**Petition/Certification & Rapid Response Chat Q & A**

**10/21/21**

**Q1:** **Is DCEO still wanting petitions to be filed for service workers even though the rules reverted back to production workers?**

A1: You can file because the last time we were in reversion, once we were out of reversion, DOL automatically reviewed those they denied and issued a redetermination based on the non-revision criteria.

**Q2:** **Are there additional legal requirements to reading of the BRO? Meaning does it need to be read** **from the beginning to the end all at once?**

A2: The Trade Final Rule 20 CFR 618.816 Trade Adjustment Assistance Program benefit information and provision of services to workers. Paragraphs (e) (5) and (f) (1) & (2) specifically outline the information that aligns with the Trade rapid response process that we implement in Illinois. These paragraphs require the provision of information to affected works on the benefits and services that may be available to them as a trade-affected worker.

 It needs to be read in its entirety. There is nothing that states it must be read from beginning to the end all at once.

**Q3: When does it need to be read; at the beginning of a TAA RR event or at the end?**

A3: The specific order of presentation of materials/information at the Trade Rapid Response event is not dictated by regulations. The schedule should be determined by the event team (DCEO Rapid Response Staff, LWIA, IDES Staff).

**Q4: Can one read/talk – explain what was just read?**

A4: It is a good idea to present a section and then discuss some of the requirements and answer any

 questions from the attendees at the rapid response event. Explaining the information provided

 would be very helpful to the attendees.

**Q5:** **Please explain the 8/16 vs the 26/26.**

A5: It is the later of the dates in either case. Petitions numbered 97,999 and below must meet the

 26/26 deadline. Petitions numbered 98,000 and above must meet the 8/16 deadline.

It is vital to provide rapid response to affected workers certified under petitions 98,000+ due to the short deadlines.

Here are examples of both deadline rules using the same certification date and participant qualifying separation date:

Petition Certification Date: 11/20/2020

 Participant Qualifying Separation Date: 2/8/2021

 26/26 deadline for petitions numbered 97,999 or below:

 26th week after certification: 5/21/2021

 26th week after qualifying separation date: 8/9/21

The later of these two dates is 8/9/21 (26th week after qualifying separation date), so the participant would need to be enrolled in training or be issued a waiver by 8/9/21 to meet the enrollment deadline to be eligible to receive Trade Readjustment Assistance (TRA) payments.

 8/16 deadline for petitions numbered 98,000+:

 8th week after certification: 1/15/21

 16th week after qualifying separation date: 5/31/2021

 The later of these two dates is 5/31/21 (16th week after qualifying separation date), so the participant would need to be enrolled in training or be issued waiver by 5/31/21 to meet the enrollment deadline to be eligible to receive TRA payments.

**NOTES:**

1. Trade Unit staff continuously review various sources of information to assist in filing Trade petitions. One source of information is the WARN notices to see if there are any companies whose layoffs/closure may be Trade related. Trade need only be one factor in a layoff/closure. It does not need to be the ONLY reason. We encourage state and local RR staff to review the notices as well.
2. A request was made for us to provide more information on the Health Care Tax Credit (HCTC). The best source of information for this credit administered by the Internal Revenue Service is their website. <https://www.irs.gov/credits-deductions/individuals/hctc>