



INDIANA
WORKFORCE
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To: Indiana's Workforce System
Date: July 6, 2017
Subject: DWU 2017-07
TAA Trade Readjustment Allowance (TRA) Forms and Process Updates

Purpose

To announce the process and new Initialization and Discontinuation forms for Trade Readjustment Allowance (TRA).

Trade Readjustment Allowance (TRA)

Trade Readjustment Allowance (TRA) is income support for workers who are engaged in full-time TAA-approved training or are on a TAA waiver of training. Workers covered under petitions certified for 2011 and 2015 law benefits (Petitions 80,000 +) may be eligible for up to a total of 130 weeks of income support.

Eligibility Requirements

Workers must meet the following requirements to be potentially eligible to apply for TRA benefits:

- Must work at least 26 weeks out of the previous 52 weeks from layoff,
- Must earn at least \$30.00 or more in each of those weeks,
- Must exhaust all rights to Regular UI first, and
- Must be on a waiver or enrolled in training within 26 weeks of the certification date or 26 weeks of the separation date, whichever is later.

Case Management Calculation Tool

The DWU has developed a Case Management Calculation Tool to assist case managers in calculating 26/26-week deadlines as well as estimating submission deadlines for TRA Initialization paperwork. The Case Management Calculation Tool, along with a step-by-step guide, is located on the Field Operations Resource portal, TAA Program, TAA Documents and Forms section at:

<https://webapps.dwd.in.gov/fieldOps/>.

TRA Basic

Under 2011 and 2015 law benefits, TRA Basic (TRA-B) pays eligible workers up to 52 weeks of income support (minus any Regular UI benefits received). *Example: An eligible worker receives 26 weeks in Regular UI; worker would be eligible for up to an additional 26 weeks in TRA-Basic (Weeks of Regular UI Received + Weeks of TRA will always equal 52 weeks).* Eligible workers have 104-weeks to draw the 52 weeks of benefits.

Eligibility Requirements for TRA-B:

- Client has maintained their EB or the EB work search equivalent in accordance with State and Federal UI law, and
- Must be on a TAA Waiver of Training within 26 weeks of the certification date or 26 weeks of the separation date, whichever is later, or
- Enrolled in full-time TAA-approved training, or
- Successfully completed TAA-approved training.

Case managers are encouraged to ensure workers who have already successfully completed TAA-approved training prior to exhausting Regular UI benefits have TRA-B claims initialized for continuous benefits upon the exhaustion of Regular UI. TRA-B benefits may be paid until the worker obtains full-time employment or until the 52 weeks of benefits have been received, whichever occurs first.

TRA Additional

Under 2011 and 2015 law benefits, TRA Additional (TRA-A) pays eligible workers up to 65 weeks of additional income support benefits. The 65 weeks of benefits must be paid within 78 weeks of exhausting all rights to TRA-B.

Eligibility Requirements for TRA-A:

- Must exhaust all TRA-B benefits and met all TRA-B requirements -AND-
- Be enrolled in full-time TAA-approved training.

It is important to note that once a participant concludes participation in full-time TAA-approved training (successful or unsuccessful completions) TRA-A ceases. No benefits are paid after the completion of the training plan.

TRA Completion

Under 2011 and 2015 law benefits, TRA Completion (TRA-C) pays eligible workers up to 13 weeks of additional income support benefits within the last 20 weeks of full-time TAA-approved training. However, TRA-C benefits have extensive eligibility criteria, and it should be noted that not all workers will be eligible for the additional benefits under TRA-C.

Eligibility Requirements for TRA-C:

- Must exhaust all TRA-A benefits and met all TRA-A requirements,
- The requested weeks are necessary for the worker to complete a training program that leads to completion of a degree or industry-recognized credential,
- The worker is participating in training in each such week,
- The worker has substantially met the performance benchmarks established in the full-time TAA-approved training plan,

- The worker is expected to continue to make progress toward the completion of the full-time TAA-approved training, and
- The worker will be able to complete the training during the period authorized for receipt of Completion TRA.

It is important to note that once the participant begins to receive TRA-C, the worker cannot modify the training program. If the training program must be modified, TRA-C benefits will cease and the participant would no longer be eligible for any additional weeks that may otherwise be available. When a participant is receiving TRA-C, if there is any indication (any information that causes doubt) that the participant may not be meeting the above eligibility criteria for TRA-C the case manager is required to notify the TRA unit to have benefits placed on hold until verifiable information is obtained. *Example: John Smith is receiving TRA-C income support; at a monthly check-in he mentions that he may not graduate on time and may need to extend his training plan a semester.* The case manager in this example must contact the TRA unit and notify that the participant needs the TRA-C benefits placed on hold due to a potential eligibility issue. The case manager must work to resolve or verify the situation within 48 hours to ensure that a participant's benefits are not erroneously held from them. Verification must be obtained in written format from the training provider verifying number of remaining weeks in training, expected graduation/completion date, etc.

TRA Completion and Breaks in Training

While on TRA-C, workers are not eligible to receive TRA-C benefits during any breaks in training. This includes all fall/spring/winter breaks as well as any unscheduled breaks in training that causes the participant to not attend training. Case Managers are required to report all breaks in training to the TRA Unit at TAATRA@dwd.in.gov. Case managers must utilize the following subject line heading: Last Name, First Name Last 4 SSN TRAC Break in Training.

TRA Initialization/Discontinuation Form

The DWU and TRA Unit have developed new TRA Initialization/Discontinuation Forms. Effective immediately, there is now an initialization/discontinuation form for each benefit (TRA-B, TRA-A, and TRA-C), and the new forms must be utilized to initialize or discontinue any TRA claims. It is important to note that a claim cannot be initialized and discontinued on the same form. Case Managers are required to submit separate forms for each benefit initialization and discontinuation. The new TRA forms along with a step-by-step form guide can be located on the Field Operations Resource Portal at: <https://webapps.dwd.in.gov/fieldOps/default-flow.htm?execution=e9s1>; under Programs/Trade Adjustment Assistance (TAA)/TRA.

TRA Benefit Initialization Submission Requirements

All initialization requests must be sent directly to the TAA TRA unit at TAATRA@dwd.in.gov for formal determination 7-10 days prior to the current claim exhaustion. Case managers should attach the appropriate initialization paperwork and utilize the following subject line heading: Last Name, First Name Last 4 SSN.

When requesting TRA-B Initialization, the following documents must be sent to the TRA Unit:

- TRA-B Initialization Form
- 855 Documentation
- Waiver (if not enrolled in TAA-approved training)

When requesting TRA-A or TRA-C Initialization, only the respective TRA Initialization form is required.

TRA Benefit Discontinuation Submission Requirements

All discontinuation requests must be sent directly to the TRA unit at TAATRA@dwd.in.gov for formal determination 7-10 days prior to the training plan end date to allow the TRA unit to establish TJ issues to cease TRA benefits. A TRA discontinuation form must be sent on all individuals who are receiving or have received TRA benefits regardless of claim balance. If the participant completed training while still on TRA-B, a discontinuation form is required at the end of training, however, the case manager must indicate that the participant successfully completed training in the Discontinuation comment box. Case managers should attach the appropriate discontinuation paperwork and utilize the following subject line heading: Last Name, First Name Last 4 SSN Discontinuation.

Approved Training Waivers

Approved Training Waivers are waivers placed on an individual's UI/TRA claim that waives the work search requirement while a participant is participating in full-time TAA-approved training. Individuals are eligible to be waived from the work search requirement once they have met the enrollment in training deadline as described below:

- Training plan has been submitted and approved by the DWU,
- Participant has been accepted at the training provider in the approved program, and
- Participant is within 30 days of beginning TAA-approved training.

Case managers must send a request via email to the TRA Unit at TAATRA@dwd.in.gov with the following subject line: Last Name, First Name, and Last 4 of SSN Training Waiver Request. The email should also have the 855 documentation attached.

Scheduled Interview Date (SID)/Student Check-In's

Scheduled Interview Dates (SID) are required for all individuals who are receiving TRA income support. SIDs must be conducted every 28 days to maintain eligibility for the participant's TRA income support. Each completed SID must be reported to the TRA unit via email at TAATRA@dwd.in.gov with the subject line: Last Name, First Name Last 4 of SSN SID.

SIDs should align as best as possible to the monthly Student check-in requirement for those participating in full-time TAA-approved training. Items that must be discussed/reviewed with participants at each student check-in/SID are as follows:

If in TAA-approved training

- Student progress in each class
- Full-time status

- Review participant's schedule(s) to ensure that the participant is enrolled and participating at a full-time status
- Student attendance in each class
- Grades/transcripts

If on a TAA Waiver of Training

- Progress towards the development of a TAA training plan -OR- conditions for waiver still exist
- Documented job search efforts to maintain EB work search requirements

When a TRA claim is first initialized, the case manager must notify the TRA unit via email that a SID has been completed. The TRA unit will then establish the SID on the participant's corresponding TRA claim. It is the case manager's responsibility to notify the TRA unit of completed SIDs, Failure to do so or failure on the participant's completion of an SID check-in may result in a hold being placed on the participant's TRA claim.

SID/Check-In ICC Documentation Requirements

All SIDs must be documented in ICC by entering the corresponding ICC TAA activity and detailed case notes. All TAA ICC activities can be located with definitions and reasons for use in the DWU 2017-01 Attachment B: TAA Electronic Document Storage Technical Guidance located on the Field Operations Resource Portal at: <https://webapps.dwd.in.gov/fieldOps/default-flow.htm?execution=e9s1>; under Programs/Trade Adjustment Assistance (TAA)/Technical Guidance. Case notes should discuss all items listed above under the Scheduled Interview Date (SID) section of this technical guidance.

Disqualifying Events

Case managers are required to report any potential disqualifying events to the TRA unit immediately upon discovery. Failure to report disqualifying events may lead to TRA overpayments. Disqualifying events include, but may not be limited to:

- Gained full-time employment
- Abandoned TAA-approved training
- Dropped to part-time status in TAA-approved training
- Not able and available for full-time work
- Missed classes due to illness/inclement weather
- Failing to maintain required check-in's

To report a potential disqualifying event, case managers must send an email to the TRA Unit at TAATRA@dwd.in.gov with the subject line: Last Name, First Name, and Last 4 of SSN Disqualifying Event. Disqualifying events must also be reported to the DWU at TAATrainingPlans@dwd.in.gov as training plan benefits may also be at risk.

TRA and Part Time Employment

Individuals covered under the 2009, 2011, and 2015 law benefits are allowed to continue to receive TRA benefits while working part-time. Earnings from part time employment are not considered deductible income on TRA claims, however; participants are required to report all gross earnings on each weekly voucher. The following conditions must be met:

- Must be part time employment (once work becomes full-time, the participant is no longer eligible to receive TRA benefits –*See Disqualifying Events*)
- Must be participating in full-time TAA-approved training

Example: John Smith is attending full-time TAA-approved training and obtains a part time job at XYZ Company making \$8.00/hour, 20 hours/week. His TRA claim has a WBA of \$390.00/week. The gross earnings of \$160.00 would be reported on the weekly voucher and the participant would receive \$390.00 in TRA benefits and the \$160.00 earnings from his part time job would not be deducted.

Intervening Employment

Prior to a TAA certification, participants may obtain intervening employment. Once a participant is certified for TAA, participants may opt to use their TAA training benefit. However, in order to be eligible for TRA income support the participant cannot quit, be fired from, terminated, etc. prior to a TAA training plan being approved by the DWU. Any participant who is interested in utilizing their TAA training plan and receiving TRA income support may be able to quit unsuitable employment if that employment would interfere with their participation in the TAA-approved training program. It is very important to note that any participant who quits or is terminated from such employment prior to the TAA training plan being submitted and approved by the DWU will place any and all UI/TRA benefits at risk.

TRA Claim Issues

Any time there is an issue on a participant's UI claim that needs adjudicated (pension, separation issue, ale and available, etc.) the case manager must send an email to the TRA Unit at TAATRA@dwd.in.gov with the subject line: "Last Name, First Name, and Last 4 of SSN Issue Type". *Example: Smith, John 1234 Pension Issue.* UI staff are not to adjudicate any issues on TRA claims.