a copy in the customer file and enter a note in IWDS Case Notes. In addition, check and complete the 45-day box on the Waiver Status Record in IWDS.

2.1.1.2 Temporary Recall and Qualifying Separation Date

If the customer's separation was due to lack of work but later returns to the work site for a temporary employment agency that is not named in the certification, a separation from the reemployment temporary agency would not be a qualifying separation ([Chapter 4, Section 4.2 – 28-Day Review](#), provides additional guidance). The customer must make a request to amend the original certification to include the later temporary service.

2.1.1.3 Worker's Compensation and Qualifying Separation Date

The last day that the customer could have worked if, it had not been for the leave is the date of separation for customers on Worker's Compensation or employer-authorized leave at the time the lay-off or plant closure occurred.

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2.1.2 Qualifying Requirements Defined

The customer must meet all of the following requirements to qualify for TRA:

2.1.2.1 *Certification*

The certification must include the customer. Certification means a certification of eligibility to apply for TAA with respect to a specified group of workers of a firm or appropriate subdivision of a firm.

2.1.2.2 *Separation*

The customer must meet the Qualifying Separation date ([3.1.1 – Qualifying Separation Date](#)). This date must occur on or after the impact date and before the expiration/termination date of the certified petition.

2.1.2.3 *Wages and Employment*

During a consecutive 52-week period ending with the customer's qualifying separation, the customer must have had at least 26 weeks of employment earning \$30 or more a week in wages from the certified worker group/company.

2.1.2.4 *Unemployment Insurance Benefits*

The customer must be entitled to and have exhausted all rights to Unemployment Insurance benefits.

2.1.2.5 *Extended Benefits Test*

The customer must meet the Extended Benefit (EB) work test and be registered to work (the EB work test will not apply during the UI period).

To meet the EB Work Test the customer must:

- ▶ Accept any offer of suitable work and actually apply for any suitable work the customer is referred to by IDES;
- ▶ Actively engage in seeking work (i.e. make significant - defined as at least five per week - personal contacts with prospective employers and apply for work on at least three working days during each week) and furnish the LWIA and IDES tangible evidence of such efforts each week;
- ▶ Register for work with the Illinois Employment Services, via the Illinois Skills Match System, www.illinoisskillsmatch.com; and
- ▶ Be referred by IDES to suitable work.

The "tangible evidence" requirement as it relates to the EB Work Test is not the same as that which accompanies a normal UI process. This requires that the customer provide hard copy documentation to verify to the LWIA and IDES they have in fact engaged in seeking work.

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Illinois State law does not allow a customer to be paid TRA for any week of unemployment they have not complied fully with the Extended Benefit Work Test. However, State law does not apply and will not disqualify a customer from receiving TRA if the customer's TAA approved training will begin within 30 days. The customer may also quit work that is not suitable to begin or continue with TAA approved training. IDES determines suitable work.

2.1.2.6 Training Status

The customer must have enrolled in, be participating in, have completed a TAA approved training program, or have a waiver from the training requirement. To meet this requirement, eligibility must occur no later than the later of:

- ▶ The last day of the 8th week after a certification covering the customer has been issued; or
- ▶ The last day of the 16th week after the customer's most recent qualifying separation from the adversely affected employment; or
- ▶ 45 days after the later of the 8/16 date if there is extenuating circumstances, that justifies an extension in the enrollment period. Document extenuating circumstances with hard copy and attach to the waiver.

If the customer meets the qualifying requirements and is interested in training, have the customer, complete the [DCEO/TAA Form #006 - Verification of TAA Training Enrollment](#) form. In addition, both the customer and the training institution must signify the customer acceptance in the approved training program, which is to begin within 30 calendar days of the date of such approval. All signatures and dates must be prior to the start of training. Once completed and signatures obtained, approve the form.

Should training not be a viable option at the time of eligibility, determine if the customer is eligible for a waiver from training. Complete and issue a [DCEO/TAA Form #003 - Waiver from the Training Requirement](#).

2.1.3 IDES Responsibility

Prior to paying TRA, IDES must ensure the customer has met all criteria in the Code of Federal Regulations, Title 20 Chapter 5, Part 617.11 (Qualifying Requirements for TRA). IDES responsibility includes:

- ▶ Ensuring the customer has completed the IDES form TRA 55. Although the customer may not receive TRA because not all rights to unemployment insurance have been exhausted, it is appropriate to file the initial application for Trade Readjustment Allowances (TRA) within a reasonable period after the petition is certified. IDES should enter the form within 48 hours of receipt. TRA applications need entered so that a worker who collects UI and is TAA eligible receives information on Health Care Tax Credit (HCTC) from the HCTC Unit.
- ▶ Determining if the individual has exhausted all rights to unemployment insurance
- ▶ Determining any employment the individual had, either with the impacted employer or in other employment, since the last qualifying separation date, on record at the time of application. If the individual has worked in another state(s) after the last qualifying

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separation from the adversely affected employment, IDES staff should investigate eligibility for UI in the other state before proceeding with payment of TRA.

- ▶ Sending a notice to the employer which gives the separation date and asks the employer to provide correct information if they disagree with the information appearing on the notice.

Once IDES has completed the above, IDES updates the TRA records in the IDES system.

If the [Qualifying Separation Date](#) differs on the information returned by the employer, IDES will investigate, resolve conflicting information and enter the appropriate Qualifying Separation date on the TRA Basic Claim Inquiry Screen.

Putting it Together

A worker is laid off from a certified impacted employer October 31, 2007. A UI claim is filed and the worker establishes entitlement to UI for the period 11/4/2007 through 11/3/2008. During the entitlement period, the worker returns to work for a non-adversely affected employer the following week and claims no UI benefits during the benefit year. For TRA purposes, the layoff separation, which occurred 10/31/07 from the impacted employer, would be used to establish TRA eligibility for the 104-week period during which the worker would have entitlement to BASIC TRA.



2.2 Duration of TRA Benefits

The customer has 104 weeks from the Sunday date following the last qualifying separation date to claim the TRA Basic maximum benefit amount. If attending an approved training program at the end of the 104-week period, the individual may be eligible for additional periods of TRA in order to complete the training program. Below is an explanation of each type of TRA benefit.

2.2.1 Basic TRA

If the customer meets all eligibility criteria as defined in [2.1.2 - Qualifying Requirements Defined](#), a maximum benefit amount of Basic TRA is available during the 104-week benefit period, generally 26 weeks times the weekly benefit amount. Reductions to the full weekly unemployment insurance benefit amount may extend the number of weeks.

Basic TRA is the only type of TRA a customer may receive after the end of a training program.

However, the customer must have successfully completed the training and have a payable balance of Basic TRA remaining. The customer must satisfy the EB work test while searching for work after the end of the training program.

Waiting to begin training may limit the customer's training options especially for long-term training. TRA will expire long before the training ends.

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2.2.2 Additional TRA

Once basic TRA is exhausted, customers attending a TAA approved full-time training program may receive TRA for a period of up to 52 weeks—commonly referred to as Additional TRA. To be eligible for Additional TRA a customer must:

- ▶ Have made a bona fide application for training ([DCEO/TAA Form #004 - TAA – Bona Fide Application for Training](#)) within 210 days of the petition certification date or 210 days of the customer's most recent partial or total separation from the impacted employer, whichever is later; and
- ▶ Be participating in approved training. In order for the customer to receive additional TRA weekly benefits, the customer's enrollment into training must occur within 30 days following the week in which BASIC TRA exhausted. Once Basic TRA is exhausted, a waiver from training is no longer valid.

2.2.3 Additional TRA for Remedial Training

Remedial training may begin at any point during the customer's entitlement to Basic TRA. The LWIA must approve the training and provide justification for the need for remedial education (i.e. the college identifies through assessment the customer has a need for remedial classes).

Customers participating in remedial education as part of their training may be eligible for a period of up to 26 weeks of Remedial TRA, payable only upon exhaustion of the 52-week additional period. They are not automatically eligible for the benefit. If the customer's training program ends at the same time as, or before, the exhaustion of his/her UI, basic TRA and Additional TRA, then Remedial TRA is no longer available.

Upon the customer's eligibility determination, Remedial TRA benefits are only payable when the expiration of UI and any other TRA (basic and additional) benefit period occurs. Payment is for the number of weeks the customer actually attended remedial training and as long as they actually participate in training for a period of up to 26 weeks. The customer is eligible for payment for each week (up to 26) that the customer's participation in remedial education extends their training program beyond the Additional TRA benefit period.

Putting it Together

A customer undertakes 15 weeks of remedial training before going on to occupational training he/she could be eligible for 15 weeks of remedial TRA. On the other hand, if the customer undertakes 30 weeks of remedial training, the customer cannot receive more than the 26 weeks of remedial TRA.



If a customer has received remedial training during their approved training program, add a [Remedial Training](#) service record in IWDS as well as the period of time and/or number of weeks attended. Detailed information on Remedial Training is in [Chapter 4, Section 4.5](#).

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2.3 Payment of TRA during Training Interruptions

Many training programs provide for scheduled breaks in their program or there are times when the customer may have a legitimate reason to interrupt the current training service. Customers will continue to receive Basic TRA and Additional TRA during scheduled breaks in training only if the break is not longer than 30 days. [Chapter 4, Section 4.7](#), Training Interruptions outlines the process of determining the length of a break in training and the subsequent handling of the break.

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2.4 Cessation of Training

A customer who without justifiable cause, fails to begin participation in a TAA approved training program or who ceases to participate in the training, will not be eligible for TRA for the week in which the incident occurred, or until the worker begins or resumes participation in the TAA approved training program. There may be no TRA Payment allowed when:



"Justifiable cause" is a reason that substantiates a customer's conduct when measured by conduct expected of a reasonable person in similar situations. These include but not limited to reasons beyond the individual's control or related to the individual's ability to participate in or complete an approved training program.

- ▶ The customer fails to attend all scheduled training classes and other training activities in the first week of the training program, without justifiable cause.
- ▶ The customer fails to attend all scheduled training classes and training activities scheduled by the training institution in any week of the training program, without justifiable cause.

Justifiable/unjustifiable cause is not a factor for determining continued eligibility for Additional TRA. Payments for Additional TRA may be made only for weeks during which the customer is participating fully in approved training ([20CFR 617.15\(b\)\(3\)](#)). If an absence from training is pre-arranged, excused or classes are cancelled by the institution during a period the customer is receiving Additional TRA, TRA may be payable as long as training can be completed by the planned end date of the training plan or within 104 weeks (130 if the customer attends remedial training).

[Chapter 4 Section 4.9](#) provides detailed instructions on TRA and ceased participation.

2.5 IWDS and Basic and Additional TRA Benefits

It is important to maintain proper records in IWDS. Add TAA Service records to reflect the period the customer draws Basic TRA and Additional TRA benefits. These service records will show the start and end date of each benefit and based upon documentation provided from IDES. The Illinois workNet Center must access and print the following data entry screens and place them in the customer's file:

- ▶ /for bshdmont Monetary Determination Screen
- ▶ /for bshdbsic Basic Claim Inquiry Screen
- ▶ /for hdtrainq TRA Basic Claim Inquiry Screen
- ▶ /for hdtrwavm TRA Training/Waiver Inquiry Screen

2.6 TRA Adjudication

Adjudication of a TAA/TRA benefit decision may be necessary. One instance that may prompt adjudication is when a case manager has determined the reason a customer has "ceased

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participation" was without justifiable cause. IDES Procedure 5410 provides guidance to process TAA/TRA adjudications.

3 Training Services

Training services are for workers who do not have the skills to obtain suitable employment in the current labor market. Workers should receive training targeted to a specific occupation and that prepares them for suitable employment. Based on the individual's existing skills and labor market conditions, training will be of the shortest duration necessary to return the worker to employment.

The maximum duration for regular training is up to 104 weeks and up to 130 weeks, if the worker also requires remedial education (eligible training weeks are only the actual weeks the customer is in training, this excludes holidays and scheduled breaks).

Suitable employment "work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than 80 percent of the worker's average weekly wage."



Allowable types of training include classroom training, on-line, distance learning, on the-job training, customized training designed to meet the needs of a specific employer or group of employers, and remedial education, which may include GED preparation, literacy training, basic math or English as a Second Language. Under no circumstance is it acceptable to approve a training program for a customer when the customer is on a waiting list or needs pre-requisites prior to acceptance into a training program.

Customers interested in training must have an enrollment date in that training no later than six (6) months from the date of registration in TAA. They may not languish on a waiver for the full Benefit Period of Enrollment (BPE). Appendix D (TAA Reports) can provide multiple reports related to the TAA program to assist the LWIAs in their review of customer outcomes.

3.1 Approval for Training

Before approval for a training program is given, the customer must meet these six conditions.

3.1.1 No Suitable Employment

There is no suitable employment for the customer. "Suitable Employment" means, with respect to a customer, work of a substantially equal or higher skill level than the customer's past adversely affected employment and wages for such work at not less than 80 percent (80%) of the customer's average weekly wage.

3.1.2 Customer Benefit

The customer would benefit from appropriate training. A determination occurred that the customer's chances at obtaining suitable employment would improve from participating in training.

3.1.3 Employment Expectation

There is a reasonable expectation of employment following completion of the training. A reasonable expectation of employment does not require that employment opportunities for a

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customer be available, or offered, immediately upon the completion of training. Employment opportunities should reflect high growth areas where the customer plans to live and work.

3.1.4 Training Availability

The training is available. Training is reasonably accessible to the worker within their commuting area at any governmental or private training (or education) provider, particularly including Employer Based Training (EBT). Additionally, training must be suitable for the customer and meet the other five criteria outlined in this section.

In determining whether training is reasonably available, first consideration shall be given to training opportunities available within the customer' normal commuting area. However, training opportunities outside the normal commuting area are acceptable in the event none within the commuting area exist at the time. Additionally, it is acceptable to approve training at facilities outside the customer's normal commuting area if the training will involve fewer charges to TAA funds.

3.1.5 Customer Qualifications

The customer is qualified to undertake and complete this training. The case manager has assessed the customer's skills and abilities and, based upon the results of the assessment, has determined that the customer is able to complete the training.

In addition to the assessment, the case manager must determine if the customer has the necessary income support to complete the training if TRA benefits are not available or will not be available for the full training period. Demonstrate and document the financial determination appropriately in the customer file and on IWDS.

3.1.6 Cost Reasonableness

The training is available at a reasonable cost. In Illinois, there is a "soft cap" of \$20,000 on the complete cost of training (tuition, related expenses, transportation, etc.). The complete cost aligns with DOL's definition of reasonable costs and includes tuition, related expenses (books, tools and academic fees), travel or transportation, lodging and meals. For all training expenses, the case manager must grant preapproval in writing. When determining whether the training is a reasonable cost, the following applies:

- ▶ Consider the lowest cost of training available within the commuting area ([4.1.4, Training Availability](#)).
- ▶ Training at a facility outside the customer's normal commuting area, which in Illinois is 25 miles one way that includes transportation/subsistence costs, (which add substantially to the total costs of training), should be scrutinized if other appropriate training is available at a lower cost within the commuting area.
- ▶ When more than one training provider offers training substantially similar in quality, content and results, the lowest cost training is the first priority.
- ▶ In addition to transportation expenses, included in the complete cost of training are published expenses such as books, fees, required tools and equipment.

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- ▶ The LWIA must disapprove a training program if the training is in an occupational area which requires an extraordinarily 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 customer. ([TEGL 13-05](#) allows for an exception under certain circumstances).
- ▶ The total cost of training (for reasonable cost) includes all costs incurred.

Complete the [DCEO/TAA Form # 007 - Individual Training Account Projection](#) to determine reasonable costs of training. Attach copies of all agreements and prearrangements to the form. See [Section 4.10](#) for details on prearrangements. Provide a copy of the form to local fiscal staff so they can enter obligations/accrued costs in GRS. The customer's file must contain receipts of any/all purchases/expenses. Appendix E (Reporting TAA Costs) outlines all of the reporting requirements to ensure the costs associated with the TAA program are properly documented in the appropriate fiscal reporting system.

3.2 Assessment

Upon securing eligibility, the first thing the case manager and customer must do is complete an assessment of the skills and abilities of the customer and develop a plan that reflects the customer's path to employment. In addition, the LWIA must ensure that the customer meets the six conditions of training and is qualified to take the training.

Conduct a full assessment on the customer at the first in person contact. As part of this review, develop the reemployment plan. This assessment determines if the customer needs training and will be able to progress and complete the training program once selected. The assessment must include a Basic Skills Assessment (reading, math and English) as well as Interest Surveys (determines career interests of the customer). Test scores may not be more than one-year-old. Consider using Illinois workNet for skills inventory and career interests of the customer. Record test scores in IWDS and place a copy of the results in the customer's file.

3.3 Individual Employment Plan (IEP)

Along with testing and assessment, the case manager and the customer must complete an IEP ([DCEO/TAA Form #014 Individual Employment Plan](#)). The IEP is a tool that allows the case manager to work in partnership with the customer to identify a demand occupation and put the steps in place to obtain self-sustaining employment. It is a living document and must be reviewed and updated as appropriate. Always provide IDES with copies of the original and all modifications to the IEP.

When developing the IEP, one of the steps to self-sustaining employment, if determined appropriate, is training. Types of training in which to enroll the customer include On-Line, Distance Learning, On-the-Job Training (OJT), Remedial Training, Customized and/or Vocational/Occupational. Depending on the level of training needed, more than one provider may be used. Keep in mind the expectation is that the customer be job ready at the conclusion of their approved training program.

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3.3.1 Additional Approval Criteria

In addition to the general TAA training eligibility requirements discussed in [3.1 Approval for Training](#) and [3.2 Assessment](#), the following needs determined, prior to completing the training plan:

- ▶ Ensuring the proposed training will not go beyond the 104 weeks (eligible training weeks are only the actual weeks the customer is in training, this excludes holidays and scheduled breaks);
- ▶ Assessing if the training meets the criteria for reasonable cost found in [3.1.6 Cost Reasonableness](#). Complete [DCEO/TAA Form #007 - Individual Training Account Projection](#) to determine training costs; and
- ▶ Verifying the customer has received an official acceptance into the training program from the training institution and that the training program is certified and on the IWDS Statewide Provider training list. This includes meeting any prerequisites prior to acceptance.

Under no circumstance may a training program go past the 104/130 weeks, even if the customer is co-enrolled and other funds support the training.

3.3.2 Development

After determining, the customer meets the eligibility and has the need for training, match the customer to available training programs. Select programs based on LMI, formalized testing and assessment, aptitude and ability to succeed, reasonable cost and projection of suitable employment at the end of training. Training selected should lead to employment in a high demand occupation. Although not exhaustive, below are other areas to consider as the training plan is developed:

- ▶ Determine whether it is appropriate to combine Remedial and Vocational/Occupational as one training program.
- ▶ Customers enrolling in OJT must also complete [DCEO/TAA Form #008 – On-the-Job Training Planning Form](#).
- ▶ If the customer already has an Associates Degree or credits towards a degree, and the customer would benefit by completing a Bachelor's degree or a Masters degree, the training is approvable as long as it meets the six conditions of training and does not go beyond the 104 weeks.
- ▶ On-line classes are approvable as part of a TAA training program provided there is a mechanism in place to track attendance and progress as with any other class. The training must be full-time as defined by the training provider and documented in the file and on IWDS.
- ▶ In TAA, there is no prohibition from testing out of a class using a College-Level Examination Program® (CLEP test). However, the case manager must consider the full-time participation in training requirement and make sure testing out of a class does not drop the customer below full-time status. Paying for this test with TAA funds is not allowable.
- ▶ Ensure the customer has an understanding of educational resources available through the training program (e.g. free tutoring).

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3.3.3 Case Management and Maintenance

Follow-up services are an integral part of the TAA customer's Individual Employment Plan (IEP). These services are necessary to ensure plan implementation and that the plan adequately addresses the customer's needs. Follow-up must be pro-active, tangible and responsive. The expectation is to conduct follow-up monthly (every 28 days for customers in waiver status), more frequently if warranted to address any problems, challenges, or difficulties the customer may have. Through the course of working with the customer during their training program and as part of follow-up, be mindful of the following:

- ▶ Proof of the customer's attendance and successful progress through the training program must be documented utilizing [DCEO/TAA Form #006a - Verification of TAA Training Attendance](#) on a bi-weekly basis and kept in the customer's file. Record the progress in case notes on IWDS. Additionally, a copy of the customer's grades for each semester/quarter as well as a copy of any certifications/degrees obtained is also required and must be kept in the customer's file and recorded on IWDS.
- ▶ During follow-up contacts with the customer, if they disclose they are struggling, suggest to the customer that they avail themselves of tutoring assistance. Even if the customer is failing, the LWIA should encourage the customer to continue with the class, get as much out of the class as possible and maintain their full-time status.
- ▶ If a customer has failed a class or several classes and needs to retake those classes to finish the program, the training plan must reflect the new, extended completion date provided the modification does not exceed the 104/130 weeks. However, the case manager should be concerned if a customer is failing multiple classes. Before modifying a training plan, ensure the customer has made every attempt to seek assistance to pass the classes. Any modifications to the plan must include tutoring assistance as a preventive measure. In addition, update the training record in IWDS with the new planned end date. The case manager must also make a case note explaining the revisions and need for revisions to the plan.

Prior approval, including signature and date, must occur for any change to the IEP including programmatic and any significant changes in training related costs or source of funding. DCEO will not accept any changes to the plan after the fact. It is acceptable to attach an up to date Resume to the Employment History section of the IEP and an up to date Transcript to the Education section. In addition to updating the case notes section in IWDS and placing the updated IEP in the customer's file, IDES must also receive a copy.

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3.4 Enrolled in Training

Customers may receive **ONLY one** training program per certification. Given this limitation, it is imperative the customer understands the obligations of TAA Approved Training.

- ▶ Meet the six conditions to approve training found in [4.1 - Approval for Training](#);
- ▶ Reviewed and signed the [DCEO/TAA Form #004a - Training Requirements Fact Sheet](#). Provide the customer with a hard copy and place in the customer's file.
- ▶ The [DCEO/TAA Form #006 - Verification of TAA Training Enrollment](#) is approved by the case manager, the customer and the training institution, signifying that the customer has been accepted in the approved training program and the training program is to begin within 30 calendar days of the date of such approval. All signatures and dates must be prior to the start of training.

In instances where a customer is in full-time training prior to the petition being certified for TAA, the customer must be placed on a waiver within the 8/16 deadline until the next logical training break. This waiver preserves the customer's TRA eligibility until they enroll in TAA approved training. In addition to completing DCEO/TAA Forms 004a & 006, also complete these forms to determine need for transportation and subsistence as well as to get an estimate on the cost of training.

- ▶ [DCEO/TAA Form # 005 - Eligibility Determination for TAA Transportation and/or Subsistence Assistance;](#)
- ▶ [DCEO/TAA Form # 007 - Individual Training Account Projection](#)

Once the customer meets the "enrollment in training" criteria, the case manager must immediately enter a status of "Enrolled in Training - Net Yet Started" on the Maintain TAA Status screen on IWDS. If there is a waiver, this action will revoke it. In the Comments section of that same

training
program
be

screen. enter the

Enter Enrolled in Training -
Not Yet Started on this
screen.

attending.

Maintain TAA Status

SSN: ***-**-0123 TAA Adams Application Summary

TAA Petition Number: 59600 Employer Name: Test

Status: Enrolled in Training - Not Yet Started

Entry Date: 12/16/2008

Status Start Date: 11/01/2008

Status End Date:

Waiver Reason:

Suspension Request:

Reason:

Ceased Participation Reason:

Comments:

Revocation Reason:

Last Updated By: Edward Karl

Last Updated Date: 12/16/2008

Save Return

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3.4.1 Enrolled in Training and TRA Benefits

A customer that meets TAA Enrolled in Training can refuse an offer of work without losing UI or TRA benefits. For customers that meet this condition add a record to the TAA Status Screen as well as Case Note to IWDS explaining why they refused work.

All three signatures (the training provider, the LWIA and the customer) along with dates must be established before the 8/16 deadlines prior to the start of training and must be within 30 days of the date of approval for training, or the customer is not entitled to TRA benefits unless they met the 8/16 eligibility deadline by a valid waiver.

Attendance in full-time training, which is not TAA approved training, could result in a determination of ineligibility for TRA payments until the training is TAA approved training. In this circumstance, IDES staff will conduct an investigation into the customer's availability and ability to work, as well as whether the client would meet the EB work test.

If the customer exhausts UI benefits and files for TRA, to be eligible for TRA the customer must have enrolled in or be attending TAA approved training or waived from the participation in training requirement.

Customers interested in training must have an enrollment date in that training no later than six (6) months from the date of registration in TAA.

3.4.2 Waivers and TRA Benefits

A customer waived from training is required to be able to work, be available for work and be actively seeking work regardless of the program (UI or TRA) from which they are being paid benefits.

In an instance where the customer met the 8/16 eligibility through a Waiver from Training, the customer is still eligible for TRA benefits. However, once waiver expiration or revocation occurs, the customer's enrollment into training must be within 30 days of the week in which the waiver has terminated to maintain TRA eligibility (**TEGL 11-02** D.2. and **TEGL 11-2, Change 3**, Section 6). The waiver end date cannot exceed the Benefit Period End (BPE).

Enrollment into a two-year training program upon expiration or revocation of a waiver may jeopardize the customer's chances of completing the training program while drawing TRA. Given this, strongly consider whether to approve a waiver from training on customers who wish to enroll in two-year programs.

[Chapter 5](#) provides in depth policy and procedures on determining a customer's eligibility for a training waiver.

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3.5 Remedial Training

A certified customer may need remedial training if the customer's lack of basic skills constitutes a substantial barrier to their ability to find or retain employment. Remedial training only includes basic reading, writing and mathematical skills training, English as a Second Language (ESL) and courses leading to a GED. Either the LWIA or the training institution may administer the appropriate tests to prove the need for remedial training. Post the results on IWDS and place copies of the documentation in the customer's file.

In cases where remedial training is part of the training plan, the customer may be eligible for up to 26 additional weeks of TRA for qualified weeks the customer attended remedial education. When considering whether remedial training is appropriate, the following also applies:

- ▶ Additional TRA for Remedial Training is payable only after all UI, Basic TRA, and Additional TRA is exhausted.
- ▶ Remedial Training must be at a full-time level as outlined by the training provider.
- ▶ Remedial training is pre-vocational; that is, if it leads to occupational, On-the-Job (OJT), or customized training that will equip the customer with specific job skills.
- ▶ Where ever practical, remedial training must run concurrently with the early parts of occupational training. However, the training may occur before, during or at the end of the customer's entire training program.
- ▶ Pre-requisite classes that are for a specific training program do not qualify as remedial training. Pre-requisites are classes that are required before entry into a specific training program;

Putting it Together

To be accepted in the RN program the student must have recently taken Biology 101, Chemistry 101, etc. As this course is a prerequisite for acceptance into the program, it is not remedial training.



- ▶ A customer may not take remedial classes just to extend TRA benefits;
- ▶ If a customer with limited English proficiency possesses occupational skills but needs remedial training to obtain employment the case manager may approve the training for the full 130 weeks as appropriate. See "[TEGL 13-05](#)"; and
- ▶ If failed, the customer may retake remedial classes or programs and they will count towards payment of Additional TRA for Remedial.

In addition to posting the test results on IWDS, enter the proper activity code and the corresponding CIP code that identifies the type of remedial training. The activity codes are Remedial Training, Remedial Training from Another State, or Remedial Training from a Non-TAA Fund Source. In addition, the case manager must enter in the comments section, and as a case note, the number of credit hours, the hours attending, the actual training weeks (up to 130) and type of remedial classes the customer is taking. Place copies from the training institution confirming that the training is full-time as defined by that institution in the customer's file.

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If the only training program the customer will take is Remedial Education, the IEP and IWDS case notes must document that the customer has marketable skills and that the remedial education is sufficient to prepare the customer for re-employment.

3.6 Employer Based Training (EBT)

The objective of TAA training is to provide workers with a means of obtaining marketable skills for today's increasingly competitive work environment. TAA utilizes On-the-Job Training (OJT) and Customized Training as another alternative to providing new skills to trade impacted workers. OJT or customized training usually takes place in a productive work setting where the trade-affected worker learns the necessary knowledge and skills to perform a specific job or group of jobs, adequately. [Chapter 5, Employer Based Training](#) provides detailed guidance on placing customers in OJT and customized training.

3.7 Distance Learning

In [TEGL 9-05](#), the US Department of Labor revised its interpretation initially set forth of distance learning in [TEGL 7-00](#). In part the new interpretation states: "Under the TAA program, the Department has determined that distance learning may be considered 'classroom training' when the degree or certificate received is equivalent to what would have been received if the training had been conducted on campus. This interpretation expands the types of approvable classroom training to include distance learning, where a participant completes all or part of an educational or vocational program in a location far away from the institution hosting the training program. For distance learning, the final degree or certificate conferred must be equivalent in content and standard of achievement to the same program completed on campus or at an institutional training location."

Upon meeting the above condition, the Department will recognize that the training is of the type that normally takes place in an interactive classroom setting; therefore, it satisfies the requirement of the regulations and statutes. . . In addition, in order for distance learning to be approved, all criteria for training approval found at 20 CFR 617.22 must be met in the same way as in any other training program."

The LWIA will need to work with distance learning providers to understand the specific requirements or milestones of the distance-learning program and to ensure that the training provider keeps the LWIA informed of the customer's adherence to those requirements.

If the customer does not meet all of the training institution's requirements, enter a "[Ceased Participation](#)" status on the TAA Status Screen in IWDS. See the section below for more information on Cessation of Training/Ceased Participation.

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3.8 Training Interruptions

Many training programs provide for scheduled breaks in their program or there are times when the customer may have a legitimate reason to interrupt the current training service. Customers will continue to receive Basic TRA and Additional TRA during scheduled breaks in training only if it is not longer than 30 days. However, if the customer is receiving Basic TRA the interruption does not count against the total number of training weeks available. This is not the case for Additional TRA; the interruption does count against the total number of available training weeks.

When a break in training occurs and is:

- ▶ Between semesters/quarters and less than 30 days, the case manager must promptly enter a "Payable Training Interruption" service on IWDS. Entry of this service will generate a Payable Training Interruption status record. In addition, enter a case note into IWDS indicating the reason for the hiatus in training as well as place a copy in the customer's file.
- ▶ For an institutional scheduled break of more than 30 days, promptly enter a "[Vacation Break](#)" reason on the IWDS TAA status screen. It must include a beginning and ending date. The customer will not receive TRA during the break.

To count the 30 days, include all days except holidays and Saturdays and Sundays unless the customer would have normally attended classes had there not been a break in training, then each day counts as one. See [20 CFR 617.15\(d\) \(iii\) \(4\)](#) for further clarification if necessary. Additionally, update the customer's IEP to reflect the break in training regardless of whether it is a payable training interruption or a vacation break.

Utilizing both of these status records will assist in communicating to IDES what the customer is doing during training so they know that payment of benefits is proper. Timely entry of these status records is of utmost importance. If a customer is on a vacation break of more than 30 days, he/she is not to be paid TRA benefits. If the LWIA does not enter the Vacation Break status code when the break starts an overpayment to the customer will result.

3.9 Cessation of Training

A customer who without justifiable cause fails to begin participation in a TAA approved training program, ceases to participate in the training or falls below full-time training status will not be eligible for TRA for the week in which the incident occurred or until the worker begins or resumes participation in the TAA approved training program. It is the responsibility of the case manager to determine whether the reason for failing to begin or non-attendance of training is justified.

Documentation is required for all determinations. In the event the failure to participate is not justified, follow the suspension procedures.

"Justifiable cause" is a reason that substantiates a customer's conduct when measured by conduct expected of a reasonable person in similar situations. These include but not limited to reasons beyond the individual's control or related to the individual's ability to participate in or complete an approved training program.



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3.9.1 Reasons to Cease Training

Relevant definitions from the Federal Regulations regarding cessation of training are in [20 CFR 617.18 \(a\) \(2\)](#). How the LWIA responds to each definition along with its meaning follows:

3.9.1.1 Failed to begin participation

A customer shall be determined to have failed to begin participation in a training program when the worker fails to attend all scheduled training classes and other training activities in the first week of the training program, without justifiable cause.

3.9.1.2 Ceased participation

A customer shall be determined to have ceased participation in a training program when the worker fails to attend all scheduled training classes, falls below full-time training status and other training activities scheduled by the training institution in any week of the training program, without justifiable cause.

Training attendance is verified using [DCEO/TAA Form # oo6a - Bi-Weekly Verification of TAA Training Attendance](#). When a customer misses a class or fails to provide the appropriate documentation, enter a "[Ceased Participation](#)" status on the Maintain TAA Status Screen in IWDS, followed by the reason for the ceased participation, which are "Failed to provide verification of attendance"; "Missed class -- justified cause"; or "Missed class -- unjustified cause". The start date and end date is required for the period absence or the period for which the customer failed to provide verification of attendance. If the Ceased Participation Status is for missed class(es), the case manager will make a detailed entry in the comments section explaining the nature of the ceased participation and why it meets the definition of justified or not. The comments must be detailed and indicate how the justified/not justified determination was made and what documentation supports that decision.

If a customer ceases to participate in training without justifiable cause (20 CFR 617.18), the customer is not eligible for TRA or any other payment under 20 CFR 617, which includes Job Search and Relocation Assistance, "until the week in which the individual begins or resumes participation in a training program that is approved under 617.22(a)".

Putting it Together

A customer finds suitable employment in the manufacturing field in another state. The customer is qualified without additional training, and ceases to participate in their current training program. This is justifiable cause for ceasing participation and the customer would remain eligible for assistance. In this example, Relocation Assistance would be available.



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Failure to attend all scheduled training classes or activities without justifiable cause results in ineligibility for TRA for the week in which the failure to attend occurred and until the week in which the individual begins or resumes approved training. IDES will provide a written determination to the customer and the case manager (either system generated or a hard copy of the determination).

At the LWIAs discretion, a customer may resume the training program even if it was determined that the cessation of training was unjustified. In these instances, add a detailed explanation in the case notes on IWDS as to why the customer is returning to training. Additionally, the case notes must demonstrate that the customer is still financially able to complete the training program.

3.9.1.3 Justifiable cause

The term "justifiable cause" means such reasons as would justify an individual's conduct when measured by conduct expected of a reasonable individual in like circumstances, including, but not limited to reasons beyond the individual's control and reasons related to the individual's capability to participate in or complete an approved training program.

When considering if the reason was justified or not justified, the case manager should take into consideration circumstances which might have been beyond the customer's control and the customer's capability to continue attending or completing the approved training program. Additionally, the case manager should also take into consideration actions the customer took to explore alternatives either prior to failing to begin or ceasing participation in training.

However, justifiable/unjustifiable cause is not a factor for determining eligibility for Additional TRA. Customers on Additional TRA must attend all scheduled classes/activities to receive payment ([20CFR 617.15\(b\) \(3\)](#)). If an absence from training is pre-arranged, excused or classes are cancelled by the institution during a period the customer is

receiving Additional TRA, TRA may be payable as long as training can be completed by the planned end date of the training plan or within 104 weeks (130 if the customer attends remedial training).

Additional TRA is not payable if the customer does not attend full time TAA approved training as required - regardless if justified or not justified.



3.9.2 Cessation of Training and UI/TRA Benefits

Once the case manager has determined if the reason for the customer's cessation of training was justified and they have entered the appropriate status into IWDS, IDES determines if the customer's monetary benefits are impacted. To begin this process, IDES initiates an

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investigation by generating a 307a, Notice of Local Office Interview. Upon completion of the investigation, IDES may take one of the following actions. If the customer is receiving:

- ▶ UI and there is no proof of attendance - the customer's weekly UI benefits may be reduced by one-fifth for each day missed;
- ▶ Basic TRA and the absence was not justified, IDES documents the investigation and issues a determination regarding eligibility for payment of TRA benefits for the period determined that the Ceased Participation was without justifiable cause; or
- ▶ Basic TRA and the absence was for a justified cause, IDES documents the investigation and issues a determination of non-issue regarding the period of the absence.

IDES must provide written documentation as to the outcome of its investigation. This documentation may come in email or typed notification. The case manager must update the Comment section with IDES' determination.

3.10 Transportation and Subsistence

An adversely affected worker approved for TAA approved training (including Employer Based Training (EBT)) will be eligible for supplemental assistance to defray the costs of transportation expenses and/or subsistence when the training facility is located outside the commuting area of the worker's regular place of residence. In Illinois, the commuting area is 25 miles. If the customer is eligible under this policy of 25 miles, pay the reimbursement at the TAA rate, regardless of the funding source. If the customer's commuting area is less than 25 miles and therefore is not eligible for transportation reimbursement at the TAA rate, the LWIA may co-enroll the customer and reimburse transportation expenses at the WIA level based upon local policy.

Complete a full evaluation to determine the entire cost of the training. TEGL 5-01 states, "A state must disapprove a training program if the training is in an occupational area which requires an extraordinarily high skill level and for which total costs of the training are substantially higher than the cost of other training which is suitable for the worker." Given this prohibition in the TEGL, computation of a Transportation/Subsistence payment is an important part of the determination of whether a particular training program is available at a reasonable cost.

3.10.1 Subsistence

Subsistence is available for customers that cannot travel back and forth from home to the training site. However, this supplemental assistance is only available when the customer's training facility is located outside the commuting area. In addition, the customer may not receive such supplemental assistance for any period for which the trainee receives such a payment under the WIA, or any other law, or for any day referred to under § [617.28\(c\)\(3\)](#), or to the extent the individual is entitled to reimbursement for such expenses from any other source.

It is important to note, that subsistence to maintain a separate residence during training is a training cost.

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3.10.1.1 Allowance Amount

Subsistence payments shall not exceed the lesser of:

- ▶ The customer's actual per diem expenses for subsistence; or
- ▶ 50 percent of the prevailing per diem rate for the locale of the training.

Calculate subsistence using data compiled by the US General Services Administration (GSA) and found on their website at www.gsa.gov. To calculate the per diem rate if the city/town is listed where the training is taking place, utilize the listed per diem rate to calculate costs for subsistence, and then take $\frac{1}{2}$ of the per diem rate. Use the standard CONUS (Continental United States) rate if there is no listing for the town/city and take $\frac{1}{2}$ of that amount.

3.10.1.2 Subsistence Payment

Pay subsistence upon completion of a week of training, except that at the beginning of a training program the LWIA may advance a payment for a week if it determines that such advance is necessary to enable a trainee to attend training. Make an adjustment if the amount of an advance is less or more than the amount to which the trainee is entitled.

3.10.1.3 Transportation Payment

On the day the customer travels to and from the training location determine whether paying transportation should be either the mileage amount at the www.gsa.gov rate or 50% Per Diem total for the location to which the customer is traveling for training. Pay the lesser of the two calculations. If the calculation is in line with [Section 617.28 \(c\) \(3\)](#), the payment becomes a "Transportation Payment" and not a mileage payment and/or not subsistence payment.

3.10.1.4 Unexcused Absences

Any day the customer has an unexcused absence certified by the responsible training facility, prohibits the customer from receiving subsistence.

3.10.2 Transportation

Computation of a transportation payment is an important part of determining whether a training program is available at a reasonable cost. The transportation payment must equal the lesser of the costs of transportation or subsistence in order to cover the necessary commuting expenses. Further, the computation of a transportation payment must include the entire distance between a claimant's home and the training facility. Under no circumstance may the calculation be limited to only the distance that exceeds the worker's normal commuting area.

Putting it Together

The customer's travel commute from their home to the training institution is 27 miles. When calculating this customer's transportation rate, utilize the entire 27 miles, not only the 2 miles, which exceed the State's current definition of a commuting area.



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3.10.2.1 Allowance Amount

A transportation allowance shall not exceed the lesser of:

- ▶ The actual cost of travel by the least expensive means of transportation reasonably available between the customer's home and the training facility; or
- ▶ The cost per mile at the prevailing mileage rate authorized under the Federal travel regulations (41 CFR Part 101-7)

When determining the least expensive means of transportation for the allowance, the calculation must include the availability of public transportation, mass transit or other modes of transportation in the community where the customer lives. The current prevailing mileage rate is at www.gsa.gov.

3.10.2.2 Allowable Travel

Travel eligible/allowable for the reimbursement of the allowance includes:

- ▶ Travel: at the beginning and end of the training program;
- ▶ When the customer fails for good cause (as described in [Section 617.18 \(b\) \(2\)](#)) to complete the training program; and
- ▶ Daily commuting, in lieu of subsistence, but not exceeding the amount otherwise payable as subsistence for each day of commuting
 - A calculation is required to determine if mileage or if a subsistence payment is made as a transportation allowance.

It is also allowable to pay transportation in cases where some of the training requires the customer to travel to an additional location (i.e. classroom and clinical). However, this is only in cases where travel to each location occurs consecutively and adds up to mileage considered to be outside the commuting area. If travel occurs to each location at separate times and neither location adds up to mileage considered to be outside the commuting area, no mileage is paid.

Transportation payment must cover all miles traveled by the trainee for the most efficient travel route - taking into account both the distance and time of the commute - from the claimant's home to the training site and back.

3.10.3 Calculating Subsistence and Transportation

Compare the two costs – **Transportation Rate** vs. **Subsistence Rate** and pay the lesser of the two being the sum paid to the customer. The calculation for each customer will differ based upon where they live and where they are attending school. In addition, the calculation for this assistance may change for a given customer during their enrollment in a training program for such reasons as:

- ▶ The training institution location changes (e.g. the course is relocated, a course is held off campus, the physical location of the institution is moved, etc.);
- ▶ The customer's place of residence changes;

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- ▶ The available route or methods of transportation changes (e.g. Normal commuting route has a detour for construction purposes, a new source of public/mass transportation provides a lesser cost calculation, etc.); or
- ▶ The federal per diem, CONUS, or mileage rates change.

Use the [DCEO/TAA Form # 005 - Eligibility Determination for TAA Transportation and/or Subsistence Assistance](#) to calculate rates. Complete these forms for every student attending training and for each training site, the customer attends. If the customer is not eligible for TAA Transportation and/or Subsistence Assistance, these forms will serve as the written notification of denial to the customer. Keep a copy of these forms in the file. Add a service record in IWDS for any transportation and/or subsistence assistance provided, along with a case note describing the type of assistance and the rationale for approving the assistance.

3.11 Equipment, Tools and Supplies Purchases

Equipment, tools, and supplies if they are required of every student in the class/program and listed in the institution's syllabus are an allowable cost with TAA training funds. Types include:

- ▶ Hand tools for an automotive maintenance class
- ▶ Calculators for mathematics courses
- ▶ T-square, drawing board, and drafting pencils for an architectural class
- ▶ Stethoscope, scissors, and nursing scrubs for nursing courses
- ▶ Computers or laptops, storage media, internet service, etc. for computer coursework

Putting it Together

Is every student in the class required to purchase a laptop in order to take the class and is the mandate to purchase a laptop in the institution's syllabus? If so, yes this is an allowable expense for the training program. The current interpretation of the regulations allows states to use TAA funds to purchase laptops when it is necessary in order for a customer to engage in a specific training program.



The customer must meet all six (6) criteria for proper enrollment in training. Decide on an individual basis whether to allow the purchase of equipment (or any computer or other required tools and supplies) with TAA training funds.

Equipment, Tools and Supplies are included in the total cost of the training program. Therefore the training institution must provide any equipment, tools or supplies required prior to the LWIA's approval of the training. Requests for additional equipment, tools or supplies after the start of the TAA approved training may not be approvable. Review a customer's request for elective classes and the equipment required as part of attendance in them. Deny a customers request for an elective with high equipment/supply costs.

Consider a "claw-back" provision that states that if the customer drops or fails the class that the return of equipment or other supplies to the LWIA is required.

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If the customer is not eligible for TRA benefits, consider serving the customer out of WIA funds. If this occurs, use WIA eligibility and forms for service. If the customer is eligible for and receives or received TRA, all TAA rules, forms and policies, apply no matter the fund source.

Keep a syllabus in the customer's file to support the purchase of the equipment, tools and/or supplies.

3.12 De-obligation of TAA Training Funds

The LWIA must have in place a written procedure for the timely de-obligation of TAA training funds from the training entity. It is appropriate for the LWIA to de-obligate TAA funds for utilization in another customer's training program in several circumstances. Three such circumstances may include:

- ▶ When a customer drops a class with or without justifiable cause, the LWIA case manager should immediately notify the LWIA Fiscal staff so if the drop is during the institution's acceptable 'drop period' funds can be de-obligated and utilized for another customer.
- ▶ Likewise, when a customer ceases to participate in training (quits) without justifiable cause, the case manager should immediately notify LWIA Fiscal staff so that future funds can be de-obligated from that customer's account and be available for another customer's training.
- ▶ The case manager should also always notify Fiscal staff when a customer completes training. There may be instances when a training program costs less than originally planned and the balance of funds earmarked for the customer should be de-obligated and made available for other customer's training needs.

3.13 Other Funding Sources

There are situations in which other governmental funds (Federal or State) or funds from private funding sources are available to a customer to assist with retraining. Section 617.25(b) of the Trade Adjustment Assistance for Workers Act addresses sharing of costs. Prior to approving any training program, the customer is required to enter into a written agreement with the LWIA under which TAA funds will not be applied for or used

to pay any portion of the costs of the training the customer has reason to believe will be paid by any other governmental or private source. This includes PELL grants, Union Training Funds, Veteran's Training Funds, Rehab Training funds, Employer Training Funds, etc.

Additionally, there must be a prearrangement between the LWIA and the authority administering the private funding source

Special Note about Pell Grants:

No payment of TRA made to a worker for any week beginning after the date 10-8-97 shall be reduced due to the receipt of a Pell Grant or other Federal student financial assistance. For further guidance on this issue read [GAL 1-98](#) Pell Grants Revised policy on reducing Trade Readjustment Allowances by Federal Student Financial

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indicating the dollar amount the entity is providing in tuition assistance and details regarding how the payment is to be made (either to the customer or to the institution directly).

However, the customer, the customer's family or the customer's friends cannot contribute financially or be asked to pay any portion of the customer's training expenses. The customer must be able to demonstrate that he/she can financially provide for basic living needs while in training. Training can go beyond the TRA payment limits. When it does, the LWIA must ensure that all six conditions for approving training are satisfied and that includes documented financial viability.

3.14 Accessibility

Each training institution must assure that they will comply with the federal mandate to provide reasonable accommodations to a TAA customer with a documented disability. Reasonable accommodations are not limited to a physical accommodation; they also apply to program accessibility.

Putting it Together

A customer with ADD, a learning disability and suffering from depression needs to reduce attendance status to part-time to continue the training program. The customer makes a request for a reasonable accommodation. As the school is mandated to comply with the accommodation, they would need to provide in writing that the full time definition is being modified to accommodate the customer's needs. However, the accommodation does not waive or extend the 104/130 training week limitation.



4 Waiver from Training

The fundamental component to TAA is training. However, if the customer is not enrolled in training by the 8/16 deadline, then the customer must have a waiver that meets the 8/16 deadline to be eligible for TRA benefits. One of six criteria has to be met and documented (proof of eligibility) to receive a waiver from training. The six criteria are:

- ▶ **Recall** - The customer receives notification that the firm from which the separation occurred will recall them within six months.
- ▶ **Marketable skills** -The customer possesses marketable skills for suitable employment and there is a reasonable expectation of employment at equivalent wages in the near future. If this criterion is selected, current Local Market Information (LMI) must be in the file attached to the Waiver.
- ▶ **Retirement** -The customer is within 2 years of meeting all requirements for entitlement to either:
 - Old-age insurance benefits under title II of the Social Security Act, or
 - A private pension sponsored by an employer or labor organization.
- ▶ **Health** - The customer is unable to participate in training due to the health of the customer, except that a waiver under this subparagraph does not exempt a worker from requirements relating to the availability for work, active search for work, or refusal to accept work under Federal or State unemployment compensation laws.
- ▶ **Enrollment Unavailable** - The first available enrollment for the approved training is within 60 days. Enrollment in training requires that the training begin within 30 days. If the training will not start within that 30-day period but will within 60 days, select the **Enrollment Unavailable** criteria and wait to enter the training segment until the training is within 30 days of starting.
- ▶ **Training Not Available** - TAA approved training is not reasonably available to the customer from either governmental agencies or private sources or no training that is suitable for the worker is available at a reasonable cost, or no training funds are available. If this criteria is selected because there are no training funds available, as soon as funds become available, change the Waiver criteria to the appropriate selection.

4.1 Initiating a Waiver

A customer may only receive one waiver per certification. After verifying the customer meets one of the 6 criteria and the 8/16 deadline still applies (or under limited circumstances, the customer is eligible for the 45-day extenuating circumstance provision), initiate a waiver by completing the [DCEO/TAA Form # 003 - Waiver from the Training Requirement](#). Additionally,

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provide the customer with [DCEO/TAA Form #003e - Waiver from Training Fact Sheet](#) and explain the customer's responsibilities while in waiver status.

- ▶ It is imperative the customer understand the need to make contact with the case manager every 28 days; and
- ▶ The customer must understand that by accepting the waiver, they forfeit the 182-day extension for receiving Job Search and/or Relocation after the completion of training, unless the application for those services is still within the 365-day period for Job Search or 425-day period for Relocation.

Once the [DCEO/TAA Form # 003 - Waiver from the Training Requirement](#) is complete, process as follows:

- ▶ Have the customer sign and date the form along with the case manager;
- ▶ Make two copies of the form; give one to the customer and send the other to IDES.
- ▶ Explain the waiver is for a six-month period
- ▶ Describe the available methods of contact the customer may use every 28 days. This contact can be in person, via phone call, via email or by postcard.
 - Contact via postcard can only occur for the first 3 months of the waiver. Personal contact must occur at the fourth waiver review to determine the customer's need for training, etc. Postcard contact can resume after the personal contact.
- ▶ Agree upon the method of contact. It is the customer's responsibility to ensure contact;
- ▶ Explain the consequences of failure to make appropriate contact, including that they could jeopardize their TAA/TRA benefits.
- ▶ Make an appointment for the next contact date and time;
- ▶ Attach the hard copy documentation for the criteria chosen to support the waiver to the form.
- ▶ Keep the original in the customer's file.

If Retirement is the waiver reason, postcard contact is acceptable for the waiver life.

Enter an "Issued Waiver" service on IWDS (to enroll the customer in the TAA program) and add the "Waiver from Training" on the TAA Status Screen. The start date of the waiver must equal the "Issued Waiver" service start date in IWDS with a six (6) month issuance. In addition, describe the documentation used to support the waiver criteria on IWDS in case notes.

4.2 28-Day Review

A review of the waiver must occur every 28 days. The purpose of the 28-day review is to ascertain if the conditions for meeting the waiver still exist. Conduct the first 28-day review in person and complete a full assessment on the customer. As part of this review, develop the IEP.

Only the first three (3) months of the waiver may occur in a form other than in person. Contacts for the fourth month and beyond require personal contact. During the 28-day review, regardless of the method of contact ascertain the following:

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- ▶ Does the customer meet the **Extended Benefit (EB) work test**? To determine, the customer must:
 - Accept any offer of suitable work and actually apply for any suitable work the customer is referred to by IDES;
 - Actively engage in seeking work and furnish the LWIA and IDES tangible evidence of such efforts each week; and
 - Register for work and be referred by the IDES to suitable work.
- ▶ Is there a need for training at this time? If training is necessary, do not allow the customer to remain on a waiver for more than 6 months. Allowing a customer to remain on a waiver for more than 6 months if training is necessary jeopardizes the customer's chances of completing the training program while drawing TRA. With this in mind, the case manager should not enroll a customer in a training program of 104 weeks if the customer has been on a waiver for more than 6 months.
- ▶ Has the waiver criteria changed? Waiver criteria can change, but there must be hard copy documentation to support the reason. Change the criteria on the paper waiver and attach the hard copy documentation for the new criteria chosen to support the waiver. In addition, change the waiver reason on IWDS.

If the customer receives a recall by the TAA Certified Employer or accepts employment while on a waiver, do the following:

- ▶ Add another Employment Record in IWDS showing the dates of the recall or employment date.
- ▶ Leave the waiver open through the later of the customer's employment probation period or the end of the Benefit Period End (BPE) for TRA. Check the IDES system for the BPE date.
- ▶ Continue waiver reviews every 28 days.

Record the results of the 28-day review in IWDS utilizing the 28-day button within the waiver on the status screen in IWDS. All 28-day reviews in IWDS must show the date of the review/contact, the manner in which the review took place (in person, by phone, email etc) and must directly address the reason the waiver was granted and if that condition still is being met with an explanation of how it is being met. In cases where a waiver criterion has changed, add a case note in IWDS that describes the documentation used to support the change.

In instances where the customer fails to make contact for the 28 day review utilize the following process to notify the customer of non-compliance with the mandatory review. Keep copies of all letters in the customer's file.

- ▶ Send the [**DCEO/TAA Form #003b – Waiver Non-Compliance Letter**](#) and notify the customer of the rescheduled 28-day review. The reschedule must occur within seven calendar days.

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- ▶ If after 7 days the customer still does not respond, resend the [DCEO/TAA Form #003b - Waiver Non-Compliance Letter](#) scheduling an appointment in another seven calendar days. This letter will warn the customer that they are jeopardizing their eligibility for TAA/TRA/UI payments and revocation of their waiver, ending their eligibility for TRA benefits.
- ▶ After the second attempt and no response, revoke the waiver. Notify the customer of the waiver revocation utilizing the [DCEO/TAA Form #003d - Waiver Revocation Letter](#). Revoke the waiver both on the paper waiver and enter the waiver revocation in IWDS.

There are two reports in IWDS that will aid in managing 28-day reviews.

- ▶ 28-day Waiver Review Report – locates the most recent 28-day review record and calculates the number of days since the completion of the review.
- ▶ TAA Waiver Review Report - counts down the days until the next review is due based on the waiver's issue date.

Users can print a complete list of the 28-day reviews recorded for a TAA customer. Launch the report by clicking on the Printable 28 Day Reviews button at the bottom of the List 28 Day Reviews screen. This report displays all of the information associated with each completed 28-day review.

4.3 Waiver Extensions

There are instances where it may be necessary to continue the waiver beyond the initial six months. If it is determined that an extension is necessary, it must occur prior to the waiver's expiration date. Waiver extensions beyond the six months must continue to meet one of the six criteria.

Extensions are granted in 6-month increments and can continue to fully cover Basic TRA (the waiver could be effective for up to 24 months) not to exceed the Benefit Period End (BPE) date on the IDES system. **Customers interested in training must have an enrollment date in that training no later than six (6) months from the date of registration in TAA. They may not languish on a waiver for the full BPE.**



No retroactive extension of waivers can occur; therefore, extensions must occur before the waiver expires.

To extend the waiver do the following:

- ▶ Extend on the original paper waiver, by entering the new waiver end date (extension is not to exceed 6 months or the end of the Benefit Period End date).
- ▶ If applicable, record any criteria change that attributed to the extension.
- ▶ Initial and record the date of the change.
- ▶ Attach any hard copy documentation that supports the criterion change and/or the extension.

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Record the extension in IWDS on the Waiver Status Screen. Access the Waiver record on the status screen in IWDS and replace the existing end date with a new end date. Add a case note in IWDS that describes the documentation used to support the change.

4.4 Denying a Waiver

If the customer has missed the 8/16 deadline and the 45-day period for extenuating circumstances has passed, issue a waiver denial. The denial on the waiver form will serve as the customer's official written notice that they missed the 8/16 deadline. The customer can use this form and the appeals information contained therein to file an appeal with IDES. Provide a copy of the Waiver Denial to the Local IDES office. Inform the customer that they may still be eligible for Training, Out-of-Area Job Search and Out-of-Area Relocation Assistance.

 *The responsibility for determining and denying eligibility for TRA benefits lies within IDES.*

Regardless of eligibility, enter the denied waiver eligibility for the customer onto IWDS. Enter all customers onto IWDS regardless of whether or not the customer is eligible. The case manager must enter issue "Waiver Denied" service on the Status Screen and add a case note explaining why the customer missed the 8/16 deadline.

4.5 Waiver Revocation

Regardless of why a waiver ends, revoke it in IWDS. When a revocation occurs, the customer is no longer eligible for any TRA benefits. **There are no reinstatements of waivers.** Document in IWDS case notes all information related to the revocation.

If the customer no longer wants a waiver, make sure he/she is informed of the impact this decision will have on TRA eligibility and have them sign the [DCEO/TAA Form #003a -Waiver Termination Letter](#). Send the customer a copy and keep a copy of the letter in the customer's file. Revoke the waiver both on the paper waiver and in IWDS.

Keep in mind that this may be the only income the customer currently has, therefore be cautious in revoking a waiver.

4.6 IDES Report

The waiver information from IWDS prints on the IDES Potential TRA Waiver/Training File Maintenance Report. Waiver extensions appear as type W on the report and display a new future End Date. When a date appears in the Initial End Date column on the report, this is an indication that the most recent waiver in IWDS is extended or modified to end earlier, which most likely occurs when the customer has been enrolled or entered into training and an automatic revocation of the waiver has occurred.

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IDES enters the waiver segment beginning the Sunday date of the week in which the waiver was issued (Begin Date column on the report) and ends the segment with the Saturday date of the week in which the waiver ends (End Date column on the report).

4.7 Entering Training

If the customer and case manager determine that a training program is necessary, enrollment in training must take place within 30 days of the week in which the waiver termination occurs, whether by revocation or expiration in order to preserve eligibility for TRA, Additional TRA and Remedial TRA.

Once a customer enrolls in training, the customer is not required to seek work if receiving unemployment insurance (regular or EUC) or the EB work test if receiving Extended Benefits or TRA. Failure on the customer's part to seek work during the enrollment period will not result in a UI/TRA disqualification.

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5 Employer Based Training (EBT)

The objective of TAA training is to provide workers with a means of obtaining marketable skills for today's increasingly competitive work environment. TAA utilizes On-the-Job Training (OJT) and customized training as other alternatives to provide new skills to trade impacted workers. OJT or customized training usually takes place in a productive work setting where the trade-affected worker learns the necessary knowledge and skills to perform a specific job or group of jobs that sufficiently prepares them for employment.

To exercise either of these training choices a contract is required. However, prior to the development of a training contract, a determination must occur that documents the trade-impacted worker(s) have met the six criteria for approvable training and an employability plan must be in place as described in [Chapter 4 – Training Services](#).

Federal Program guidelines indicate that OJT is the preferred method of training for TAA customers. This type of training involves customers in hands-on experience and provides a better opportunity for employment after completion of the training. Both OJT and Customized training must meet all conditions of TAA approved training.

5.1 On-the-Job Training

5.1.1 Customer Enrollment

Customers interested in On-the-Job Training (OJT) must complete an application for approval of the training as outlined in [Chapter 4 – Training Services](#). The six criteria for approval of a training waiver also apply to an OJT contract.

If eligible, customers participating in OJT can receive transportation and/or subsistence payments. Therefore, complete the [DCEO/TAA Forms #005 - Eligibility Determination for TAA Daily Transportation and/or Subsistence Assistance](#) for all OJT customers. The denial on [DCEO/TAA Form # 005](#) will serve as his/her notice if the customer is determined to be ineligible for TAA transportation assistance.

Remind customers who enroll in OJT that they are not eligible for TRA payments.

Record On-the-Job Training (OJT) services provided to a TAA customer as an Enrolled Service activity on IWDS.

5.1.2 Negotiating the OJT Agreement

The negotiation with the employer for the OJT agreement must occur on-site and in person. This provides a chance for the TAA case manager to see the site to determine if it is a suitable OJT site. Sections 5.1.3 - 5.1.6 below must be part of the negotiation.

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When there is a collective bargaining unit, they too must sign-off on the plan. The case manager will complete the [DCEO/TAA Form # 008 TAA- On-the-Job Training \(OJT\) Agreement Form](#) to obtain the necessary information and develop the training plan. Ensure the date and the signature of the TAA case manager and Employer are included on the form. Provide a copy of the approved form to the employer and the customer. Place the original in the customer's file.

Work with the customer and employer to put together a plan acceptable to all parties.

5.1.3 Types of Acceptable Employment

When considering whether an employer provides employment opportunities that are suitable as an OJT site use the following guidelines for the determination:

- ▶ Employment must be full-time;
- ▶ Employers must establish that the customer would not have the skills necessary for this type of job without the OJT. Submit documentation of the employer's newly acquired skills, if the customer has worked in the occupation or field previously. A formal apprenticeship would normally be longer than the 104-week approvable training period. However, OJT to give a customer the minimum skills required to enter an apprenticeship would be acceptable; and
- ▶ A retraining program into a different occupation within the Trade affected company would also be acceptable.

Types of employment that are not acceptable include:

- ▶ Temporary, low skilled and high turnover jobs;
- ▶ Seasonal employment, unless it can be determined that it will contribute to the customer's year-round employment;
- ▶ Commission or piece rate jobs;
- ▶ Employment with a relative related by blood, marriage or adoption; or
- ▶ Sectarian employment;

5.1.4 Employer Conditions

Employers must meet the following special conditions for approval of an OJT contract. The employer must both certify in the OJT contract and verbally commit to the conditions before receiving approval for the eligible worker placement. In addition, no employer can have over 25% of employees on an OJT contract.

The employer must certify that:

1. No currently employed individual was displaced by the OJT client, including partial displacement such as a reduction in the hours of non-overtime work, wages or employment benefits;
2. The training does not impair existing contracts for services or collective bargaining agreements;

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3. Written concurrence from the concerned labor organization occurred if the training is inconsistent with the terms of a collective bargaining agreement;
4. The eligible worker is not replacing an individual laid off from the same or any substantially equivalent job;
5. No regular employee was terminated or was the work force reduced with the intention of filling the vacancy created by hiring the eligible worker;
6. The job for which the eligible worker is being trained is not being created in a promotional line that will infringe in any way upon the promotional opportunities of the currently employed individuals;
7. Training is not for the same occupation from which the worker was separated and with respect to which such worker's group was certified for TAA;
8. The eligible worker will continue employment for at least 26 weeks after completing the training if the worker desires to continue such employment and the employer does not have due cause to terminate such employment (**this condition does not apply to workers eligible under TAA petitions filed on or after November 11, 2002**);
9. No payment was received under the TAA program, or under any other federal law, for any other On-the-Job Training (OJT) provided by such employer which failed to meet the requirements of paragraphs 1-7 above or such other federal law;
10. The employer has not taken, at any time, any action which violated the terms of any certification described above made by the employer for which the employer has received a payment under the TAA program; and
11. The employer agrees to a monthly progress-monitoring visit by a TAA Case Manager with the contractor and trainee to ensure satisfactory progress by the trainee as well ensuring the fulfillment of all contract-training obligations.

In instances where the employer is new (has been in business less than 120 days at this location) or expanding or has relocated from another area, the employer must provide a response to the following questions:

- ▶ Name (s) under which the establishment does business;
 - Successors-in-interest:
- ▶ The name, title, and address of the Company official certifying the information;
- ▶ Facility in the other geographic location which is being closed or from which business is being transferred:
 - Name
 - Address
 - Number of jobs lost due to relocation.
 - Nature of the products or business transferred
 - Date the facility will commence or expand operations ;
- ▶ If TAA assistance been sought in connection with past or impending job losses at other facilities;
- ▶ Whether or not WARN notices relating to the employer been filed; and
- ▶ Labor organization(s) in the affected area.
 - Names of any Labor organizations consulted in conducting this survey.

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5.1.5 OJT Reimbursements

Appropriate activities that are reimbursable through an OJT contract include:

- ▶ Up to fifty (50) percent of the starting salary of the worker during the life of the contract for the costs of providing the training and additional supervision related to the training
 - The program reimburses for a basic 40-hour week. It does not reimburse for overtime (as defined by the employer if less than 40 hours), hours over 40 hours, fringe benefits or holidays. Reimbursement occurs in equal monthly installments, the amount of which is determined by dividing the total amount of the contract by the number of months of training approved.
 - Completion of an OJT invoice ([DCEO/TAA Form # 009 - TAA On-the-Job Training \(OJT\) Invoice](#)) by the case manager must occur at the end of each month. Proof of hours worked and a signature by both the customer and employer is required. This form verifies the work performed by the customer during the documented weeks and triggers payment to the employer once submitted. Provide copies to the employer and the customer. Keep the originals in the customer's file. Illinois workNet Center fiscal staff must record the invoice on the GRS system to trigger payment.
 - The customer must start the training at the same wage as any other trainee in the same position hired by this employer. Training funds cannot be used to enable the customer to start at a higher than normal salary.
 - OJT salaries are not payable for any period that the customer is not attending OJT training. If the customer is not working due to a shutdown (unemployed), the customer could file for UI/TRA benefits. The work performed while in OJT is not covered employment, but it is Bona Fide work;
- ▶ Employer required certifications (example: OSHA/MSHA) if the certification is identified in the training plan. If the training plan does not contain the required certifications, WIA funds are available to pay for the necessary certification.
 - Tools if an employee hired into such a position normally is supplied such tools
 - The program cannot pay for tools normally available on-site or otherwise supplied by the employer.
 - Should the customer not complete the training, the employer must return the tools.
 - No replacement can occur on lost tools or equipment.
- ▶ Classroom training that occurs at the employment site and is included in the original contract. However, separately approved OJT and Classroom programs are distinct and complete training programs.

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5.1.6 Training Plan/Duration of Training

The training must be adequate and of sufficient duration to enable the customer to obtain employment in the industry in which he or she was trained. It should not be company specific to the extent that the customer would not be qualified to work at a different company within the same industry.

Training should be of the shortest duration required to accomplish the objective. Consider present skills, employment history and barriers to employment such as disabilities, education and the Specialized Vocational Preparation (SVP) codes found on the ONET screen <http://online.onetcenter.org/>.

SVP time represents the average amount of time required to learn the techniques, acquire information, and develop the ability needed for average performance in a specific job-worker situation. Occupations with an SVP of 4 to 6 may be considered. Those with a lower SVP are generally not of a skill level high enough to require OJT funded training. Special circumstances could exist for those with a lower SVP, for example, training for a developmentally disabled customer. Adjust the length of training for those with previous related skills or experience. Document all special needs circumstances in the case file.

Below is a chart of recommended training length by SVP.

Level/Duration of training	
1	- Short demonstration only
2	- Beyond short demonstration up to and including one month
3	- Over one month and including three months
4	- Over three months up to and including six months
5	- Over six months up to and including one year
6	- Over one year up to and including two years
7	- Over two years up to and including four years
8	- Over four years up to and including ten years
9	- Over ten years
* (no training program can be funded for over 104 training weeks)	

Training cannot last for more than 104 weeks; OJT of that duration should be the rare exception. Keep this in mind when negotiating the training length and ensure the length stays at a minimum.

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5.1.7 Monitoring the OJT

Monitoring documents that the customer actually acquired all the skills listed in the contract. In-person monitoring visits must occur monthly. Schedule the visit at the convenience of all parties. A first visit should occur shortly after the placement to ensure the participant and employer understand all the responsibilities and requirements of the program.

The staff person monitoring the OJT cannot be the person overseeing the OJT contract.

At a minimum, verify the following during subsequent monitoring visits:

- ▶ That the customer's occupation and the amount of the wage agree with the language in the contract.
- ▶ The approved training and supervision are occurring with the customer.
- ▶ There are no issues with the customer and they are performing satisfactorily.
- ▶ Benefits provided to the customer are the same as other employees in similar occupations.
- ▶ That the employer complies with non-discrimination laws.

Upon completion of the on-site visit, both the customer and the company representative must initial [DCEO/TAA Form # 010 - TAA On-the-Job Training \(OJT\) Monitoring](#) to verify the training progress. If it is determined during the on-site visit that the skills acquisition is not progressing as scheduled, modify or terminate the OJT agreement. Verify that the customer and case manager signed all relevant forms. Provide copies of all documents to the employer and the customer and keep originals in the customer's file.

As part of the monitoring process, record the monthly contact in the case notes section of IWDS. If the employer is not meeting their obligations, the customer may continue in OJT with a new employer upon approval of all condition for training and OJT.

5.2 Customized Training

5.2.1 Development of the Customized Training Program

Customized training meets the unique needs of an employer (including a group of employers). When designing the customized training program, include the business, the training institution and the customer. The training plan must address the following components:

Project Timeline:

- ▶ Date of Application
- ▶ Contract Start Date
- ▶ Training Start Date
- ▶ Training End Date

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- ▶ Contract End Date

Contract Information:

- ▶ Contract Manager for the employer(s)
- ▶ Illinois workNet Center Contact

Business Description:

- ▶ Business or industry description
- ▶ Primary products or services of the business
- ▶ Number of years the business has been established in Illinois
- ▶ Business Contact Information

Training Needs and Outcomes:

- ▶ Summary of the Employer's need for training
- ▶ Desired contract outcomes for the business (e.g., new employment positions created, business expansion etc.)
- ▶ Desired training outcomes for the business (e.g., trainees will be able to function in the position, run the equipment etc.)
- ▶ Description of any other programs or funds that this training is coordinated with
- ▶ Description of customer evaluation, assessment and suitability for position

Trainee Summary:

- ▶ Total unduplicated count of trainees to be trained in the project
- ▶ Description of positions for training will occur
- ▶ List of individual job duties for position
- ▶ Average hourly wage of regular employee in these positions
- ▶ Medical/Health benefits offered

Training Provider (Training must be full-time):

- ▶ Description of the scope of work (include all pre-training activities, training and post-training activities)
- ▶ Curriculum and the range of Instruction techniques
- ▶ Training Dates
- ▶ Training Elements: (For each training element, provide the following information).
 - Classes, units or modules
 - CIP
 - Short description
 - Delivery site(s)/location of the training
 - Number of Trainees
 - Total training hours per trainee
 - Instructor qualifications
 - Supplies and materials needed for training
 - Attendance and Progress Reports

Budget

- ▶ Total Cost for the training project (including break down by individual

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items)

- ▶ Per-Trainee Total Cost (including break down by individual items);
- ▶ Approved TAA Transportation Costs
- ▶ Explanation on how the 50 % of the cost of the training will be met (i.e. cash or in-kind contributions from the employer).

5.2.2 Additional Requirements

The DCEO Regional Manager and the Illinois State TAA Coordinator must approve the training plan/contract(s) before the provision of training occurs. It is important that prior to this submission to DCEO that all parties have reached agreement. Once approved, create a service record in IWDS showing the customer's enrollment in customized training.

Remember to ensure the following are part of the customized training program:

- ▶ The documented employer costs. These are subject to audit. The employer must pay at least 50% of the total cost of the training.
- ▶ There is a commitment from the employer(s) to hire TAA customers upon successfully completing the customized training program.
- ▶ An assurance from the employer(s) that they understand there is a prohibition to use funds for the promotion or deterrence of union organizing, directly or indirectly.
- ▶ If the customer meets the criteria for TAA transportation, include this in the cost of training and document on the [**DCEO/TAA Form #005 - Eligibility Determination for TAA Daily Transportation and/or Subsistence Assistance**](#).

5.2.3 Follow-Up

All customized training programs must have a follow-up component. This follow-up should include training assessments and evaluations of project outcomes in the project design so that businesses are equipped with measures of their return on investment for both employees (e.g., tangible skills gained, proficiencies or standards met) and for the business (orders, productivity, safety record, etc).

If the employer has failed to meet the requirements of this contract or a previous customized training contract, they are not eligible for future participation. The one exception is for those training contracts that are unsuccessful due to factors beyond an employer's control.

6 Out-of-Area Job Search Allowances

Individuals adversely affected under the TAA may be eligible for job search allowances to help them secure suitable employment outside of the normal commuting area (within the continental United States) by allowing partial reimbursement of pre-approved job interview expenses. In general, reimbursement up to \$1,250.00 may occur to cover workers expenses such as lodging, meals and transportation incurred in job search efforts.

The Out of Area Job Search is distinctly different in TAA from WIA. TAA Out- of -Area Job Search covers a specific pre-approved job interview during a specific period. WIA Job Search activities can continue throughout a customer's enrollment in the program and includes self-directed activities that are customer driven such as creating resumes, cover letters, searching and applying for jobs and attending job fairs.

Certified customers may receive Out-of-Area Job Search Allowance payments based on the eligibility factors discussed in this Chapter. Specific requirements that apply to all requests for out-of-area job search allowances and require documentation in the customer's case file include:

- ▶ A timely filed application for Out-of-Area Job Search ([DCEO/TAA Form #012 - Application for Out-of-Area Job Search](#)); which is defined as follows:
 - The 365th day after the date of the certification under which the customer is covered; or
 - The 365th day after the date of the customer's last total separation, whichever is later; or
 - The 182nd day after the concluding date of training approved unless the customer received a waiver or ceased participation for an unjustifiable cause (Receipt of a waiver eliminates the 182-day **extension** at the conclusion of the training program);
- ▶ Total separation from adversely affected employment at the time the job search commences;
- ▶ Registration with the LWIA;
- ▶ A determination by the LWIA that the customer has no reasonable expectation of securing suitable employment in the commuting area, and has a reasonable expectation of obtaining suitable employment (as defined by UI Law) of long-term duration outside the commuting area and in the area where the job search will be conducted;
- ▶ Completion of the job search within a reasonable period not exceeding 30 days after the day on which the job search began (A job search is deemed completed when the customer either secures employment or has contacted each employer to whom referred by the LWIA in connection with a job search);
- ▶ Verification of employer contacts (The LWIA shall verify contacts with employers certified by the customer.); and
- ▶ Reconciliation of Out-of-Area Job Search Assistance requested utilizing [DCEO/TAA Form #012a - Reconciliation of Out-of-Area Job Search Allowance](#).

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6.1 Applying for Out-of-Area Job Search

Completion of an application for Out-of-Area Job Search must occur prior to job search beginning. Therefore, the case manager and the customer must complete the [DCEO/TAA Form # 012 - Application for Out-of-Area Job Search Allowance](#). Once completed the customer and case manager must sign and date the application and place it in the customer's file. Provide a copy to the Illinois workNet Center's fiscal staff to record all associated costs.

In addition to the completion of the application, send the [DCEO/TAA Form # 012b - Job Interview Confirmation Letter](#) to the employer to verify there is an interview scheduled.

Should the customer request an Out-of-Area Job Search allowance when the customer ceases participation in training without justifiable cause, deny the request.

6.2 Computation of the Job Search Allowance

The amount of a job search allowance shall be **90 percent** of the total costs for the more effective mode of travel and for lodging and meals or per diem in the job search. Payment from any other source(s) will reduce the approved TAA payment amount, by that amount.

A customer may receive an advance of up to 60 percent of the estimated amount of the job search allowance, payable on completion of the job search, but not exceeding \$360. The advance may occur within 5 days prior to commencement of a job search.

The total job search allowances paid to a worker covered under a certified petition must **not exceed \$1,250 regardless of the number of job searches undertaken** by the worker.

6.3 Travel in Job Search:

Determine the more cost effective mode of travel reasonably available by using:

- ▶ The actual cost of round trip travel by the most economical public transportation the customer reasonably can be expected to take from the customer's residence to the area of job search; or
- ▶ The cost per mile at the prevailing mileage rate authorized under the Federal travel regulations for such roundtrip travel by the usual route from the customer's residence to the area of job search.

6.4 Lodging and meals in Job Search:

The cost allowable for lodging and meals shall not exceed the lesser:

- ▶ The actual cost to the customer of lodging and meals while engaged in the job search; or
- ▶ Fifty percent of the prevailing per diem allowance rate authorized under the Federal travel regulations for the locality of the job search location. The US General Services Administration (GSA) calculates the Federal per diem rate and is on their website at www.gsa.gov.

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6.5 Job Search Allowance Payment/Reimbursement

Upon completion of the job search, the customer must provide documentation of each employer contact made and the outcome of the contact. Documentation includes receipts for lodging and transportation expenses incurred by the customer pursuant to the job search as well as proof the interview actually occurred.

The customer shall also reconcile with the LWIA the expenses of the job search ([**DCEO/TAA Form # 012a - Reconciliation of Out-of-Area Job Search Allowance**](#)), including the travel expense and the amounts expended daily for lodging and meals. The customer must return any amount advanced which exceeds 90 percent of the actual approved job search costs. Conversely, the customer will receive the difference if the amount advanced was less than 90 percent of the actual approved job search costs.

Payment of the job search allowance must occur promptly after a customer completes a job search and complies with all the outlined conditions.

If a customer ceases to participate in training without justifiable cause (617.18), the customer is not eligible for TRA or any other payment under 20 CFR 617, which includes Job Search and Relocation Assistance.

6.6 IWDS Entry

Add an Out- of- Area Job Search TAA Service record to IWDS for each individual Out- of- Area Job Search granted to the customer. In addition to the TAA Service record, add a case note providing all the relevant details regarding the job search. If the customer secures employment, also add a job record, which includes all relevant information. Include in the case note if the customer does not find employment, and the reason the customer was not hired.

7 Out-of-Area Relocation Allowances

Relocation allowances provide adversely affected workers certified under Trade Adjustment Assistance (TAA) assistance for the individual and his/her family to relocate within the United States upon obtaining suitable employment. An individual may receive the relocation allowance only once under a given certification.

In instances where a single employer employs both spouses and thus both becoming TAA certified, payment of relocation allowances is limited to only *one* of the individuals in a family unit to prevent duplication of payments for a single relocation. If both members apply, and both qualify, the individual designated by them as head of household receives the payment.

Certified customers may receive Out-of-Area Relocation Allowance payments based on the eligibility factors discussed in this Chapter. Specific requirements that apply to all requests for out-of-area relocation allowances and require documentation in the customer's case file include:

- ▶ A timely filed request ([DCEO/TAA Form # 013 - Request for Out-of-Area Relocation Allowances](#)); which is defined as follows:
 - The 425th day after the date of the certification under which the customer is covered
 - The 425th day after the date of the customer's last total separation; or
 - The 182nd day after the concluding date of training approved unless the customer received a waiver (Receipt of a waiver eliminates the 182-day **extension** at the conclusion of the training program.);
- ▶ Total separation from adversely affected employment at the time relocation commences;
- ▶ No prior receipt of a relocation allowance under the same certification;
- ▶ Relocation within the United States and outside the customer's present commuting area;
- ▶ Registration with the LWIA;
- ▶ A determination that the customer has no reasonable expectation of securing suitable employment (as defined by UI law) in the commuting area, and has obtained suitable employment affording a reasonable expectation of employment of long-term duration, or a bona fide offer of such suitable employment outside the commuting area and in the area of intended relocation;
- ▶ The relocation must occur within a reasonable period of time not to exceed
 - 182 days after filing the application for relocation assistance or
 - 182 days after the conclusion of training unless the customer received a waiver; and
- ▶ Reconciliation of Out-of-Area Relocation Assistance requested utilizing [DCEO/TAA Form #013a - Reconciliation of Out-of-Area Relocation Allowance](#).

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7.1 Applying for Out-of-Area Relocation

Completion of an application for Out-of-Area Relocation must occur prior to the relocation beginning. Under no circumstance should approval occur for Out-of-Area Relocation until the customer is covered under a certification. Therefore, the case manager and the customer must complete the [DCEO/TAA Form # 013 - Request for Out-of-Area Relocation Allowance](#). Once completed the customer and case manager must sign and date the application and place it in the customer's file. Provide a copy to the Illinois workNet Center's fiscal staff to record all associated costs.

In addition to the completion of the application, send the [DCEO/TAA Form # 013b – New Employment Confirmation Letter](#) to the employer to verify the new employment.

Should the customer request an Out-of-Area Relocation allowance when the customer ceases participation in training without justifiable cause, deny the request.

7.2 Additional considerations in Relocation

Other relevant factors to take into account when determining whether the customer's relocation is within a reasonable period include:

- ▶ What the housing market is like. Is there suitable housing available in the area of relocation?
- ▶ What the customer's ability is to dispose readily of his or her current residence?
- ▶ Whether or not there is any illness in the family that would interfere with the relocation.
- ▶ Whether a family member in school is close to completing the year, and what the transfer process is in the area of the relocation.

Additionally, verify if the previous or new employer is willing to contribute to the relocation, even if the amount is zero.

Applications for a relocation allowance and a job search allowance may not occur concurrently, but the prior payment of a job search allowance shall not otherwise preclude the payment of a relocation allowance.

If a customer ceases to participate in training without justifiable cause (617.18), the customer is not eligible for TRA or any other payment under 20 CFR 617, which includes Job Search and Relocation Assistance. Suitable employment is a justified cause for the customer to stop training, therefore allow an Out-of-Area Relocation Allowance.

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7.3 Reimbursement

There is one allowable method of reimbursement for moving household goods and personal effects (i.e., if claimant chooses to move via truck rental, s/he cannot also request reimbursement for moving via commercial carrier).

In instances where the customer receives reimbursement for relocation expenses from the employer or any other source, reduce the allowance accordingly.

The maximum relocation reimbursements are as follows:

- ▶ 90 percent of the travel expenses (including lodging and meals) for the customer and family, if any, from the customer's place of residence to the area of relocation;
- ▶ 90 percent of the expenses of moving household goods and personal effects of the customer and family, if any, not to exceed the maximum number of pounds net weight authorized under the Federal travel regulations between such locations; and
- ▶ A lump sum payment (not taxable income), equal to 3 times the customer's average weekly wage of the TAA certified employment, not to exceed \$1,250. (DCEO recommends taking the average weekly salary for the year, multiplied by 3).

7.4 Allowance Types in Relocation

Using the methodology above, expenses for reimbursement include:

7.4.1 Transportation/Travel Expenses

7.4.1.1 Amount of the Allowance

The amount of travel allowance (including lodging and meals) shall be 90 percent of the total costs of each of the following allowable transportation and subsistence items:

7.4.1.1.1 Transportation

The cost allowable for transportation for a customer or each member of the customer's family shall not exceed the lesser of

- ▶ The actual cost of transportation for the customer and family, if any, by the most economical public transportation the customer and family reasonably can be expected to take from the customer's old residence to the customer's new residence in the area of relocation; or
- ▶ The cost per mile at the prevailing mileage rate authorized under the Federal travel regulations for the usually traveled route from the customer's old residence to the customer's new residence in the area of relocation. (The US General Services Administration (GSA) calculates the Federal per diem rate and is on their website at www.gsa.gov.) No additional mileage shall be payable for family members traveling on the same trip in the same vehicle.

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7.4.1.1.2 Lodging and Meals

The cost allowable for lodging and meals for a customer or each member of the customer's family shall not exceed the lesser of:

- ▶ The actual cost to the customer for lodging and meals while in travel status; or
- ▶ 50 percent of the prevailing per diem allowance rate authorized under the Federal Travel Regulations (see 41 CFR Part 101-7) for the locality to which the relocation is made.

7.4.1.2 Separate Travel

If, for good cause, a member or members of a customer's family must travel separately to the customer's new residence, 90 percent of the total costs of such separate travel, computed in accordance with the above conditions, shall be included in calculating the total amount of the customer's entitled reimbursement. To receive relocation allowance for separate travel, they must meet the definition of occurring in a reasonable period as outlined in the Time Limits paragraph above.

Good cause means such reasons as would justify the family member's inability to relocate with the other members of the customer's family, including but not limited to reasons related to the family member's health, schooling, or economic circumstances.



7.4.1.3 Single Relocation

In no case may the customer receive a payment for a travel allowance for the customer or a member of the customer's family more than once in connection with a single relocation.

Payments in this section shall be in addition to payments for travel expenses for the customer and family, if any, except that the allowable cost for a private vehicle used to haul a trailer may not be paid under this section if any cost with respect to such private vehicle is payable under any other provisions listed below. The customer may request reimbursement for incidentals incurred during their relocation. Examples of allowable incidental expenses are tolls, parking, etc.

The expenses must be reasonable and directly related to the relocation. Allowances are payable to the customer at the time of departure (customer or family member) or within 10 days prior thereto.

7.4.2 Moving Expenses

The amount of a moving allowance payable shall be 90 percent of the total of the allowable costs for one of the following: commercial carrier, trailer or rental truck, or house trailer, and 90 percent of the total allowable costs for temporary storage.

Prior to selection or reimbursement of any moving expense, the customer must submit two (2) estimates under consideration to move household goods and personal effects to the area of relocation. Once selected, determine the amount of the estimated cost to reimburse, but not to exceed the lesser of 90 percent of one of the methods below. An advance made payable to the customer and the carrier or agency is allowed at the time of relocation.

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7.4.2.1 *Commercial Carrier in Relocation*

Prior to securing a commercial carrier, the customer must submit two (2) estimates of the cost and obtain an approval. The estimate must reflect the distance between the old residence and the customer's new residence. Additionally, allowable costs for moving household goods and personal effects of a customer and family, if any, shall not exceed the maximum number of pounds net weight authorized under the Federal travel regulations (see 41 CFR part 101-7).

Accessorial charges shall include the cost of insuring such goods and effects for their actual value or \$10,000, whichever is least, against loss or damage in transit. The customer must obtain a bid from a licensed insurer and obtain approval before departure.

Determine if it is more economical to pay a carrier an extra charge to assume the responsibility of a common carrier for such goods and effects 90 percent of such extra charge, but not exceeding \$50, shall be paid in lieu of the cost of insurance.

7.4.2.2 *Trailer or Rental Truck in Relocation*

Depending on the preferred method to move household goods and personal effects, base the reimbursement on the following:

7.4.2.2.1 *Trailer*

If a trailer is the selected mode of transportation to move household goods and personal effects the allowable costs shall be:

- ▶ If the trailer is hauled by private vehicle, the cost per mile for the use of the private vehicle at the prevailing mileage rate authorized under the Federal travel regulations (see 41 CFR part 101-7) for the usually traveled route from the individual's old residence to the individual's new residence in the area of relocation;
- ▶ If the trailer is rented, and of the type customarily used for moving household goods and personal effects, the rental fee for each day reasonably required to complete the move; or
- ▶ The actual charge if hauling is by commercial carrier.

7.4.2.2.2 *Rental truck*

If a rental truck of the type customarily used for moving household goods and personal effects is the selected method move to household goods and personal effects the allowable costs shall be:

- ▶ The rental fee for each day reasonably required to complete the move; and
- ▶ The necessary fuel for such rental truck paid by the individual.

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7.4.2.3 *House Trailer in Relocation*

If a house trailer or mobile home is the individual's place of residence in the old area and used in the new area, the allowable costs of moving such house trailer or mobile home shall be:

- ▶ The commercial carrier's charges for moving the house trailer or mobile home;
- ▶ Charges for unblocking and re-blocking;
- ▶ Ferry charges, bridge, road, and tunnel tolls, taxes, fees fixed by a State or local authority for permits to transport the unit in or through its jurisdiction, and retention of necessary flagmen; and
- ▶ The cost of insuring the house trailer or mobile home, and the personal effects of the customer and family, against loss or damage in transit, in accordance with the provisions in 20 CFR 617.40 (a)(1).

7.4.2.4 *Temporary Storage in Relocation:*

If temporary storage of household goods and personal effects is needed in conjunction with one of the mode of transportations above, the cost of such temporary storage cannot exceed 60 days.

7.5 *Approval and Payment of Moving Expenses*

Approve the most economical method to move the customer's household goods and personal effects. The LWIA may decide to make direct arrangements for moving and insuring the relocation rather than the customer.

Make determinations and record promptly to assure a customer's entitlement to an out-of-area relocation allowance. Prior to paying or advancing relocation allowance, verify the customer's certification coverage. Once determined, quickly make payment to the customer upon verification that the customer is otherwise eligible.

Regardless of how arrangements are made keep in mind the following when making payments:

- ▶ If the LWIA finds it is more economical to pay a carrier an extra charge to assume the responsibility of a common carrier for such goods and effects, in lieu of the cost of insurance pay 90 percent of such extra charge, but not exceeding \$50.
- ▶ No such arrangement shall release a carrier from liability otherwise provided by law or contract for loss or damage to the customer's goods and effects. Customers must have bids from a licensed insurer obtained by the customer and approved by the State agency before departure. The State nor the LWIA shall not be or become liable to either party for personal injury or property loss damage under any circumstances.
- ▶ In instances where commercial carrier moves household goods and personal effects, consider an advance up to 90 percent of the amount of the lowest allowable costs submitted by the customer at the time of the scheduled shipment or within 10 days prior thereto.
- ▶ Provide payment when arrangements are complete for the relocation of the customer and family not more than 10 days before the anticipated departure or the anticipated shipment

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of the households' goods and personal effects. Determine the lump sum allowance using the criteria in [Section 8.3 Reimbursement](#).

On completion of the move, the customer shall promptly submit a copy of either the bill of lading prepared by the carrier or a receipted bill itemizing and evidencing payment of the rental charges for the trailer or truck and fuel costs. Further, the customer shall reimburse the LWIA for the amount, if any, by which the advance made for the trailer or truck exceeds 90 percent of the rental charges approved by the LWIA. In support, the customer must include a receipt evidencing payment of the moving costs. If the amount of the advance was less than 90 percent of the rental charges, the customer will receive the difference.

7.6 Relocation Completed:

The relocation is complete when a customer and family, if any, and their household goods and personal effects arrive at the customer's residence in the area of relocation. If no household goods and personal effects move, relocation is complete when the customer and family, if any, arrive in the area of relocation and establish a residence in the new area. The later arrival of a family member approved for separate travel shall not alter the date relocation was completed.

Upon completion of relocation, the customer shall certify on form ([DCEO/TAA Form # 013a Reconciliation of Out-of-Area Relocation Reimbursement](#)) as to the amount expended daily for lodging and meals. Require receipts for all lodging and purchased transportation expenses incurred by the customer and family, if any, pursuant to the relocation. Make an adjustment if the amount of an advance is less or more than the amount to which the customer is entitled. The customer must reimburse the LWIA the amount, if any, by which the advance made, exceeds 90 percent of the actual moving costs approved by the LWIA.

Add a [Relocation Assistance](#) service record to IWDS upon approval of the relocation. In addition to the service record, add a case note providing all the relevant details regarding the Relocation. In addition, add a job record for the relocation job, which includes all relevant information.

7.7 Liable/Agent and Relocation

For relocation purposes, the liable/Agent State relationship applies only when a worker loses a job in one state, accepts reemployment in another, and is eligible for relocation assistance. Section 426 of the Trade Act specifies to base the determination of full-time on the state law of the state where the individual works. Therefore, the Liable State will have to make the determinations based on the Agent State's law. Responsibilities for both include:

7.7.1 Liable State

The state responsible for determining that the individual meets the eligibility requirements for a relocation allowance, and that the allowance occurred within the time limits specified. In addition, the Liable State is responsible for verifying with the employer that the individual has obtained suitable employment, affording a reasonable expectation of employment of a long-

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term duration or that there was a bona fide offer of suitable employment.

7.7.2 Agent State

The responsibilities of the Agent State are cooperating fully with the Liable State and assisting the Liable State in carrying out its activities and functions. Other responsibilities include assisting the individual in filing an application for a relocation allowance with the Liable State and providing any required information to the Liable State for a determination of the claim. In addition, the Agent State when requested by the Liable State is responsible for verifying with the employer that the individual has obtained suitable employment, affording a reasonable expectation of employment of a long-term duration or that there was a bona fide offer of suitable employment.

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8 Alternative Trade Adjustment Assistance (ATAA)

Alternative Trade Adjustment Assistance (ATAA) program benefits may be provided as an alternative to the benefits offered under the regular TAA program. Participation in ATAA allows older workers, for whom retraining may not be appropriate, to accept reemployment at a lower wage and receive a wage subsidy.

8.1 Eligibility

To qualify for ATAA, a customer must obtain qualifying reemployment by the last day of the 26th week following layoff. This remains true even if the certification does not occur until after the 26 weeks have passed. Additionally, to be eligible the following applies:

- ▶ Eligible workers who obtain new, full-time employment at wages equal to or less than \$50,000 within 26 weeks of their separation may receive a wage subsidy of 50% of the difference between the old and new annualized wages, up to \$10,000 paid over a period of up to two years.
- ▶ The customer must obtain new, full-time employment within 26 weeks from each qualifying separation. However, the \$10,000 maximum applies to all separations from the certified employer. The customer can only receive \$10,000 maximum subsidy per certification regardless of the number of qualifying separations and/or new employment.

A worker receiving a wage subsidy under the ATAA program may not receive benefits under the TAA program including Trade Adjustment Allowances. [TEGL 2-03](#) (page 7) indicates that "receipt of the initial ATAA payment represents the individual's decision with respect to choosing ATAA and voids the participant's rights to retraining, allowances and TRA." However, a customer can receive non-TAA training, job search, relocation assistance and even TRA (TAA services) if all occur and are complete prior to the state issuing the first ATAA payment.

If the customer chooses to participate in ATAA, preserve the customer's eligibility by providing them with a waiver within the 8/16 week enrollment in training/waiver deadline using the Marketable Skills criteria while the customer is looking for a job. As part of the ATAA application process, have the customer complete the following forms:

- [DCEO/TAA Form # 001 - Benefit Rights and Obligations \(BRO\)](#)
- [DCEO/TAA Form #002 – TAA Standard Application](#)
- [DCEO/TAA Form #003 – Waiver from the Training Requirement](#)
- [DCEO/TAA Form #004 - Bona Fide Application for Training \(210\)](#)

In addition, complete the [DCEO/TAA Form #011 - IDES ATAA Application – Approval/Denial](#) and send the application to the IDES local office where the customer has their UI claim. Ensure all available documentation is included with the application.

Upon completion of all forms, enroll the customer in the TAA program on IWDS by entering the [ATAA](#) service on the Service Screen. Once the customer has the ATAA service on the Service

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Screen, enter a job record on the Employment History screen identifying the job (or jobs) which qualify the individual for the ATAA program. Create one job record for each ATAA related job. The wages and all relevant job information are also required. Since the customer is only eligible for ATAA if the re-employment hire date is within 26 weeks of the last qualifying separation, the begin date of the service record is the date of the new employment and not the date the ATAA application is approved, unless the ATAA job was secured prior to the IWDS application date. In that instance, use the ATAA application date and case note why the start date of the ATAA job and the start date of the ATAA application differ.

If a customer receiving an ATAA wage subsidy is laid off (unemployed one week without wages), quits or is fired from their job, and returns to work with the initial employer or finds another job, he/she can reapply for ATAA when they obtain subsequent employment for up to two years from the date of original reemployment. A new [DCEO/TAA Form #011 - IDES ATAA Application – Approval/Denial](#) must be completed for each job that qualifies for ATAA as well as the appropriate entries made in IWDS as outlined above.

8.2 IDES Responsibility

IDES will be responsible for the final approval of ATAA and will sign and date the application. In addition, IDES is responsible for making the ATAA subsidy payments. Once approved, IDES will instruct the customer to complete a monthly request for ATAA Subsidy Form, attach check stubs and mail or fax the information to the customer's IDES local office.

Should the ATAA Subsidy Form with accompanying check stubs arrive at the LWIA, forward the information to the customer's IDES local office for payment processing immediately.

In addition, ATAA eligibility requires that the worker may not return to similar work for the employer responsible for the customer's separation. This also includes a prohibition on the individual returning to the division/facility at the employer, even if the work is not similar. When an ATAA applicant accepts work with their layoff employer at a different location, IDES is responsible for determining whether the work is similar.

8.3 Documentation

Acceptable documentation for the purposes of establishing both initial and continuing eligibility:

- ▶ a drivers license
- ▶ birth certificate
- ▶ copy of job offer letter
- ▶ check stub
- ▶ document referring to date of qualifying separation
- ▶ supporting statement from the employer
- ▶ annual earnings statements
- ▶ W-2 forms
- ▶ other official documentation

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The LWIA will make monthly contact with the customer and record the contact information in IWDS case notes for each ATAA customer. The contact is necessary to ensure the customer is still working at the approved ATAA job.

8.4 Liable/Agent and ATAA

For ATAA purposes, the liable/Agent State relationship applies only when a worker loses a job in one state, accepts reemployment in another, and is eligible for the ATAA wage subsidy. Under the ATAA program, the Liable State is the same as the Liable State for the regular TAA program, as described in 20 CFR 617.26(a). In most cases, the Liable State is the state where the worker was working when separated from employment. The Agent State is the state in which the worker has accepted reemployment. The distinction has nothing to do with the state where the worker resides.

Section 426 of the Trade Act specifies to base the determination of full-time on the state law of the state where the individual works. Therefore, the Liable State will have to make ATAA eligibility determinations based on the Agent State's law. There will be instances where the Agent State and Liable State have different definitions of full-time employment. In these cases, the Liable State will find it necessary to use the Agent State's definition of full-time employment in making the eligibility determination for the ATAA program. Responsibilities for both include:

8.4.1 Liable State

The state responsible for making all determinations of ATAA individual eligibility, issuing all redeterminations of individual eligibility and decisions on appeal, making the ATAA wage subsidy payments, paying relocation allowances, verifying employment, transmitting names of "eligible ATAA recipients" to the HCTC program office in the Internal Revenue Service (IRS) and completing all reports.

8.4.2 Agent State

The responsibilities of the Agent State are cooperating fully with the Liable State and assisting the Liable State in carrying out its activities and functions. The definition of full-time work for all ATAA participants working in the state is the responsibility of the Agent State. Other responsibilities include providing interstate ATAA applicants with ATAA program information, assisting with filing applications, gathering information and forwarding it to the Liable State, and providing the Liable State with information needed to make determinations of ATAA individual eligibility initially and on appeal.

[TEGL 2-03, Change 1](#)(and [TEGL 2-03, Change 1 Attachment](#)) should be used as a reference for a comprehensive Q & A on ATAA Benefits.

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9 Health Coverage Tax Credit (HCTC)

The Health Coverage Tax Credit (HCTC) is a federal tax credit that pays 80% of qualified health insurance premiums for eligible individuals and their family members. IDES has responsibility for the enrollment of customers into HCTC. Information in this Chapter is only an overview of the application and eligibility process. Use this overview to inform customers on the availability of the service.

9.1 Eligibility

Three groups of individuals may be eligible for the HCTC. They include individuals who:

- ▶ Meet requirements under the TAA for Workers program,
- ▶ Receive payments under the Alternative Trade Adjustment Assistance (ATAA) or Reemployment Trade Adjustment Assistance (RTAA) programs, or
- ▶ Are ages 55 or older and receive a benefit from the Pension Benefit Guaranty Corporation (PBGC), including lump sum payments paid after August 5, 2002.

In addition, the customer must provide proof of enrollment in a qualified health plan. Only certain types of health plans qualify. These include:

- ▶ COBRA
- ▶ State-qualified health plan - for a complete list visit: www.irs.gov (Keyword/Search: HCTC)
- ▶ Spousal coverage
- ▶ Non-group/individual health plan

Once the customer is determined eligible by HCTC, they have two ways to receive the tax credit:

- ▶ Monthly - register for the monthly HCTC and get help paying for health plan premiums as they become due.
- ▶ Yearly - pay their qualified health plan directly throughout the year, claim eligible premium amounts on their federal tax return, and receive the HCTC as a tax refund or a credit against taxes the customer owes.

In order to remain eligible for the HCTC benefit, the customer has to file for and be paid unemployment insurance, a trade readjustment allowance or an ATAA wage subsidy each month. During the period March 2009 through December 2010, this includes a customer who is in a break in approved training that exceeds 30 days and the break falls within the period for receiving TRA.

9.2 HCTC Program Kit

All potentially eligible HCTC candidates receive a HCTC Program Kit. This Kit provides information on eligibility and receiving the credit. When the customer receives the HCTC Program Kit in the mail, he/she must fill out the enclosed Registration Form and mail it to the HCTC Program with the required supporting documents. Not providing supporting documentation with the Registration Form may delay the process.

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The online version does not include the monthly HCTC Registration Form. It is only available in the packets received via mail. For additional HCTC Resources go to:

<http://www.irs.ustreas.gov/individuals/article/0,,id=109960,00.html>

9.3 Monthly Invoices

The customer will begin receiving monthly invoices from the HCTC Program. The customer must pay his/her 20% portion each month by the HCTC due date. The HCTC Program will then send the payment along with the remaining balance to his/her health plan.

9.4 IDES Responsibility

In Illinois, once an individual has a TRA claim entered into the IDES system, IDES submits daily a listing of recipients who have been determined TAA eligible for those individuals receiving a UI or TRA payment. The individual submits information only once a month based on the first UI or TRA benefit payment for the month. ATAA recipients submit information once a month when an ATAA wage subsidy is paid. If an ATAA recipient submits an application and pay stubs for back months, the individual's information for the prior month(s) is a backdated eligibility month(s).

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10 Reemployment Services - Wrap Around Services

Reemployment Services may be available to eligible workers who also receive WIA services. The services can include Employment Counseling, Resume Writing and Interview Skills Workshops, Career Assessment, Job Development, Job Search Programs, Job Referrals and Supportive Services.

Enrolling a customer in more than one program at a time is co-enrollment. Co-enrollment allows for coordination of funds for training and services and can occur at any point. DOL [TEGL 5-00](#) provides additional guidance on the integration and coordination of TAA and WIA services.

10.1 Available Services

The types of services available to co-enrolled TAA customers include:

- ▶ Core services - includes outreach, job search and placement assistance, and labor market information available to all job seekers;
- ▶ Intensive services –includes more comprehensive assessments, development of individual employment plans and counseling and career planning available to those who have been unable to find employment through core services;
- ▶ Training services - if TAA funds for training are not available, co-enroll and utilize WIA funds or other funding streams but TAA rules must be followed no matter the funding source; and
- ▶ Supportive services - includes transportation, childcare, dependent care, housing and needs-related payments (if the customer is not eligible for TRA benefits) available under certain circumstances to allow an individual to participate in the program.

10.2 Performance

WIA co-enrolled customers are in WIA performance thus before a customer is exited, the case manager should discuss performance implications with the Illinois workNet Center Performance staff person.

According to the common measures, policy from DOL [TEGL 17-05](#) the definition of an exiter is a customer who has not received a service funded by TAA or a partner program within the last 90 calendar days and is not scheduled for future services. The exit date is the end date of the last enrolling activity. This TEGL also details the Common Measures Performance Accountability required by DOL.

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11 Liable and Agent State Responsibilities

There may be instances where a customer may come from another state or relocate to another state and want access to their TAA benefits. If the customer establishes their UI claim in Illinois and subsequently relocates to another state, Illinois acts as the "Liable State". Conversely, if the customer is relocating from another state into Illinois, Illinois acts as the "Agent State". Regardless if Illinois is the Liable or Agent State, the LWIA needs all the necessary information to ensure the customer receives the appropriate service.

As notices become available regarding new customers, coordinate with the manager in the local IDES office to gather information on the customer. In addition, review IDES screens routinely in all cases and especially for agent/liable customers. Once identification of new customers occurs, work with the appropriate local IDES office to get contact information and obtain all relevant paperwork (IDES assigns certain states to specific IDES Local Offices).

Outlined below are the processes for serving the customer when Illinois is either the Liable or Agent State. If problems occur in working with the other state, contact the DCEO TAA Coordinators for assistance. If necessary, DCEO will contact Region V DOL to assist in the matter.

11.1 Definition

11.1.1 Liable State

The state responsible for making all determinations and decisions for TAA program benefits including eligibility. This includes making all determinations, redeterminations, and decisions on appeals on all claims for program benefits including waivers and revocations of waivers, UI and TRA payments including ATAA reimbursements, subsistence payments and transportation payments. In addition, the Liable State is responsible for publishing newspaper notices and furnishing information and assistance to workers, furnishing reemployment services to all eligible workers covered by such certification and carrying out other activities

11.1.2 Agent State

The responsibilities of the Agent State are cooperating fully with the Liable State and assisting the Liable State in carrying out its activities and functions. 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, and assisting applicants or claimants to file claims for TAA program benefits and services. The Agent State should cooperate 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, and tracking the customer's progress through the training program, according to determinations and approvals issued by the Liable State.

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11.2 Illinois as the Liable State

When the customer establishes their UI claim in Illinois and subsequently relocates to another state, Illinois acts as the Liable State.

11.2.1 LWIA Responsibility

As the Liable State, the LWIAs in Illinois have the following responsibilities:

- ▶ Making sure a DETS event is set up and updated on workers from the Agent State.
- ▶ Ensuring Rapid Response and TAA Workshops occur. During the TAA Rapid Response Workshop, inform the customer about their responsibility of securing their eligibility for TAA/TRA benefits when moving out of state. Specifically, inform the customer of the following:
 - They must come to the LWIA first and complete their required TAA/TRA paperwork to secure their eligibility for TAA/TRA benefits.
 - Once they have made contact with a case manager from the Agent State, that case manager should contact the LWIA.
 - That all of the completed forms go to the Agent State case manager. (It is also acceptable to fax the forms after the customer makes contact.)
- ▶ Paper work is completed and forwarded, etc.
- ▶ Prior to the start of training, approve the plan and send written approval to the Agent State.
- ▶ Ensure joint approval on the issuance of the waiver by the both the Liable and Agent State.
- ▶ Keep two TAA records on the customer; one in Illinois, which maintains the continued eligibility for the cash payments, and one in the Agent State to justify the payment from the Agent State funds. If a waiver is in place, both case managers will need evidence of 28-day contact with the customer. This can be by phone, e-mail, mail or in person. The state that is conducting the 28-day reviews will share that information with the other state in writing by mail, email or fax.
- ▶ Entering the customer a registrant in IWDS and maintaining the hard copy file with all the necessary paperwork to ensure eligibility. When the LWIA approves a training program for a customer in an Agent State, enter a Service Record in IWDS. The Service Record will create a Status Record that will appear on IDES' Potential TRA Training/Waiver File Maintenance Report. Upon receiving notification via the Report, IDES will enter a training segment.

If Illinois is the Liable State and the customer resides in Illinois - approved to attend training in another state - the LWIA is not acting as the Agent State. Illinois is still the Liable State.

When a customer applies for TAA reemployment services in another state before visiting their local WIA office, Illinois' Agent/Liable contact (DCEO TAA Coordinator) will assign that customer to the LWIA based upon DCEO's Rapid Response policy-- the LWIA where the "event" occurs is the owner of the (TAA) event

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11.2.2 IDES Responsibility

When Illinois is the Liable (paying TRA) State, IDES needs a TRA claim from the Agent State before making a TRA payment to any customer residing out of the State of Illinois. In addition, IDES must:

- ▶ Review IWDS for information entered by the LWIA.
- ▶ Forward any documentation received with respect to training approval, waivers, etc. from the Agent State to the appropriate LWIA staff so that the case manager can make final determination based on communication with Agent State workforce development staff.
 - If the LWIA case manager determines the customer is eligible for a waiver, IDES should receive a copy of the waiver determination issued by the case manager to an out-of state customer.
- ▶ Upon receipt of any information regarding an out-of-state customer, verify in IWDS if a customer record is established. In instances where there is no record, IDES must contact the LWIA to initiate service.

11.3 Illinois as the Agent State

Illinois would be the Agent State if the customer lives in Illinois, receives reemployment services from Illinois including training, but receives UI/TRA from another state. As the Agent State, IDES needs to transmit the TRA claim to the Liable State for determination of eligibility and refer the customer to the appropriate LWIA based on the customer's county of residence.

The following responsibilities are in place when acting as the Agent State:

- ▶ Ensure the customer meets all eligibility requirements even though eligibility determinations are the responsibility of the Liable State. If the paperwork received from the other state does not capture the information needed to make the customer a registrant in IWDS then work with the customer and the other state to fulfill that need. Prompt data entry related to the customer's service must occur in IWDS. Please note that the Liable State determines eligibility. Any training approval must be in writing from the Liable State prior to the start of training.
- ▶ Provide TAA employment services and, using Illinois DCEO/TAA forms, communicate with the Liable State workforce development agency. The Liable State has the responsibility of determining customer status (e.g. enrollment in training, waived from training, etc.) and communicating that status to the Illinois LWIA case manager.

All approvals for services must be in writing from the Liable State prior to the start of the service in Illinois. This is regardless of which state is paying for the training. There does not have to be a DETS event if we are the Agent State because the requirement of Rapid Response is the responsibility of the Liable State where the "TAA Certified Event" occurred.

12 Potential Suspension Requests

There are certain eligibility requirements to qualify for and maintain TAA and TRA benefits. Non-compliance with any of the requirements of these program benefits may result in revocation or suspension.

A customer may have their UI/TRA benefits and/or TAA services suspended or revoked under certain conditions. However, before a suspension of benefits process begins, the customer must have a reasonable opportunity and timeframe to produce any requested documentation.

The following outlines the conditions under which there can be an interruption to benefits and/or services, and the expected action the LWIA will take because of such conditions.

12.1 Written Determination

Prior to taking any action regarding suspension or revocation of benefits, the customer must receive written documentation that supports the eligibility determination. The customer receives this written determination through designation on one of the approved TAA eligibility forms or through the [**DCEO/TAA Form #003c - Potential Suspension Letter**](#). Forward a copy of the determination to the local Illinois Department of Employment Security (IDES) office and place a copy in the customer's file.

12.2 Suspension Conditions

Use the suspension process to notify the IDES of potential ineligibility for UI/TRA benefits and/or TAA services for customers determined to be noncompliant with Trade requirements. The following conditions will dictate when suspension of benefits may be necessary:

- ▶ Waived from training, refused employment;
- ▶ Enrolled in training, failed to start;
- ▶ In training, ceased participation (dropped below full-time, quit);
- ▶ Failure to meet qualifying requirements for TRA/TAA

The following provides guidelines for responding to the conditions that may warrant a potential suspension request.

12.2.1 Waiver from Training Refused Employment:

A customer may refuse any employment if they meet the TAA definition of Enrolled in Training or are attending TAA approved training. However, any customer who does not meet the Enrolled in Training definition and refuses suitable employment when the paying program is UI, may be disqualified from receiving UI until reemployed for a period of at least 4 weeks in which they earn at least 1 times the weekly benefit amount in each of the 4 weeks.

If the paying program is TRA, disqualify the customer until reemployed for a period of 4 weeks and the customer earns at least 4 times the weekly benefit amount.

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Enter a Potential Suspension Request selecting Waiver from Training, Refused Employment as the reason for the request. IDES will send the determination regarding refusal of employment to the LWIA case manager.

Continue the waiver and the waiver reviews as long as the customer is seeking full-time suitable employment and the waiver reason is still appropriate. Once resolved, end the Potential Suspension Request in IWDS by entering the resolution date and a description of the reason for revocation in the Comments section.

12.2.2 Enrolled in TAA Approved Training, Failed to Start

If a customer meets the definition of Enrolled in TAA Approved Training and fails to start, UI/TRA benefits may be impacted.

12.2.2.1 When Receiving UI

If the customer does not start TAA approved training (justified or not justified), IDES must investigate the customer's ability to work, availability for work and work search efforts and issue an eligibility determination to the customer and to the LWIA case manager.

12.2.2.2 When Receiving TRA

If the customer does not start TAA approved training without justifiable cause, IDES will issue a determination denying TRA allowances until the customer resumes TAA approved training. IDES will send a copy of the determination to the LWIA case manager. Once received from IDES enter an end date on the Potential Suspension Request following the instructions in Section 12.3 IWDS Entry below. In cases where a training service record is on IWDS, end the record as an unsuccessful completion of training.

If the reason the customer did not start training is with justifiable cause, IDES must investigate ability to work and availability to work in order to pay Basic TRA. Reassess the customer before training resumes to ensure that the six (6) conditions of training still apply and that the customer will have the financial ability to complete the training through either TRA benefits or other documented financial means. The customer will have to meet the EB work test until such time that training can resume.

12.2.3 In TAA Approved Training, Ceased Participation

A customer shall be determined to have ceased participation in a training program when the customer fails to attend all scheduled training classes and other training activities scheduled by the training institution in any week of the training program without justifiable cause. Ceased Participation applies when the customer drops below full-time (justified or not justified) or when a customer quits training (justified or not justified). **Communicate Ceased Participation for daily attendance or no verification of attendance to IDES with a Status Record.**

When discovering a customer either drops below full-time or quits a TAA approved training program determine if the ceased participation is justified or not justified.

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12.2.3.1 When Receiving UI or TRA

If Trade funds pay, the training costs meet with the fiscal department as a transfer in the payment of training to WIA must occur. Create a training record on the WIA side to reflect these costs. If the customer is on UI and they drop below full-time training regardless of the reason being justified or not, IDES will continue to pay UI benefits.

12.2.3.2 When Receiving Basic TRA

If the customer drops below full-time training, with a justifiable cause, IDES will continue to pay Basic TRA. When the customer quits training and it is determined to be justified, IDES will continue to pay Basic TRA as long as the customer is meeting the EB work test.

In instances where the customer drops below full-time or quits training without a justifiable cause IDES will issue a determination denying further payment of Basic TRA until the customer resumes full-time TAA Approved training.

12.2.3.3 When Receiving Additional TRA

If the customer drops below full-time, payment of benefits will stop until the customer returns to full-time training. In the instance where the customer quits training, IDES will stop payment of benefits.

Additional TRA may be payable if the reason the customer drops below full-time or quits training is due to circumstances imposed by the training institution or instructor; i.e. instructor changes attendance requirement or institution cancels or ceases to offer classes. If the customer is on Additional TRA and quits training, IDES will stop payment of benefits.

At the case manager's discretion, the customer may resume training as long as all TAA Approved training conditions remain met as documented by a complete assessment.

12.2.4 Failure to Meet Qualifying Requirements for TRA/TAA

If discovered (monitoring or otherwise), that a customer did not meet one of the qualifying requirements for TRA/TAA enter a Potential Suspension Request for one of the following reasons:

- ▶ Was not part of the certified worker group
- ▶ No Qualifying Separation
- ▶ Missed 8/16 - 45 days
- ▶ Training was not TAA Approvable
- ▶ Other

Upon notification of a Potential Suspension Request, IDES will complete an investigation and a determination of eligibility for UI or TRA benefits.

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12.3 IWDS System Entry

Below are the steps for entering a Potential Suspension Request on the Maintain TAA Status screen in IWDS:

- ▶ Select Potential Suspension Request as the Status Type;
- ▶ Enter the Start Date of the Suspension record as the current date or a date in the future;
- ▶ Select the Potential Suspension Request reason from the drop down list to indicate why there may be a need for suspension. The drop down list includes the following:
 - Waived from Training, Refused Employment
 - Enrolled in Training, Failed to Start
 - In training, Ceased Participation
 - End the TAA Training Service Record with an Unsuccessful Completion.
 - Failure to Meet Qualifying Requirements for TRA/TAA
- ▶ Enter in the Comments section the following:
 - Why the suspension request is warranted; including the date the condition occurred;
 - The rationale for the suspension determination;
 - Whether the reason for the change in training status was justified or unjustified;
 - The date of any comment entries; and
 - Additional information that will assist IDES in further processing the potential suspension request.

12.4 IDES Determination Process

Notification to IDES of the potential suspension may prompt IDES to start their "307a" process. The IDES "307a" process entails the following:

- ▶ IDES will mail a 307a letter to the customer notifying the customer of an interview date and time, which is at least 7 days from the mailing date of the 307a letter.
- ▶ After IDES investigates, IDES will render an UI/TRA eligibility determination with a copy of the determination given to the appropriate LWIA. Generally, the IDES determination will occur no later than 21 days following the entry of the Potential Suspension Request. In addition, IDES will mail a copy of the system-generated determination to the LWIA.

12.5 LWIA Follow-Up Action

Once IDES send the determination, do the following:

- ▶ If IDES determines the client **is eligible** for payment of UI/TRA, perform the following actions:
 - Enter the Status Resolution Date;
 - Enter the reason for IDES' determination in the Comments section; and
 - Continue TAA services.
- ▶ If IDES determines the customer **is not eligible** for all or any UI/TRA, determine whether the customer is eligible for continued TAA benefits and services.

Only the DCEO System Administrator can delete a Potential Suspension Request status record.

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If IDES has not sent the notification of the determination within 30 days from the date of the entry into IWDS for the potential suspension request, contact the appropriate local IDES office.

12.6 IWDS Reports

To ensure that IDES receives information in a timely manner of Potential Suspension and Revocation requests, the IWDS system has two reports that available in the IWDS' Report section. These reports include:

- Potential Suspension Requests; and
- Waiver Revocations

Additionally, the LWIA and IDES will be able to review these reports following their next system update. The IWDS status information will also appear on the daily IDES Potential TRA Training/Waiver File Maintenance report.

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13 Appeals

As part of the eligibility determination process, it is mandatory to provide the applicant or customer with information on his/her right to appeal any decision regarding denial of TAA/TRA benefits or services. Administrative Law Judges (ALJs) conduct all appeals under the auspices of the Unemployment Insurance agency, which in Illinois is the Department of Employment Security (IDES). The provision of the applicable State law concerning the right to request, or authority to undertake, reconsideration of a determination pertaining to a claim for UI under the applicable State law shall apply to determinations pertaining to all forms of TAA under this Part 617.

The right to appeal is part of any written determination that informs the customer of the services for which the customer is not eligible along with the reason for the denial of services. For most services, the denial on the official DCEO form will satisfy the written determination requirement. Additional information on where to file an appeal (their local IDES office) and the deadline for filing (example: 30 days) must be provided to the customer. Route any appeals received through the customer's local IDES office for forwarding to the IDES appeals division.

Both the LWIA and IDES have a responsibility in the appeals process. Outlined below are the responsibilities of each.

13.1 LWIA Responsibility:

Conduct the following activities as part of the appeals process:

- ▶ Inform the applicant/customer in writing that the appeals deadline for submission to IDES is within 30 days of receiving a written determination.
- ▶ Provide IDES contact information to the applicant/customer.
- ▶ Forward the original appeal to the customer's local IDES office and maintain all copies, in the event the appeal comes to the LWIA directly from the customer.
- ▶ Cooperate during the appeals process by:
 - 1) Providing any necessary documentation and information to the applicant/customer and IDES; and
 - 2) Participating during the appeals hearing either by telephone or in person.
- ▶ Contact the appropriate IDES office regarding the status of the appeal if IDES has not issued a decision within 60 days. The IDES Appeals Division has forty-five (45) days to make a determination upon receipt of the appeal.
- ▶ Maintain all documentation including IDES decisions in the applicant/customer file. Record information in case notes in IWDS.

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13.2 IDES Local Office:

The IDES local office will conduct the following activities during the appeals process:

- ▶ Send a copy of all appeals received to the appropriate LWIA and forward the appeal to the IDES Appeals Division.
- ▶ Make appropriate system entries into BIS for tracking.

13.3 IDES Appeals Division will:

The IDES Appeals Division is responsible for the following activities during the appeals process:

- ▶ Through the Appeals process, make a determination within 45 days of receipt of the appeal.
- ▶ Submit the decision to the LWIA within 60 calendar days of the decision date on the appeal as to the outcome.
 - Affirmed - the ALJ upheld the first determination.
 - Dismissed - the appellant did not appear for the hearing—Appellant can request a rehearing or appeal to the Board of review.
 - Affirmed/dismissed - The ALJ upheld one determination and dismissed a second issue/determination.
 - AFF – abbreviation for Affirmed
 - Set aside - ALJ reversed the local office determination
 - Remand - Case returned to local office for additional investigation of issue and determination.

If the ALJ reverses a local office decision and the decision is that the customer is eligible for benefits, the local office must pay benefits or, if initial determination had resulted in overpayment, the local office would clear the overpayment and refund any recoupment, if applicable.

In instances where, a party disagrees with an ALJ's decision (benefits denied), they have the right to appeal to the Board of Review within 30 days of ALJ's decision.

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14 Performance

Currently the TAA program gathers basic data for performance, but these outcomes are not mandatory as in the case of the WIA program. Therefore, any customer co-enrolled in a WIA program is included in WIA performance measures. Case managers whose customers are co-enrolled in TAA and WIA need to understand the WIA performance measures.

Customers count toward performance upon exit. It is critical that TAA and WIA customers exit the program within 90 days of their last activity end date. Detailed policy on performance measures and customer exits is in the following policies:

Additional exit policy highlights that are critical to know include:

- ▶ A program exit should occur when a participant has not received any services funded by the program or a partner program for 90 consecutive calendar days, has no gap in service and is not scheduled for future services. If more than 120 days elapse between the 90 days of the exit and when entry occurred on IWDS, the system will prohibit entry without DCEO approval. DCEO staff will over-ride this lockout and enter the Exit record but LWIA staff will be required to provide justification for their data entry lag.
- ▶ A customer co-enrolled in TAA and WIA must have completed all activities in all programs before exit. In these cases, the exit date is the last activity end date in all of the statutory programs in which the customer received a service or activity.
- ▶ An exited TAA customer cannot re-apply for services for at least 90 days after his or her exit date.

Review the impact TAA customers have on performance by running two IWDS reports. To access these reports in IWDS:

- ▶ Select Reports on the menu of IWDS, then
- ▶ Select Performance Management (Perf. Mgt), then
- ▶ Selecting either
 - WIA Performance Outcomes W/O TAA Co-Enrollees or
 - WIA Performance Outcomes with TAA Co-Enrollees

15 Monitoring, Oversight and Compliance

Federal TAA policy requires periodic monitoring and reviewing of customer files for compliance with Trade Act rules and regulations and state policies and procedures. The Department of Labor Region V staff is responsible for monitoring the State of Illinois; DCEO is responsible for monitoring the LWIAs. LWIAs are required to monitor their TAA program to ensure all documentation, data input to the IWDS (including DETS) system, and payments are made according to available Federal, State, and local policy.

DCEO requires that the LWIA develop a written local policy on the periodic monitoring and reviewing of TAA files for compliance with Federal and State Trade act rules, regulations, policies and procedures. The DCEO Regional Program Representative must have a copy of the local policy on monitoring TAA. Appendix F (Customer File Checklist) is provided to help LWIAs monitor the TAA program and ensure that all necessary procedures have been completed.

15.1 State Level Oversight

As part of its review of the LWIAs, DCEO will monitor TAA customer files, review the LWIA's monitoring policy for completeness and compliance with state policy, and evaluate the LWIA's monitoring of its own files for compliance with local policy. During this review, the LWIA must:

- ▶ Demonstrate that they have all of the current federal guidance readily available to entity staff (including Regulations, TEGLs, TAILs, UIPLs, etc.).
- ▶ Demonstrate that they have all of the current State guidance readily available to entity staff (including Policy Letters, DCEO/TAA Forms, Policy Notices, and TAILs, Technical Assistance guidance from DCEO, IDES, and USDOL).

DCEO Form #015 is a tool the LWIA can use to conduct the monitoring. It is not required but it contains the elements of the ACME Monitoring Tool that DCEO uses so the LWIA is encouraged to utilize it.

15.2 Local Oversight Policy and Procedure

The Local Oversight Policy and Procedure should include (but not be limited to):

- ▶ Identifying customers for oversight purposes;
- ▶ Regular review of customer files for eligibility;
- ▶ Regular review of all required forms and supplemental documentation;
- ▶ Certification when a customer moves from Waiver to Training status;
- ▶ Certifying initial eligibility;
- ▶ Verification of attendance records;
- ▶ Review of training selection; and
- ▶ Documentation of detailed case notes.

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Documentation Required for Local Area Monitoring should include (but not be limited to):

- ▶ Reports of the completed monitoring;
- ▶ The frequency of the monitoring (i.e. quarterly);
- ▶ Documentation to support the monitoring efforts as per the LWIAs local policy; and
- ▶ A listing of the individual/individuals that were identified for oversight/monitoring and technical assistance purposes.

The local entity must also have a formal procedure for coordination of services with DCEO, IDES and other LWIAs.

- ▶ Coordination with DCEO must include the following components:
 - Agent/Liable Customers
 - Rapid Response
 - DETS
 - IWDS
- ▶ Coordination with IDES must include the following components
 - Waivers, TRA claims, UI claims and Benefits
 - IEP (training plan)
 - Suspensions/Appeals and Decisions
 - Rapid Response meetings/intake including securing employee lists, coordination of partners for presentations, and addressing TAA specific questions
 - Communication and Coordination of information
- ▶ Coordination with other LWIAs and States:
 - Rapid Response Services
 - Eligibility Intake (including forms and IWDS records)
 - Transfer of Customers
 - Agent/Liable Customers

15.3 Local Customer File Review

When reviewing customer files ensure the following:

15.3.1 Establishment and Maintenance of TAA Eligibility

- ▶ Verifying that the 8/16 requirement for waivers is met;
- ▶ Verifying that the 8/16 requirement for enrolled in training is met;
- ▶ Training waiver and requirements are met;
- ▶ Certification when customer moves from waiver to training status;
- ▶ 210 day requirement is met;
- ▶ Training requirements are met; and
- ▶ Waiver assessment outcomes (28-day reviews, extenuating circumstances, and extensions properly documented)

15.3.2 Individual Assessment, Co-enrollment, Decisions

- ▶ ATAA Notification and Participation

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- ▶ Signed and Dated BRO
- ▶ Customer assessment (initial, interest and ability, employment opportunity, LMI, and Demand Occupations)
- ▶ Six conditions of training met
- ▶ Co-Enrolled in other federal programs

15.3.3 Training Plan and Service Delivery including:

- ▶ Training Program Name and Description
- ▶ Attendance Documented
- ▶ Completion Documented
- ▶ ITA Approved
- ▶ DCEO Forms or DCEO approved Local Forms
- ▶ Costs consistent with policy
- ▶ If certified providers/programs are being used
- ▶ OJT, including contract and training outlines, reasonable duration, correct calculations, and OJT approval and monitoring
- ▶ Customized Training, including contract and training outlines, reasonable duration, correct calculations, Demand Occupations, and approval and monitoring

15.3.4 TAA Benefits and Outcomes

- ▶ Job Search Assistance (Approved within allowable federal guidelines, costs not to exceed allowable federal rate, payments based on most economical estimates)
- ▶ Customer Exits
- ▶ Customer Employed

15.3.5 Analysis of Payments

- ▶ Transportation and Per Diem
 - Is there a local reimbursement policy for transportation
- ▶ Mileage paid at the appropriate federal reimbursement rate for the eligible TAA customers based on state policy for mileage
 - Are the payments made at the lesser of subsistence, mileage, or alternative transportation
- ▶ Relocation Assistance (Approved within allowable federal guidelines, costs not to exceed allowable federal rate, payments based on most economical estimates)
- ▶ Documentation of detailed case notes

15.1 Fraud

The Code of Federal Regulations requires states to have a procedure in place for the detection and prevention of fraudulent overpayments. [WIA Policy Letter No. 06-PL-28 – Local Workforce Investment Act \(Illinois workNet Center\) Incident Reporting Responsibilities](#) (May 4, 2007) provides guidance for the LWIAs in reporting incidents of known or suspected fraud, program abuse or criminal conduct.

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16 TAA Data Entry Requirements on IWDS

This chapter outlines the appropriate entry into IWDS.

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Waiver from Training Requirement	Entry of an Issued Waiver activity is a prerequisite for creation of a Waiver from Training Requirement status record.	Record Waiver from Training Requirement status record. This status record cannot be added unless an Issued Waiver service is present. The 28 day reviews must be recorded on the 28 Day Review screen.	N/A	N/A	N/A
Met the 210 Day Application Requirement	N/A	A status record for Met 210 Day Application Requirement must be recorded for all customers who have completed and signed this document. Entry of this record supports the customer's eligibility for Additional TRA payments.	N/A	N/A	N/A
Vacation Break	N/A	A status record for	N/A	N/A	An entry describing

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
		Vacation Break must be added so IDES knows the customer will be out of training for more than 30 training days and therefore will not qualify for TRA payments during the period.			the reason for the training break in a case note.
Enrolled in Training – Not Yet Started	N/A	Add status record to indicate the customer will begin his or her training program within 30 days of the status start date.	N/A	N/A	A case note providing more detail for auditors relative to the intended training start date and program is required.
Waiver Denied	N/A	If the customer does not qualify for a Waiver from Training, this fact should be recorded via a Waiver Denied status record. This will insure that IDES knows the customer applied for a waiver and was denied.	N/A	N/A	A case note documenting the rationale for waiver denial is required.

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Waiver Revoked	N/A	A status record for Waiver Revoked must be added if the case manager is forced to end a customer's training waiver. A Waiver Revocation is automatically added when a customer begins his or her training program.	N/A	N/A	A case note documenting the reason the customer's Waiver from Training was revoked is required.
Potential Suspension Request	N/A	A Potential Suspension Request must be created if a customer has not complied with TAA requirements and is therefore in danger of losing his or her TRA benefits. This status record alerts IDES to initiate a review of the customer's continuing eligibility for TRA benefits.	N/A	N/A	A case note documenting the reason a suspension request was initiated is required.
Issued Waiver	An Issued Waiver service record must be added when a TAA	Entry of an Issued Waiver activity allows a case manager to	Questions on the TAA Training Criteria screen may	N/A	N/A

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
	customer is given a Waiver from Training Requirement . This activity is a prerequisite for recording a training waiver on IWDS.	create a Waiver from Training status record. Since IDES only has access to the information recorded on TAA Status records, it is crucial that a Waiver from Training status record be created for every TAA customer who has been issued a waiver.	all be answered No. These responses do not need to be corrected until the customer is enrolled in another activity.		
Academic Training	An Academic Training service record must be entered on IWDS when an individual is enrolled in a training program which is designed to increase his or her academic skills.	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity added on IWDS.	The first six questions must be marked Yes and the last question must be marked No in order to add an Academic Training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress.
On-the-Job Training/ Employer Based Training (EBT)	A service record for On-the-job Training/EBT must be recorded on IWDS if a customer participates in a TAA-funded	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity	The first six questions must be marked Yes and the last question must be marked No in order to add an	A Job record must be created on IWDS to record information about the OJT/EBT employer.	Enter detailed information about the employment contract in case notes. Enter all contact with customer and employer also.

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
	OJT/EBT.	recorded on IWDS.	OJT/EBT activity.		
Remedial Training	A Remedial Training service record must be entered on IWDS when a customer is enrolled in training which is designed to provide him or her with the basic skills they need to successfully participate in a vocational training program or meet general competency requirements for the local labor market.	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity recorded on IWDS. It also automatically tracks the number of weeks of remedial training and makes this information available to IDES.	The first six questions must be marked Yes and the last question must be marked No in order to add a Remedial Training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress.
Remedial Training from Another State	A Remedial Training from Another State service record must be entered on IWDS when a customer is enrolled in training which is designed to provide him or her with the basic skills they need to successfully	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity recorded on IWDS. It also automatically tracks the number of weeks of remedial training and makes	The first six questions must be marked Yes and the last question must be marked No in order to add a Remedial Training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress. A case note should also be added listing the contact information for the

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
	participate in a vocational training program or meet general competency requirements but is being funded by a state other than Illinois.	this information available to IDES.			person the case manager is working with in the other state.
Remedial Training from Non-TAA Fund Source	A Remedial Training from Non-TAA Fund Source service record must be entered on IWDS when a customer is enrolled in training which is designed to provide him or her with the basic skills they need to successfully participate in a vocational training program/meet competency requirements but is being funded by a non-TAA title.	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity recorded on IWDS. It also automatically tracks the number of weeks of remedial training and makes this information available to IDES.	The first six questions must be marked Yes and the last question must be marked No in order to add a Remedial Training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress.
Subsistence in	A service record must	IWDS does not	Since enrollment in a	N/A	A case note describing

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Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Training	be added for Subsistence in Training if an individual is receiving subsistence assistance as part of his or her training program.	generate a waiver revocation or indicate that the customer has entered training when this service is entered on IWDS.	training program is a prerequisite for receipt of Subsistence in Training, the TAA Training Criteria screen must be properly completed.		the type of assistance provided and the rationale for it is required.
Training from Non-TAA Fund Source	This activity should be recorded when some or a TAA customers' entire training program is being paid for by a fund source other than TAA. This service record must have the same start and planned end date as the service record which has been added for the title which is actually funding the customer's training.	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity recorded on IWDS.	The first six questions must be marked Yes and the last question must be marked No in order to add a training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress.
Travel in Training	A service record must be added for Travel in Training if an individual is receiving transportation	IWDS does not generate a waiver revocation or indicate that the customer has entered training when	Since enrollment in a training program is a prerequisite for receipt of Travel in Training, the TAA	N/A	A case note describing the type of assistance provided and the rationale for it is required.

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
	assistance.	this service is entered on IWDS.	Training Criteria screen will have already been properly completed.		
Training from Another State	A service record for Training from Another State must be entered on IWDS if a customer is enrolled in a training program which will provide the individual with job-specific skills which will contribute to their employability and this training program is being funded by a state other than Illinois.	IWDS automatically revokes the customers' training waiver and indicates the customer is in training if this is the first training activity recorded on IWDS.	The first six questions must be marked Yes and the last question must be marked No in order to add a training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress. A case note should also be added listing the contact information for the person the case manager is working with in the other state.

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Vocational Training	A service record for Vocational Training must be entered on IWDS if a customer is enrolled in a training program which will provide the individual with job-specific skills which will contribute to their employability in the local labor market.	IWDS automatically revokes the training waiver and indicates customer is in training if this is the first training activity recorded on IWDS.	The first six questions must be marked Yes and the last question must be marked No in order to add a training activity.	N/A	Record your monthly contact with the customer while he or she is in training indicating the customer's progress.
ATAA	A service record must be added to indicate that the customer has been enrolled in the ATAA program.	N/A	The last question must be answered Yes and the first 6 questions must be answered No before a customer can be enrolled in ATAA.	A job record identifying the job (or jobs) which qualify the individual for the ATAA program must be recorded. The ATAA Employment? field on this Job record must be set to Yes.	N/A

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Job Search Assistance	A service record for Job Search Assistance must be recorded for customers who receive assistance in conducting a job search outside of the local labor market.	N/A	N/A	N/A	Case notes shall be used to provide additional information to support the need for this type of assistance.
Relocation Assistance	A service record for Relocation Assistance must be recorded for customers who assistance in relocating to a new job outside the local labor market area.	N/A	N/A	N/A	Case notes shall be used to provide additional information to support the need for this type of assistance.
Basic TRA	A service record will recorded to indicate a registrant is receiving Basic TRA payments.	N/A	N/A	N/A	N/A

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Additional TRA	A service record will be recorded to indicate a registrant is receiving Additional TRA payments.	N/A	Since enrollment in a training program is a prerequisite for receipt of Additional TRA payments, the TAA Training Criteria screen will have been completed prior to entry of this activity.	N/A	N/A
Additional TRA for Remedial	A service record will be recorded to indicate a registrant is receiving Additional TRA for Remedial payments.	N/A	Since enrollment in a training program is a prerequisite for receipt of Additional TRA payments, the TAA Training Criteria screen will have been completed prior to entry of this activity.	N/A	N/A

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
HCTC	A service record may be recorded to indicate a registrant is being enrolled in the HCTC program. This is not required .	N/A	N/A	N/A	N/A
Payable Training Interruption	A Payable Training Interruption service record must be recorded on IWDS if a customer will be out of his or her training program for more than 30 training days but still qualify for TRA payments. A Payable Training Interruption service record cannot be entered on IWDS if the customer has never been enrolled in a training activity.	IWDS will generate a status record to indicate to IDES that TRA payments should be continued for the customer.	N/A	N/A	A case note explaining the rationale for paying TRA for an extended time period shall be added to the customer's record.

Trade Adjustment Assistance Policy and Procedures
Illinois Department of Commerce & Economic Opportunity

Service	Service Screen	TAA Status Screen	Training Criteria Screen	Employment History	Case Notes
Ceased Participation (Pending Implementation)	N/A	A Ceased Participation Status record must be entered anytime a customer either misses a class or fails to provide verification of attendance of all required classes/ activities. The case manager must enter the start and end date of the absence and then select from a drop down box indicating if the absence was considered justified or not justified. A brief explanation must be added to the Comment box regarding why it is justified or not justified and further explaining the details of the situation.	N/A	N/A	N/A

Revised 4/16/2008

A. Recommended Reading

To assist case managers and LWIA staff in fully understanding all the rules and regulations that govern the Trade Adjustment Assistance program, a suggested reading list is provided for anyone operating the program at any level: (All of these documents can be viewed/downloaded from DOL's website at: <http://www.doleta.gov/tradeact/resource.cfm>)

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

[Trade Act of 1974 \(as amended\)](#)

[Workforce Investment Act of 1998](#)

[North American Free Trade Agreement of 1993](#)

[Trade Adjustment Assistance Regulations](#)

[Wagner Peyster Act of 1933](#)

[TEGL 17-07](#) Using Technology-Based Learning in the Workforce Investment System

[TEGL 15-07](#) Continuation of Trade Adjustment Assistance (TAA) for Workers and Alternative Trade Adjustment Assistance (ATAA) Programs

[TEGL 17-05](#) Common Measures Policy for the Employment and Training Administration's (ETA) Performance Accountability System and Related Performance Issues

[TEGL 13-05](#) Serving Participants under the Trade Adjustment Assistance (TAA) Program and the North American Free Trade Act Adjustment Assistance Program

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

[TEGL 9-04](#) Services Authorized by the U.S. Department of Agriculture's USDA Trade Adjustment Assistance (TAA) for Farmers Program

[TEGL 9-04 Attachment](#) USDA, Farm Service Agency's Application for Trade Adjustment Assistance (TAA) for Individual Producers

[TEGL 2-03](#) Interim Operating Instructions for Implementing the Alternative Trade Adjustment Assistance (ATAA) for Older Workers Program Established by the Trade Adjustment Assistance Reform Act of 2002

[TEGL 2-03 Change 1](#) Alternative Trade Adjustment Assistance (ATAA) For Older Workers Questions and Answers

[TEGL 2-03 Change 1 Attachment](#) Alternative Trade Adjustment Assistance (ATAA) Questions and Answers

[TEGL 2-03 Change 2](#) Requests for Certification under the Alternative Trade Adjustment Assistance (ATAA) Program for Certain Worker Groups Covered by Certified TAA Petitions

[UIPL 2-03](#) Health Insurance Tax Credit for Eligible Trade Adjustment Assistance/Trade Readjustment Allowances (TAA/TRA) Recipients

[TEGL 11-02](#) Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002

[TEGL 11-02 Attachment](#) Subtitle A of Title I and Title II of the Trade Act of 2002

[TEGL 11-02 Change 1](#) The Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002

[TEGL 11-02 Change 2](#) The Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002

[TEGL 11-02 Change 3](#) Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002- Revised Eligibility Requirements for Trade Readjustment Assistance (TRA) and Health Coverage Tax Credit (HCTC)

[TEGL 11-02, Change 3 Attachment](#) The Department of Labor's interpretation of TRA eligibility criteria applicable to determining if an individual is an "eligible TAA recipient" for HCTC purposes.

[TEGL 10-02](#) Use of National Emergency Grant Funds Under the Workforce Investment Act, as Amended, to Develop Systems for Health Insurance Coverage Assistance for Trade-Impacted Workers

[TEGL 30-01](#) Confidential Data Request Form for the North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) Program

[TEGL 14-01](#) Implementing the Office of the Inspector General (OIG) Recommendations for Improving the Trade Adjustment Assistance (TAA) and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) Programs

[TEGL 5-01](#) Trade Adjustment Assistance (TAA) and North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) Programs: Reasonable Costs of Training and Transportation Payments

[TEGL 4-01](#) Continuation of Trade Adjustment Assistance (TAA) and North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) Programs

[TEGL 21-00](#) Guidance on Integrating Services under the Trade Act Programs - Trade Adjustment Assistance (TAA) and North American Free Trade Agreement - Transitional Adjustment Assistance (NAFTA-TAA) - with the Services Provided under the Workforce Investment Act (WIA)

[TEGL 7-00](#) Approval of Distance Training under the Trade Act of 1974

[TEGL 5-00](#) Guidance of Integrating Services Under the Trade Act Programs - the TAA and the NAFTA-TAA with the WIA

[TEGL 7-93 Change 2](#) Secondary Worker Provisions Related to the NAFTA Implementation Act

[TEGL 7-93 Change 2 Attachment A](#) Guidelines for the Investigative Process to Determine Qualification as a Secondarily Affected Worker Group

[GAL 1-98](#) Pell Grants Revised policy on reducing Trade Readjustment Allowances by Federal Student Financial Assistance

B. Forms

The TAA forms and instructions are located on the DCEO website at:

http://www.illinoisbiz.biz/dceo/Bureaus/Workforce_Development/Resources/WIA+Policy+Letters.htm.

C. IWDS Check List – TAA Application:

The following checklist is provided to assist the Local Workforce Investment Areas (Illinois workNet Centers) in monitoring their TAA program and ensure all necessary data has been properly entered into the Illinois Workforce Development System (IWDS).

Training Criteria Screen

- TAA Petition Number
- NAFTA Petition Number

Six Conditions of Training

- 1. There is no suitable employment available for any adversely affected worker
- 2. The worker would benefit from appropriate training
- 3. There is a reasonable expectation of employment following completion of such training
- 4. Training approved by the Secretary is reasonably available to the worker from either governmental agencies or private sources of the vocational Education Act of 1963 and employers
- 5. The worker is qualified to undertake and complete the training
- 6. Such training is suitable for the worker and available at a reasonable cost

TAA Additional Info Screen

Record TAA specific eligibility information on this screen.

- ATAA Certified
- Has participated in ATAA
- Cert/Decision Date
- Participated in ATAA
- Petition Impact Date
- Was Rapid Response Provided
- Petition Expiration Date
- Date BRO was Signed
- Separation Date
- Meets TRA 8/16 Requirement
- Meets 210 Day Requirement
- State Funded TAA Training
- Is Illinois responsible for payment of UI/TRA benefits

Service Screen

- Issued Waiver Service Record
- Academic Training Service Record
- Employer Based Training Service Record
- Remedial Training Service Record
- Vocational Training Service Record
- Customized Training
- Training from a Non-TAA Fund Source
- Remedial Training from a Non-TAA Fund Source
- Remedial Training from Another State
- Training from Another State
- Payable Training Interruption (When break is less than 30 days)
- Travel in Training
- Subsistence in Training
- ATAA Service Record
- Out-of-Area Job Search
- Out-of-Area Relocation Assistance
- Basic TRA
- Additional TRA
- Additional TRA for Remedial
- HCTC

Status Screen

- Waiver from Training Requirement
- 28-Day Waiver Reviews (Utilizing 28-Day Button)
- Waiver Denied
- Waiver Revoked
- Met 210 Day Application Requirement
- Enrolled in Training – Not Yet Started
- Vacation Break (Breaks longer than 30 days)
- Payable Training Interruption (Breaks less than 30 days) (System Generated from Service Screen)
- Potential Suspension Request
- Ceased Participation – Justified/Unjustified

List Work History

- TAA Certified Employment Record
- ATAA Employment Record
- Employer Based Training Employment Record (OJT)
- Customized Training
- TAA Certified Call Back Employment Record
- Subsequent Employment Record(s)

Case Notes**Case Notes**

Case notes should provide additional explanation or documentation regarding services and benefits. Specific instances where a case note is required can be found in the TAA Operating Instructions.

ADDITIONAL IWDS SCREENS FOR ELIGIBILITY

- Additional Contacts**
- Private Information**
- Veterans Information**
- Concurrent Programs**
- Education Status - Application**
- Employment Characteristics**
- Characteristics and Barriers**
- Eligibility Determination**

The Monitor completing this checklist should include any notes, comments, or other information they feel is relevant to the information provided.

Comments:

D. TAA Reports

The Illinois Workforce Development System (IWDS) can provide multiple reports related to the TAA program to assist the Local Workforce Investment Areas (Illinois workNet Centers) in reviewing the data entry information, view customer outcomes, assist in monitoring the program, etc. To view the majority of these reports, access must be assigned for the appropriate role in IWDS. The Illinois workNet Center System Administrator must provide this access and should be the consultant when there are problems with access.

The following is a listing of some of the reports that are available in IWDS:

D.1 TAA Status Update Report

This report allows DCEO, IDES and Illinois workNet Center staff to identify the TAA registrants whose status records were last updated on a specific day or within a user-defined date range. The TAA Status Records include:

Client Completed Training
Enrolled in Training – Not Yet Started
In Training
Vacation Break
Waiver from Training Requirement
Waiver Revoked
Waiver Denied
Met the 210 Day Application Requirement
Payable Training Interruption
Potential Suspension Request
Ceased Participation (Attendance)

D.2 TAA Carry-Over Participant Detail Report

This report identifies for the Illinois workNet Center all of the customers who have been enrolled in training, job search and/or relocation assistance either currently or within the last quarter and who are therefore eligible to be funded by their new TAA grant. This report must accompany the application for the new TAA grant.

D.3 TAA Waiver Review Report

This report identifies TAA customers who have an active Waiver from Training Requirement. It displays the number of days until the next 28 day review is due to be completed. This report can assist case managers in completing the required 28 day review to maintain the customer's eligibility for TRA payments.

D.4 TAA Application Report

This report lists individuals who have been identified on the IWDS database as being TAA customers but do not yet have a TAA application. The report can help an Illinois workNet Center manage customers who have begun the TAA application process.

D.5 TAA Monitoring Report

This report generates a list of TAA customers who were or are being served in the user-defined report period. The primary users of this report will most likely be DCEO Compliance Monitors. This report is intended primarily to meet DCEO monitoring requirements. It can also be used by Illinois workNet Center staff to identify its TAA case load at any point in time.

D.6 28 Day Review Entry Lag Report

This report identifies TAA registrants who have been waived from training but have either never had a 28 day review recorded on IWDS or have had a 28 day review(s) recorded but with a data entry date after the review date and therefore with an entry lag. Users can order the report for those registrants whose data entry lag exceeds the number of days they specify. It will identify registrants who have no 28 day reviews and monitor data entry lag by the case manager.

D.7 28 Day Waiver Review Report

This report highlights TAA registrants who have been waived from training and have not had a 28 day waiver review recorded within the preceding 30 days. This report locates the most recent 28 day review record and calculates the number of days since that review was completed. Records more than 30 days old or those customers who have never had a 28 day review recorded are highlighted. This report can be ordered by the number of days since the last 28 day review was completed.

D.8 Open TAA Status Records Report

This report allows staff to identify TAA registrants whose status record has no end date. The information is listed by case manager by Illinois workNet Center and includes the SSN, Customer Name, Status Start Date, Number of Days Since Status Start Date, Number of Days Left Until Exceeded and the Limit.

D.9 TAA Waiver Status Record Count by Reason Report

This report identifies TAA Waiver Status Record Count by Reason by Illinois workNet Center.

D.10 TAA DETS Trade Event Information Report

This report allows staff to identify TAA DETS Events. The report can be sorted by Illinois workNet Center or by Petition Number. Run the report by a date or date range or by a specific DETS ID number. Standard fields included in this report are Petition Number, DETS ID, Company Name, # of Layoffs, Impact Date, Certification Date, Expiration Date, ATAA Certified, Total # of Participants, Total # of Participants Still Active and SIC code.

E. Reporting TAA Costs

E. Instructions on Recording Costs in GRS

This attachment outlines all of the reporting requirements to ensure the costs associated with the TAA program are properly documented in the appropriate fiscal reporting system.

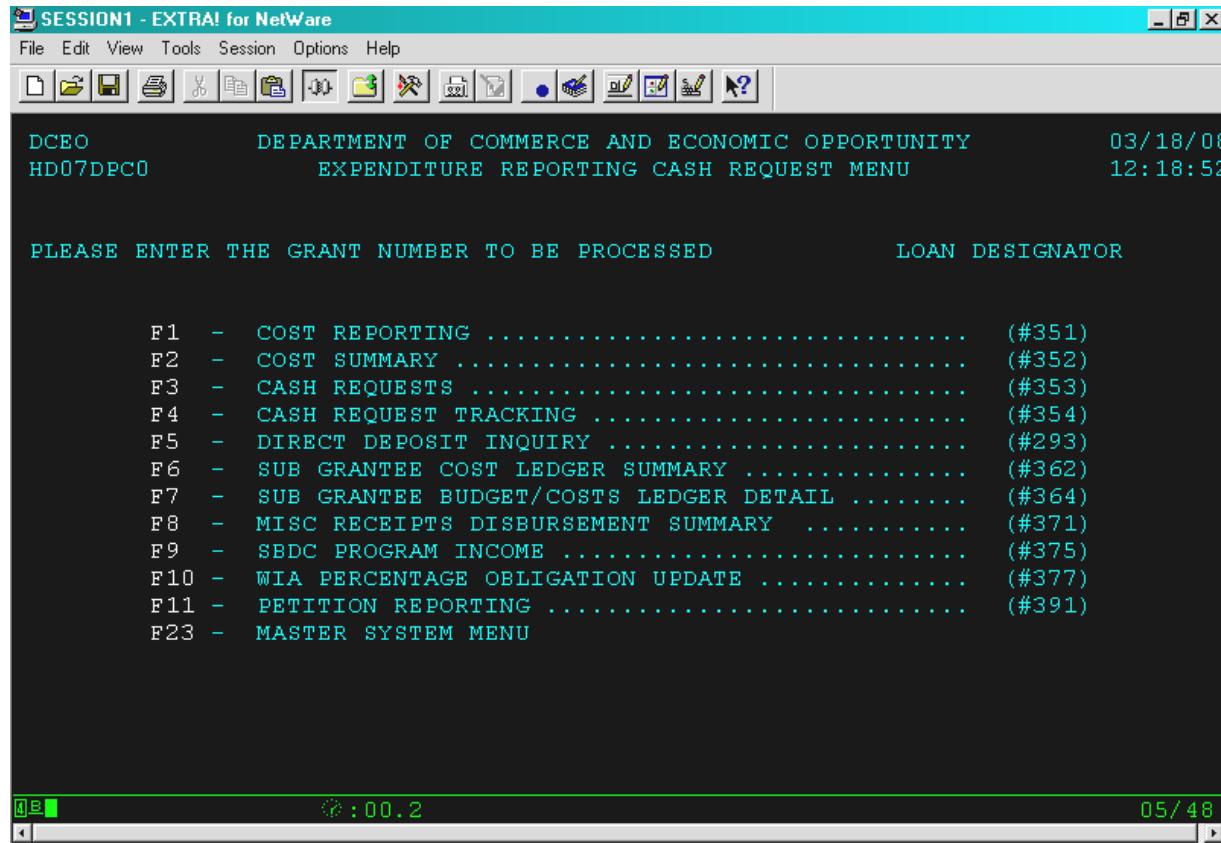
1.E.1 Website Address

The Cost Reporting website address as of 3/13/2007 is

<https://neonsdbh.cmcf.state.il.us:8080/dceo/costrpt> This provides access to GRS for cost reporting, cost certification, cash requests, and general grant transaction information.

1.E.2 Logging on to GRS

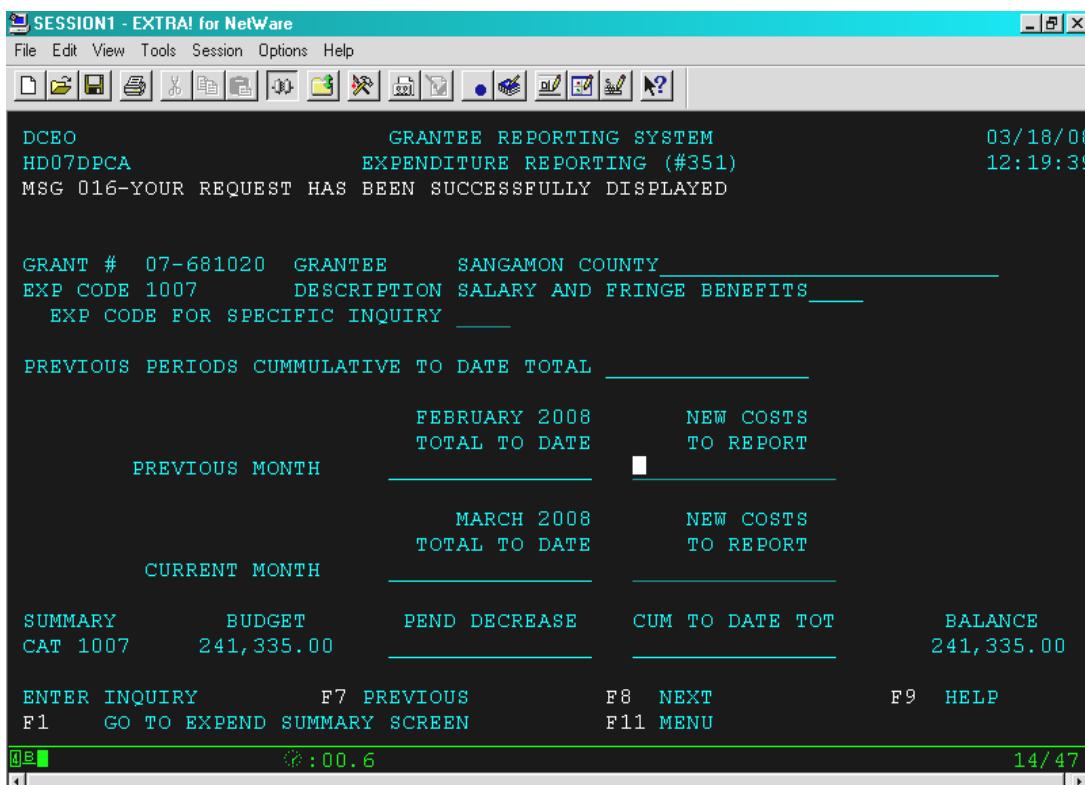
When first going to the web address, a security screen will appear. Click YES to continue. A dialogue box will now appear asking for your USER NAME and PASSWORD. Enter appropriate information and click OK. At this point, you have properly accessed GRS and should see the Expenditure Reporting Cash Request Menu on the screen.



1.E.3 Recording Costs

After typing the grant number in the two fields (do not use a hyphen in the number), you may begin processing transactions for your Grant. This menu is the only place that entry of the Grant Number for screens #351, #352, and #353. The purpose of this is to restrict transactions to a single grant at a time to prevent inadvertent entry of other data. It also eliminates the need to retype standard information on each screen that you use. When a transaction is completed, advance to the next function or return to the menu as indicated in the navigation area listed at the bottom of each screen. Clicking on the corresponding PF button on the left side of the screen will perform the action requested.

F1 EXPENDITURE REPORTING (#351): This screen is used to report costs by each authorized cost category for the grant. Costs attributable to the current month and the previous month may be reported, provided they are within the beginning and ending dates of the grant period. One cost category is displayed at a time and only those cost categories authorized in the grant budget appear.



Select an Expenditure Code line. To reach a specific Expenditure Code line, enter the number directly into the field and then click the <ENTER> button, or scroll forward through the authorized Expenditure Code lines by clicking on the <PF8> button on the left side toolbar. Costs to be reported should be entered on the Previous Month or Current Month field under New Costs to Report. The entry to these lines should correspond with the dates the costs were actually incurred. New costs can be entered multiple times prior to certifying on the

Expenditure Summary (#352) screen. Note: Costs cannot exceed flexibility in the approved budget lines.

To reduce costs or to adjust an incorrect entry, the user may enter an amount followed by a “-” (minus).

When entering costs, clicking on the <PF8> button will advance to the next Expenditure Code line.

After all costs have been entered, clicking on the <PF1> button transfers the display to the Expenditure Summary (#352) screen for verification of entry and certification of costs.

F2 EXPENDITURE SUMMARY (#352): This screen is the electronic version of the manual expenditure summary form. It provides a single place to review the approved grant budget, costs reported to date, and allowable remaining costs. This screen allows for the completion of the required cost certification statement and, in the case of Internet automated closeouts, finalize and lock down cost reporting so the closeout process may begin.

EXPEND CODE	GRANT BUDGET	CERTIFIED COSTS	UNCERTIFIED COSTS	BALANCE
10XX				
1007	241,335.00			241,335.00
1017				
20XX				
2007	175,930.00	115,813.00		60,117.00
2017				
2027				
2037				

I HEREBY CERTIFY THAT THE TOTAL DOLLAR AMOUNT OF THIS TRANSACTION REFLECTS ACTUAL COSTS INCURRED, AND THAT ALL EXPENDITURES FROM THESE GRANT FUNDS ARE ONLY FOR APPROVED PROJECT ACTIVITIES. PRESS F2 TO CERTIFY COSTS REPORTED.

F2 CERTIFY COST REPORTED F7 START OVER F8 FORWARD
F4 RETURN TO EXPEND RPT SCRN F5 TRANSFER TO CASH RQST SCRN F11 MENU

01/01 :00.4

All costs that were recently entered into the Expenditure Reporting (#351) screen will appear in the Uncertified Costs column. These should be verified against the supporting documentation to ensure data entry accuracy.

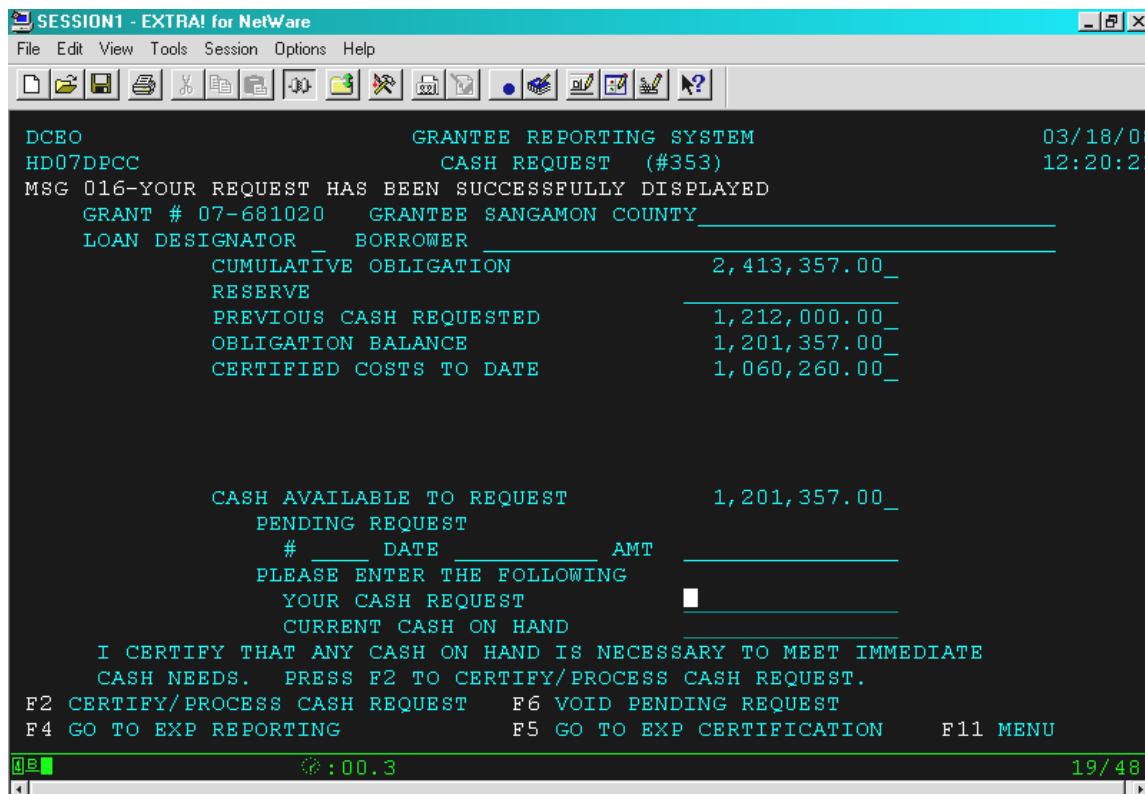
Costs may be certified by clicking on the <PF2> button.

After costs have been certified, they will immediately appear in the Certified Costs column in total with all previously entered costs.

Programs utilizing grantee Cash and In-kind match funds will have the <PF9> navigation item listed at the bottom of the screen. To fully certify all costs, once the DCEO funded costs are certified, the <PF9> button will need to be clicked so that Cash and In-kind match costs may also be certified at this time.

Clicking on the <PF5> button transfers the display to the Cash Request (#353) for entering and certifying current cash requests.

F3 CASH REQUESTS (#353): This screen is utilized to request cash. For some programs, there must be an amount of certified costs reported equal to or greater than the total of all previous and current cash requests.



Verify the line shown as "Cash Available to Request". This line in certain programs will be limited to the amount of certified costs reported.

Enter the amount of cash to be requested on the "Your Cash Request" line.

Enter the amount of any cash on hand on the "Current Cash on Hand" line.

Certify the current cash request by clicking on the <PF2> button. At the time this cash request is certified, it will immediately appear on the "Pending Request" line. Note: A grant may only have one cash request in process at a time.

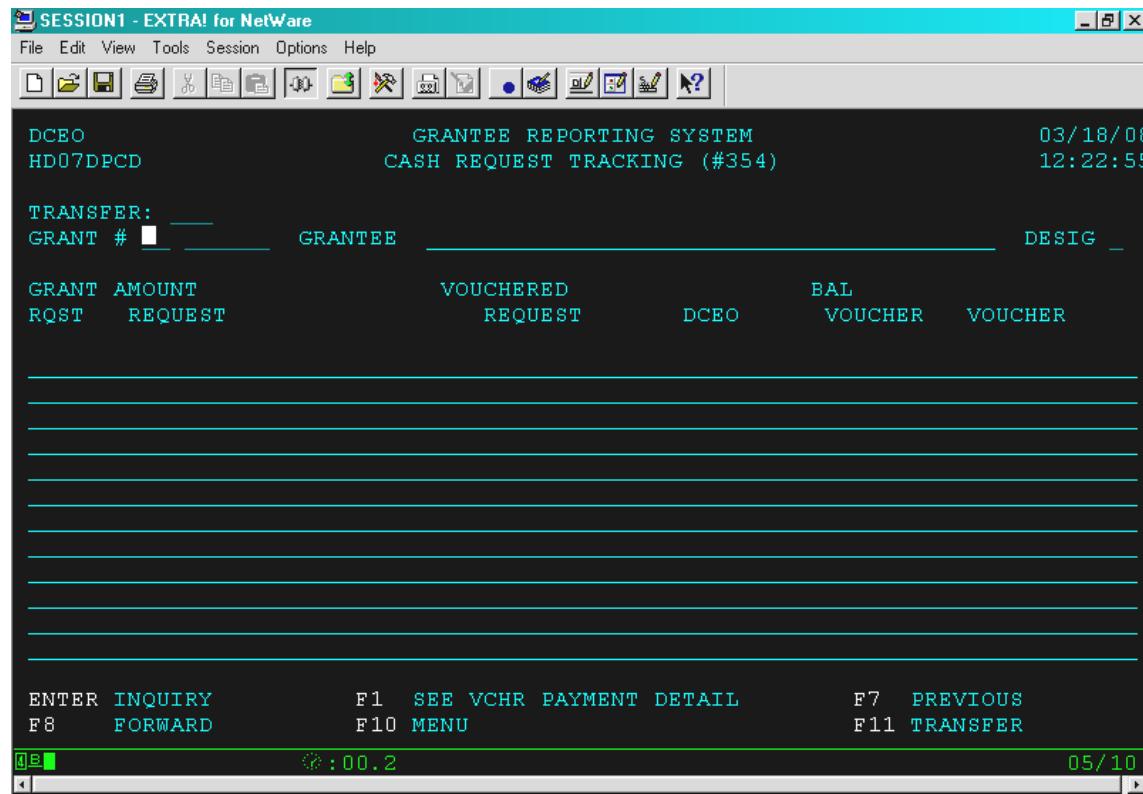
A request amount appearing on the "Pending Request" line may be VOIDED until it is processed by DCEO. Clicking the <PF6> button will VOID a request.

Programs requiring grantee match funds will display the total amount of certified matching costs in the middle of this screen for verification. The amount of Cash and In-kind match will have no bearing on the processes of this screen.

Clicking the <PF11> button returns the user to the Expenditure Reporting Cash Request Menu.

The following screens do not require a grant number to be entered at the main menu.

F4 CASH REQUEST TRACKING (#354): This screen provides the status of all cash requests made for a grant.



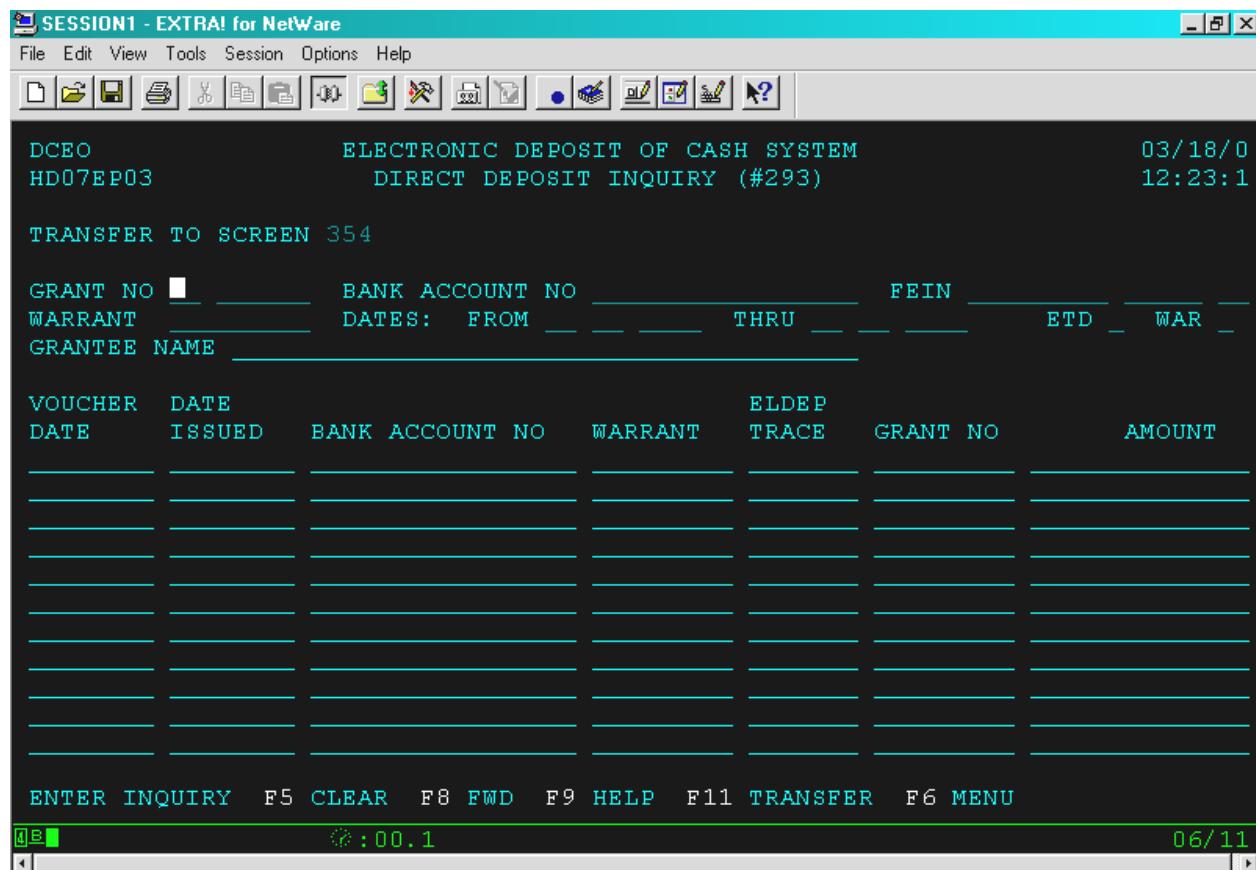
Type the grant number and click on the <Enter> button to inquire.

Clicking the <PF8> button will scroll through additional lines if there are too many to display on a single screen.

Clicking the <PF1> button will provide additional information about payment requests and vouchers. This detail will provide a warrant number or EFT (Electronic Fund Transfer) number, if the payment has been issued by the Office of the Comptroller.

Clicking the <PF10> button returns the user to the Expenditure Reporting Cash Request Menu

F5 DIRECT DEPOSIT INQUIRY (#293): This screen provides detailed data regarding deposits. It can display information such as dates, warrant numbers, EFT trace numbers, and individual grant numbers depending on the type of inquiry.



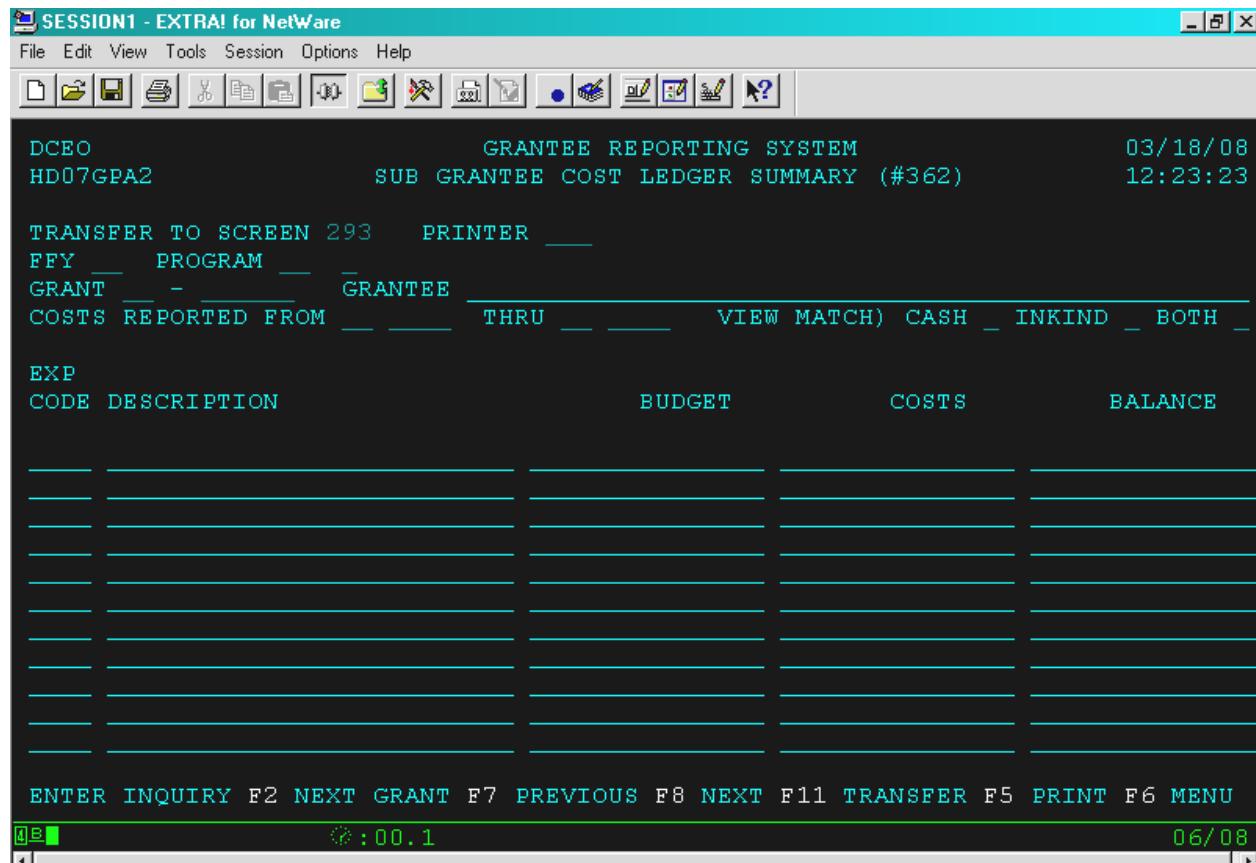
Type the grant number and click on the <Enter> button to inquire.

Clicking the <PF8> button will scroll through additional lines if there are too many to display on a single screen.

Other inquiries may be displayed depending on the information input for inquiry on this screen. Additional information can include dates, warrant numbers, FEIN's, and EFT or warrant types. Because of security issues, bank account number inquiries are not displayed or available for selection.

Clicking the <PF3> button returns the user to the Expenditure Reporting Cash Request Menu.

F6 SUB GRANTEE COST LEDGER SUMMARY (#362): This screen provides the same basic information as the Cost Summary (#352), but the costs are shown in total whether they have been certified or not. This screen also allows for date parameters to be entered for customized inquiry.

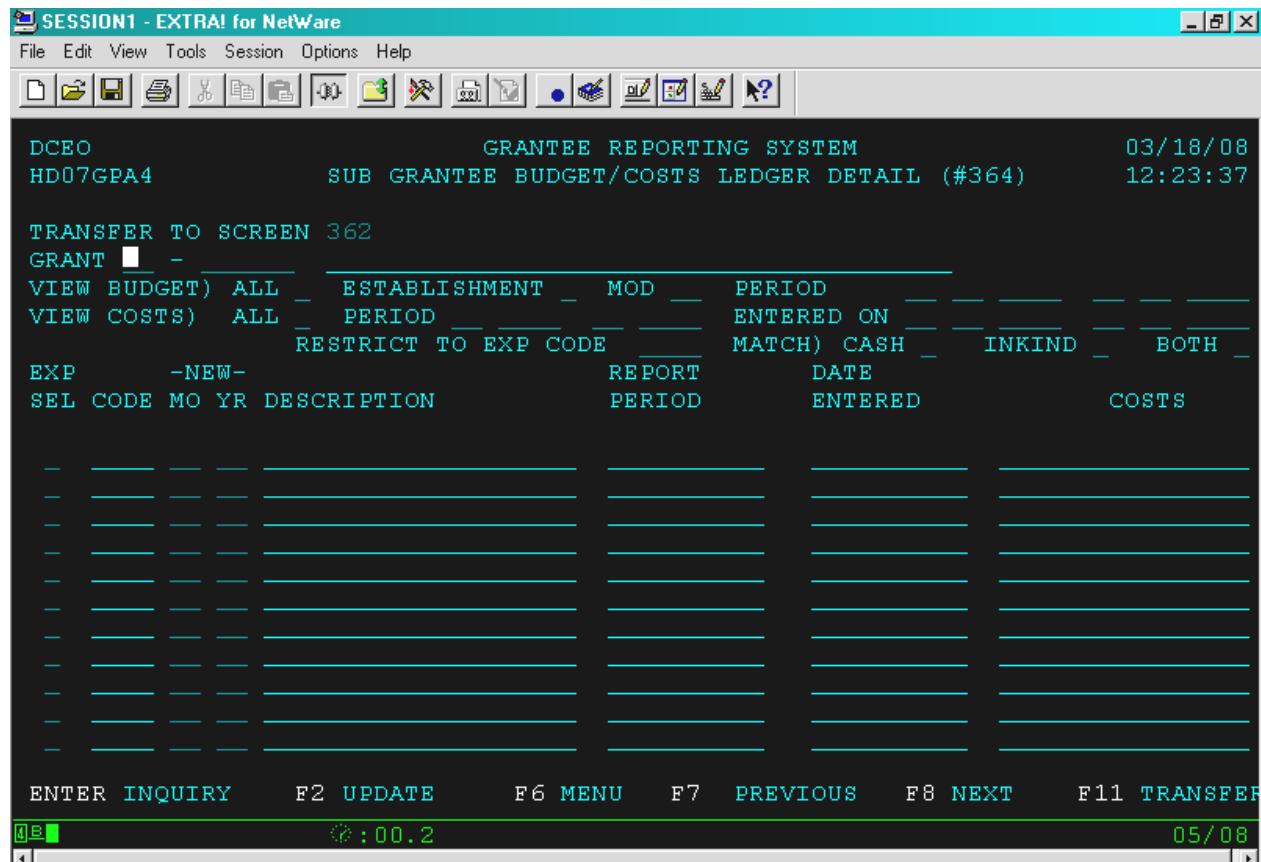


Type the grant number and click on the <Enter> button to inquire.

Clicking the <PF8> button will scroll through additional lines if there are too many to display on a single screen.

Other inquiries may be displayed depending on the information input for inquiry on this screen. Additional information can include a date range of costs reported, and for certain programs, a limiting indicator to view only cash or in-kind match budget and costs reported. Clicking the <PF6> button returns the user to the Expenditure Reporting Cash Request Menu.

F7 SUB GRANTEE BUDGET/COSTS LEDGER DETAIL (#364): This screen provides the complete detail of all transactions on an individual grant. This screen utilizes various parameters to customize the inquiry to either budget or costs and then has the ability to handle date ranges and limits to an individual cost category. All transactions, including any adjustments, are extracted for display according to the input parameters.



Type the grant number, select BUDGET or COSTS, then click on the <Enter> button to inquire.

Clicking the <PF8> button will scroll through additional lines if there are too many to display on a single screen.

Other inquiries may be displayed depending on the information input for inquiry on this screen. The BUDGET view can be limited by marking either the Establishment or Modification indicator, and by entering a date range. The COSTS view can be limited by entering a reporting period, or by entering a range of dates that the information was actually input into the GRS. Both views can be restricted to a specific Expenditure Code, or Match lines. Clicking the <PF6> button returns the user to the Expenditure Reporting Cash Request Menu.

F8 MISC RECEIPTS/DISBURSEMENT SUMMARY (#371): Certain programs utilize this generalized screen to input program income and program interest amounts as earned during the grant period.

SESSION1 - EXTRA! for NetWare

File Edit View Tools Session Options Help

TRANSFER TO SCREEN: 364

GRANT NO.: - SUB GRANT ID

GRANTEE NAME:

CUMULATIVE BAL: RECEIPTS DISBURSEMENTS BALANCE

PGM INCOME

PGM INTEREST

STAND IN

CURRENT TRANSACTION:

PGM INCOME

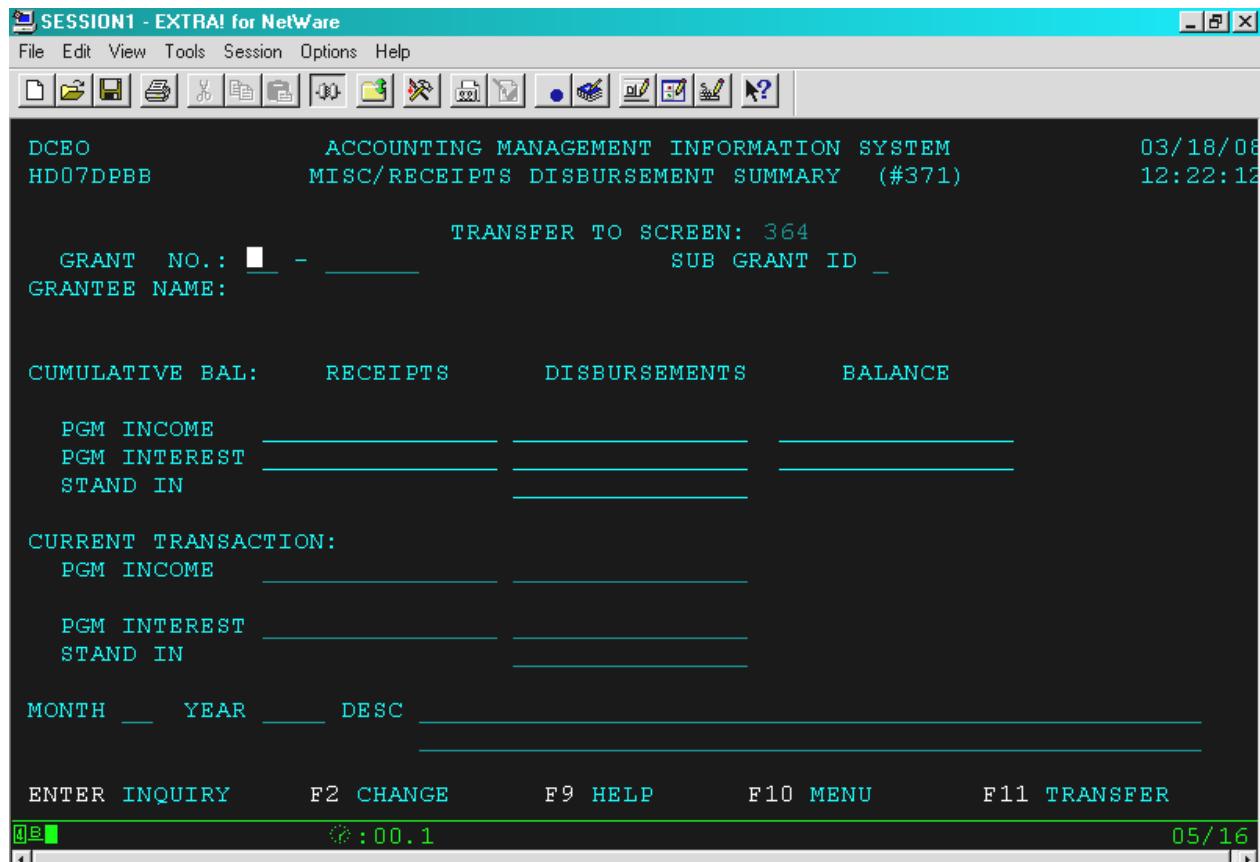
PGM INTEREST

STAND IN

MONTH YEAR DESC

ENTER INQUIRY F2 CHANGE F9 HELP F10 MENU F11 TRANSFER

05/16 00:1



Type the grant number and click on the <Enter> button to inquire.

Enter any Program Income and Program Interest amounts on the appropriate lines. Both the receipt and expenditure of these revenues must be recorded prior to proper closeout of the grant.

The month and year of the individual entries can be input with a short description.

Clicking the <PF10> button returns the user to the Expenditure Reporting Cash Request Menu.

Definitions

The following definitions provide clarification on the terms used during the reporting of TAA costs in the fiscal reporting system:

Accrued Expenditures

The charges incurred by the grantee during a given period requiring the provision of funds for (1) goods and other tangible property received; (2) services performed by employees, contractors, sub grantees, subcontractors, and other payees; and (3) other amounts becoming owed (by the grantee) under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments. [29 CFR 97.3]

Obligations

The amounts of orders placed, contracts and sub grants awarded, goods and services received, and similar transactions during a given period that will require payment by the grantee during the same or a future time period. [29 CFR 97.3]

For purposes of the re-allotment process described at 20 CFR 667.150, the Secretary also treats as State obligations any amount allocated by the State under WIA Sections 128 (b) and 133 (b) to a single area State or to a balance of State local area administered by a unit of the State government, and inter-agency transfers and other actions treated by the State as encumbrances against amounts reserved by the State under WIA encumbrances against amounts reserved by the State under WIA Sections 128 (a) and 133 (a) for Statewide workforce investment activities. [20 CFR 667.300]

Outlays (Expenditures)

Charges made to the project or program. They may be reported on a cash or accrual basis. For reports prepared on a cash basis, outlays are the sum of actual cash disbursement for direct charges for goods and services, the amount of indirect expense incurred, the value of in-kind contributions applied, and the amount of cash advances and payments made to contractors and sub grantees.

For reports prepared on an accrued expenditure basis, outlays are the sum of actual cash disbursements, the amount of indirect expense incurred, the value of in-kind contributions applied, and the new increase (or decrease) in the amounts owed by the grantee for goods and other property received, for services performed by employees, contractors, sub grantees, subcontractors, and other payees, and other amounts becoming owed under programs for which no current services or performance are required, such as annuities, insurance claims, and other benefit payments. [29 CFR 97.3] ETA requires outlays (expenditures) to be reported on an accrual basis.

Un-liquidated Obligations

For reports prepared on a cash basis, the amount of obligations incurred by the grantee that has not been paid.

For reports prepared on an accrued expenditure basis, they represent the amount of obligations incurred by the grantee for which an outlay has not been recorded. [29 CFR 97.3]

Unobligated Balance

The portion of the funds authorized by the Federal agency that has not been obligated by the grantee and is determined by deducting the cumulative obligations from the cumulative funds authorized. [29 CFR 97.3]

F. Customer File Check List

The following checklist is provided to assist the Local Workforce Investment Areas (Illinois workNet Centers) in monitoring their program to ensure all necessary procedures have been completed, as well as documentation has been submitted and maintained as required.

All TAA Customers Must Have:

- DCEO/TAA Form #001 - TAA Benefits, Rights and Obligations
- DCEO/TAA Form #002 - TAA Standard Application or the IWDS application equivalent
- Picture ID (Xerox of driver's license or passport or State ID and Green Card (alien registration)
- Copy of Customer's DD2-14 (If Applicable)
- DCEO/TAA Form #003 - Illinois Waiver From Training
- Documentation for Waiver Criteria (LMI, Call Back Letter, etc.)
- DCEO/TAA Form #004 - TAA Bona Fide Application for Training (210)
- Copy of WARN Letter (If company filed)
- Copy of TAA Notification Letter from IDES
- DCEO/TAA Form #014 - Individual Employment Plan (IEP)
- Copy of Customer's Resume/Current Work History
- Assessment/Test Results

In Addition All TAA Customers Attending Training Must Have:

- DCEO/TAA Form #005 - Eligibility Determination for TAA Transportation and Subsistence Assistance
- Documentation for Distance Traveled for TAA Transportation/Subsistence
- DCEO/TAA Form #006 - Verification of TAA Training Enrollment
- DCEO/TAA Form #006a - Verification of TAA Training Attendance
- DCEO/TAA Form #007 - Individual Training Account Projection

In Addition All TAA Customers Attending EBT Training Must Have:

- DCEO/TAA Form #005 - Eligibility Determination for TAA Transportation and Subsistence Assistance
- Documentation for Distance Traveled for TAA Transportation/Subsistence
- DCEO/TAA Form #008 - TAA Agreement (OJT)
- DCEO/TAA Form #009 - TAA Invoice (OJT)
- DCEO/TAA Form #010 - TAA Monitoring (OJT)

In Addition All TAA Customers Participating in ATAA Must Have:

- DCEO/TAA Form #011 - ATAA Application – Approval/Denial
- Supporting Documentation which can include: drivers license, birth certificate, copy of job offer letter, check stub, document referring to date of qualifying separation, supporting statement from the employer, annual earnings statements, W-2 forms, and/or other official documentation.

In Addition All TAA Customers Participating in Out-Of-Area Job Search Must Have:

- DCEO/TAA Form # 012 – Application for TAA Job Search Allowance
- DCEO/TAA Form # 012a - Reconciliation for TAA Out-of-Area Job Search
- DCEO/TAA Form #012b - Job Interview Confirmation Letter
- Individual Receipts for Transportation, Hotel, and Food, etc.

In Addition All TAA Customers Participating in Out Of Area Relocation Must Have:

- DCEO/TAA Form #013 – Application for Out-of-Area Relocation Allowance – U.S.A. Only
- Two Relocation Estimates
- DCEO/TAA Form #013a - Reconciliation for Relocation Allowance
- DCEO/TAA Form #013b – New Employment Confirmation Letter
- Individual Receipts for Relocation

This is an Optional Form To Be Used to Monitor A Customer File:

- DCEO/TAA Form #015 - TAA Customer File On-Site Review

The Monitor completing this checklist should include any notes, comments, or other information they feel is relevant to the information provided.

Comments: