



Montana Department of LABOR & INDUSTRY

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3 Category: Programs
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6 Policy No.: 08-18

7 Trade Adjustment Assistance (TAA) 2009 Amendment Policy

8 **Background:** The purpose of Trade Act legislation is to assist workers, impacted by foreign competition, to
9 return to suitable work as quickly as possible. The Trade Adjustment Assistance (TAA) Program offers a variety
10 of benefits and services to support workers in their search for reemployment. Workers may be eligible for
11 training, a job search allowance, a relocation allowance, and other reemployment services. Workers may be
12 eligible for other benefits; for example, the Trade Readjustment Allowance (TRA) or Reemployment Trade
13 Adjustment Assistance (RTAA).

14

15 **Scope:** This policy applies to all service providers operating TAA, TAA program managers, TAA fiscal officers
16 and the TAA monitoring team. This policy is effective July 1, 2020.

17

18 Policy:

19 A. Outreach and Petition Process:

20 To obtain TAA benefits and reemployment services, a petition must be filed with and certified by U.S.
21 Department of Labor (USDOL). Please refer to doleta.gov/tradeact for a variety of information and resources.

22 B. TAA Case Management

23 Case management starts when an impacted worker initially seeks services. If a worker living in Montana is
24 covered by a petition certified in another state and has an unemployment insurance (UI) claim in that state,
25 they must contact that state's UI/TRA program and follow that process. If a worker is/was employed by a
26 Montana Trade-certified company and filed a Montana UI claim at the time of layoff, they must apply through
27 Montana despite living in another state. Please refer to Liable State/Agent State for more details. Case
28 management activities and services must be recorded in the MIS and may include:

29 1. TAA Program Eligibility

- 30 a) After a Trade petition has been certified, impacted workers may submit a TAA application (ETA-855) to
31 determine if they meet individual eligibility requirements. This document is used for Montana petitions.
32 b) The application (ETA-855) is completed jointly by the impacted workers and TAA case managers. All
33 questions must be answered carefully and completely. The signed application is submitted to the TRA Unit
34 Coordinator at the Montana Department of Labor & Industry's (MDLI) Unemployment Insurance Division for
35 determination.
36 c) The TRA Coordinator will review the employer-provided list of impacted workers and declare the worker TAA-
37 eligible or ineligible based on whether his/her name appears on the list.

- 38 d) Upon determination, a worker is issued a Determination of Entitlement TAA (ETA 857).
39 e) Affected workers on the Incumbent Worker list may begin TAA classroom training prior to separation.
40 Participants may not receive subsistence during this time. In addition, they cannot be approved for OJT or
41 Customized Training.

42 43 2. Comprehensive Assessment

- 44 a) A complete assessment is an independent, comprehensive evaluation of an individual designed to identify
45 information vital to the development of a service strategy and to set goals and objectives which culminate in
46 gainful employment.
47 b) The assessment is a holistic, ongoing process and should not be viewed as a one-time event. It includes a
48 full array of options from which program staff and the participant make informed decisions and select the
49 appropriate services that enable the participant to seek and retain long-term, self-sufficient employment.

50 51 3. Individual Employment Plan (IEP):

52 An IEP is required and is developed in partnership with the participant to support a realistic employment goal.
53 The development of the IEP and updates or revisions will be based upon the results of the comprehensive
54 assessment process. The following should be included:

- 55 a) Benchmarks should be established at the beginning of the training and recorded as tasks in the MWorks
56 Employment Plan. Mid-term grades and quarter/semester final grades obtained from the training provider or
57 through the student's portal may be used to document benchmarks. In instances where mid-term or final
58 grades are not available, the case manager must obtain a completed and signed Training Benchmarks Progress
59 Review form. Benchmarks must be monitored and documented at regular intervals, of no more than 60
60 calendar days. The original forms are to be retained in the participant's file.
61 b) If a participant fails a benchmark, a written First Warning TAA Failed Benchmark is issued. If they fail a
62 second benchmark, a Second Warning TAA Failed Benchmark is issued. When the Second Warning is issued,
63 the participant may choose to:
- 64 (1) Remain in their initial curriculum and continue with their training; or
 - 65 (2) Modify their training plan. A modified plan includes new benchmarks. Modifying the plan provides
66 the participant another opportunity to succeed in training and be eligible to receive completion TRA.
- 67 c) TAA funds may not be used to pay for class retakes.
68 d) If a participant fails a benchmark in their modified plan, a written First Warning TAA Failed Benchmark is
69 issued.

70 If the participant fails a second benchmark, they will not be eligible to receive Completion TRA. Despite
71 ineligibility for Completion TRA, the participant may continue in their TAA training provided they will be able to
72 successfully complete it without exceeding their maximum number of TAA training weeks allowed. Reviews of
73 their progress toward successful completion will continue to be conducted at no more than 60 calendar-day
74 intervals.

75 76 4. Information on Training

77 Information on individual counseling to determine which training is suitable training and information on how to
78 apply for such training is available in local and regional areas. The individual must be notified in writing of the
79 training determination, the reasoning behind the determination, and the right to reconsideration or appeal.
80 State TAA Coordinator approval is required for training plans that cost \$25,000 or more.

81 82 5. Information on How to Apply for Financial Aid

83 Referring workers to educational opportunity centers and notifying them that they may request that financial aid
84 administrators at institutions of higher education use their discretion under section 479A of the Higher
85 Education Act when determining the participant's need for federal financial assistance under Title IV. For
86 example, current year income data may be considered in place of the preceding year's income data.

87 88 6. Short-term Prevocational Services

89 Including development of learning skills, communication skills, interviewing skills, punctuality, personal care
90 skills, and professional conduct to prepare individuals for employment or training.

91
92

93 7. Individual Career Counseling

94 Including job search and placement counseling, during the period in which the individual is receiving a trade
95 adjustment allowance or training; and after receiving such training for purposes of job placement.

96

97 8. Provision of Employment Statistics Information

98 Including accurate information related to the local, regional, and national labor markets and:

- 99 (a) Job vacancy listings in local, regional, and national labor markets;
- 100 (b) Information on job skills necessary to obtain the jobs identified in the vacancy listings;
- 101 (c) Information about local, in-demand occupations and their related earnings potential; and
- 102 (d) Skill requirements for local occupations.

103

104 9. Referral to Supportive Services

105 Including services to assist with child care, transportation, and dependent care; housing assistance, and need-
106 related payments that are necessary to enable an individual to participate in training.

107

108 10. Co-enrollment in the Dislocated Worker Program and All Applicable Programs

109 Co-enrollment is a Montana Labor & Industry (MDLI) focus. Every TAA participant should receive a Rapid
110 Response service.

111

112 11. Social Security Number Requirements

113 Please reference the WIOA Social Security Number Policy for further details.

114

115 12. Selective Service Registration Requirements:

116 Please reference the WIOA Selective Service Registration Requirements Policy for further details.

117

118 C. Trade Adjustment Allowances (TRA)

119 In Montana, there are no petitions for adjustment assistance filed under the 2009 Amendment. If there were
120 petitions, participants would not be eligible for TRA benefits, because the enrollment deadline of 26 weeks from
121 separation or certification, whichever is later, has passed.

122

123 D. Reemployment Trade Adjustment Assistance (RTAA)

124 a) RTAA is a wage subsidy for workers 50 years of age or older. Under the 2009 Amendment, it does not require
125 a separate group certification. Participants receiving RTAA are entitled to receive reemployment and case
126 management services. RTAA payments supplement a portion of the wage difference between their new wage
127 and their old wage up to a maximum total of \$12,000.

128 b) To be eligible for RTAA a participant must be:

- 129 (1) At least fifty (50) years of age;
- 130 (2) Reemployed with no deadline and with wages not to exceed \$55,000
131 annually, excluding overtime and bonuses;
- 132 (3) Reemployed on a full-time basis or part-time in combination with approved training.

133

134 E. Reemployment Services

135

136 1. Delivery of Reemployment Services

- 137 a) While the worker is receiving UI payments and at the time the individual files an initial TRA claim, MDLI's
138 Unemployment Insurance Division (UID) and Workforce Services Division (WSD) will advise each participant to
139 apply for training with their local Job Service Montana office, the bureau responsible for reemployment services.
140 b) If the participant has not attained suitable employment following the trade-impacted dislocation or received
141 other TAA benefits that precluded training, TAA training is a "lifetime" benefit, allowing one (1) training per
142 certification.

143

144 2. Reemployment services and allowances:

145 The following services and allowances will be included, as appropriate:

- 146 a) Employment registration
147 b) Employment counseling
148 c) Vocational testing
149 d) Job development
150 e) Supportive services
151 f) OJT
152 g) Classroom training
153 h) Self-directed job search; carefully structured to assist individuals in developing skills for finding a job.
154 i) Job search allowances
155 j) Relocation allowances

156 For additional information about reemployment services and allowances please refer to 20 CFR 617.21.

157

158 3. Approval of training:

159 Training will be approved under the following conditions:

- 160 a) There is no suitable employment (which may include technical and professional employment) available to
161 the worker.
162 b) The worker will benefit from the training.
163 c) There is a reasonable expectation of employment following completion of the training.
164 d) Approved training is reasonably accessible to the worker within the worker's commuting area.
165 e) The worker is qualified to undertake and complete training within 130 weeks of the training's start date.
166 f) Training is suitable for the worker and available at a reasonable cost.
167 g) No individual will be approved for training that is conducted totally or partially outside the United
168 States.
169 h) No individual will be approved for training that leads to self-employment.
170 i) Documentation is in place prior to approving anyone for TAA training:
171 (1) The participant completes a training proposal with appropriate assistance from TAA staff.
172 (2) The case manager documents that the proposed training meets the six TAA required training
173 criteria.
174 (3) A minimum of two (2) training providers must be documented to compare and safeguard training
175 cost and value.
176 (4) If the cost of training exceeds \$25,000, please seek approval from the TAA Coordinator.
177 j) TAA-approved training may be full-time or part-time.
178 k) If a training proposal risks formal denial, the case manager should assist the participant to reconsider the
179 required criteria and modify their proposal. If a training request is formally denied, please refer to
180 Administration – Denials and Appeals.
181 l) In some situations, an approved training plan can be changed or revised. The participant may request a
182 change in their approved training plan and the case manager will send a request for approval to the State TAA
183 Coordinator.

184

185 4. Selection of training methods and programs

186 If suitable employment is unavailable to an individual or group of individuals, MDLI will explore, identify,
187 develop, and secure training opportunities and establish partnerships with other public and private agencies to

188 return workers to employment as soon as possible. The following training methods and programs will be
189 considered:
190 a) Firm-specific retraining to meet the firm's current staffing needs;
191 b) OJT or training in a public, area vocational school;
192 c) Apprenticeship;
193 d) Standards related to selection of occupations and training is documented and supported by identifiable
194 demand in the local labor market or consultation with local employers, labor organizations, the State Workforce
195 Innovation Board (SWIB), or other workforce development partners.
196 e) Certain occupations will be excluded if a lack of employment opportunities exists as substantiated by job
197 orders or other labor market data; or provides no reasonable expectation of permanent employment.
198

199 5. Tools and Equipment for Training

200 a) The case manager must approve the purchase of tools, including internet service, if they are required for the
201 training and the cost is obligated in advance as part of the training contract.
202 b) The purchase of a personal computer may be approved as a required tool if it is part of the class
203 syllabus. Case managers must request approval from their supervisor prior to a computer purchase. Case
204 managers will submit a completed Computer Purchase Request Questionnaire (WIOA.52).
205 c) Students must submit two estimates for required tools/equipment to their case manager. Payments will be
206 made to the vendor. Estimates and receipts must be retained in the participant file.
207 d) TAA funds will not be used to replace lost or stolen tools.
208

209 6. Liable State/Agent State

210 Montana collaborates with other states in assisting eligible participants with access to TAA reemployment
211 services and benefits. This includes eligible Montana residents seeking services in other states or participants
212 from other states seeking services here. Depending on the specific situation, Montana is considered the liable
213 state or agent state.

214 a) Liable State

215 (1) For TAA-certified participants laid off from a firm operating in Montana, Montana is responsible for
216 the administration of all claims for program benefits and providing reemployment services and
217 making related determinations and decisions on appeals, waivers, subsistence, and transportation
218 payments.
219 (2) Case managers may make the provision of job search allowances and relocation allowances
220 discretionary benefits rather than entitlements. Montana opted to continue providing these
221 benefits. Individuals who are agent state participants must apply for the benefits with the liable
222 state.

223 If the liable state does not offer these benefits, they will deny the request. Montana's TAA program
224 cannot cover these costs if the liable state denies the benefit.

225 (3) When participants are certified in another state and seek TAA services in Montana, the other state
226 is
227 the liable state.
228

229 b) Agent State

230 (1) This state cooperates with the liable state to deliver TAA program benefits. The agent state's
231 responsibilities include assisting participants with applications and claims; providing reemployment
232 services; providing the liable state with the information necessary to issue determinations,
233 decisions on appeals; and procuring and paying the cost of approved training and
234 related subsistence and transportation costs, according to determinations made by the liable
235 state.

236 (2) Montana is the agent state when assisting a participant certified for the Trade Act in another state
237 and

238 the participant is seeking services in Montana. The other state is the liable state and is responsible
239 for
240 the appropriate final decisions. Montana, the agent state, is responsible for direct contact with the
241 participant and specific payments for approved training and subsistence and transportation costs.
242 (3) TRA is managed by the state in which the participant received the layoff. When the affected
243 participant
244 relocates to another state, TRA is managed by the original state. For example, a participant who
245 attends TAA training may be case-managed for TRA by one state and case-managed for TAA
246 by another state.

247 7. Subsistence/Transportation Payments

248 a) Case Manager responsibilities:

- 249 (1) The case manager may approve a transportation allowance for a participant when the training
250 facility is
251 located outside the participant's normal commuting area.
252 (2) The case manager may not approve a subsistence allowance for a participant who is receiving a
253 transportation allowance to attend training outside their normal commuting area. The participant
254 must
255 not be receiving living assistance from any other funding source or partner-funded program.
256 (3) The case manager may provide subsistence or transportation payments for a maximum of
257 two weeks at a time. Before the participant receives payments, the case manager must approve
258 and
259 obligate transportation or subsistence allowances.
260 (4) The participant will only receive transportation or subsistence allowances for days on which he/she
261 attends training as documented on attendance reports.
- 262 b) Transportation payments may not exceed the lesser of:
- 263 (1) The actual cost for travel by the least expensive means of transportation reasonably available
264 between the participant's home and the training facility; or
265 (2) The cost per mile at the prevailing federal mileage rate.
- 266 c) Subsistence payments may not exceed the lesser of:
- 267 (1) The actual daily cost for temporary lodging and meals in the area of training; or
268 (2) Fifty (50) percent of the prevailing federal rate for lodging and meals for the area.

269

270 8. On-The-Job Training (OJT)

- 271 a) Reimbursement of training costs under an OJT contract of up to 50 percent; with a maximum amount of 130
272 weeks of reimbursement to the employer.
- 273 b) TAA funds may only be used to reimburse the employer for the costs associated with training the
274 participant; and not for benefits, overtime hours, or hours beyond 40 hours per week. In addition, TAA funds
275 cannot be used to pay wages directly to the participant.
- 276 c) If an apprentice is not required to pay for training, TAA funds cannot be used to pay for related classroom
277 instruction.

278

279 9. Apprenticeships

- 280 a) To the extent possible under the TAA program guidelines, case managers should promote apprenticeship
281 programs that provide the skills necessary for the individual to obtain employment in an occupation. Before
282 approving apprenticeship training, case managers must ensure the following conditions are met:
- 283 b) Because an apprenticeship offers the individual employment and a combination of
284 on-the-job learning and related instruction, attendance in the apprenticeship training is
285 considered full-time.

286

287 10. Customized Training

- 288 a) Customized Training means training that is:

- 289 (1) Designed to meet the special requirements of an employer or group of employers;
290 (2) Conducted with a commitment by the employer or group of employers to employ an individual upon
291 successful completion of the training; and
292 (3) Funded significantly by the employer (50 percent or greater).

293 b) Businesses may be reimbursed by the TAA program for up to 50 percent of the costs incurred by the
294 providing the training; including staff/instructor time or training materials.

295 c) Customized skills training can be provided after a TAA participant is hired or if a business makes a
296 commitment to hire the participant upon successful completion of the training.

297

298 F. Allowances:

299

300 1. Job Search

301 a) Certified workers who apply for TAA services may be eligible for Job Search Allowances. Job Search
302 Allowances can cover expenses incurred by participants while seeking employment outside their normal
303 commuting area.

304 b) Participants may receive reimbursement for one hundred (100) percent of the necessary out-of-area job
305 search not to cumulatively exceed \$1,500.

306 c) These funds are to assist participants in securing work within the United States when the case manager
307 determines that no suitable work is available in the commuting area in which the worker resides.

308 d) The participant must file a job search allowance application no later than one year (365 days) after the date
309 of their last total separation from adversely affected employment or from the date of their certification,
310 whichever is later; or

311 e) A participant enrolled in TAA-approved training must file the application not later than six (6) months, 182
312 days after completion.

313 f) A participant must request approval in writing prior to conducting the out-of-area job search. They must have
314 a scheduled and confirmed employment interview in order for the case manager to approve the request.

315 g) The case manager will not reimburse out-of-area job search expenses without receipts as evidence of actual
316 costs.

317 h) The participant must complete the out-of-area job search within thirty (30) days from the day when the job
318 search began.

319

320 2. Transportation for Job Search

321 a) The amount allowable for transportation will not exceed the lesser of:

322 (1) Ninety (90) percent of the actual cost of a round trip by the most economical public transportation
323 the participant can reasonably take from the place of residence to the area of job search; or

324 (2) Ninety (90) percent of the cost per mile at the prevailing federal mileage rate for round-trip travel by
325 the usual route from the place of residence to the area of job search.

326

327 3. Lodging and Meals for Job Search

328 a) The amount allowable for lodging and meals will not exceed the lesser of:

329 (1) The actual cost to the participant for lodging and meals while engaged in the job search; or

330 (2) Fifty (50) percent of the prevailing federal rate for lodging and meal for the locality where the job
331 search is being conducted.

332

333 4. Advanced Payments for Job Search

334 a) A case manager may advance an individual up to fifty (50) percent of the amount estimated that the
335 participant will need for their approved job search.

336 b) The advance can be made within 5 days prior to the start of the job search.

337 c) Such advances will be deducted from remaining payments that comply with this policy.

338

339 5. Participant Evidence of Job Search

- 340 a) Upon completion of a job search, the participant will certify the following details on the Job Search Allowance
341 Request form:
- 342 (1) Employer contacts made;
 - 343 (2) Daily lodging and meals expenditures.
- 344 b) Receipts are required for all lodging and paid transportation expenses incurred during the job search. An
345 adjustment will be made if the amount of an advance is less or more than the amount to which the individual is
346 entitled.

347

348 6. Relocation

- 349 a) Certified participants may be eligible for relocation allowances. If a participant obtains employment outside
350 their normal commuting area and provides documented proof, relocation allowances provide reimbursement for
351 moving expenses.
- 352 b) A totally separated, adversely affected worker covered under a certification may receive a relocation
353 allowance when:
- 354 (1) It is determined that there is no reasonable expectancy that the participant can obtain suitable work
355 within their commuting area; or
 - 356 (2) The participant obtains permanent, full-time suitable work or a bona fide offer of suitable work in
357 the
358 area of intended relocation.
- 359 c) Participants may receive a relocation allowance for one hundred (100) percent of the reasonable and
360 necessary expenses incurred in transporting the participant and their family and household effects to the area
361 of relocation.
- 362 d) The participant may also be eligible for a lump sum equal to three times the participant's average weekly
363 wage; not to exceed a total of \$1,500.
- 364 e) The participant must request relocation allowances in writing and in advance of relocation.
- 365 f) The participant must file an application for the relocation allowance within 425 days after the date of
366 certification under which the participant is covered or the date of the participant's last total separation from
367 adversely affected employment, whichever is later; or
- 368 g) The participant enrolled in approved training must file an application no later than 182 days after completion
369 of such training.
- 370 h) Participants must submit receipts for reimbursement.
- 371 i) Participants will not use TAA funds to cover the costs of relocation paid by a prospective employer or other
372 programs.
- 373 j) The case manager will exclude the following items from coverage. The participant will assume costs for and
374 personally arrange for transportation of:
- 375 (1) Items of high intrinsic or sentimental value;
 - 376 (2) Jewelry, collector's items, etc.
 - 377 (3) Animals;
 - 378 (4) Boats or personal watercraft;
 - 379 (5) Airplanes;
 - 380 (6) Camping vehicles;
 - 381 (7) Farming vehicles;
 - 382 (8) Explosives or dangerous goods;
 - 383 (9) Outside fuel tanks or similar non-household articles;
 - 384 (10) Cord wood and building materials;
 - 385 (11) Perishable food subject to spoilage; and
 - 386 (12) Mobile/manufactured homes (unless primary residence of employee).
 - 387 (13) Snowmobiles, quads, golf carts, and other vehicles with two or three wheels may be shipped as
388 household goods; i.e. motorcycles, mopeds, segways, etc. The weight of these vehicles will count
389 against the 18,000-pound limit available for reimbursement. A participant must pay 100% of the
390 associated costs for the weight of household goods in excess of the 18,000-pound allowance.

- 391 k) If using a commercial carrier, two (2) competitive bids or other adequate justification for the cost of service is
392 required. Except for extenuating circumstances, a participant must accept reimbursement at a commercial
393 carrier's lowest bid.
- 394 l) Upon completion of relocation, the participant is required to submit receipts within 30 days.
- 395 m) Relocation must be completed within one (1) year. The one-year time limitation may be extended up to one
396 additional year for reasons beyond the participant's control and that are acceptable to the State TAA
397 Coordinator.

398

399 7. Transportation for Relocation

- 400 a) The amount allowable for transportation will not exceed the lesser of:
- 401 (1) Ninety (90) percent of the actual cost of the trip for the participant and any dependents by the most
402 economical public transportation they can reasonably take from the place of residence to the area
403 of relocation; or
- 404 (2) Ninety (90) percent of the cost per mile at the prevailing federal mileage rate for relocation of the
405 participant and any dependents by the usual route from the place of residence to the area of
406 relocation.
- 407 b) Up to two (2) privately-owned vehicles can be moved by the most direct route at ninety (90) percent of the
408 prevailing federal mileage rate, provided:
- 409 (1) The participant and/or dependents travel to the new location in such vehicle;
- 410 (2) The vehicle is driven rather than towed;
- 411 (3) Under this move, no other claim for participant and/or dependent transportation costs is made; and
- 412 (4) Other family members and/or household goods will be traveling in the authorized vehicle(s).

413

414 8. Lodging and Meals for Relocation

- 415 a) The amount allowable for lodging and meals will not exceed the lesser of:
- 416 (1) Ninety (90) percent of the actual expense for lodging and meals; or
- 417 (2) Ninety (90) percent of the allowable fifty (50) percent of the prevailing federal rate for lodging and
418 meals.
- 419 b) Payment will be limited to the number of days reasonably necessary to travel to the new location when
420 traveling by personal vehicle. If more than one (1) day of travel is necessary, 425 miles per day will be the
421 standard. When traveling by commercial air, one (1) day is normally allowed for travel. Lodging and meals
422 at the new location may be authorized for a reasonable period when circumstances warrant. Receipts must be
423 submitted by the participant, even when the federal rate for lodging and meals is used.

424

425 9. Moving for Relocation

- 426 a) The amount allowable for moving will not exceed ninety (90) percent of the cost of moving the household
427 goods of the participant and dependents; and ninety (90) percent of the reasonable cost of insurance for
428 moving
429 the household goods or moving a mobile home by commercial carrier or other means of transport to the new
430 location.
- 431 b) The total amount allowable for moving must not exceed the cost of moving a maximum of 18,000 pounds of
432 household goods between the place of residence and the new location by commercial carrier. The participant
433 will pay charges for weight in excess of 18,000.

434

435 10. Storage for Relocation

- 436 a) The case manager will allow storage costs for up to sixty (60) days at either the point of origin or destination,
437 but not both. The request for storage must be approved prior to the move; with the specific storage costs
438 identified.

439

440 11. Advance Payments for Relocation

- 441 a) The case manager may advance a participant up to fifty (50) percent of the estimated amount that he/she
442 will need for relocation.
443 b) The advance can be made within five (5) days prior to the start of relocation.
444

445 G. Administration

447 1. Denials and Appeals:

- 448 a) The service provider may issue a written determination denying a TAA activity with the concurrence of the
449 State TAA coordinator; i.e. Job Search Allowance, Relocation Allowance, Classroom Training, OJT, or Customized
450 Training). The service provider must submit the TAA Denial Notice Form.
- 451 (1) Prior to a determination to deny services, the service provider must make every effort to
452 work with the participant to modify their request and develop an acceptable training plan.
 - 453 (2) Prior to a determination to deny services, the service provider will contact the State TAA Coordinator
454 to discuss and review the denial before issuing a formal decision.
 - 455 (3) The service provider will submit the draft determination with the basis for the decision and
456 supporting details to the State TAA Coordinator.
 - 457 (4) If the State TAA Coordinator disagrees with the decision to deny services, the Coordinator will
458 request that the service provider submit additional documentation stating the reasons for the
459 denial: identifying the applicable law, federal regulations, state policy and/or directive.
 - 460 (5) If the State TAA Coordinator agrees with the decision to deny services, the Coordinator will notify
461 the service provider in writing to proceed with the denial.
 - 462 (6) Upon receipt of written concurrence from the State TAA Coordinator, the service provider will send
463 a formal written TAA Denial Notice to the participant, including information on the right to appeal.
 - 464 (7) The service provider will send a copy of the formal determination to the State TAA Coordinator.
- 465 b) A participant who receives a written determination to deny benefits and does not agree with the decision has
466 the right to appeal. The participant must file the appeal within ten (10) days after the date of notification.
467 c) A participant must file an appeal with the service provider's office. That office will contact the State TAA
468 Coordinator for guidance on processing the appeal.
469

470 2. Technical Assistance

- 471 a) Technical assistance and training may be recommended by the monitoring unit or requested by the service
472 provider. It may be the means of improving program operation, implementing corrective action, or providing
473 information. Please coordinate all requests for technical assistance and training with the State TAA Coordinator.
474 b) Requests for minor technical assistance may be made verbally or in writing. For assistance with more
475 complex issues that impact participant services significantly, please submit the request in writing, so MDLI staff
476 has enough information to support a successful outcome. Several service providers who request assistance in
477 related areas may be invited to a general training session.
478 c) The State TAA Coordinator may schedule technical assistance visits to service providers to offer information
479 or specific training, discuss areas of concern, evaluate program operation, or a combination thereof.
480

481 H. Program Performance

483 1. Program Participation and Exit Under Common Measures

484 Please see the Performance Reporting Requirements Policy.
485

486 2. Data Validation and Quality Control

487 Please see the Data Validation Policy and the Quality Control Policy.
488

489 I. Fiscal

490 Please see the following for additional details: Cost Principles, Allowable Costs and Unallowable Cost Policy and
491 Cash Management Policy. Requisition and signature forms required in the Cash Management Policy do not
492 apply to the TAA Program.

493

494 1. Expenditures and Reporting

495 a) Program costs include training, job search assistance, and relocation allowances.

496 b) All TAA funds must be expended in accordance with the provisions of this policy. Any expenditure of funds
497 which does not comply with these provisions will be deemed disallowed and subject to repayment by a non-
498 federal source.

499 c) Reimbursements made directly to a participant can only be made when presented with receipts.

500 d) Lost and Stolen Check Policy may provide helpful information.

501

502 2. Program Income

503 a) [2 CFR 200.307 Program Income Uniform Guidance](#)

504

505 3. Fiscal Records Retention

506 Additional details are available in the Records Retention Policy.

507

508 J. Management Information System

509 Adult and Dislocated Worker Assessments, IEP, Activities and Services, Case Management and Career Plan.

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511 Monitoring and Evaluation:

- 512 • A formal quarterly monitoring of the TAA program, including TRA; training services, RTAA, job search and
513 relocation; employment; and case management will be conducted by the entity designated by the SWIB.
514 TAA 2002 program-related regulations specify monitors must review a minimum of twenty files each
515 quarter and must include at least two certifications. Review of the same twenty files is acceptable if
516 only twenty participants are enrolled.

517

518 References:

- 519 • [Trade Act of 1974, as amended](#)
- 520 • [Trade Act of 2002; Public Law 107-210](#)
- 521 • [20 CFR 617 Trade Adjustment Assistance for Workers Under the Trade Act of 1974](#)
- 522 • [TEGL 22-08 - Operating Instructions for Implementing the Amendments to the Trade Act of 1974](#)
523 [enacted by the Trade and Globalization Adjustment Act of 2009](#)
- 524 • [TEGL 22-08 - Change 1 to the Operating Instruction for Implementing the Amendments to the Trade Act](#)
525 [of 1974 enacted by the Trade and Globalization Adjustment Act of 2009](#)

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