



INDIANA
WORKFORCE
DEVELOPMENT

FORMAL COMMUNICATION

TO: Regional Operators
Indianapolis Private Industry Council
Directors of Operations for Northern & Southern Indiana
All Local Office Managers
All WorkOne Staff

FROM: Amy L. Smith-Rubeck, MA, LMHC
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*Michael R. Young...
for*

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**Technical Assistance Bulletin
TAB 2007-06**

Trade Readjustment Allowance (TRA) Income Support

Content

Trade Readjustment Allowance (TRA) eligibility is aligned with Indiana's Unemployment Insurance (UI) legislation. TRA income support is administered by the Indiana Department of Workforce Development's (DWD) Unemployment Insurance division. The role of local staff providing Trade Adjustment Assistance (TAA) services is to ensure that TRA income support is made available to TAA participants as appropriate. This Technical Assistance Bulletin will provide guidance on TRA eligibility and how to ensure eligible workers receive TRA income support.

There are time limits set for the number of weeks that an affected worker can receive each level of TRA. It is the intent of the program to match the number of weeks of training with the number of weeks of income support through TRA. DWD expects early intervention (within 30 days of the dislocation) by State and local rapid response staff to occur, beginning with rapid response. Additionally, local staff providing TAA services need to ensure that affected workers in need of training be enrolled quickly in order to expedite their adjustment and reemployment. Early intervention will also ensure that the weeks of income support do not lapse before training is completed.

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Trade Readjustment Allowance

Eligibility for TRA Basic:

- Eligibility includes having exhausted all entitlement to unemployment insurance. Entitlement includes regular Unemployment Compensation (UC) and Extended Benefits (EB) and Temporary Extended Unemployment Compensation (TEUC).
- Eligibility also includes enrolling the affected worker in an approved training program or having an approved waiver by 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, which ever is later (commonly referred to as the 8/16 week deadline.) The certification of eligibility is in effect for two years.

Under certain extenuating circumstances, the 8/16 week deadline for enrollment may be extended for up to 45 days. Extenuating circumstances are situations that could arise when training programs are abruptly cancelled or where a worker suffers injury or illness that adversely affects the worker's ability to enroll in training.

In many cases, the 8/16 deadline for a worker will be reached while the worker is still receiving unemployment insurance. The worker may not be aware that the deadline is approaching. **The staff providing TAA services is responsible for informing workers of these requirements.** The staff must also assist such workers in enrolling in an approved training program prior to the 8/16 deadline, or issue the workers waiver prior to the 8/16 week deadline, if appropriate.

- If this deadline is missed, then the worker is not eligible for any TRA (basic TRA or additional TRA, including remedial training) under the relevant certification.
 - "Enrolled in Training" means that the worker's application for training has been approved by the **highest ranking local merit staff person in the WorkOne** and that the training institution has furnished written notice to the local TAA staff that the worker has been accepted into the approved program which is to begin within 30 days of such approval (20 CFR 617.11(a)(2)(vii)(D)). **The local staff providing TAA services must ensure the educational institution includes the starting date of classes in when completing and signing the financial worksheet.**
 - DWD encourages all training programs to be listed in Education & Training Choices, the State's eligible training provider list.
- Lastly, eligibility includes in the 52-week period (i.e., 52 consecutive calendar weeks) ending with the week of the individual's first qualifying separation, or any subsequent total qualifying separation under the same certification, the individual must have had at least 26 weeks of employment at wages of \$30/week or more in adversely affected employment with a single firm or subdivision of a firm. The 52-week period does not include employer-authorized leave such as vacation, sickness, injury, maternity, or inactive duty or active duty military service for training for not more than 7 weeks; or if

the worker is on a disability compensable under a workers' compensation law for not more than 26 weeks; or if the worker serves as a full-time representative of a labor organization in such firm or subdivision for not more than 7 weeks; or the affected worker is on call-up for the purpose of active duty in a reserve status in the U. S. Armed Forces (if such week began after August 1, 1990) for not more than 26 weeks, provided such active duty is "Federal service" as defined in this law.

- All affected workers receiving TRA benefits must comply with the EB work test requirement. (Please see TAB 2007-04, Change 1, dated December 7, 2007, for the EB work test requirements.
- Basic TRA payments are paid for a maximum 26-week period.

Eligibility for TRA Additional:

- Additional TRA, beyond basic TRA, may be paid to workers participating in approved training who meet all TRA eligibility requirements, including the 210-day deadline for training. This means, in order to be eligible for additional TRA, a worker must have filed a *bona fide* application for training with the local staff providing TAA services within 210 days of either the issuance of the certification covering the worker or the worker's most recent separation, whichever is later and be in training prior to the expiration or revocation of the training waiver. This 210-day deadline applies to additional TRA only.
- Note: The 210-day deadline may pass while an eligible worker is on a long-term waiver. If the worker does not file a *bona fide* application for training with the local staff providing TAA services during this 210-day period, then the worker is ineligible for additional TRA. **Therefore, the local staff providing TAA services is responsible for ensuring that workers are informed of this deadline.** Verification of the 210-day application for training deadline is met by local staff providing TAA services having the affected worker complete the Career Exploration packet and posting the service in TrackOne under the service, "TAA training plan development." (See the TrackOne TAA Training Manual for complete instructions.)
- The maximum time to receive additional TRA payments is 52 weeks.
- A worker may continue to receive TRA during a break in training that lasts up to 30 days.
- Training must start in no more than 7 days following exhaustion of TRA Basic in order for TRA Additional to be maintained.
- An affected worker should, in most cases, be in training before TRA Basic expires. An affected worker can not go into TRA Additional if they are not in training in less than 7 days following exhaustion of TRA Basic.

Eligibility for TRA Remedial:

- Remedial education is defined as training in the elementary skills that every worker must have in order to achieve basic re-employability. Remedial training should be considered pre-vocational; that is, it leads to occupational, on-the-job, or customized training that will equip the participant with specific job skills. Where ever practical, remedial training should be conducted concurrently with the early parts of occupational training. Examples of remedial education are basic writing, and mathematical skills training, English as a Second Language (ESL), and courses leading to a GED.
Note: Pre-requisite classes are not considered remedial education.
- Workers who undergo remedial education can receive up to a maximum of 26 additional weeks of income support. Remedial education will increase the 104-week training period to a maximum of a 130-week training period. The weeks of TRA for remedial education must follow the last week of entitlement to any other TRA otherwise payable.
- TAA service provider staff is to enter all TRA income support into TrackOne, as it is received. (See the TrackOne TAA Training Manual for complete instructions.)

Health Coverage Tax Credit (HCTC) Program

The 2002 amendments created the HCTC program which subsidizes private health insurance coverage for, among others, “the eligible TAA recipients.” An eligible TAA recipient is a worker who has met all TRA requirements, except that the EB work test does not apply to those workers who have not yet exhausted their regular state UI.

Questions regarding this TAB should be directed to Jennifer Long, State Dislocated Worker Coordinator, Indiana Department of Workforce Development, 10 N. Senate Avenue, Indianapolis, IN 46204 at telephone number 317/232-7186 or by email at jlong@dwd.in.gov.

WIA TAB Number	Subject Matter
2007-06	TRA Income Support
2007-04 Change 1	TAA Training Waivers, the Extension Process and Waiver Reviews
2007-05	WOTC Revised Forms
2007-04	TAA Training Waivers, the Extension Process and Waiver Reviews
2007-03	UI Eligibility Determination Communications
2007-02	Expansion of Technical Assistance through TABs
2007-01	Revision to Employment Eligibility Verification Form I-9
2006-08	Military Service Members/Spouses as WIA Dislocated Workers
2006-07	Guidance from the U. S. Department of Labor
2006-06	Out-of-School Youth Definition
2006-05	WorkKeys Certificates under the Youth Common Measures
2006-04	Repeating classes or tests funded by the Workforce Investment Act
2006-03	Discontinuation of the Certificates of Technical Achievement Program
2006-02	Trade Adjustment Assistance - Qualifying Separation Date for Worker's Compensation
2006-01 Change 1	Clarification on DWD Communication 2005-26 (rescinded 8-22-07)
2006-01	Clarification on DWD Communication 2005-26 (rescinded 8-22-07)
2005-008	Youth as Displaced Homemakers
2005-007	Documentation Requirements – Katrina Victims
2005-006	Modifying Indiana's Eligible Training Provider List
2005-005	Special Endorsement for Indiana School Bus Drivers
2005-004	General Studies Degrees
2005-003	High School Diplomas for Individuals with Disabilities
2005-002	Incumbent Worker Councils
2005-001	Incentive Payments to WIA Participants
2004-001	WorkKeys Certificates
2003-007	Basic Skills Deficiency
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2003-005	Driver's License as a Credential
2003-004	"Temporary" Employee Eligibility for WIA Services
2003-003	Service Tiers & Partner Services
2003-002	Intensive and Training Services
2003-001	WIA Citizenship and Registration for Selective Services
2003-000	Workforce Investment Act Technical Bulletins