

TAA Benefit Rights and Obligations (BRO)

UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT OF 2002 PROGRAM

The Adjustment Assistance Act of 2002 Program is a federal program that provides reemployment services to workers who have been found to be adversely impacted by increased imports or by a shift of production of articles or the supply of services to a foreign country. The benefits you may receive under this program are:

TRADE READJUSTMENT ALLOWANCES (TRA):

Petitions 60,000 to 69,999 – 2002 Law Benefits	
<p>Unemployment Insurance (UI) Up to 26 weeks within a 52 week period</p> <p>Basic TRA Up to 26 weeks within a 104 week period</p> <p>Additional TRA Up to 52 weeks paid while attending approved Trade training</p>	<p>Additional TRA for Remedial Up to 26 weeks of TRA paid if you have attended Remedial and it is necessary to complete training.</p> <p>Remedial training should be considered pre-vocational; that is, it leads to occupational, on-the-job training or customized training that will equip you with specific job skills.</p> <p>Remedial is defined as basic reading, writing and mathematical skills training, English as a Second Language (ESL) and courses leading to a GED.</p>

Your weekly TRA benefit may be reduced by wages you earn from work or other types of income, such as retirement pensions. While in training you may qualify for the TRA earnings disregard. If you are in an approved training program attendance will be verified by your case manager. TRA weekly benefits are not paid for weeks that you do not attend all required classes or are on a break from training that exceeds 30 days. Once your Basic TRA is exhausted, you will not receive further TRA unless you are participating in an approved training program.

ELIGIBILITY FOR TRA CASH BENEFITS:

In order to be eligible for TRA cash benefits, you must:			
Be a member of a certified worker	Complete an application for	Exhaust your regular	Meet at least one of the following criteria by applying at your Local Workforce Innovation Area Office:

group either separated or threatened with separation. The separation must be due to lack of work. You must have been employed for 26 weeks in the previous 52 weeks in impacted employment at wages of \$30.00 or more per week. AND	Trade Readjustment Allowances (TRA) at the Illinois Department of Employment Security; AND	Unemployment Insurance Benefits and any Federal and/or State Extensions; AND	Be enrolled in an approved TAA training program by the end of the 16 th week after your most recent separation from Trade-impacted employment; OR	Be enrolled in an approved TAA training program by the end of the 8 th week after the TAA Petition has been certified; or under special circumstances; OR	Be waived from TAA training. However, you must be granted a waiver by the end of the 16 th week after your separation from Trade-impacted employment, or by the end of the 8 th week after the petition has been certified. Other extensions for extenuating circumstances may apply.
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ISSUANCE OF A WAIVER FROM TRAINING

Under certain circumstances, you may receive up to 26 weeks of Basic Trade Readjustment Allowances while being waived from the training requirements. A career planner will assess your individual situation. Criteria established by the Federal government for the approval of a waiver include:

A Waiver From Training Can Be Issued Based on One of These Criteria:		
You have written proof that you will be recalled within 6 months.	You have the skills necessary to obtain employment per a career assessment provided by the Local Workforce Innovation Area (LWIA) career planner.	You are near retirement, within two (2) years of qualifying for Social Security or a privately sponsored pension program (however, this only waives you from training, not from looking for work and accepting offered employment).
You are in poor health (however, this only waives you from training, not from looking for work and accepting offered employment).	Your first available enrollment date for training is within 60 days after the date of the waiver.	Training funds are not available under TAA or other Federal programs, or suitable training is not available at a reasonable cost.
Once you have been issued a Waiver, you <u>must</u> make contact with the career planner every 28 days to continue receiving UI/TRA benefits. Failure to make contact every 28 days could be reason to revoke your waiver from training resulting in loss of any future UI/TRA payments for this certification.		
Remember, up to 52 Weeks of Additional Trade Readjustment Allowances may be payable to you only if you are participating in approved TAA training (no waivers are allowed under Additional TRA)		

EMPLOYMENT AND CASE MANAGEMENT SERVICES

You may be offered the following Employment and Case Management Services:

Types of Case Management Services:	
Assessment	A comprehensive and specialized assessment of your skill level and service needs. This includes diagnostic testing and use of other assessment tools, in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
Individual Employment Plan	The development of an Individual Employment Plan to identify employment goals and objectives, and appropriate training to achieve those goals and objectives. A Waiver will not be issued unless the Individual Employment Plan includes a valid training plan.

Training Available	Information on training available in local and regional areas, information on individual counseling to determine which training is suitable training, and information on how to apply for such training.
Short-Term Prevocational Services	Short-term prevocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills and professional conduct to prepare you for employment or training.
Career Counseling	Individual career counseling , including job search and placement counseling, during the period in which you are receiving TRA or training and after receiving such training for purposes of job placement.
How to Apply for Financial Aid	Information on how to apply for financial aid , including the referral to educational opportunity centers described in Section 402F of the Higher Education Act of 1965. The notification that you may request financial aid administrators at institutions of higher education to use their discretion in determining the amount of your need for Federal financial assistance under title IV of 20 U.S.C. 1070 ex seq.
Employment Statistics	Provision of employment statistics information including the provision of accurate information relating to local, regional, and national labor market areas including job vacancy listings in such labor market areas; information on job skills necessary to obtain jobs identified in job vacancy listings in such labor markets; information relating to local occupations that are in demand and the earnings potential of such occupations and skills requirements for local occupations.
Availability of Supportive Services	Information relating to the availability of supportive services , including services relating to child care, travel assistance, dependent care, housing assistance, and needs-related payments that are necessary to enable you to participate in training.

JOB TRAINING ASSISTANCE

Prior to being approved for job training assistance, a career planner will assess your individual situation. The seven criteria established by the Federal government for the approval of a job training plan are as follows:

Criteria That Must Be Met for Approval of Training:		
<p>1) There is no suitable employment (which may include technical and professional employment) available for an adversely affected worker.</p> <p>Suitable employment, as it relates to job training assistance, is employment that pays at least 80% of the weekly wage and involves a skill level at least as great as that of the trade-impacted employment.</p>	<p>2) You would benefit from appropriate training. This means that there is a direct relationship between your need for skills training or remedial education and what would be provided by the training program under consideration for you, and that you have the mental and physical capabilities to undertake, make satisfactory progress in, and complete the training.</p> <p>This includes the further criterion that you will be job ready on completion of the training program.</p>	<p>3) There is a reasonable expectation of employment following successful completion of such training.</p> <p>This means that, for you, given the job market conditions expected to exist at the time of the completion of the training program, there is, fairly and objectively considered, a reasonable expectation that you will find a job, using the skills and education acquired while in training, after completion of the training.</p>
<p>4) Training approved is reasonably available to you from either governmental agencies or private sources.</p> <p>In determining whether or not training is reasonably available, first consideration shall be given to training opportunities available within the worker's normal commuting area.</p> <p>Training at facilities outside the</p>	<p>5) You are qualified to undertake and complete such training.</p> <p>Evaluation of the your personal qualifications must include the your physical and mental capabilities, educational background, work experience and financial resources, as adequate to undertake and complete the specific training program being considered.</p> <p>Evaluation of your financial ability shall</p>	<p>6) Such training is suitable for you and available at a reasonable cost.</p> <p>Available at a reasonable cost means that training may not be approved at one provider when, all costs being considered, training substantially similar in quality, content and results can be obtained from another provider at a lower total cost within a similar time frame.</p> <p>It also means that training may not be</p>

<p>worker's normal commuting area should be approved only if such training is not available in the area or the training to be provided outside the normal commuting area will involve less charges to TAA funds</p>	<p>include an analysis of your remaining weeks of UI/TRA payments in relation to the duration of the training program. If you're UI and TRA payments will be exhausted before the end of the training program, it shall be ascertained whether personal or family resources will be available to you to complete the training.</p> <p>When adequate financial resources will not be available to complete a training program which exceeds the duration of your UI and TRA payments, the training shall not be approved and consideration shall be given to other training opportunities available to you.</p>	<p>approved when the costs of the training are unreasonably high in comparison with the average costs of training other workers in similar occupations at other providers.</p> <p>This criterion also requires taking into consideration the funding of training costs from sources other than TAA funds, and the least cost to TAA funding of providing suitable training opportunities to the worker.</p>
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7) Training must result in an Industry Recognized Credential

Additional Training Requirement: Training Benchmarks

If you attend any training, every 60 days you must meet established benchmarks. Those benchmarks mandate that you remain in satisfactory academic standing and on track to complete training within the agreed upon timeframe.

Additional Training Requirement

Full Time Training	Training must be full-time as defined by the training institution. The training program cannot exceed 104 actual training weeks (up to 130 with remedial). Only one training per certification.
Training Attendance	All absences must be reported to the career planner prior to the start of the training class anticipated to be missed. Absences may result in the loss of a full week of benefits.
Cost of Training	The cost of your training includes tuition, fees, books, the usual and customary tools, equipment, supplies and uniforms required for the program of study. All fees, books, the usual and customary tools, equipment, supplies and uniforms must be listed in the syllabus as a requirement for all students in the training program. Request for tools and equipment, supplies and uniforms for electives will be evaluated on a case-by-case basis. If you're training commute is ten (10) or more miles one way, you may be eligible for Travel assistance to and from the training institution. Subsistence in lieu of Travel assistance may be available if the approved training is outside the commuting distance. Also, certain training related consumables are an allowable expense that reimbursement may be requested.
Training Documents You Must Provide	You must ensure the career planner has been provided all class schedules, grades, progress reports, attendance reports, billing information, program outcome documentation (diploma, certificate, industry recognized credentials), and any other training related documentation requested. These may be provided by either the training institution or by you. You or the School may not make <u>any changes</u> to your training without prior approval from your career planner.
Other Training Funds	Prior to the approval of any training program, you are required to enter into a written agreement with the State under which TAA funds will not be applied for or used to pay any portion of the costs of the training you have reason to believe will be paid by any other Governmental or Private source.
Recall to Trade Employment	If you are in training and receive a recall notice from your former employer, you have the right to refuse the recall and to complete the originally approved training program in which you are enrolled.
Warnings	If you do not successfully complete you're agreed upon training plan, you may be liable for repayment of any or all of the training costs.

	If you drop out of training completely or below the level considered full-time without justifiable cause, you may be liable for repayment of any or all TRA benefits and training costs.
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TAA OUT-OF-AREA JOB SEARCH ALLOWANCES:

If you have a job interview outside the commuting area of 10 miles, 90% of the cost of necessary job search expenses may be reimbursed, up to a maximum of \$1,250 per worker. The application for Job Search Allowances must be made in advance. Criteria established by the Federal government for which the approval of Job Search Allowances can be made include:	
You must be registered with the Local Workforce Innovation Area;	You must be completely separated from the adversely affected employment at the time the Job Search commences;
A determination by the LWIA that you have no reasonable expectation of securing suitable employment in the commuting area, and have a reasonable expectation of obtaining suitable employment of long-term duration outside the commuting area and in the area where the job interview will be conducted. The term “suitable employment” is defined in Unemployment Insurance Law;	
A timely filed Commerce/Trade Form #012 Application for Trade Out of Area Job Search Assistance. The time limitations for applying for job search allowances are 365 days (one year) after the petition certification date or your last total separation from work (whichever is later); or 182 days (6 months) after the completion of your training; unless you received a waiver;	
Completion of the job search within a reasonable period not to exceed 30 days after the day on which the job search began. A job search is deemed completed when you either secure employment or have contacted each employer to whom you were referred by the LWIA in connection with a job search; and;	Verification of employer contact. The LWIA will verify contact with the employer certified by you. Proof of a bona fide job interview (required from the employer conducting the interview);
Travel must be the least expensive method, for the shortest duration of time;	You may be paid up to 50% of the Federal Allowable rates for lodging, meals and travel expenses at the prevailing mileage rate.

TAA OUT-OF-AREA RELOCATION ALLOWANCES:

If you obtain a bona fide offer of work outside the commuting of 10 miles area and desire to move your possessions, you may file for a Relocation Allowance. 90% of your relocation costs may be reimbursed. You may also be eligible for a lump sum payment equivalent to three times your average weekly wage from the adversely affected employment up to a maximum payment of \$1,250. The application for Relocation Allowances must be made in advance. Criteria established by the Federal government for which the approval of a relocation allowances can be made include:	
A timely filed Commerce/Trade Form #013 Application for Trade Out-of-Area Relocation Allowances;	Total separation from adversely affected employment at the time relocation commences;
No prior receipt of a relocation allowance under the same certification;	Relocation within the United States and outside your present commuting area;
A determination by the LWIA that you have no reasonable expectation of securing suitable employment in the commuting area and has obtained suitable employment affording a reasonable expectation of employment of long term duration, or a bona fide offer of such suitable employment, outside the commuting area in the area of intended relocation;	
There are time limitations on the application for relocation allowed: 425 days (15 months) after the certification date of the petition; 425 days after your last total separation from employment, whichever is later, or 182 days (6 months) after you successfully complete your training. The relocation must occur within 182 days after filing the	You must be registered with the Local Workforce Innovation Area;

application for relocation assistance; unless you received a waiver;	
Applications for relocation allowance and a job search allowance may not be approved concurrently, but the prior payment of a job search allowance shall not otherwise preclude the payment of a relocation allowance.	

OBLIGATIONS

You understand that you must report all information accurately to the best of your knowledge and that you do so with no intent to commit fraud. Furthermore, you understand that falsifying information or using the funds other than for the intended purpose is felony theft, and is punishable under state law by up to 7 years in prison and fines of up to \$25,000. Violators may also face federal felony charges.

I HAVE DISCUSSED THE POINTS OF THIS BENEFITS RIGHTS AND OBLIGATIONS STATEMENT WITH THE CUSTOMER LISTED BELOW.

 Career Planner (Signature)

_____/_____/_____
 Date

I HAVE RECEIVED A BENEFITS RIGHTS AND OBLIGATIONS STATEMENT AND I UNDERSTAND ALL POINTS HEREIN LISTED. THE ADDRESS ON RECORD WILL BE USED TO NOTIFY ME OF IMPORTANT DETAILS CONCERNING MY BENEFITS AND SERVICES. **I UNDERSTAND IT IS MY RESPONSIBILITY TO INFORM MY CAREER PLANNER OF ANY ADDRESS CHANGES OR CHANGES IN CONTACT INFORMATION.**

 Customer (Print)

 Customer (Signature)

_____/_____/_____
 Date

 XXX-XX-
 Social Security Number

Appeal Rights
<p><i>If you disagree with this determination, you may complete and submit a request for reconsideration/appeal. A letter will suffice if you do not have an agency form. Your request must be filed with the Illinois Department of Employment Security ("IDES") within thirty (30) calendar days after the date at the top of this letter. If the last day for filing your request is a day that IDES is closed, the request may be filed on the next day that IDES is open. Please file the request by mail to: IDES P.O. Box 19509 Springfield, IL 62794 or fax to: 217-557-4913. Any request submitted by mail must bear a postmark date within the applicable time limit for filing.</i></p>