Trade Adjustment Assistance - Enrollment and Entering the First Service

OSOS Guide
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PURPOSE

This guide will provide detailed instructions on enrolling an eligible customer in Trade Act, which includes entering an Individual Employment Plan (IEP) service. The Trade Act IEP is a written document, signed by the participating trade affected worker and their TAA Specialist. The plan outlines the customer's previous training and experience, as well as their qualifications and need for training. The plan also identifies the training provider, the industry-recognized credential to be earned, the customer's occupational goal, and a detailed timeline indicating the start and end dates of training.

Before any training can be approved, the customer's training plan must be reviewed to verify that it meets the six approval criteria.

SIX CRITERIA

1. **There is no suitable employment** – Suitable employment is work of a substantially equal or higher skill level than the trade-affected worker’s past adversely affected employment, and at wages for such work at not less than 80% of the trade-affected worker’s average weekly wage. (CFR 617.22.1)

2. **The worker would benefit from the training** – The trade-affected worker must be job ready upon completion of training. It is not permissible to approve and pay tuition costs for the first two years of a four-year program because the trade-affected worker would not be job ready for employment at the end of the training period. However, the first year of a two-year Community College degree program may be approved if it leads to an industry recognized credential such as a certificate necessary for the trade-affected worker to obtain employment. (CFR 617.22.2)

3. **There is a reasonable expectation of employment as a result of training** – Tools that can be used to show that there is a reasonable expectation of employment in the customer’s labor market at the conclusion of training are: the demand occupation list, projections from the NYSDOL website, job postings from Jobs Express/NYS Job Bank, or classified ads from the newspaper or online postings. Additionally, a job offer from an employer, which includes a firm start date, will meet this criterion. Your local area’s NYSDOL Labor Market Analyst can assist you in determining in-demand occupations. (CFR 617.22.3)

4. **Training is reasonably available from either a governmental agency or private source and emphasis must be given to secure training within the commuting area** – The training is within the trade-affected worker’s commuting area at any governmental or private institution or facility, particularly on-the-job training. Training outside the normal commuting area is not precluded if none is available within the trade-affected worker’s commuting area. Whether the training is within or outside the commuting area, the training must be available at a reasonable cost (See Criteria #6 below). First consideration must be given to training opportunities
available within the trade-affected worker’s commuting area. Training outside the commuting area should be approved only if such training is not available in the area or the training to be provided will involve less funding. (CFR 617.22.4)

5. **The trade-affected worker is qualified to undertake and complete training** – The trade-affected worker’s personal qualifications to undertake and complete the training must be assessed. Evaluation of the trade-affected worker’s qualifications must include the worker’s physical and mental capabilities, educational background, work experience, and financial resources, as adequate to undertake and complete the training program.

6. **Training is suitable for the worker and available at a reasonable cost.** For TAA purposes, “reasonable cost” is when all costs being considered, training of substantially similar quality, content and results cannot be obtained from another provider at a lower cost within a similar time frame. It also means that training may not be approved when the costs of the training are unreasonably high in comparison with the average cost of training other workers are receiving in similar occupations at other providers. (CFR 617.22.6)

**CREATING THE TRADE ACT ENROLLMENT**

When working with a TAA customer in the career center, the first Trade Act related service that should be provided is the IEP. This service is a vehicle for creating a Trade Act Enrollment. The Individual Employment Plan outlines the customer's intent to utilize their Trade Act benefits through training.

**CREATING AN INDIVIDUAL EMPLOYMENT PLAN (IEP)**

An IEP is required before any Trade Act funded training service begins. The IEP is a detailed assessment that includes the identification of marketable or transferable skills, and the provision of job search assistance and other reemployment services. It should allow customers the opportunity to combine the information gained from the assessment tools, individual career counseling, and group structured activities to gain insight regarding their abilities, interests, and the relevant labor market information. An IEP must be created for every WIOA participant as a justification for training.
LOGGING INTO THE CORRECT OFFICE
Career Center staff must ensure that they are logged into OSOS in the same office associated with the customer before recording any activities or services. The user's **Primary Office** (if the user has any secondary office assignments) and the **Current Office**, are displayed in the **Staff module > Preferences window > Login Preferences tab**. To change the **Current Office**, select the appropriate office from the **Change Office To** drop-down field, and then click the **Change Office** button.
FINDING THE CUSTOMER RECORD TO ADD A TAA SERVICE

From the Customer module > Customer Search window > Quick Search tab, search for the appropriate customer record. This can be accomplished by entering the customer's Last Name and First Name as search criteria. Click the Search button.
This will display the customer record. Select the **Work History** tab.
REVIEWING THE CUSTOMER’S WORK HISTORY

The first step to entering an IEP, is to identify the customer’s Trade Act Eligibility Date, listed in the Work History tab. To find this, proceed to the Customer module > Customer Detail window > Work History tab. A list of the customer’s previous employers will be displayed. Click on the trade-affected business, then click on the Eligibility button.

If the Work History tab includes multiple entries, review the Reason for Leaving field to identify which entry indicates Category 5-DW Dislocated due to foreign trade.
The Webpage Dialog box will pop-up and display the **Eligibility Determination Date**. *The date of the IEP must be on or after this date.* When complete, click **OK**.
CHANGING THE CUSTOMER'S LWDA

Next, proceed to the Provider module > Offering Search window > General Info tab. The user's Workforce Development Board (WDB) should be displayed in the WIB window. To change this field click the drop-down and select the appropriate choice. Once the WDB has been updated, click the Service Type button.
From the **Service Type Dialog Box**, select **L2 Trade Act > Individual Employment Plan (IEP)**, then choose the **Individual Employment Plan (LX Enrolling)**. When complete, click **OK**.
The system will automatically navigate back to the Provider module > Offering Search window > General Info tab. Click the Search button at the bottom of the screen to search for the Provider Name, and the corresponding IEP Service Name. Be sure to select the appropriate IEP offering.

Note that each WDB enters the Service Name individually, so the IEP Service Name may appear differently from what is shown below.

Then, click on Schedule.
SCHEDULING THE IEP SERVICE

Clicking the Schedule button navigates directly to the Customer module > Services window > Services tab. Complete the data fields in the Detail section to enter the service.

Next, enter a Planned Start Date, Planned End Date, Actual Start Date and Actual End Date. Please note, since the IEP service is completed with the customer in one meeting, all four dates listed must be the same date.

Once the Actual Start Date is entered, the Petition # field becomes accessible, on the right side of the screen. This will be explained in more detail on Page 18 of this guide.
The Planned Start Date and Actual Start Date of the service cannot be earlier than:

- the Application Date - the date the customer signed the TA720,
- the Qualifying Separation Date - the customer's last day of work at the trade-affected employer, or
- the Eligibility Determination Date - the mail date on the TA722.

Note: The Application Date will always be on or before the Eligibility Determination Date.

Exception: When data entering the Application Date and Eligibility Determination Date for Adversely Affected Incumbent Workers (AAIW), you must enter the mail date of the threatened status letter in both fields. Contact the TAA Unit for assistance, at TAA.WDTD@labor.ny.gov
Proceed to the Program Service Type drop down, and choose Individualized Career Services for an IEP. Click the Save button.
FUNDING AN IEP

Next, click on the appropriate Petition # from the drop-down menu, and the Rapid Response (RR) Event # if one exists. Click the Save button.

The Petition # and Rapid Response drop-down menu will only be available after all information has been entered into the customer's Work History tab, including the Eligibility Determination Date (see page 7 of this guide).

Most customers will only have one petition # in the drop-down menu. However, it is possible for customers with multiple lay-offs to have more than one petition # listed. Be careful to select the appropriate petition number. Attaching the petition number will create the Trade Act enrollment.
An IEP is funded using the right side of the same screen, under the **Funding** heading. Enter $1.00 into the **Total Funding** data field. Click the **Add** button.
This will open the Funding--Webpage Dialog box. Select the most recent year "WIOA Dislocated Worker Local" as the Funding Source. Enter "$1.00" in the Obligated Amount field and click the OK button.

Trade Act funds are not required to create the Trade Act enrollment. TAA funds are only used to fund these benefits:

- TAA Training
- TRA
- RTAA
- Job Search Allowances
- Job Relocation Allowances
The $1.00 used to fund services in OSOS is not reflective of any real costs of service. It is the convention used for tracking services in the system. Some of the information is used for federal reporting purposes.
CONFIRMING THE TRADE ACT ENROLLMENT

The Trade Act enrollment is created when the service is funded, and the petition number has been attached to the service. To confirm the prior steps have been completed properly, select the Customer module > Customer Detail window > General Info tab to display the customer’s enrollments. To confirm the customer is enrolled in the Trade Act program, select the Enrollments button. This will open the Customer Enrollments Webpage Dialog box.

Another way to confirm if the customer has successfully been enrolled in Trade Act is to proceed to the Customer module > Services window. Click the Enrollments button. All the programs for which the customer has been enrolled will be listed under Programs, toward the bottom of that screen.
Listed in the Customer Enrollments Webpage Dialog box are all the enrollments for the customer. Verify that the Trade Act enrollment is shown.

Customers eligible to receive WIOA and TAA program funds, are required to be co-enrolled in WIOA and Trade Act programs.

Customers who are TAA eligible, but not DW eligible due to insufficient Selective Service status, are only eligible for Trade Act benefits. They are not eligible for WIOA benefits.
END THE SERVICEx
When the IEP service has ended, the service must be closed. To close a service, navigate to the Customer module > Services window. Choose the Services tab.

Please note, since the IEP service is completed with the customer in one meeting, the Planned Start Date, Actual Start Date, Planned End Date and Actual End Date listed must be the same date.

The list of services is displayed at the bottom of the page. In the Service Name column, select the Service to be closed. Once that Service has been chosen, the details will populate in the Detail and Funding sections.
**Planned End Date:** Enter the end date.

**Actual End Date:** Enter the end date.

Click **Save**.
ENTERING COMMENTS

It is best practice for staff to record relevant and detailed comments about the Individual Employment Plan that was created and provided to a customer. Comments should reflect that the IEP includes the necessary steps and timetables to achieve employment in a specific occupation, industry, and/geographic area.
RESOURCES AND ASSISTANCE

Additional ETA program information and other resources can be found at:
http://www.doleta.gov/tradeact/factsheet.cfm

TAA Program Guides: https://labor.ny.gov/workforcenypartners/tools.shtml


Additional program information, OSOS guides and other resources can be found at:
https://labor.ny.gov/workforcenypartners/osos.shtml

For further assistance, please contact the OSOS Help Desk:
By phone: (518) 457-6586
By email: help.osos@labor.ny.gov

For further assistance regarding Trade Adjustment Assistance (TAA), please contact:
labor.sm.wdt.taa