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# Illinois Merit Staffing Procedures

*Effective December 15, 2010*

December 9, 2010



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## Training Overview

- Purpose
  - Provide procedures and guidance on how Illinois will implement the TAA State Merit Staff requirement.
- Objectives
  - Understand the Transition Process
  - Review the Participant Training Cost Reporting
  - Explain the Merit Staff Approval Procedures



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## Why Merit Staffing

- To comply with the merit staffing provisions codified in the new regulation at 20 CFR 618.890 (b) by December 15, 2010

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## What the Provisions Say

- By December 15, 2010 states must have State Merit Staff performing TAA funded functions.
  - This regulation requires that states must engage state government personnel only to perform TAA-funded functions undertaken to carry out the state's responsibilities under the Trade Act, and must apply the standards for a merit system of personnel administration to these personnel.
- The merit staff requirement applies to staff performing all TAA-funded administration and employment and case management service activities beginning on December 15, 2010, regardless of when the funds used were appropriated.
- LWIAs may no longer receive TAA funds for administration and case management services.

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## Illinois Merit Staffing

- The day to day activities of working with a TAA customer remains the same.
- Case Managers will continue to perform the same functions as they currently do such as Rapid Response, Intake, Assessment, Testing, Enrollment, Coordinated Benefits, Issuing Waivers, Waiver Reviews, Enrollment in Training, Attendance, Job Search and Relocation, etc.
- However as of December 15, 2010 all Trade services and many of the Trade statuses will have to be approved by the state merit staff **PRIOR** to the start of the service.
- This requirement applies to all active and future 2002 and 2009 Trade customers/registrants.
- This new process will not affect the day to day activities of working with IDES.

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## Merit Staffing - *Changes*

- Modifications of Current Grants
- Clean up in IWDS of TAA Participants
- Co-enrollment of all active TAA Customers
- Different funding strategy and revised forms and policy

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## Merit Staffing - Changes

- Issuance of Notice on Merit Staffing Procedures
- New Co-Enrollment Policy
- New Affidavit Forms
- Revision of Many Trade Forms
- Hiring of New State Merit Staff
- Implementation of IWDS system changes
- Additional IWDS system changes are planned

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## Participant Clean Up

- Report showing TAA Customers
- Clean up in IWDS those customers:
  - On the wrong grant
  - On no grant
- Exit those who haven't received any service within 90 calendar days

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## Co-Enrollment

- By December 15, 2010 all customers that are TAA only must be co-enrolled
- Yes, this does include active customers
  - Waiver customers must be co-enrolled
  - Assess the suitability for co-enrollment
  - Handle anomalies on a case by case basis
- All customers entering the system December 15, 2010 and beyond must be co-enrolled

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## Merit Staffing - Procedures

- What must be approved by State Merit Staff?
  - IEP, Changes to IEP
  - Bona Fide Application for Training ("210" Form)
  - All Waiver Activities, Issuing a Waiver, Extensions, Criteria Changes, Revocations
  - All Training Activities, Change in Training Plans, Ceased Participations and Potential Suspensions, Denials
  - Out-of-Area Job Search, Reconciliation
  - Out-of-Area Relocation, Reconciliation
  - Denials of Service
  - All Agent/Liable Customer Transactions

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## Merit Staffing - Procedures

- What doesn't have to be approved by State Merit Staff?
  - Benefits Rights Obligation (BRO)
  - Trade Standard Application
  - Customer Assessment and Testing and Coordinated Benefits (except IEP)
  - Waiver Reviews
  - Training Attendance (unless absence reported)
  - ATAA/RTAA (already approved by IDES State Merit Staff)
  - WIA Services

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## Merit Staffing – Approval Basics

- Completion of all TAA Forms
- Waiver or Training Affidavit Completed (if necessary)
- Completion of all IWDS Data Entry
- Required Completed Forms Scanned and Attached to Email
- If Issues are Identified – Forward Email to Keep Email String Intact
- Email Sent to Both Susan Boggs and Janet Rosentreter

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## Merit Staffing – *Approval Basics*

- DCEO State Merit Staff Review of Submittal
- DCEO State Merit Staff Approval/Denial on IWDS in Service and/or Status Records
- DCEO State Merit Staff Physically Signs Waiver Form Only
- DCEO State Merit Staff Informs LWIA/Able Approval/Denial Complete
- LWIA/Able Prints State Merit Staff Email and Attaches Email, Affidavit to Required Form(s)

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## Merit Staffing – *Affidavit*

- Two New Affidavit Forms: Waiver and Training
  - Purpose of Affidavit
    - Eliminates Massive Paperwork Being Scanned and Emailed
  - What's on the Affidavit
    - Required Forms for Enrollment/Eligibility
    - Required Documentation for Enrollment/Eligibility
  - Affidavit Language Added to Certain Forms
    - Added to IEP, "210 Form", Job Search and Relocation Forms
    - Eliminates Additional Affidavit Forms

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## Merit Staffing – Affidavit

- **What's on the Waiver Affidavit Form?**

**Required Forms:** BRO, Standard Application, IEP; Waiver from Training Fact Sheet.

**Documentation:** Authorized to Work in US; Selective Service; Attachment to Worker Group; TRA Eligibility; Waiver Criteria; LMI for Layoff Job; 45 day; 60 day or State Good Cause.

- **What's on the Training Affidavit Form?**

**Required Forms:** BRO, Standard Application, IEP; Transportation Form; Enrollment in Training Form; ITA Projection Form; OJT Form (if applicable).

**Documentation:** Authorized to Work in US; Selective Service; Attachment to Worker Group; TRA Eligibility; Waiver Criteria; LMI for Layoff Job; 45 day, 60 day or State Good Cause (if meeting eligibility by training); Printout of Mapping for Transportation; Training Institution Documentation (Catalog, Full Time/Part Time, Required Pre-Requisites); Class Schedules (Online Classes Identified); LMI for Training Option; Required Tools/Equipment; Waiver Start and End dates; Total Cost of Training; Cost of TAA Transportation and Subsistence.

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## Merit Staffing – Approvals

- Services delivered to Trade customers **without the required pre-approval by DCEO State Merit Staff will result in disallowed costs** to the LWIA/Able that can not be paid back with federal funds.
- It could also result in eligibility issues for the customer and possible overpayment of Unemployment Insurance (UI)/Trade Readjustment Assistance (TRA).
- Signing and submitting the Affidavit Form without the required forms, documentation etc could result in charges of fraud against the LWIA/Able/Case Manager/ LWIA/Able Administrator.

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## Merit Staffing – Approvals

- **Trade Notification** – No Changes in Procedures
- **Trade Rapid Response** – No Changes in Procedures
- **2002 and 2009 BRO** - No approval needed by DCEO State Merit Staff. Procedures will remain the same.
- **Trade Readjustment Allowances (TRA)** – New Required IBIS Screen Printouts are:
  - Pseudo Monetary Determination Screen
  - TRA Claim Screen
- **Trade Standard Application** - No approval needed by DCEO State Merit Staff. Procedures will remain the same.

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## Merit Staffing – Approvals

- **Changes**
  - Required Co-Enrollment in WIA on all customers in either the 2002 or 2009 Trade Program
  - All 2002 and 2009 Services Recorded on IWDS WIA Application must be attached to 1E or 1D Grant
  - 2009 Required Services Recorded on IWDS Trade Application Showing “Funding From Another Source”.
  - Funding for WIA Coordinated Benefits will Continue Through DCEO 09-PL-51, CH 1 WIA Dislocated Worker Emergency (1E) Assistance Application Process and Subsequent Policy Issuances or Formula Funds for Co-Enrolled Customers.

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## Merit Staffing – Approvals

- 2002 Bona Fide Application for Training
  - Must be Approved by DCEO State Merit Staff
  - Bona Fide Application for Training a Required Form on Waiver and/or Training Affidavit
  - Revised Bona Fide Application for Training Form will Include Affidavit Language and Director Signature
  - Approval Comes with Approval for Waiver or Training (Enrolling Activity)
  - Approval Occurs in Pending IWDS Status Record
  - State Merit Staff Determination Email Must be Attached to Bona Fide Application for Training Form in Customer File

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## Merit Staffing – Approvals

- 2002 and 2009 Individual Employment Plan (IEP)
  - Must be Approved by DCEO State Merit Staff
  - IEP a Required Form on Waiver and/or Training Affidavit
  - Revised IEP Forms will Include Affidavit Language and Director Signature
  - Approval Comes with Approval for Waiver or Training (Enrolling Activity)
  - Approval Occurs in Pending IWDS Status Record (New Status)
  - Approval Email Must be Attached to IEP Form in Customer File
  - Revisions of IEP:
    - Update IEP Status Record Comment Box with Information on Change in IEP
    - Send Email to DCEO State Merit Staff – Subject Line of Email Must Say: Revised IEP Approval for “Customer Name” for LWIA “#”.

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## Merit Staffing – Approvals

- Trade Approved Training
  - All Trade Approved Training which Includes TAA Transportation and Subsistence must be Paid with Trade Funds per Secretary's Agreement Between the Governor of Illinois and the US Department of Labor
  - This also include Out-of-Area Job Search and Relocation Payments
  - Training must be Trade Approved for the Customer to Receive TRA Benefits

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## Merit Staffing – Approvals

- 2002 and 2009 Training Approval Process
  - Case Manager Completes All Required Training Forms and Activities, Gathers all Documentation etc.
  - Case Manager Completes Training Affidavit Form
  - Case Manager Enters All Relevant Information in IWDS
    - Must Enter an Enrolled in Training Status Record
    - Must Enter all Training Service Records which Includes Full Time/Part Time and Distance Learning Records
    - Must Enter 210 Status Record for 2002 Trade Training
    - Must Enter IEP or Update IEP
    - Must Enter TAA Transportation/Subsistence Record

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## Merit Staffing – Approvals

- 2002 and 2009 Training Approval Process *Continued*
  - Case Manager will Scan Completed Training Affidavit and Attach to Email to DCEO State Merit Staff
  - Subject Line of Email must say: “Type of Training” and IEP Approval for “Customer Name” from LWIA “#”. For 2002 Customers, If it is the Enrolling Activity, the Email Subject Line must Include “210” Approval Reference also.
  - Body of Email must Include Detailed Description of 6 Conditions of Training for All Training that will Exceed State Cap of \$20,000.
  - Approvals will be Made in Relevant Service/Status Records on IWDS
  - LWIA/Able will be Informed by Email of Approval
  - The Signed and Dated Affidavit Form and the Merit Staff Determination Email must be Attached to the #006 Form in the Customer File

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## Merit Staffing – Approvals

- Detailing Six Conditions of Training
  - There is No Suitable Employment
  - The Customer Would Benefit From Appropriate Training
  - There is a Reasonable Expectation of Employment Following Completion of the Training
  - The Training is Reasonable Available to the Worker
  - The Worker is Qualified to Undertake and Complete Such Training
  - Training is Suitable for the Worker and Available at a Reasonable Cost

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## Merit Staffing – Approvals

- Attendance in Training/Ceased Participation
  - All Ceased Participations must be Approved by DCEO State Merit Staff
  - Any Missed Class Requires a Ceased Participation Status Record (as demonstrated on the Attendance Form) If Customer Fails to Provide Verification of Attendance, this also requires a Ceased Participation Status Record
  - Case Manager will immediately Enter Ceased Participation Status Record with Relevant Dates, Mark the Record Justified or Not Justified, Enter the Reason for that Determination in the Comment Box. IWDS Record will be Set to Pending.

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## Merit Staffing – Approvals

- Attendance in Training/Ceased Participation *Continued*
  - Case Manager will Send an Email to DCEO State Merit Staff.
  - Email Subject Line must Say: Ceased Participation Approval for "Customer Name" from LWIA "#".
  - DCEO State Merit Staff will make Approval/Denial in IWDS Status Record and Inform LWIA/Able that Determination has Been Made.
  - Copy of the State Merit Staff Determination Email must be printed and attached to Appropriate Attendance Form in Customer File.

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## Merit Staffing – Approvals

- Potential Suspensions
  - Required if the Customer Enrolled in Training but Failed to Start; In Training but Quit or Dropped Below Full Time; Customer is Offered Suitable Employment and Refuses Employment; It is Discovered that Customer Doesn't Meet Qualifying Requirement for TRA/TAA.

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## Merit Staffing – Approvals

- Potential Suspensions *Continued*
  - All Potential Suspensions Must be Approved by DCEO State Merit Staff
  - The Case Manager Must Verify and Document the Reason for the Potential Suspension
  - The Case Manager will Enter a Potential Suspension Status Record in IWDS and Enter the Reason for the Potential Suspension in the Comment Box – Mark the Record as Justified or Not Justified and it will be Set to Pending

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## Merit Staffing – Approvals

- Potential Suspensions *Continued*
  - The Case Manager will Send DCEO State Merit Staff an Email Entitled: Potential Suspension Request Approval for “Customer Name” from LWIA “#”
  - DCEO State Merit Staff will Review and Document the Approval on IWDS and notify the LWIA/Able by Email the Approval has been Made
  - A Copy of the Merit Staff Determination Email Must be Printed and Placed in the Customer’s File.

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## Merit Staffing – Approvals

- Vacation Breaks/Payable Training Interruptions
  - A Vacation Break is a Scheduled Break Between Training that is More than 30 Training Days. No TRA is Paid During This Break.
  - A Vacation Break Status Record is Recorded in IWDS and on the IEP. The Vacation Break Information is Required to be Entered on the IEP prior to State Approval.
  - A Payable Training Interruption is a Scheduled Break Between Training that is Less than 30 Days. This is Entered as A Status Record and Does Not Require State Approval.

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## Merit Staffing – Approvals

- LWIA/Able Denial of a Training Service
  - In Instances when the Case Manager and the Customer cannot Agree, or the Training Requested Doesn't Meet the Six Conditions of Training, or Various Other Reasons, the Training Must be Denied in Writing.
  - This Denial must be Approved by DCEO State Merit Staff.
  - The Case Manager will Write Up the Denial Letter Citing Which Regulations It Doesn't Meet and Detailed Description of Why the Training is Denied. The Appeals Language Must be Included.
  - There is no IWDS Entry of Training Except for a Case Note Regarding the Denial. The Case Note Will be Titled: Training Denial. The Denial Letter Will be Pasted into the Case Note.

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## Merit Staffing – Approvals

- LWIA/Able Denial of a Training Service *Continued*
  - The Case Manager will Email the Denial Letter to DCEO State Merit Staff for Approval.
  - The Subject Line of the Email Must Say: Training Denial Approval for "Customer Name" for LWIA "#".
  - Barring Any Issues the Approval will be made by Return Email.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the Denial Letter in the Customer's File.

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## Merit Staffing – Approvals

- Waiver From Training Requirement
  - The Waiver Form Must be Completed and the Waiver Criteria Supported with Appropriate Documentation.
  - The Waiver Affidavit Form Must be Completed, Signed and Dated.
  - The Case Manager will Enter the Waiver Service Record and the Waiver Status Record in IWDS and that Record will be Set to Pending.
  - The Completed Signed and Dated Waiver Form and Affidavit will be Scanned and Attached to an Email Entitled: Waiver and IEP Approval for “Customer Name” from LWIA “#”. For 2002 Trade you will also include the “210 Form” in the Email Subject Line for Approval.

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## Merit Staffing – Approvals

- Waiver From Training Requirement *Continued*
  - DCEO State Merit Staff must Physically Sign the Waiver Form and will also Make the Approval in the IWDS Waiver Status Record, the IEP Status Record and if Applicable the 210 Status Record.
  - DCEO State Merit Staff will Mail the Signed Waiver Form Back to the LWIA/Able and Reply to the Email Informing the LWIA/Able the Approval has been made.
  - The Completed DCEO Signed/Dated Waiver with the Merit Staff Determination Email and the Waiver Affidavit Form must be Attached to the #003 Waiver Form in the Customer’s File.

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Maintain TAA Status  
[Chris Carpenter](#) [Application Summary](#) [Approval Documents](#)  
 SSN: \*\*\*\*-\*\*-6567 App LWA:16 App Date:08/11/2009

TAA Petition Number: 62076  
 Employer Name: Ametek, Inc.

Status: Waiver from Training Requirement  
 Entry Date: 11/15/2010  
 Status Start Date: 10/01/2009  
 Initial Status End Date: 09/30/2011  
 Status End Date: 09/30/2011  
 Waiver Reason: Client is Subject to Recall to Work  
 Suspension Request Reason:   
 Ceased Participation Reason:   
 Comments:   
 Revocation Reason:   
 Qualifies Under 45 Day Extension: Yes

Last Updated By: [Kurtis A. Saladino](#)   
 Last Updated Date: 11/15/2010  
 Approved By: Susan Boggs  
 Approved Date: 11/15/2010

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List TAA Status Approvals  
[Roger Freed](#) [Application Summary](#)  
 SSN: \*\*\*-\*\*-7765 App LWA:16 App Date:05/01/2010

Approval Type: Original  
 Approver: Susan Boggs  
 Date Approved/Denied:

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Approval Type	Approver	Approved/Denied Date	Approval Status
Original	Susan Boggs	10/1/2010	Approved
Criteria Change	Janet Rosentreter	10/22/2010	Denied
IEP Revision	Susan Boggs	10/31/2010	Approved

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## Merit Staffing – Approvals

- Waiver Extensions
  - All Waiver Extensions Must be Approved by DCEO State Merit Staff
  - The Case Manager will Document the Waiver Form to Include the Extension.
  - The Case Manager will Enter the Waiver Extension in the IWDS Waiver Service Record and the Waiver Status Record. The Waiver Status Record will be Set to Pending. The Case Manager Must also Document the Reason for the Extension in the Waiver Comment Box on the Waiver Status Record.
  - Prior to Requesting Approval for the Extension the Case Manager should Ensure all Waiver Reviews, or Instances Where the Customer has Failed to Make Contact is Appropriately Recorded.

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## Merit Staffing – Approvals

- Waiver Extensions *Continued*
  - The Case Manager will Send an Email to DCEO State Merit Staff Entitled: Waiver Extension Approval for “Customer Name” from LWIA “#”.
  - DCEO State Merit Staff will Document the Approval on IWDS and Reply to the Email Informing the LWIA/Able.
  - A copy of the Merit Staff Determination Email Must be Printed and Attached to the #003 Waiver Form.

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## Merit Staffing – Approvals

- Waiver Criteria Changes
  - All Waiver Criteria Changes Must be Approved by DCEO State Merit Staff
  - The Case Manager will Document the Waiver Form to Include the Criteria Change.
  - The Case Manager will Enter the Waiver Criteria Change in the IWDS Waiver Status Record. The Waiver Status Record will be Set to Pending. The Case Manager Must also Document the Reason for the Criteria Change in the Waiver Comment Box on the Waiver Status Record.
  - Prior to Requesting Approval the Case Manager should Ensure all Waiver Reviews, or Instances Where the Customer has Failed to Make Contact is Appropriately Recorded.

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## Merit Staffing – Approvals

- Waiver Criteria Changes *Continued*
  - The Case Manager will Send an Email to DCEO State Merit Staff Entitled: Waiver Criteria Change Approval for “Customer Name” from LWIA “#”.
  - DCEO State Merit Staff will Document the Approval on IWDS and Reply to the Email Informing the LWIA/Able.
  - A copy of the Merit Staff Determination Email Must be Printed and Attached to the #003 Waiver Form.

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## Merit Staffing – Approvals

- Automatic Waiver Revocations
  - IWDS Automatically Revokes a Waiver when a Training Service Record is Entered or ATAA/RTAA Service Record.
  - Automatic Revocations do not Need Approval by DCEO because Training and ATAA/RTAA will Already be State Approved.

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## Merit Staffing – Approvals

- Waiver Revocations
  - When the Case Manager is Taking Action to Revoke the Waiver for Non Compliance, or if the Customer Chooses to End Trade Services or if it is Discovered the Customer is not TRA Eligible, State Merit Staff Must Approve this Determination.
  - The Case Manager will Complete the #003 Waiver Form showing the Revocation.
  - The Case Manager will Enter the Waiver Revocation Status Record on IWDS. The Case Manager will Document the Reason for the Revocation in the Comment Box.

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## Merit Staffing – Approvals

- Waiver Revocations *Continued*
  - The Case Manager will send DCEO State Merit Staff an Email Entitled: Waiver Revocation Approval for “Customer Name” from LWIA “#”.
  - DCEO State Merit Staff will Document the Approval on IWDS and Reply to the Email Informing the LWIA/Able of the Approval.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the #003 Waiver Form.
  - Once the DCEO Approval has been Received, the LWIA/Able will send the Customer the #003d Waiver Revocation Letter which will also be attached to the #003 Waiver Form.

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## Merit Staffing – Approvals

- ATAA/RTAA Services
  - This Process will Remain the Same for all Trade Customers
  - IDES State Merit Staff will Continue to Provide the Approval for ATAA/RTAA Services

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## Merit Staffing – Approvals

- Out-of-Area Job Search Application
  - The Case Manager will Complete #012 Job Search Application
  - The Case Manager will Enter the Job Search Service Record on IWDS and it will be set to Pending.
  - The Case Manager will Scan the Completed Signed and Dated #012 Job Search Application and Attached it to an Email to DCEO State Merit Staff Entitled: Out-of-Area Job Search Approval for "Customer Name" from LWIA "#".
  - DCEO State Merit Staff will Document the Approval on IWDS and Notify the LWIA/Able by Email the Approval has been Made.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the #012 Job Search Form in the Customer File.

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## Merit Staffing – Approvals

- Out-of-Area Job Search Reconciliation
  - The Case Manager will First Verify the Out-of-Area Job Search with Form #012b Job Interview Letter
  - The Case Manager will Complete the #012a Reconciliation of TAA Out-of-Area Job Search Allowance Form
  - The Case Manager will Enter the New Job Search Reconciliation Service Record on IWDS and it will be set to Pending.
  - The Case Manager will Scan the Completed Signed and Dated #012a Job Search Reconciliation Form and the #012b Job Interview Letter and Attached it to an Email to DCEO State Merit Staff Entitled: Reconciliation of TAA Out-of-Area Job Search Approval for "Customer Name" from LWIA "#".
  - DCEO State Merit Staff will Document the Approval on IWDS and Notify the LWIA/Able by Email the Approval has been Made.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the #012a Job Search Reconciliation Form including the Job Interview Letter #012b in the Customer File.

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## Merit Staffing – Approvals

- Out-of-Area Relocation Application
  - The Case Manager will Verify Suitable Employment by Sending the #013b New Employment Confirmation Letter to the Employer
  - The Case Manager will Complete #013 Out-of-Area Relocation Application Form
  - The Case Manager will Enter the Relocation Service Record on IWDS and it will be set to Pending.
  - The Case Manager will Scan the Completed Signed and Dated #013 Relocation Application and the Signed and Dated #013b New Employment Confirmation Letter Attached to an Email to DCEO State Merit Staff Entitled: Out-of-Area Relocation Approval for "Customer Name" from LWIA "#".
  - DCEO State Merit Staff will Document the Approval on IWDS and Notify the LWIA/Able by Email the Approval has been Made.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the #013 Relocation Application Form and the #013b New Employment Confirmation Letter in the Customer File.

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## Merit Staffing – Approvals

- Out-of-Area Relocation Reconciliation
  - The Case Manager will Complete the #013a Reconciliation of Relocation Form
  - The Case Manager will Enter the New Relocation Reconciliation Service Record on IWDS and it will be set to Pending.
  - The Case Manager will Scan the Completed Signed and Dated #013a Reconciliation of Relocation Form and Attached it to DCEO State Merit Staff an Email Entitled: Reconciliation of TAA Out-of-Area Relocation Approval for "Customer Name" from LWIA "#".
  - DCEO State Merit Staff will Document the Approval on IWDS and Notify the LWIA/Able by Email the Approval has been Made.
  - A Copy of the Merit Staff Determination Email Must be Printed and Attached to the #013a Reconciliation of Relocation Form and the New Employment Confirmation Letter #013b in the Customer File.

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## Merit Staffing – *Future*

- Future IWDS Developments
  - Incorporate IEP into IWDS
  - Allow for Document Uploading
  - Automatic Email Response Upon DCEO Approval
  - Automating All Trade Forms
  - New Report Development