

Workforce Solutions

Issuance 10-13: New Procedures for Trade-Affected Customers

Attachment 5: Forms Chart

Form #	Form Name	Purpose
Form ETA-9042A Form ETA-9042A-1 (Spanish version)	Petition For Trade Adjustment Assistance	To file a petition to request approval for Trade Act benefits (Trade Adjustment Assistance and/or Trade Readjustment Allowances). See Attachment 1 for more information.
Form 206-TAA-E Form TAA-1s (Spanish version)	Explanation of Services	The Explanation of Services form should be completed on the customer's first visit to the career office, within 210 days of her date of separation or 210 days from her DOL certification date, whichever is later, to receive the additional Trade Readjustment Allowance (TRA) benefits while in approved training. TRA is additional UI cash assistance paid to the customer while she is enrolled in an education or training program. The customer may never need TRA benefits but if this form is not filed, she will not be able to receive the benefit should she need it. The paper form should be filed alphabetically by the customer's last name. These files must be kept until the customer has obtained "suitable employment" as defined by the Trade Act. It is not necessary to create individual files.
Form WOT-1 Form WOT-1S	Waiver of Training	<p>The waiver of the training requirement pertains to TRA eligibility. To be eligible for TRA, a Trade-certified customer must:</p> <ul style="list-style-type: none"> • Petitions 50,000 -70,000: customers must be in training or have a waiver of the training requirement entered in TWIST - within 8 weeks of the petition certification date or within 16 weeks of his or her qualifying separation, whichever is later. • Petitions 70,000 and above: customers must be in training or have a waiver of the training requirement entered in TWIST - within 26 weeks from petition certification or last qualifying separation, whichever is later. <p>The waiver of training form identifies the reason training is not feasible for the Trade-certified customer. Valid reasons are:</p> <ol style="list-style-type: none"> 1. Worker subject to recall within six months. This reason is applicable if the customer has a definite recall date that Workforce Solutions staff has verified with the employer. Enter the scheduled return to work date in the waiver document. 2. Worker possesses marketable skills. This reason is applicable while the customer tests the market for suitable employment, or it appears the worker possesses marketable skills. As with every reason for a waiver, staff must reevaluate the waiver reason. The customer is eligible for TRA while conducting a work search as prescribed by state UI regulations. 3. Worker in poor health. This reason is applicable if the customer is unable to attend school or work due to a health problem. Workforce Center staff should issue the waiver to protect future eligibility, although the customer may be disqualified from receiving UI and TRA. Document this in the TWIST Counselor Notes. 4. Retirement. Customer is within two years of retirement in accordance with a private retirement plan or age or Social Security. 5. First available enrollment date is within 60 days. This reason applies when training is available, but when the enrollment date is in the future. For purposes of TRA, the enrollment date is the date on which the worker is considered to be in training. Issue the waiver if the enrollment date is less than 60 days in the future.

		<p>6. Training is not available, or is not available at a reasonable cost, or no funds are available under TAA or federal law. This reason applies if guidance has been provided to the Board that all available TAA funding has been exhausted, or if there is no approvable training within the local commuting area.</p> <p>Initially, the waiver can be issued for up to six months. The waiver of the training requirement is an ongoing assessment. Workforce Center staff must review to ensure the reason for the waiver is still valid.</p> <ul style="list-style-type: none"> • Petitions 50,000 – 70,000: evaluate every 30 days. • Petitions 70,000 and above: evaluate every 30 days after the first 90 days. <p>Staff must document this review in TWIST Counselor Notes. If there is no longer a valid reason, staff must revoke the waiver. At the end of the waiver period, if training is still not feasible, Workforce Solutions staff can issue another waiver. Waivers may only be issued for two consecutive six-month periods.</p>
Form REP	Reemployment Plan	<p>For customers eligible for TAA under Petitions number 70,000 and more. Staff completes this form for the customer. Give a copy of the reemployment plan to the customer. File the original reemployment plan in the customer's file.</p>
Form TAA-12	Certificate of Suitable Employment	<p>Staff completes this form to assist customers requesting Job Search Allowances or Relocation Allowances. Contact the company to verify the appointment or job offer and payment or non payment of relocation expense. Submit the completed form to the TWC address shown at the top right corner of the form.</p>
Form ETA-861	Request for Job Search Allowances	<p>A customer may receive a job search allowance to cover expenses incurred to travel to a job interview outside the customer's normal commuting area. The customer may be paid a percentage of necessary transportation and living expenses up to a maximum amount. Applications must be pre-approved before the customer leaves the home commuting area and only travel within the United States is authorized.</p> <p>Limits for costs:</p> <ul style="list-style-type: none"> • Petitions Numbering 50,000-70,000: pays 90% of allowable costs up to a maximum of \$1,250. • Petitions Numbering 70,000 and above: pays 100% of allowable costs up to a maximum of \$1,500. <p>Requirements:</p> <ul style="list-style-type: none"> ➤ The customer's written request must be made before the 365th day after the date of the certification under which they are covered or after the most recent total separation, whichever is later, OR before the 182nd day after the customer completed TAA training. ➤ Staff must make a determination that the customer has no reasonable expectation of securing suitable employment in the customer's current commuting area. Enter counseling note in TWIST to document the lack of suitable employment for the customer. ➤ The customer must submit a request for job search allowances and obtain TWC approval <u>BEFORE EACH</u> job search trip begins. Staff will assist the customer in requesting job search allowances by completing the Job Search Allowance form ETA-861 and form TAA-12 Certificate of Suitable Employment. ➤ The customer must demonstrate that a reasonable chance exists for long-term suitable employment in the area she is looking for a job.
Form ETA-860	Request for Relocation Allowances	<p>If the customer is successful in obtaining employment outside the normal commuting area, financial assistance may be available to the customer to relocate. A relocation allowance pays a percentage of the</p>

		<p>allowable moving expenses plus a lump sum payment.</p> <ul style="list-style-type: none"> • Petitions Numbering 50,000-70,000: pays 90% of moving costs plus a lump sum of \$1,250. • Petitions Numbering 70,000 and above: pays 100% of moving costs plus a lump sum of up to \$1,500. <p>There are time limits for filing a relocation allowance application and applications must be approved prior to moving. The application may be approved if determined that no suitable work is available in the customer's home area and if the following exists:</p> <ul style="list-style-type: none"> > The customer has not previously received a relocation allowance under the same certification; and > The customer is totally separated from certified employment at the time of relocation. (Partially separated workers may apply in anticipation of total layoff.) <p>If it is determined customer needs relocation allowances, the customer must have either suitable long-term <u>verifiable</u> employment or a bona fide offer of such employment within the U.S. The customer must submit a written request for relocation allowances <u>BEFORE</u> the move begins. The customer's written request must be made before the 425th day after the date of the certification under which covered or after the customer's most recent total separation, whichever is later, OR before the 182nd day after customer completed TAA training.</p> <p>Customer must complete the Request for Relocation Allowance form and the Certification of Suitable Employment <u>BEFORE</u> the move. Customer completes the Daily Record/Itinerary during the trip and submits it to Workforce Solutions for reimbursement of approved costs.</p>
--	--	--

Note: See additional attachment documents for procedures for:

- Petition Process – Attachment 1
- Eligibility, Application Deadlines and Timelines – Attachment 2
- Service Process – Attachment 3
- TWIST Instructions – Attachment 4