



Montana Department of LABOR & INDUSTRY

1
2 **Division: Workforce Services Division**
3 **Category: Programs**
4 **Original Effective Date: 04/30/2018**
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6 **Policy No.: 09-18**

7 Trade Adjustment Assistance (TAA) 2011 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. Clients
40 may not receive subsistence during this time. In addition, they cannot be approved for OJT or Customized
41 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 client make informed decisions and select the
49 appropriate services that enable the client to seek and retain long-term, self-sufficient employment.

50 3. Individual Employment Plan (IEP):

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

54 a) Benchmarks should be established at the beginning of the training and recorded as tasks in the MWorks
55 Employment Plan. Mid-term grades and quarter/semester final grades obtained from the training provider or
56 through the student's portal may be used to document benchmarks. In instances where mid-term or final
57 grades are not available, the case manager must obtain a completed and signed Training Benchmarks Progress
58 Review form. Benchmarks must be monitored and documented at regular intervals, of no more than 60
59 calendar days. The original forms are to be retained in the client's file.

60 b) If a client fails a benchmark, a written First Warning TAA Failed Benchmark is issued. If they fail a second
61 benchmark, a Second Warning TAA Failed Benchmark is issued. When the Second Warning is issued, the client
62 may choose to:

- 63 (1) Remain in their initial curriculum and continue with their training; or
64 (2) Modify their training plan. A modified plan includes new benchmarks. Modifying the plan provides
65 the client another opportunity to succeed in training and be eligible to receive completion TRA.

66 c) TAA funds may not be used to pay for class retakes.

67 d) If a client fails a benchmark in their modified plan, a written First Warning TAA Failed Benchmark is issued.
68 If the client fails a second benchmark, they will not be eligible to receive Completion TRA. Despite ineligibility
69 for Completion TRA, the client may continue in their TAA training provided they will be able to successfully
70 complete it without exceeding their maximum number of TAA training weeks allowed. Reviews of their progress
71 toward successful completion will continue to be conducted at no more than 60 calendar-day intervals.

72 73 4. Information on Training

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

78 79 5. Information on How to Apply for Financial Aid

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

84 85 6. Short-term Prevocational Services

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

88

89

90 7. Individual Career Counseling

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

93

94 8. Provision of Employment Statistics Information

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

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

100

101 9. Referral to Supportive Services

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

104

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

106 Co-enrollment is a Montana Labor & Industry (MDLI) focus. Every TAA client should receive a Rapid Response
107 service.

108

109 11. Social Security Number Requirements

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

111

112 12. Selective Service Registration Requirements:

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

114

115 C. Trade Adjustment Allowances (TRA)

116 In Montana, there are no petitions for adjustment assistance filed under the 2011 Amendment. If there were
117 petitions, participants would not be eligible for TRA benefits, because the enrollment deadline of 26 weeks from
118 separation or certification, whichever is later, has passed.

119 D. Reemployment Trade Adjustment Assistance (RTAA)

120 a) RTAA is a wage subsidy for workers 50 years of age or older. Under the 2011 Amendment, it does not require
121 a separate group certification. Clients receiving RTAA are entitled to receive reemployment and case
122 management services. RTAA payments supplement a portion of the wage difference between their new wage
123 and their old wage up to a maximum total of \$10,000.

124 b) To be eligible for RTAA a client must be:

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

129

130 E. Reemployment Services

131

132 1. Delivery of Reemployment Services

133 a) While the worker is receiving UI payments and at the time the individual files an initial TRA claim, MDLI's
134 Unemployment Insurance Division (UID) and Workforce Services Division (WSD) will advise each client to apply
135 for training with their local Job Service Montana office, the bureau responsible for reemployment services.

136 b) If the client has not attained suitable employment following the trade-impacted dislocation or received other
137 TAA benefits that precluded training, TAA training is a "lifetime" benefit, allowing one (1) training per
138 certification.

139

140 2. Reemployment services and allowances:

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

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

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

153

154 3. Approval of training:

155 Training will be approved under the following conditions:

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

180

181 4. Selection of training methods and programs

182 If suitable employment is unavailable to an individual or group of individuals, MDLI will explore, identify,

183 develop, and secure training opportunities and establish partnerships with other public and private agencies to

184 return workers to employment as soon as possible. The following training methods and programs will be

185 considered:

- 186 a) Firm-specific retraining to meet the firm's current staffing needs;
- 187 b) OJT or training in a public, area vocational school;
- 188 c) Apprenticeship;

- 189 d) Standards related to selection of occupations and training is documented and supported by identifiable
190 demand in the local labor market or consultation with local employers, labor organizations, the State Workforce
191 Innovation Board (SWIB), or other workforce development partners.
192 e) Certain occupations will be excluded if a lack of employment opportunities exists as substantiated by job
193 orders or other labor market data; or provides no reasonable expectation of permanent employment.
194

195 5. Tools and Equipment for Training

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

205 6. Liable State/Agent State

206 Montana collaborates with other states in assisting eligible clients with access to TAA reemployment services
207 and benefits. This includes eligible Montana residents seeking services in other states or clients from other
208 states seeking services here. Depending on the specific situation, Montana is considered the liable state or
209 agent state.

210 a) Liable State

- 211 (1) For TAA-certified clients laid off from a firm operating in Montana, Montana is responsible for
212 the administration of all claims for program benefits and providing reemployment services and
213 making related determinations and decisions on appeals, waivers, subsistence, and transportation
214 payments.
215 (2) Case managers may make the provision of job search allowances and relocation allowances
216 discretionary benefits rather than entitlements. Montana opted to continue providing these
217 benefits. Individuals who are agent state clients must apply for the benefits with the liable state.
218 If the liable state does not offer these benefits, they will deny the request. Montana's TAA program
219 cannot cover these costs if the liable state denies the benefit.
220 (3) When clients are certified in another state and seek TAA services in Montana, the other state is
221 the liable state.
222

223 b) Agent State

- 224 (1) This state cooperates with the liable state to deliver TAA program benefits. The agent state's
225 responsibilities include assisting clients with applications and claims; providing reemployment
226 services; providing the liable state with the information necessary to issue determinations,
227 decisions on appeals; and procuring and paying the cost of approved training and
228 related subsistence and transportation costs, according to determinations made by the liable
229 state.
230 (2) Montana is the agent state when assisting a client certified for the Trade Act in another state and
231 the client is seeking services in Montana. The other state is the liable state and is responsible for
232 the appropriate final decisions. Montana, the agent state, is responsible for direct contact with the
233 client and specific payments for approved training and subsistence and transportation costs.
234 (3) TRA is managed by the state in which the client received the layoff. When the affected client
235 relocates to another state, TRA is managed by the original state. For example, a client who
236 attends TAA training may be case-managed for TRA by one state and case-managed for TAA
237 by another state.
238
239

240 **7. Subsistence/Transportation Payments**

241 a) Case Manager responsibilities:

- 242 (1) The case manager may approve a transportation allowance for a client when the training facility is
- 243 located outside the client's normal commuting area.
- 244 (2) The case manager may not approve a subsistence allowance for a client who is receiving a
- 245 transportation allowance to attend training outside their normal commuting area. The client must
- 246 not be receiving living assistance from any other funding source or partner-funded program.
- 247 (3) The case manager may provide subsistence or transportation payments for a maximum of
- 248 two weeks at a time. Before the client receives payments, the case manager must approve and
- 249 obligate transportation or subsistence allowances.
- 250 (4) The client will only receive transportation or subsistence allowances for days on which he/she
- 251 attends training as documented on attendance reports.

252 b) Transportation payments may not exceed the lesser of:

- 253 (1) The actual cost for travel by the least expensive means of transportation reasonably available
- 254 between the client's home and the training facility; or
- 255 (2) The cost per mile at the prevailing federal mileage rate.

256 c) Subsistence payments may not exceed the lesser of:

- 257 (1) The actual daily cost for temporary lodging and meals in the area of training; or
- 258 (2) Fifty (50) percent of the prevailing federal rate for lodging and meals for the area.

259

260 **8. On-The-Job Training (OJT)**

261 a) Reimbursement of training costs under an OJT contract of up to 50 percent; with a maximum amount of 130

262 weeks of reimbursement to the employer.

263 b) TAA funds may only be used to reimburse the employer for the costs associated with training the

264 client; and not for benefits, overtime hours, or hours beyond 40 hours per week. In addition, TAA funds cannot

265 be used to pay wages directly to the client.

266 c) If an apprentice is not required to pay for training, TAA funds cannot be used to pay for related classroom

267 instruction.

268

269 **9. Apprenticeships**

270 a) To the extent possible under the TAA program guidelines, case managers should promote apprenticeship

271 programs that provide the skills necessary for the individual to obtain employment in an occupation. Before

272 approving apprenticeship training, case managers must ensure the following conditions are met:

273 b) Because an apprenticeship offers the individual employment and a combination of

274 on-the-job learning and related instruction, attendance in the apprenticeship training is

275 considered full-time.

276

277 **10. Customized Training**

278 a) Customized Training means training that is:

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

283 b) Businesses may be reimbursed by the TAA program for up to 50 percent of the costs incurred by the

284 providing the training; including staff/instructor time or training materials.

285 c) Customized skills training can be provided after a TAA client is hired or if a business makes a commitment to

286 hire the client upon successful completion of the training.

287

288 **F. Allowances:**

289

290 **1. Job Search**

- 291 a) Certified workers who apply for TAA services may be eligible for Job Search Allowances. Job Search
292 Allowances can cover expenses incurred by clients while seeking employment outside their normal commuting
293 area.
- 294 b) Clients may receive reimbursement for ninety (90) percent of the necessary out-of-area job search not to
295 cumulatively exceed \$1,250.
- 296 c) These funds are to assist clients in securing work within the United States when the case manager
297 determines that no suitable work is available in the commuting area in which the worker resides.
- 298 d) The client must file a job search allowance application no later than one year (365 days) after the date of
299 their last total separation from adversely affected employment or from the date of their certification, whichever
300 is later; or
- 301 e) A client enrolled in TAA-approved training must file the application not later than six (6) months, 182 days
302 after completion.
- 303 f) A client must request approval in writing prior to conducting the out-of-area job search. They must have a
304 scheduled and confirmed employment interview in order for the case manager to approve the request.
- 305 g) The case manager will not reimburse out-of-area job search expenses without receipts as evidence of actual
306 costs.
- 307 h) The client must complete the out-of-area job search within thirty (30) days from the day when the job search
308 began.

310 2. Transportation for Job Search

- 311 a) The amount allowable for transportation will not exceed the lesser of:
- 312 (1) Ninety (90) percent of the actual cost of a round trip by the most economical public transportation
313 the client can reasonably take from the place of residence to the area of job search; or
- 314 (2) Ninety (90) percent of the cost per mile at the prevailing federal mileage rate for round-trip travel by
315 the usual route from the place of residence to the area of job search.

317 3. Lodging and Meals for Job Search

- 318 a) The amount allowable for lodging and meals will not exceed the lesser of:
- 319 (1) The actual cost to the client for lodging and meals while engaged in the job search; or
- 320 (2) Fifty (50) percent of the prevailing federal rate for lodging and meal for the locality where the job
321 search is being conducted.

323 4. Advanced Payments for Job Search

- 324 a) A case manager may advance an individual up to fifty (50) percent of the amount estimated that the client
325 will need for their approved job search.
- 326 b) The advance can be made within 5 days prior to the start of the job search.
- 327 c) Such advances will be deducted from remaining payments that comply with this policy.

329 5. Client Evidence of Job Search

- 330 a) Upon completion of a job search, the client will certify the following details on the Job Search Allowance
331 Request form:
- 332 (1) Employer contacts made;
- 333 (2) Daily lodging and meals expenditures.
- 334 b) Receipts are required for all lodging and paid transportation expenses incurred during the job search. An
335 adjustment will be made if the amount of an advance is less or more than the amount to which the individual is
336 entitled.

338 6. Relocation

- 339 a) Certified clients may be eligible for relocation allowances. If a client obtains employment outside their
340 normal commuting area and provides documented proof, relocation allowances provide reimbursement for
341 moving expenses.

- 342 b) A totally separated, adversely affected worker covered under a certification may receive a relocation
343 allowance when:
- 344 (1) It is determined that there is no reasonable expectancy that the client can obtain suitable work
345 within their commuting area; or
 - 346 (2) The client obtains permanent, full-time suitable work or a bona fide offer of suitable work in the
347 area of intended relocation.
- 348 c) Clients may receive a relocation allowance for ninety (90) percent of the reasonable and necessary expenses
349 incurred in transporting the client and their family and household effects to the area of relocation.
- 350 d) The client may also be eligible for a lump sum equal to three times the client's average weekly wage; not to
351 exceed a total of \$1,250.
- 352 e) The client must request relocation allowances in writing and in advance of relocation.
- 353 f) The client must file an application for the relocation allowance within 425 days after the date of certification
354 under which the client is covered or the date of the client's last total separation from adversely affected
355 employment, whichever is later; or
- 356 g) The client enrolled in approved training must file an application no later than 182 days after completion of
357 such training.
- 358 h) Clients must submit receipts for reimbursement.
- 359 i) Clients will not use TAA funds to cover the costs of relocation paid by a prospective employer or other
360 programs.
- 361 j) The case manager will exclude the following items from coverage. The client will assume costs for and
362 personally arrange for transportation of:
- 363 (1) Items of high intrinsic or sentimental value;
 - 364 (2) Jewelry, collector's items, etc.
 - 365 (3) Animals;
 - 366 (4) Boats or personal watercraft;
 - 367 (5) Airplanes;
 - 368 (6) Camping vehicles;
 - 369 (7) Farming vehicles;
 - 370 (8) Explosives or dangerous goods;
 - 371 (9) Outside fuel tanks or similar non-household articles;
 - 372 (10) Cord wood and building materials;
 - 373 (11) Perishable food subject to spoilage; and
 - 374 (12) Mobile/manufactured homes (unless primary residence of employee).
 - 375 (13) Snowmobiles, quads, golf carts, and other vehicles with two or three wheels may be shipped as
376 household goods; i.e. motorcycles, mopeds, segways, etc. The weight of these vehicles will count
377 against the 18,000-pound limit available for reimbursement. A client must pay 100% of the
378 associated costs for the weight of household goods in excess of the 18,000-pound allowance.
- 379 k) If using a commercial carrier, two (2) competitive bids or other adequate justification for the cost of service is
380 required. Except for extenuating circumstances, a client must accept reimbursement at a commercial carrier's
381 lowest bid.
- 382 l) Upon completion of relocation, the client is required to submit receipts within 30 days.
- 383 m) Relocation must be completed within one (1) year. The one-year time limitation may be extended up to one
384 additional year for reasons beyond the client's control and that are acceptable to the State TAA Coordinator.
- 385

386 7. Transportation for Relocation

- 387 a) The amount allowable for transportation will not exceed the lesser of:
- 388 (1) Ninety (90) percent of the actual cost of the trip for the client and any dependents by the most
389 economical public transportation they can reasonably take from the place of residence to the area
390 of relocation; or
 - 391 (2) Ninety (90) percent of the cost per mile at the prevailing federal mileage rate for relocation of the
392 client and any dependents by the usual route from the place of residence to the area of relocation.

- 393 b) Up to two (2) privately-owned vehicles can be moved by the most direct route at ninety (90) percent of the
394 prevailing federal mileage rate, provided:
- 395 (1) The client and/or dependents travel to the new location in such vehicle;
 - 396 (2) The vehicle is driven rather than towed;
 - 397 (3) Under this move, no other claim for client and/or dependent transportation costs is made; and
 - 398 (4) Other family members and/or household goods will be traveling in the authorized vehicle(s).
- 399

400 8. Lodging and Meals for Relocation

- 401 a) The amount allowable for lodging and meals will not exceed the lesser of:
- 402 (1) Ninety (90) percent of the actual expense for lodging and meals; or
 - 403 (2) Ninety (90) percent of the allowable fifty (50) percent of the prevailing federal rate for lodging and
404 meals.
- 405 b) Payment will be limited to the number of days reasonably necessary to travel to the new location when
406 traveling by personal vehicle. If more than one (1) day of travel is necessary, 425 miles per day will be the
407 standard. When traveling by commercial air, one (1) day is normally allowed for travel. Lodging and meals
408 at the new location may be authorized for a reasonable period when circumstances warrant. Receipts must be
409 submitted by the client, even when the federal rate for lodging and meals is used.
- 410

411 9. Moving for Relocation

- 412 a) The amount allowable for moving will not exceed ninety (90) percent of the cost of moving the household
413 goods of the client and dependents; and ninety (90) percent of the reasonable cost of insurance for moving
414 the household goods or moving a mobile home by commercial carrier or other means of transport to the new
415 location.
- 416 b) The total amount allowable for moving must not exceed the cost of moving a maximum of 18,000 pounds of
417 household goods between the place of residence and the new location by commercial carrier. The client will
418 pay charges for weight in excess of 18,000.
- 419

420 10. Storage for Relocation

- 421 a) The case manager will allow storage costs for up to sixty (60) days at either the point of origin or destination,
422 but not both. The request for storage must be approved prior to the move; with the specific storage costs
423 identified.
- 424

425 11. Advance Payments for Relocation

- 426 a) The case manager may advance a client up to fifty (50) percent of the estimated amount that he/she will
427 need for relocation.
- 428 b) The advance can be made within five (5) days prior to the start of relocation.
- 429

430 G. Administration

431

432 1. Denials and Appeals:

- 433 a) The service provider may issue a written determination denying a TAA activity with the concurrence of the
434 State TAA coordinator; i.e. Job Search Allowance, Relocation Allowance, Classroom Training, OJT, or Customized
435 Training). The service provider must submit the TAA Denial Notice Form.
- 436 (1) Prior to a determination to deny services, the service provider must make every effort to
437 work with the client to modify their request and develop an acceptable training plan.
 - 438 (2) Prior to a determination to deny services, the service provider will contact the State TAA Coordinator
439 to discuss and review the denial before issuing a formal decision.
 - 440 (3) The service provider will submit the draft determination with the basis for the decision and
441 supporting details to the State TAA Coordinator.
 - 442 (4) If the State TAA Coordinator disagrees with the decision to deny services, the Coordinator will
443 request that the service provider submit additional documentation stating the reasons for the

- 444 denial: identifying the applicable law, federal regulations, state policy and/or directive.
445 (5) If the State TAA Coordinator agrees with the decision to deny services, the Coordinator will notify
446 the service provider in writing to proceed with the denial.
447 (6) Upon receipt of written concurrence from the State TAA Coordinator, the service provider will send
448 a formal written TAA Denial Notice to the client, including information on the right to appeal.
449 (7) The service provider will send a copy of the formal determination to the State TAA Coordinator.
450 b) A client who receives a written determination to deny benefits and does not agree with the decision has
451 the right to appeal. The client must file the appeal within ten (10) days after the date of notification.
452 c) A client must file an appeal with the service provider's office. That office will contact the State TAA
453 Coordinator for guidance on processing the appeal.
454

455 2. Technical Assistance

- 456 a) Technical assistance and training may be recommended by the monitoring unit or requested by the service
457 provider. It may be the means of improving program operation, implementing corrective action, or providing
458 information. Please coordinate all requests for technical assistance and training with the State TAA Coordinator.
459 b) Requests for minor technical assistance may be made verbally or in writing. For assistance with more
460 complex issues that impact client services significantly, please submit the request in writing, so MDLI staff
461 has enough information to support a successful outcome. Several service providers who request assistance in
462 related areas may be invited to a general training session.
463 c) The State TAA Coordinator may schedule technical assistance visits to service providers to offer information
464 or specific training, discuss areas of concern, evaluate program operation, or a combination thereof.
465

466 H. Program Performance

468 1. Program Participation and Exit Under Common Measures

469 Please see the Performance Reporting Requirements Policy.
470

471 2. Data Validation and Quality Control

472 Please see the Data Validation Policy and the Quality Control Policy.
473

474 I. Fiscal

475 Please see the following for additional details: Cost Principles, Allowable Costs and Unallowable Cost Policy and
476 Cash Management Policy. Requisition and signature forms required in the Cash Management Policy do not
477 apply to the TAA Program.
478

479 1. Expenditures and Reporting

- 480 a) Program costs include training, job search assistance, and relocation allowances.
481 b) All TAA funds must be expended in accordance with the provisions of this policy. Any expenditure of funds
482 which does not comply with these provisions will be deemed disallowed and subject to repayment by a non-
483 federal source.
484 c) Reimbursements made directly to a client can only be made when presented with receipts.
485 d) Lost and Stolen Check Policy may provide helpful information.
486

487 2. Program Income

- 488 a) [2 CFR 200.307 Program Income Uniform Guidance](#)
489

490 3. Fiscal Records Retention

491 Additional details are available in the Records Retention Policy.
492

493 J. Management Information System

494 Adult and Dislocated Worker Assessments, IEP, Activities and Services, Case Management and Career Plan.
495

496 Monitoring and Evaluation:

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

502

503 References:

- 504 • [Trade Act of 1974, as amended](#)
- 505 • [Trade Act of 2002; Public Law 107-210](#)
- 506 • [20 CFR 617 Trade Adjustment Assistance for Workers Under the Trade Act of 1974](#)
- 507 • [TEGL 10-11 Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted](#)
508 [by the Trade Adjustment Assistance Extension Act of 2011 \(TAAEA\)](#)

509