Trade Adjustment Assistance - Training Waivers
OSOS Guide
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PURPOSE
The TAA program offers customers various benefits. One of the essential benefits offered through the program is Trade Readjustment Allowance (TRA). TRA is income support payments available to customers attending approved training, who have exhausted their Unemployment Insurance (UI) Benefits. When a customer is determined eligible for Trade Act benefits, they are issued a determination, form TA722. The TA722 states whether the customer is eligible for TRA benefits and notifies them of their Training Enrollment Deadline (TED) date.

To remain eligible for Basic TRA benefits, the customer must be "enrolled" in an approved training program, or placed on a waiver from training, on or before the TED date. The purpose of a waiver is to document the reason the individual will not be able to participate in training before the deadline. These reasons are known as Waiver Types. Current federal regulations offer three Waiver Types:

1. Health – The worker cannot participate in training due to a health reason, but is still ready, willing, and able to work. This requires a completed Individual Employment Plan (IEP) and medical documentation, indicating the customer is unable to participate in the intended training.

2. Training Not Available – There is no school available, no suitable training at a reasonable cost, or no training funds are available. (This waiver type is almost never used, as New York State has many training providers and opportunities). This training requires a completed IEP.

3. Enrollment Unavailable – The first available enrollment date for the approved training is not immediately available but is within 60 days from the date the waiver is issued, or, if the training starts beyond 60 days of the date of the waiver and there are extenuating circumstances for the delay in enrollment. This waiver type requires a completed IEP and training plan that must be approved by TAA Central Office staff.

TAA customers are considered "enrolled" in training when the training program meets the following requirements:

1. Accepted by the provider
2. Approved by TAA Central Office
3. Begins within 30 days

This guide will provide detailed instructions on how to conduct the OSOS data entry for entering a TAA training waiver. It will cover data entry for adding, funding, and ending the waiver service type. This data entry is required to comply with New York State policy and federal reporting.
LOGGING INTO THE CORRECT OFFICE

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 and the Current Office the user is logged into (if the user has any secondary office assignments), is 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.
OSOS DATA ENTRY

Staff must record a service for **Career Guidance - Individualized** (formerly Intensive under WIA) in OSOS when discussing training, career development, and the waiver.

Navigate to the **Customer module > Customer Detail window > Gen. Info tab.** Click the **Activity** button at the bottom of the screen.
This will open the **Activities - - Webpage Dialog** box. Navigate to the **L1 Staff Assisted Individualized, Counseling** folders and select the **Career Guidance - Individualized** activity.

Click the **OK** button to record the activity.

The training waiver service cannot be saved unless all of the data is correctly entered in the customer's **Work History** tab. The customer must be:

- Designated as a **Category 5-DW Dislocated due to foreign trade**;
- Associated with a petition number;
- Determined eligible in the **Eligibility Determination** data field

Refer to the [Trade Adjustment Assistance Intake & Eligibility OSOS Guide](#) for more information about accurately completing a TAA customer’s **Work History** tab.
ENTERING A WAIVER FROM TRAINING SERVICE

WAIVER TYPES
Waivers allow customers to remain eligible for TRA after their deadline. They waive the requirement that the customer be enrolled in training by the deadline. Waivers must be issued to customers who will not be enrolled in TAA approved training by their Training Enrollment Deadline (TED) date.

To receive a training waiver, an IEP must be developed. In addition, the customer must meet specific requirements depending on the waiver type. The customer must also be entitled to Basic TRA.

The three waiver types are (for additional detail on waiver types, see Pg. 2 of this guide):

- Enrollment Unavailable (Training plan approved by TAA Central Office Staff)
- Health (Medical documentation)
- Training Not Available (Training plan approved by TAA Central Office Staff)

The length of the initial waiver is for no more than 90 days. Subsequent waivers cannot be issued for more than 30 days.
ENTERING THE NEW TRAINING WAIVER SERVICE

To enter a new training waiver service into a customer’s record, navigate to the Customer module > Services window > Services tab. Click the New Service button.
OSOS will navigate to the Provider module > Offering Search window > Quick Search tab. Enter "105226" in the ID 1 data field in the Offering ID section. Click the Search button.

The single statewide offering attached to this provider service is the TAA Waiver (Offering ID 105226). All staff must use this offering to enter the training waiver service.
OSOS will navigate to the **Provider module > Offering Detail window > General Info** tab of the TAA Waiver provider. Click the **Return to Search** button.

To continue entering the training waiver service, click the **Schedule** button.
OSOS will navigate back to the Customer module > Services window > Services tab. Complete data entry in the Detail section of the Services tab, including:

- **Planned Start Date** and **Actual Start Date** for the initial waiver from training is the first date that the trade affected worker meets with staff.
- **Planned End Date** is the first Sunday no more than 90 days from the start date of the initial waiver. The start date for all subsequent waivers from training will be a Monday date. The end date for all subsequent waivers is the first Sunday no more than 30 days from the start date of the last waiver from training issued.
- **Program Service Type**: Select "Individualized Career Services" from the drop-down menu.
- **Next Contact Date**: Career Center staff are required to contact the trade affected worker at 30-day intervals during the initial waiver period. Therefore, enter a **Next Contact Date** that is less than 30 days from the last waiver review. This will create a reminder for the staff person who entered the **Next Contact Date** to contact the customer on or prior to the 30-day waiver contact deadline.

Click the Save button.
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
- **Qualifying Separation Date** - the customer’s last day of work at trade-affected employer
- **Eligibility Determination Date** - the mail date on the TA722

Note: The Application Date will always be on or before the Eligibility Determination Date.
FUNDING THE TRAINING WAIVER SERVICE
The training waiver cannot be funded with TAA funds. A training waiver service must be funded with Dislocated Worker funds. TAA funds are only used to fund the following benefits:

- TAA Training
- TRA
- RTAA
- Job Search Allowances
- Job Relocation Allowances

In the Customer module > Services window > Services tab, under the Funding section, 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 # drop-down menu will only be available after all of the information has been entered into the customer’s Work History tab, including the Eligibility Determination Date.
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** data field. The **Obligated Percentage** field will auto populate. Click the **OK** button.

This will fund the waiver. Click **Save**.
Every time a TAA customer is granted a training waiver, a TAA waiver service must be entered into the Services tab. It must be linked to a petition number in the Petition # data field, and the Waiver Reason drop-down field must be populated with the reason for the waiver. Selecting the Trade Act Petition # will activate the Waiver Reason drop-down field. Select a waiver reason from the Waiver Reason drop down.

Waiver Reason drop-down choices are:

- Recall*
- Marketable Skills*
- Retirement*
- Health
- Enrollment Unavailable
- Training Unavailable

*Current regulations do not allow the use of the "Recall", "Marketable Skills", or "Retirement" waiver reasons. In addition, it is rare in New York State that "Training Unavailable" will be accepted as a legitimate waiver reason. "Health" and "Enrollment Unavailable" are the only two waiver reasons recommended for use.

Click the Save button.
"Enrollment Unavailable" & "Training Unavailable" waivers cannot be issued until a training plan has been approved by TAA Central Office staff. All waiver services must be recorded in OSOS. All waivers are issued by using the Trade Act Tracker application. For more information, please contact the TAA unit at TAA.WDTD@labor.ny.gov

ENDING THE TRAINING WAIVER SERVICE
The training waiver service can end in one of three ways:

1. Revocation: Training waivers are revoked when the customer begins their scheduled approved training program or has found suitable employment.

2. Termination: Training waivers are terminated when the customer decides not to pursue training.

3. Expiration: Initial training waivers expire after 90 days and subsequent waivers must be issued in 30-day intervals.

If training has not begun by the end of the 90-day window, subsequent waivers are issued after the initial waiver. When this occurs, the initial training waiver service must be ended and a new training waiver service must be created. All subsequent waivers must have a Planned End Date no more than 30 days from their start date.

When the training waiver service has ended, it must be closed by entering the Actual End Date and staff must indicate whether the customer has successfully completed the service.
In the Customer module > Services window > Services tab, under the Detail section, complete the following fields:

- **Actual End Date**: Enter the date the waiver was revoked, terminated, or expired.
- **Completed Successfully**:
  - Select "Yes", if the waiver
    - was revoked because the customer entered an approved training program; or
    - expired due to reaching the 90 (initial waivers) or 30 (subsequent waivers) day deadline and a subsequent waiver is issued.
  - Select "No", if the waiver was
    - terminated for non-attendance of scheduled approved training; or
    - revoked because the customer found suitable employment.

Click the Save button.

TAA Central Office staff sends a monthly Completion Report to each local TAA Coordinator alerting them to training that is expected to be completed in the upcoming month. The report includes the customer's OSOS ID number, contact information, and training information, including the scheduled end date. Each local TAA Coordinator should contact customers regarding completion of training per the guidance included with the report.
ENTERING COMMENTS
As a best practice, when ending the training waiver service, staff should record relevant, detailed comments. Information such as the start and end dates of the training waiver and details regarding the reason why the waiver has ended should be included in the comment.
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.shtm


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

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