



TRADE TRAINING PART 1



December 2, 2021

Disclaimer

- Names and information on participants contained on IWDS screens in this presentation are not from actual Trade participants. The data is fictional and exists only in the IWDS test system.

Topics

- Assessments
- Training Requirements
- Allowable Types of Training
- Researching Training Providers
- 6 Criteria for Approval of Training
- Cost of Training
- Supplemental Assistance
- Training Adversely Affective Incumbent Workers
- Part-Time Training
- Training Reemployed Participants
- Payment Restrictions
- Liable and Agent State
- Case Notes
- Veterans Preference
- Appeal Rights

Assessments

- Initial Assessments and Comprehensive and Specialized Assessments must be made available to Trade participants and should include assessment of the participant's:
 - Interests
 - Skills
 - Aptitudes
 - Abilities
- Assessments must contain the required Trade components listed at:
 - 20 CFR 618.335 for an initial assessment and, if necessary,
 - 20 CFR 618.345 for a comprehensive and specialized assessment.

Assessments (cont.)

- Initial Assessment must take into consideration the following factors:
 - Prevailing local labor market conditions, including the unemployment rate, local employer skill demands and hiring prerequisites;
 - The participant's knowledge, skills, and abilities from his/her education and previous employment;
 - Transferable skills that the participant may possess that would be of interest to other local employers;

Assessments (cont.)

- Evaluation of a participant's skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs; and
 - The basic skills test scores may not be more than one year old.
 - If the Reading, Math and or English test scores are deficient, it may indicate the need for Remedial Training, prior to or in conjunction with occupational training.
 - If the participant's primary language is other than English, English Language Acquisition (ELA) may also be a necessary component to include in the training plan.

Assessments (cont.)

- Any barriers to the participant's reemployment, such as:
 - Lack of applicability of skills from the participant's present occupation to other occupations;
 - Skills that are in excess supply in the labor market area; or
 - Other barriers as outlined in WIOA sec. 3(24).

Assessments (cont.)

- Based upon the information gathered in the initial assessment, the career planner may:
 - Determine that suitable employment is available to the participant, and if so, the career planner must make available employment and case management services.
 - If the participant disagrees with the determination, the career planner must make available to the participant a comprehensive and specialized assessment (under 20 CFR 618.345) to obtain additional information to determine whether the initial assessment was correct.
 - Determine that no suitable employment is available to the participant and, if so, the career planner must make available services as described in 20 CFR 618.310 (responsibilities for the delivery of employment and case management services) and a comprehensive and specialized assessment (as described in 20 CFR 618.345) to develop a comprehensive service strategy for the participant.

Assessments (cont.)

- If the career planner determines that suitable employment is not available to a participant, even with additional employment and case management services, the career planner must advise the participant to apply for training.
 - The training plan must consider the allowable training weeks and include all training necessary for the participant to secure suitable employment of a long-term duration.

Training Requirements

- Fundamental component to Trade.
- Participants are eligible for Trade funded training if:
 - Laid off from a Trade certified company during the certification period (qualifying separation between impact and expiration dates of a certification).
 - Part of the certified worker group
- Provided to workers without sufficient skills to obtain suitable employment in the current labor market.
- Must be provided at a reasonable cost and as quickly as possible to assist the participant in obtaining necessary skills for reemployment.

Training Requirements (cont.)

- Training that replaces 100 percent or more of a participant's wages in adversely affected employment or that qualifies as suitable employment is preferred.
- Suitable employment is defined as: work of a substantially equal or higher skill level than the participant's past adversely affected employment, and wages for such work that are not less than 80 percent of the participant's average weekly wage.

Training Requirements (cont.)

- Must enroll in training by the 26/26 or 8/16 (for 2021R) Trade Readjustment Allowance (TRA) eligibility deadline.
- 26/26 or 8/16 (for 2021R) is the later of the last day of the 26th week (8th week for 2021R) after the week in which the certification was issued or the 26th week (16th week for 2021R) after the participant's most recent qualifying separation.
- If necessary and justified, may use Extenuating Circumstances to meet the 26/26 or 8/16 (for 2021R) deadline.

Training Requirements (cont.)

Granting Extenuating Circumstances				
Petitions 69,999 and Below	Petitions 70,000 thru 79,000	Petitions 80,000 thru 80,999	Petitions 81,000 and Above	Petitions 98,000 and above
2002 Law Benefits	2009 Law Benefits	2011 Law Benefits	2015 Law Benefits	2021R Law Benefits
<ul style="list-style-type: none"> • 45 Days • Equitable Tolling 	<ul style="list-style-type: none"> • 45 Days • 60 Days Upon Proper Notification • State Good Cause • Equitable Tolling 	<ul style="list-style-type: none"> • 45 Days • Equitable Tolling 	<ul style="list-style-type: none"> • 45 Days • 60 Days Upon Proper Notification • Federal Good Cause • Equitable Tolling 	<ul style="list-style-type: none"> • 45 Days • Equitable Tolling

Training Requirements (cont.)

- May apply any time after the certification date on which the worker group is certified.
- Career planner must explore, identify, and secure training opportunities to ensure the participant returns to employment as soon as possible.
- The appropriate training must be of the shortest duration necessary to return the participant to reemployment.

Training Requirements (cont.)

- Facts about all Trade Approved Training:
 - The participant is allowed one training program per certification.
 - A training program may be amended.
 - Training is a lifetime benefit for a trade affected worker.
 - A training program may consist of multiple forms of training.
 - Training may be full-time or part-time or a combination of both.
 - All training must be full-time as defined by the training institution to receive TRA benefits. Participants certified under 2021R may be enrolled in full-time or part-time training and receive TRA.
 - A participant may refuse an offer of suitable employment while enrolled in or attending training.

Training Requirements (cont.)

- All training must be geared towards suitable employment.
- All training must meet the 6 criterion for training approval.
- All training plans submitted must have cost comparisons for the selected training program and two additional training programs regardless of the cost of the training program.
- Training must meet specific benchmarks every 60 days.
- Trade can pay for one retake of a class that a participant fails.
- Online/distance learning classes are approved as part of a training program provided there is a mechanism in place to track attendance and progress as with any other class.

Training Requirements (cont.)

- Preparatory coursework is an allowable cost if it is instructor led. Self-study is not an allowable cost under Trade. The costs for the instructor led preparatory coursework must be included in the training plan prior to the cessation, ideally at the onset.
 - Transportation is allowable to attend the preparatory course, assuming it meets all other transportation requirements:
 - The pre-course will attach “at-large” to the training plan. So, if the preparatory coursework is included as part of the plan, then the transportation allowance is permissible.
 - The exam itself is not instructor led and thus the transportation allowance is not permitted since the transportation allowance can only attach to approved instructor led training.

Training Requirements (cont.)

- The costs for initial licensing and certification tests and fees where the license or certification is required for employment is an allowable cost under Trade.
- The transportation to the testing site is allowable cost under Trade only if the training institution requires the license or certification prior to issuing a degree or credential.
- Under 2021R and 2002 TAARA, participants must file a Trade Bona Fide Application for Training Commerce/2021R Trade Form #004 (210 Form) within 210 days from the later of the date of certification or total or partial separation to be eligible for Additional TRA.

Allowable Types of Training

- Allowable Types of Training:
 - Work-based training (Apprenticeship, On-The-Job (OJT), Customized).
 - Institution training, including training at public area career and technical education schools.
 - Higher Education includes any training or coursework at an accredited institution.
 - Remedial (Adult Basic Education (ABE), English Language Acquisition (ELA), High School Equivalency (HSE)).
 - Pre-Requisite Training.
 - Advanced Degrees.

Work-Based Training

- Trade utilizes work-based training as an alternative to traditional institutional training as a method to obtain suitable employment.
- Work-based training usually takes place in a productive work setting where the participant obtains the necessary knowledge and skills to perform a specific job or group of jobs.
- Work-based training can be combined with classroom training.
- In addition to specific requirements that must be met to approve work-based training, all other Trade training requirements must be met for the training to be approved.

Work-Based Training (cont.)

- Participants certified under the 2021R program must research work-based learning opportunities first.
 - The six criterion for approval of training case note must indicate the work-based learning opportunities that were researched.
 - The six criterion for approval of training must provide information on the work-based learning opportunities that were researched.
 - A justification for not selecting a work-based learning opportunity must be provided if not selected as the training program for the participant.

Work-Based Training - Apprenticeship

- Apprenticeship includes registered apprenticeships under the Act of August 16, 1937 (commonly known as the National Apprenticeship Act; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).
- It also includes other training programs that include paid work-based learning component and required educational or instructional component that results in the issuance of a recognized postsecondary credential, which includes an industry recognize credential.
- The length of the paid work-based learning component must not exceed 130 weeks.
- The length of the educational or instructional training component of the apprenticeship may exceed 130 weeks and continue through the scheduled completion of that specific apprenticeship training.

Work-Based Training – Apprenticeship (cont.)

- Trade program funds can be used to pay for expenses associated with the educational or instructional component (e.g. classroom and distance learning, tools, uniforms, equipment, and books) for the apprentice.
- The employer reimbursement is limited to 50% of the apprentice's regular wage rate.

Work-Based Training – Apprenticeship (cont.)

- Participants enrolled in an apprenticeship program, in most cases, will not be able to access TRA income support due to the income earned through wages.
- This could impact HCTC eligibility, if HCTC is available.
- Career planners must advise participants considering this training option of these issues.
- Participant aged 50 or older may be eligible for RTAA.
- Participants certified under 2021R cannot receive both Alternative Trade Adjustment Assistance (ATAA) and training benefits, including apprenticeships.

Work Based Training - On-the-Job Training (OJT)

- OJT is work-based training provided under contract with an employer in the public, nonprofit, or private sector to a participant who is employed by the employer.
- Training limited to 104 weeks.
- The six criterion for approval of training must be met along with all other Trade training requirements.

Work-Based Training - On-the Job Training (OJT) (cont.)

- The career planner must determine:
 - The OJT can reasonable be expected to lead to suitable employment for the participant with the employer offering the OJT;
 - Is compatible with the skills of the participant;
 - Includes a curriculum through which the participant will gain the knowledge or skills to become proficient in the job for which the participant is being trained;
 - Can be measured by standards or targets that indicate the participant is gaining such knowledge or skills.

Work-Based Training - On-the Job Training (OJT) (cont.)

- DOL OJT Toolkit can be found at:
 - <https://ion.workforcegps.org/resources/2017/12/01/11/19On-the-Job-Training-Toolkit>
- Participants in OJT may be eligible to receive transportation and/or subsistence payments.
- Related skills/education training provided as part of the OJT contract and sponsored by the employer may be provided in conjunction with the OJT.
 - Such training may be provided at the employment site, or at educational institutions, or other locations.

Work-Based Training - On-the Job Training (OJT) (cont.)

- Trade funds can pay the OJT participant's expenses associated with the education or instructional component (e.g. classroom and distance learning, tools, uniforms, equipment, and books) for participant in the OJT program.
- The employer is provided reimbursement of not more than 50% of the wage rate of the OJT participant.
- Trade funds may be leveraged with WIOA funds to provide a reimbursement rate equal to that allowable under WIOA. See WIOA sec. 134(c)(3)(H) (29 U.S.C. 3174(b)(3)(H)).

Work-Based Training - On-the Job Training (OJT) (cont.)

- Adversely Affective Incumbent Workers cannot be approved for OJT.
- Participant enrolled in OJT may be eligible for RTAA. All the requirements of RTAA must be met.
- Participants certified under 2021R cannot receive ATAA and training benefit including OJT.

Work Based Training – On-the-Job Training (cont.)

- Required forms for On-the-Job Training approval:
 - Completed Trade Work-Based Training Agreement (Form #008) and uploaded to IWDS.
 - Completed Individual Employment Plan (#014) or Individual Employment Plan Modification Form (#014a), as applicable and uploaded to IWDS.
 - Completed Eligibility Determination for Trade Travel Assistance (Form #005) and uploaded to IWDS.
 - Only needed if participant travels outside of the commuting area to work.
 - Need Google Maps Printout verifying miles traveled.
- Required forms used during On-the-Job Training:
 - Trade On-the-Job Training (OJT) Invoice (Form #009).
 - Trade On-the-Job Training (OJT) Monitoring (Form #010).

Work Based Training – Customized Training

- Customized Training is designed to meet the special requirements of a single employer or a group of employers.
- Training may be conducted by a training provider, a single employer, or a group of employers.
- Employer must pay at least 50% of the total cost of the training.
- Commitment from the employer(s) to hire the Trade participants upon successful completion .
- Approval is limited to customized training for a position other than the participant's current position in adversely affected employment.
- Eligibility Determination for Trade Transportation-Subsistence Assistance (Form #005), along with Google Maps printout, is required if participant will be traveling outside the commuting area to attend training.

Work Based Training – Customized Training

- Required forms for Customized Training:
 - Completed IEP (#014) or IEP Modification Form (#014a), as applicable.
 - Completed Eligibility Determination for Trade Transportation-Subsistence Assistance (#005), along with Google Maps printout, if participant travels outside the commuting area to work.
 - Completed Trade Work-Based Training Agreement (Form #008) and uploaded to IWDS.
 - Forms must be uploaded to IWDS.

Institutional Training

- Includes training at public area career and technical education schools, as well as community colleges.
- May be approved alone or in combination with work-based training.
- Participants may complete all or part of an educational or vocational program through distance learning (online).

Institutional Training (cont.)

- Required forms:
 - Completed IEP (Form #014) or IEP Modification Form (#014a).
 - Completed Eligibility Determination for Transportation-Subsistence Assistance (Form #005) and Google Map printout.
 - Completed Verification of Trade Training Enrollment (Form #006).
 - Completed Program Tracking Form (#006d or #006e).

Higher Education (Vocational/Occupational)

- Includes any training or coursework at an accredited institution, as described in section 102 of the Higher Education Act of 1965, as amended (920 U.S.C. 1002).
- Includes training or coursework for the purpose of obtaining a degree or certification.
- Includes training or coursework for completing a degree or certification that the participant had begun previously at an accredited institution of higher education.
- Training may be completed through distance learning (online).



Higher Education (Vocational/Occupational) (cont.)

- Required forms:
 - Completed IEP (Form #014) or IEP Modification Form (#014a).
 - Completed Eligibility Determination for Transportation-Subsistence Assistance (Form #005) and Google Map printout.
 - Completed Verification of Trade Training Enrollment (Form #006).
 - Completed Program Tracking Form (#006d or #006e).

Other Training

- Other training includes remedial, career and technical education, pre-requisite education or coursework, and any other training program approved by the state.

Other Training - Remedial

- Any coursework or training that is designed to enhance the employability of a trade-affected worker by upgrading basic academic knowledge through such courses as:
 - Adult basic education (ABE)
 - Basic math and literacy
 - English language acquisition (ELA) for nonnative speakers.
 - High school equivalency (HSE) courses.
- May occur before, or while participating in, the requested training program.

Other Training – Remedial (cont.)

- Wherever practical, remedial training should run concurrently with other types of training to maximize allowable training weeks and available TRA.
- A training program may consist of only remedial training.
 - The IEP and case notes for the six criterion for approval of training must document that the participant has marketable skills based on LMI data; and
 - That the remedial education is sufficient to prepare the participant for employment.
 - If the career planner cannot document that the participant has marketable skills – all remedial training must be combined with occupational or other types of training deemed Trade approvable that will lead to suitable employment.

Other Training –Remedial (cont.)

- English language acquisition (ELA) can be a standalone training program for Trade.
- Because completion of ELA does not result in an industry recognized credential, the participant will not receive Completion TRA.
- The participant must document the financial ability to complete the training that exceeds the Additional TRA eligibility period.

Other Training – Remedial (cont.)

- Required forms:
 - Completed IEP (Form #014) or IEP Modification Form (#014a).
 - Completed Eligibility Determination for Transportation-Subsistence Assistance (Form #005) and Google Map printout.
 - Completed Verification of Trade Training Enrollment (Form #006).
 - Completed Program Tracking Form (#006d or #006e).

Other Training – Pre-Requirement

- Coursework or training required by a training provider before entering an occupational training program designed to impart the skills and information required to perform a specific job or group of jobs.
- Participants enrolling in a program that requires pre-requisites and has an acceptance policy must have a back-up training program in the same occupational field that will also utilize the pre-requisite classes already taken if the participant is not accepted into the originally approved program.

Other Training – Pre-Requirement (cont.)

- Wherever practical, pre-requisite training should run concurrently with other types of training.
- Required forms:
 - Completed IEP (Form #014) or IEP Modification Form (#014a).
 - Completed Eligibility Determination for Transportation-Subsistence Assistance (Form #005) and Google Map printout.
 - Completed Verification of Trade Training Enrollment (Form #006).
 - Completed Program Tracking Form (#006d or #006e).

Advanced Degrees

- Training programs that will lead to an advanced degree may be approved.
- However, the training program must be completed with the allowable training weeks.
- Required forms:
 - Completed IEP (Form #014) or IEP Modification Form (#014a).
 - Completed Eligibility Determination for Transportation-Subsistence Assistance (Form #005) and Google Map printout.
 - Completed Verification of Trade Training Enrollment (Form #006).
 - Completed Program Tracking Form (#006d or #006e).

Researching Training Providers

- LMI data and job postings must be used to determine if they support the participant's preferred career/training choice.
- At least three training institutions must be researched. Comparisons for the three training institutions must include:
 - Curriculum.
 - Total cost.
 - Length of training, which determines the amount of TRA.
 - Format of the training (online/in-person).

Researching Training Providers (cont.)

- Distance to the training institution, which determines the transportation cost.
 - Training institution's graduation rate.
 - Training institution's placement rate.
 - Class size.
 - Other relevant information.
-
- Training institutions within the commuting area should be given preference.
 - Justification must be provided in the six criterion for approval of training case note for selecting a training institution outside the commuting area.

Six Criterion for Approval of Training

- All training must meet the 6 criteria for approval of training:
 - Criterion 1 - There is no suitable employment available for the trade-affected worker.
 - Criterion 2 – The trade-affected worker would benefit from appropriate training.
 - Criterion 3 – There is a reasonable expectation of employment following completion of such training.
 - Criterion 4 – Training is reasonably available to the trade-affected worker.
 - Criterion 5 – The trade-affected worker is qualified to undertake and complete such training.
 - Criterion 6 – Such training is suitable for the trade-affected worker and available at a reasonable cost.
- The career planner will consult the participant’s assessment results and the IEP to determine if all six criteria are met.
- The six criteria must be documented in a case note. See Sample 6 Criterion Case Note document for specific language to include.
- Illinois also requires that the industry recognized credential that will be earned from the training program be identified in a Criteria 7, if applicable, in the case note. The industry recognized credential information is required for those participants who need Completion TRA to complete their training program.

Six Criterion for Approval of Training (cont.)

- **Criterion 1 – There is no suitable employment available for the trade-affected worker**
 - **There is no suitable employment available for a trade-affected worker in either the commuting area or another area outside the commuting area to which the worker intends to relocate, and there is no reasonable prospect of such suitable employment becoming available for the worker in the foreseeable future.**
 - “Suitable employment” means, with respect to a worker, 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% of the worker’s average weekly wage. This is documented with LMI data.
- For Merit Staff Approval, based on your IEP development and assessment of the participant and in the six criterion case note answer the following questions:
 - What is the participant’s layoff date and rate of pay?
 - What is the Labor Market Information (LMI) for the Trade impacted occupation?
 - What transferrable skills were identified as part of the participant assessment?
 - What barriers to employment were identified as part of the participant assessment?
 - What prior training/degrees/certifications/licenses does the participant have?
 - What job search has the participant conducted?
 - Has the participant found employment (full-time or part-time)?

Six Criterion for Approval of Training (cont.)

- **Criterion 2 - The trade-affected worker would benefit from appropriate training**
 - **The worker would benefit from appropriate training when training ,skills training, or remedial education would increase the likelihood of obtaining employment. Appropriate training should improve the worker’s chances of obtaining employment at higher wages than in the absence of training or place the worker on a path to do so.**
 - **The worker must have the knowledge, skills and abilities to undertake, make satisfactory progress in, and complete the training program.**
 - For Merit Staff Approval, based on the testing and assessment of the participant, prior education, job skills and test scores in the 7 criterion case note answer the following questions:
 - What training program is the participant interested in attending?
 - How does this training increase the likelihood of the participant obtaining employment at higher wages than in the absence of training or how does it place the participant on a pathway to do so?
 - Based on the participant assessment, does the participant possess the knowledge, skills and abilities to undertake, make satisfactory progress in, and complete the training program? Please explain.

Six Criterion for Approval of Training (cont.)

- **Criterion 3 – There is a reasonable expectation of employment following the completion of such training**
 - **Given the labor market conditions expected to exist at the time of the completion of the training program, a reasonable expectation exists that the trade-affected worker is likely to find employment in the worker’s commuting area or in the area where the worker intends to relocate.**
- For Merit Staff Approval and the 7 criterion case note, answer the following questions:
 - How does the LMI support a reasonable expectation of employment in the commuting area, or outside the commuting area for the area of planned relocation, following completion of the training program selected by the participant?
 - If the training is for a limited demand occupation, provide support that there is a reasonable expectation that the participant can secure employment in that occupation after completion of the selected training program.

Six Criterion for Approval of Training (cont.)

- If the training is in an occupation that will lead to self-employment, provide support the self-employment will provide the participant with wages or earnings at or near the participant's wages from the adversely affected employment.
- If the training is solely OJT, provide support that the OJT will lead to suitable employment with the employer providing the OJT.
- For 2021R participants, what work-based learning opportunities were researched and/or are available? IF a work-based learning opportunity is not selected, provide a justification for not selecting it.

Six Criterion for Approval of Training (cont.)

- **Criterion 4 – Training is reasonably available to the trade-affected worker**
 - **In determining whether or not training is reasonably available, first consideration shall be given to training opportunities available within the worker’s normal commuting area. Training at facilities outside the worker’s normal commuting area should be approved only if such training is not available in the area or the training to be provided outside the normal commuting area will involve less charged to Trade funds.**
 - For Merit Staff Approval and the 7 criterion case note answer the following questions:
 - What is the name of the training institution selected?
 - What is the commuting distance (one-way and round trip) to the selected training institution?

Six Criterion for Approval of Training (cont.)

- **Criterion 5 – The trade-affected worker is qualified to undertake and complete such training**
 - **This emphasizes the worker’s knowledge, skills, abilities, educational background, work experience, and financial resources are adequate to undertake and complete the specific training program being considered.**
 - The career planner must assess the participant’s skills and abilities and based upon the results of the assessment, determine if the participant is able to complete the training.
 - Evaluation of the participant’s person qualifications must include the participant’s educational background, work experience and financial resources.

Six Criterion for Approval of Training (cont.)

- The participant's physical and mental abilities must be assessed by the training institution.
- The career planner must not make any reference to the physical and mental abilities of the participant in case notes.
- Evaluation of the participant's financial ability shall include an analysis of the participant's remaining weeks of UI and TRA payments in relation to the duration of the training program.
 - If the participant's UI and TRA payments will be exhausted before the end of the training program, it shall be ascertained whether personal or family resources will be available to the participant to complete the training.
 - It must be noted on the participant's record that financial resources were discussed with the participant before the training was approved.
 - When adequate financial resources will not be available to the participant to complete a training program which exceeds the duration of UI and TRA payments, the training shall not be approved, and consideration shall be given to other training opportunities available to the participant.

Six Criterion for Approval of Training (cont.)

- For Merit Staff Approval and the 7 criterion case note answer the following questions:
 - What scores did the participant receive on assessment tests?
 - What interest/ability areas were identified as highest for the participant?
 - Describe how test scores, and interest/ability assessments provide support that the participant has the knowledge, skills, and abilities to complete the selected training program.
 - Does the participant have adequate transportation to and from the training institution selected?
 - How many actual training weeks will it take for the participant to complete the selected training program?

Six Criterion for Approval of Training (cont.)

- Does the participant have enough remaining weeks of UI and TRA payments in relation to the duration of the training program selected?
- What is the participant's Benefit Period End Date (BPE)?
- If the participant does not have enough UI and TRA payments for the duration of the training program, provide support that the participant has adequate financial resources to complete the training program that exceeds the duration of UI and TRA payments.
- NOTE: Documentation (TRA Claim Details Printout from IBIS) of TRA weeks available and BPE Date must be provided in an upload to IWDS.

Six Criterion for Approval of Training (cont.)

- **Criterion 6 – Such training is suitable for the trade-affected worker and available at a reasonable cost**
 - **The training program being considered must address the criteria in #5 above and the costs are reasonable by researching costs for similar training programs.**
 - **Costs of a training program may include, but are not limited to:**
 - Tuition.
 - Books.
 - Tools.
 - Computers and other electronic devices.
 - Internet access.
 - Uniforms and other training-related clothing such as goggles and work boots.
 - Laboratory fees.
 - Other academic fees requires as part of the approved training program.
 - Supplemental assistance (transportation and subsistence expenses).
 - Initial licensing and certification tests and fees where a license or certification is required for employment.
 - **Approval is not limited to the least-cost option if the extra cost is justified.**

Six Criterion for Approval of Training (cont.)

- For Merit Staff Approval
 - What are the total costs of the training program selected (Tuition, Books, Tools, equipment, internet service, uniforms, and other training-related clothing, required academic fees, etc.) as well as supplemental assistance (transportation/subsistence expenses), licensing and certification tests and fees (where a license or certification is required for employment)?
 - What equipment, computer, or supplies are necessary for the participant to complete the selected training program? What are the costs?
 - Are there any associated residencies or internships? What are the costs?
 - Which two other training institutions were compared? What are the total costs for the two comparison training institutions?

Six Criterion for Approval of Training (cont.)

- If the costs for the training institution selected are unreasonably high in comparison with average costs of the two comparison training institutions, provide a justification why this training institution was selected.
- If the lowest cost training program is not selected, provide a justification why a higher cost training institution was selected.
- If the training institution selected is outside the commuting area, provide a justification for selection of this training institution.



Industry Recognized Credential – Completion TRA

- **Criterion 7 (Illinois Requirement) - What industry-recognized credential will be earned by the participant after training completion?**
- For those participants who must apply for Completion TRA to complete a training program, it will be necessary for the program to result in an industry recognized credential. Since it is unknown at the beginning of a training program to know if a participant will need Completion TRA, we ask for this information at the initial enrollment request for approval.

Cost of Training

- The career planner must calculate the estimated costs for the entire training program to determine if the costs meet criterion six for reasonableness.
- Equipment, Tools, computers and supplies are allowed if they are listed in the course syllabus and are required of every student for the approved training program.
- LWIAs are not required to recoup equipment, including computers purchased with Trade funds if the participant successfully complete the training or there is evidence that he/she made a good faith attempt to complete the training.
- If the participant received equipment, including computers and never began training or there was bad faith attempt, the LWIA should make an attempt to recoup the cost of the equipment under the overpayment provisions of 20 CFR 618.832.
- The LWIA may consider a claw-back provision that states that if the participant drops or fails a class/program where equipment or specific supplies were purchased, that the return of equipment or other supplies to the LWIA is required unless the participant will be retaking that class or continuing with the occupational program otherwise.

Supplemental Assistance

- Supplemental assistance in the form of transportation and subsistence payments must be provided to a participant whose training program has been approved, for expenses while the participant attends training at a training institution that is outside the commuting area.
- The commuting area in Illinois is 10 miles.
- The need for transportation or subsistence payments must be documented in the participant's IEP.
- Supplemental assistance eligibility is determined by submitting a completed Eligibility Determination for Transportation-Subsistence Assistance Commerce/Trade Form #005 (Transportation-Subsistence Form).

Supplemental Assistance (cont.)

- Subsistence.
 - Subsistence payments must be made for the reasonable costs of meals and incidental expenses, and of separate maintenance, which means maintaining temporary living quarters, when the training facility is located outside the participant's commuting area.
 - A participant must be reimbursed for subsistence only for the period when the participant is not receiving or authorized to receive reimbursement or separate payments for such costs from any other source.
 - Subsistence payments may not be made for any day such participant received a daily commuting transportation payment from Trade funds or from any other source.
 - Subsistence payments must not be made for any day of unexcused absence from the training program, as certified by the training provider.

Supplemental Assistance (cont.)

- Transportation
 - A participant must be reimbursed for transportation expenses when commuting to and from a training facility located outside the participant's commuting area.
 - Transportation expenses, funded by the Trade program, are payable only for the actual days traveled.
 - Mileage eligible for reimbursement is round trip, from the first mile outside the boundary of the participant's commuting area to the location of the training facility.
 - Example: Mileage from participant's residence to the training institution is 13.5 miles. The participant is paid for 3.5 miles one way, 7 miles round trip.

Supplemental Assistance (cont.)

- Transportation payments must not be paid when:
 - Transportation is arranged and paid for by the LWIA for one or more participants;
 - Such payments are being provided under any other law; or
 - The participant is authorized to be paid or reimbursed for such expenses from another source.
- The daily transportation payment may not exceed the amount of a daily subsistence payment that would be payable if the participant resided temporarily in the area of the training.
- In addition, while other forms of transportation may be used, transportation payments to a participant may not exceed the cost per mile at the prevailing personal vehicle mileage rate authorized under the FTR.
- A participant must receive transportation payments promptly after completion of a week of approved training, but at a minimum on a monthly basis.
- These payments also may be made in advance in order to facilitate the participant's attendance at the training.

Supplemental Assistance

- Subsistence payments must be made to a participant only for the lesser of:
 - The participant's actual per diem expenses for subsistence; or
 - 50 percent of the prevailing per diem allowance rate authorized under Federal Travel Regulations (FTR).
- Subsistence payment must be made upon a participant's completion of a week of training, but the LWIA may advance a subsistence payment for a week if it is determined that such advance is necessary to enable the participant to attend the approved training.

Supplemental Assistance (cont.)

- When payment can be made for both subsistence and transportation:
 - A participant receiving subsistence payments may also receive transportation payments only:
 - At the beginning of the training that the participant is attending outside the participant's commuting area and at the end of the training for travel back to the participant's commuting area; or
 - When the participant fails, for justifiable cause described in 20 CFR 618.780(b)(3)(iii), to complete the training outside the participant's commuting area, and must return home before the scheduled end of the training.

Supplemental Assistance (cont.)

- If the LWIA advances subsistence or transportation funds, the LWIA must adjust subsequent subsistence and transportation payments to take into account the amount of the advance that is more or less than the amount that the participant is entitled to receive.
- The participant must provide receipts for all lodging, purchased transportation expenses, and meals.

Supplemental Assistance (cont.)

- Needs to be reviewed each semester or as changes occur.
- Changes to transportation:
 - Residence location change.
 - Training Institution change.
 - Revised GSA Mileage reimbursement rate (usually January 1 each year).
 - GSA rate change (usually October 1 each year).
 - Switch from travel to subsistence.
 - Switch attendance from online to onsite or from onsite to online.
- Changes to transportation/subsistence requires processing of an IEP Modification:
 - Complete new Form #005 Eligibility Determination for Trade Travel-Subsistence Assistance and upload to IWDS.
 - Complete Form #014a IEP Modification Form and upload to IWDS.
 - Submit to State Merit Staff for approval.

Supplemental Assistance (cont.)

- Participants initially approved for transportation assistance prior to September 21, 2020, are reimbursed for travel of 10 miles or more one way between residence and the training institution site.
- Participants initially approved for transportation assistance on or after September 21, 2020, are reimbursed for travel beginning with the first mile outside the commuting distance.
 - Commuting distance in Illinois is 10 miles
 - Reimbursed for one-way mileage over 10 miles, beginning with .1 mile over 10 miles.
 - First 10 miles may be paid by WIOA or another funding source

Training for Adversely Affected Incumbent Workers (AAIW)

- A state may approve training for an AAIW, or training for a worker before separation occurs.
- An AAIW may apply for training and a state may approve training at any time after the date on which the AAIW is determined to be individually threatened with layoff without regard to whether such worker has applied for or exhausted all rights to any UI to which the worker is entitled.
- Training for Adversely Affective Incumbent Workers (AAIW) is not available under the Trade Adjustment Assistance Program Reversion 2021 (2021R).
- The term adversely affected incumbent worker means a worker who:
- Is a member of a worker group certified as eligible to apply for the Trade Program;

Training for Adversely Affected Incumbent Workers (AAIW) (cont.)

- Has not been totally or partially separated from adversely affected employment; and
- The state/LWIA determines, on an individual basis, the worker is threatened with total or partial separation.
- AAIW training is subject to the all the same training requirements as all other training except:
- The state may not approve an OJT.
- Customized training may be approved if the training is for a position other than the AAIW's adversely affected position.

Training for Adversely Affected Incumbent Workers (AAIW) (cont.)

- Loss of threat to separation.
 - The career planner must periodically verify that the threat of total or partial separation continues to exist prior to each term for the duration of the approved training.
 - Funding of the training must cease upon removal of the threat.
 - The participant is eligible to complete any portion of the training program where Trade funds have already been expended but would not be eligible for further Trade funding of the training program in the absence of a threatened or actual separation from adversely affected employment.
 - Funding may resume for the original training program upon the resumption of the threat or in the event of a total or partial separation, if the 6/7 criterion for approval of training continue to be met.

Training for Adversely Affected Incumbent Workers (AAIW) (cont.)

- A training program that the participant began before separation as an AAIW is considered the participant's one allowable training program, and that training plan should be designed to meet the long-term needs of the participant based on the expectation that he/she will be laid off.
- The training program should also take into account the availability of up to a total of 130 weeks of training.
- Thus, while a pre-separation training program may be resumed, a participant who has participated in pre-separation training will not be eligible for a new and different training program and the duration of the training program continues to be limited to a total of 130 weeks.
- The threatened employment is not considered to be suitable employment.

Training for Adversely Affected Incumbent Workers (AAIW) (cont.)

- Upon a total or partial separation from threatened employment, the AAIW becomes an adversely affected worker (AAW) under the following conditions:
 - The separation must occur prior to the expiration of the certification period under which the worker was determined to be threatened; and
 - The total or partial separation must be for lack of work.
 - The state must amend the worker's approved training program. Any time spent in training as an AAIW applies to the duration limits.
 - The state must determine what other benefits under the Trade program the worker may now be eligible for, including TRA.

Part-Time Training

- Trade participants in training can choose either part-time or full-time training, although participants enrolled in part-time training may not be eligible for TRA or Health Coverage Tax Credit (HCTC) except in the last semester of training.
- Participants eligible under the Trade Adjustment Assistance Program Reversion 2021 (2021R) may participate in part-time training without TRA and HCTC eligibility being affected.
- The training approval criteria that apply to the approval of full-time training also apply to the approval of part-time training including training completion within the allowable training weeks.
- Since part-time training will not be accompanied by TRA (except 2021R participants), the participant will need to demonstrate financial ability to complete the training.
- Participation in part-time training may allow a participant to work full-time, even if that work is not suitable employment.

Training Reemployed Participants

- A participant who obtains new employment and who has been approved for a training program may elect to terminate the employment, reduce the hours worked in the employment, or continue in full- or part-time employment.
- The participant is not subject to ineligibility or disqualification for UI or TRA as a result of such termination or reduction in employment.
- If the participant continues in full- or part-time employment while in an approved training program, the participant must be informed in writing that such employment may have negative effects on UI and TRA benefit amounts and duration due to income earned from the employment (and also because a participant in part-time training is not eligible for TRA), which could also lead to the loss of the HCTC, if available.

Training Reemployed Participants (cont.)

- Participants eligible under the Trade Adjustment Assistance Program Reversion 2021 (2021R) may participate in part-time training without TRA and HCTC eligibility being affected.
- The State must apply the earnings disregard provisions, as appropriate. A participant who has been totally separated as described above may also be eligible for job search and relocation allowances.

Payment Restrictions for Training Programs

- Trade Program funds are the primary source of Federal assistance to participants.
- If the costs of training a participant can be paid under the Trade Program, no other payment for such costs may be made under any other provision of Federal law.
- There may be situations in which other governmental (Federal or State) or private fund sources are available to assist a participant with retraining.

Payment Restrictions for Training Programs (cont.)

- When non-Trade funds are used to pay for the training, there must be a prearrangement between the LWIA and the authority administering the funding source indicating the dollar amount the entity is providing in tuition assistance and details regarding how the payment is to be made.
- Regardless of the funding source, eligibility for TRA and HCTC is only met if the training is state merit staff approved training. Therefore, the LWIA and participant are required to follow all Trade rules and any additional rules attached to the funding source paying for the training.

Payment Restrictions for Training Programs (cont.)

- **Payment of costs of training program**
 - Solely from Trade Program funds;
 - Solely from other public or private funds; or
 - Partly from Trade Program funds and partly from other public or private funds.
- **No duplication of costs allowed**
 - Using Trade Program funds to duplicate the payment of training costs from another source is prohibited.
 - Costs already paid or reimbursable under another Federal law may not be made from Trade Program funds.
 - When the direct costs of a Trade approved training program are payable from Trade Program funds and are also wholly or partially payable from any other source, the LWIA must establish procedures to ensure Trade Program funds will not duplicate funds available from the other source(s). This preclusion of duplication does not prohibit and should not discourage sharing of costs under prearrangements below.

Payment Restrictions for Training Programs (cont.)

- **Cost sharing permitted**

- Training costs may be shared with authorities administering other non-Federal, State, and private funding sources. Sharing training costs with other Federal sources may only occur if Trade Program funds are not available to cover the total cost of training.
- Sharing the future costs of training is authorized where prior costs were paid from another source but does not authorize reimbursement from Trade funds of any training costs that were accrued before the date the training program was approved under the Trade Program.
- When a mix of Trade funds and other funds are used for paying the costs of a training program, the LWIA must enter into a prearrangement with any entity providing the other source of funds per 20 CFR 618.625(c).

Payment Restrictions for Training Programs (cont.)

- The LWIA may not take into account Federal student financial assistance, including Pell Grants, or any funds provided under any other provision of Federal law that are used for purposes other than the direct payment of training costs, even though they may have the effect of indirectly paying all or a portion of the training costs. For additional information see 20 CFR 618.625(c)(5).
- If the participant's trade-affected firm agrees to fund all or a portion of the training costs, the LWIA must, if the training is otherwise approvable, enter into a prearrangement with the firm to assume any unfunded training costs on the participant's behalf.

Payment Restrictions for Training Programs (cont.)

- **No training fees or costs to be paid by a participant.**
 - A training program must not be approved if the participant is required to reimburse any portion of the costs of such training program from Trade funds, or from wages paid under such training program.
 - A training program must not be approved if the participant is required to pay any of the costs of the training program from funds belonging to the participant, including funds from relatives or friends, or from personal or educational loans that will require repayment.
 - If the state and LWIA do not have sufficient funds, the participant may choose to pay the unfunded costs. In that case, neither the state nor LWIA are liable for paying those costs and must document this prearrangement in the participant's case file. Where the participant chooses not to pay the unfunded costs, the LWIA must issue an **Illinois Waiver From Training Commerce/Trade Form #003 (Waiver)** on the basis that training is not available, in order to preserve any remaining Basic TRA eligibility.

Liable and Agent State (cont.)

- The liable state determines eligibility for all benefits and services. Any approval must be in writing to the agent state prior to the start of services. Illinois state merit staff approval is also required. These benefits and services include:
 - Training approvals, extensions, revisions, and cessations.
 - Transportation/Subsistence assistance approvals and modifications.
 - Job Search and Relocation Allowances approvals and reconciliations.
 - A/RTAA benefits approvals, revisions, and payments.
- The career planner must make all IWDS entries and check the appropriate boxes on the TAA additional info screen in IWDS to indicate if the participant is an agent/liable participant and what state is paying the UI benefits.

Liable and Agent State (cont.)

- When Illinois is the Liable State, the career planners in Illinois must:
 - Contact the agent state Trade coordinator/career planner to discuss the preferred method of communication for approvals, required forms, monthly contact and notification of issues that may affect the participant's status and payment of benefits.
 - Ensure the participant files a UI/TRA claim with IDES to secure eligibility for those benefits.
 - Ensure the participants are provided Trade Rapid Response Services, including out-of-state participants.
 - Ensure the participant understands that he/she must work and cooperate with both states to receive Trade services and benefits.

Liable and Agent State (cont.)

- Agent state is responsible for cooperating fully with the liable state to:
 - Obtain pre-approval from the liable state before any benefits or services are provided to the participant.
 - Communicate with the liable state to ensure proper payment of benefits.
 - Provide information needed to issue determinations, redeterminations and decisions on benefits, services and/or appeals.

Liabile and Agent State (cont.)

- When Illinois is the Agent State, the career planners in Illinois have the following responsibilities:
 - Contact and confirm with the liable state that the participant meets all Trade and WIOA eligibility requirements.
 - Contact the liable state career planner to discuss the preferred method of communication for approvals, required forms, monthly contact and notification of issues that may affect the participant's status and payment of benefits.
 - Confirm with the liable state career planner that the participant received Trade rapid response. If not, the Illinois career planner will provide Trade rapid response.

Liable and Agent State (cont.)

- Ensure that the participant understands that they must work and cooperate with both states to receive Trade services and benefits.
- Request any Trade paperwork, forms, documentation from the liable state. If the paperwork received does not include the required information to register the participant in IWDS, the career planner will work with the participant and the liable state to obtain additional information.
- Obtain pre-approval in writing from the liable state prior to the start of the benefit or service. Illinois state merit staff approval is also required. Make related entries in IWDS.
- Check the appropriate boxes on the TAA additional info screen under the application section of IWDS to indicate if the participant is being served as an agent or liable state participant, the state funding the training, the state paying the UI/TRA benefits and if the petition is from another state.
- Chapter 4: Trade Liable and Agent State Responsibilities

Liabile and Agent State (cont.)

- State Funding TAA Training
 - If Illinois, then Illinois is Agent State
- Is Illinois Responsible for Payment of UI/TRA Benefits?
 - Yes – Illinois is Liabile State
 - No – Illinois is Agent State
- Trade Petition from Another State?
 - Yes – Illinois is Agent State
 - No – Illinois is Liabile State

TAA Additional Info
[Steve Perry](#) [Application Summary](#)
 SSN: 0503 App LWA:15 App Date:02/13/2019

TAA Petition Number: 90900 TAA Act: 2015
 Event: Not Available

Certification/Decision Date:10/01/2015
 Petition Impact Date:10/01/2015
 Was Rapid Response Provided:Yes
 Petition Expiration Date:10/01/2023
 Date BRO was signed:01/23/2019

Actual or Expected Separation Date:08/21/2018
 Meets TRA 26/26 Requirement:Yes

*State Funding TAA Training:

*Is Illinois responsible for payment of UI/TRA benefits?

Trade Petition from Another State?

Will TAA funded training lead to completing an Associate's Degree?

Is the participant enrolled in a training program developed with TAACCCT funds?

Case Notes

- The career planner and participant are required to maintain meaningful two-way communication at a minimum of every 30 days regardless of the services the participant is receiving.
- Timely contact and case note entries are especially important while the participant is attending training.
- The contact is required to be recorded in IWDS case notes. The case note must detail the communication and provide as much information as possible about the current status of the participant.
- Case notes must document the details of every aspect of the participant's progression through the reemployment plan.

TAA Services – Veterans Preference/Military Service

- 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).
 - To obtain priority of service, a veteran must meet eligibility requirements (TEGL 05-03).
- Military Service **(Not available to 2021R participants – Petitions 98,000+)**.
 - Makes returning members of the Armed Forces and National Guard units “whole,” as if the period of military service has not occurred, for determining their benefit eligibility.
 - Also allows workers called up for active duty military or full-time National Guard service to restart the TAA enrollment process after completion of military service.
 - Upon separation from military service, these workers are eligible to receive TRA, training, and other benefits in the same manner and to the same extent as if the worker had not served the period of duty.

TAA Services – Appeal Rights

- Trade 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.
- Appeals language appears on Trade forms.
- Appeals are adjudicated at IDES by an Administrative Law Judge (ALJ).
- LWIA career planners are usually required to attend the hearings via conference call.

Correspondence

- Emails.
 - Send all emails regarding Trade participants to state merit staff: Susan Boggs (susan.boggs@illinois.gov), Sheila Sloan (sheila.sloan@illinois.gov), and Lori Graham (lori.graham@illinois.gov).
 - Send all emails regarding Trade grants to Crystal Bigelow (crystal.bigelow@illinois.gov).
 - Always include a clear subject line that includes the LWIA, the purpose of email and participant name.
 - LWIA XX - IEP & New Occupational Training Approval Request for (participant name).
 - Do not combine information in emails for multiple participants. Each email should be for one participant only.

Websites

- Illinois workNet Trade Forms
 - <https://www.illinoisworknet.com/tradeforms>
- US Department of Labor Employment & Training Trade Site
 - <https://www.dol.gov/agencies/eta/tradeact>
- Illinois Workforce Development System (IWDS)
 - <https://iwds.dceo.illinois.gov/iwds/staffhome.html>
- US General Services Administration (GSA)
 - <http://www.gsa.gov>
- Workforce GPS (Trade 101 Resources)
 - <https://taa.workforcegps.org/>



DCEO Trade Contacts

Susan Boggs

TAA Coordinator

susan.boggs@illinois.gov

Sheila Sloan

Quality Assurance

sheila.sloan@illinois.gov

217-685-2513

Crystal Bigelow

Trade Grants

crystal.Bigelow@illinois.gov

Lori Graham

Manpower Planner

lori.graham@illinois.gov

309-830-8458



IDES Trade Unit Contacts

John Ferry
Special Programs Manager
john.ferry@illinois.gov

Erik Hack
ATAA/RTAA Coordinator
erik.hack@illinois.gov

Amy Saumur
TRA & UI Claims
amy.saumur@illinois.gov

Angela Mosley
Petition Lists, TRA & UI Claims
angela.mosley@illinois.gov

TRADE UNIT PHONE NUMBER:
217-524-7826

Trade Training

- Upcoming Training (Thursday Zoom Meetings):
- Invitations sent out from Kiersten Baer at ISU
 - **December 9** – Alternative/Reemployment Trade Adjustment Assistance (A/RTAA).
 - **December 14** – Training Part 2
 - **December 16** – Attendance, Benchmarks, Breaks in Training (including completion of the Form #006a Bi-Weekly Verification of Training Attendance), IEP Modifications (including completion of the Form #014a IEP Modification Form).

Trade Training (cont.)

- **January 6** – Job Search Allowance, Relocation Allowance
- **January 11** - Credential & Measurable Skill Gains (MSG), Exiting Participants.
- **January 13** – TAPR/GRS, Appeals, Fraud, Overpayments & Monitoring

- Additional training if needed

- Training recordings, presentations, and materials posted at:
 - <https://www.illinoisworknet.com/WIOA/Resources/Pages/Archived-Training.aspx>

Questions

