Trade Adjustment Assistance - Eligibility and Intake OSOS Guide

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BACKGROUND

The Trade Adjustment Assistance (TAA) Program is a federal program that provides a path for employment growth and opportunity through aid to U.S. workers who have lost their jobs as a result of international trade. The TAA program seeks to provide these trade-affected workers with opportunities to obtain the skills, resources, and support they need to become reemployed. TAA provides assistance such as job search, relocation, retraining, and income support. The Trade Adjustment Assistance Reauthorization Act 2015 (TAARA) is retroactive to January 1, 2014 and expands group eligibility requirements, individual benefits and available services. TAARA is effective until June 30, 2021. Consult the Trade Adjustment Assistance Desk Guide for additional information regarding Trade Act programs.

A petition must be filed with the United States Department of Labor (USDOL) by or on behalf of a group of workers who have lost, or may lose their jobs, or experienced a reduction in wages as a result of international trade. After USDOL investigates the facts behind the petition, it applies statutory criteria to determine whether international trade was an important cause of the threatened, or actual job loss, or wage reduction. If USDOL grants the petition to certify the worker group, individual workers in the group may apply to their State Workforce Agency for TAA benefits and services. TAARA applies to all petitions filed during that period, which are designated with a series of numbers from TA-W-85,000 and above.

PURPOSE

OSOS is a case management system designed to record a process in which services are provided to jobseekers and businesses. This process must detail an assessment of a customer's situation as it pertains to their search for employment. It must then detail a specific plan of action set in place to provide these services and achieve defined goals. Lastly, the outcome of this plan must be documented to measure its success in achieving the desired goals.

Case management for TAA eligible customers may start with outreach or a Rapid Response event. Regardless of how the customer service is facilitated, an initial assessment should be immediately provided and a determination regarding the initial assessment outcome (Career Development Services or Job Search Ready Services) must be entered into OSOS to comply with NYS policy.

This guide will provide detailed instructions on how to conduct outreach to TAA eligible customers and record the OSOS data entry describing the outreach performed. It will cover data entry required for every TAA customer after receiving an initial assessment including accurately completing the Work History tab to document the customer's TAA eligible status.

CUSTOMER OUTREACH

The Unemployment Insurance Division (UID) Special Programs Unit (SPU) is responsible for determining overall program eligibility for individuals. To trigger the outreach process the SPU mails an eligibility application form to customers who are potentially eligible for the Trade Act program. To apply for eligibility the customer must complete and return the Request for Determination of Entitlement to TAA/TRA/RTAA (TA720) form.

TAA Central Office provides career centers with a weekly summary of TA720 forms that were mailed. This summary report, the TAA TA720 Outreach Report, lists potentially eligible customers who received a TA720 the previous week. TAA Central Office emails the TAA TA 720 Outreach Report to the local TAA Coordinator and Career Center Managers and directs the local office to conduct an initial outreach.

	A	B	C	D	F	G	H	I	J	K	L	M	N	O	P
1	Coordinator	OSOS_ID	LAST_NAI	FIRST_NA	ADDRESS	CITY	STATE	ZIP	COUNTY	Company_Name	PETITION	CERT_DA	LDW	PACKET_S	APP_F
2	Jean Wieland	NY014601536	Malinak	Mary	39 Michiga	Blue Point	NY	11706	Suffolk	The NPD Group	91185	1/10/2016	1/28/2016	4/18/2016	
3	Jean Wieland	NY014320943	Smith	Jonathan	36 Long St	Happauge	NY	11746	Suffolk	The NPD Group	91185	1/10/2016	5/26/2015	4/18/2016	
4	Jean Wieland	NY014384825	Kelly	Joan	151 Gerard	Rocky Poir	NY	11980	Suffolk	The NPD Group	91185	1/10/2016	7/13/2015	4/18/2016	
5	Jean Wieland	NY014393302	Jones	Bridget	17 Evelyn I	Montauk P	NY	11725	Suffolk	The NPD Group	91185	1/10/2016	8/12/2015	4/18/2016	
6	Jean Wieland	NY014405323	Fish	Bonita	26 Midland	Commack	NY	11798	Suffolk	The NPD Group	91185	1/10/2016	8/6/2015	4/18/2016	
7	Jean Wieland	NY014414144	Case	Justin	15 Elderbe	Dix Hills	NY	11746	Suffolk	The NPD Group	91185	1/10/2016	9/4/2015	4/18/2016	
8	Jean Wieland	NY009040630	Furst	Yugo	31 West St	Yaphank	NY	11701	Suffolk	The NPD Group	91185	1/10/2016	2/9/2015	4/18/2016	
9															

Upon receipt of the TAA TA720 Outreach Report, the Career Center TAA Specialist must reach out to each customer listed and offer career center contact information and guide the customer in completing and returning the TA720 form. The customer must mail or fax the completed TA720 form to SPU.

Once the TA720 is returned and SPU determines entitlement, SPU mails the Determination of Eligibility for Trade Adjustment Assistance (TA722) to the customer indicating eligibility for TAA and TRA; listing TAA program benefits; and specifying and describing the importance of meeting the training enrollment deadline.

Each week, TAA Central Office also provides career centers with a summary of TAA eligible customers who were issued a TA722 during the previous week. This report, the TAA TA722 Report is sent to the local TAA Coordinator and Career Center Managers for potential outreach. The Career Center TAA Specialist must determine which of the customers on the report are already interacting with the Career Center. The Career Center must outreach to those customers not currently active with a viable employment plan. Working with the customer, Center staff must develop a plan for the use of Trade Act benefits. Those customers who will need training must be offered assistance with creating an approvable training plan to be enrolled in training or issued a waiver from training before the training enrollment deadline date.

Ideally, the potential TAA customer will receive four contacts spaced apart:

1. the TA720 letter (Application for Trade Adjustment Assistance) mailed from the SPU;
2. the outreach contact letter/call/email from the Career Center to follow up with all customers on the TA720 Report (Initial Outreach);
3. the TA722 (Determination of Eligibility for Trade Adjustment Assistance) from the SPU, and
4. the outreach contact letter/call/email from the Career Center to those who were determined TAA/TRA/RTAA eligible.

Staff are required to enter an Activity (L1 service) and a comment into the customer's OSOS record describing each outreach performed with regard to the TA720 and any TA722 outreach.

Click the **Activity** button at the bottom of the customer's OSOS record to access the **Activities - - Webpage Dialog** screen.

Click the folder icon to open the **L1 State Specific** folder.
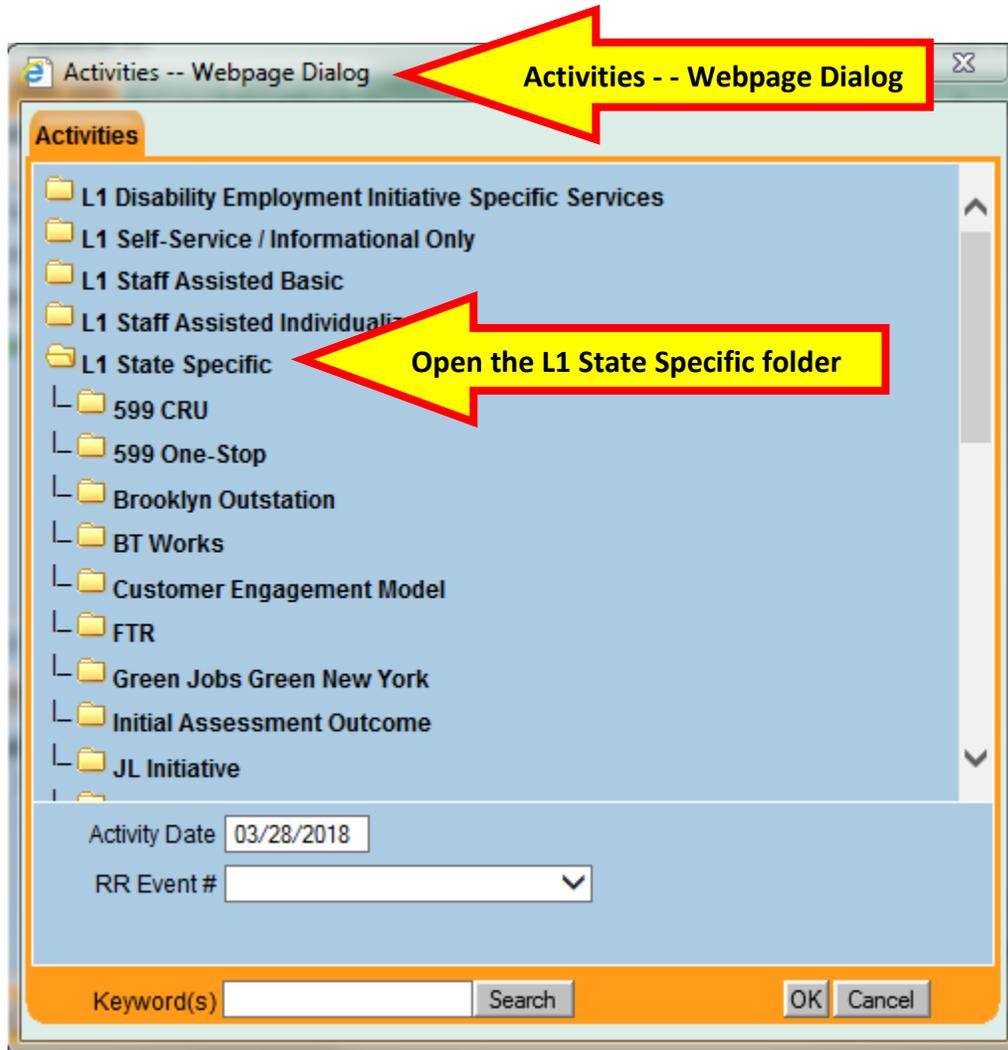
Click the **TAA Customer Outreach** folder to access the six activities.

Select the appropriate activity and change the **Activity Date**, to reflect the date that the outreach was conducted.

Click the **OK** button to add the activity to the customer's record.

Repeat these steps to record activities for each outreach that was conducted.
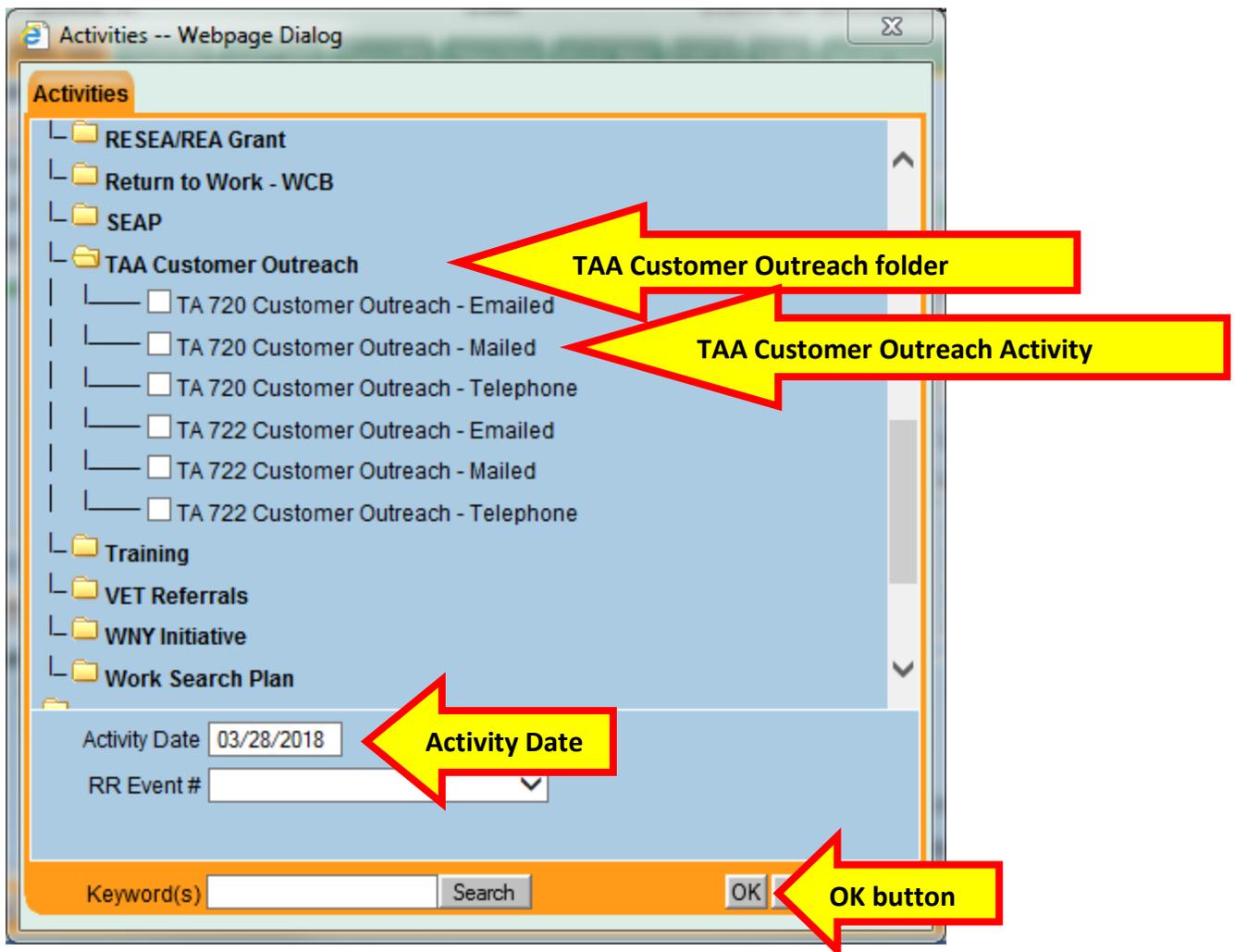
These activities will not create or extend an enrollment.

The activity will then be visible in the **Customer** module > **Customer Detail** window > **Activities** tab:

The activity will also be visible in the **Service** module > **Customer Detail** window > **Service History** tab:

Using the **Comments** button at the bottom of the **Customer Detail** window, enter a comment referencing the contact information that was used. Click the **Save** button to add the comment.

Additional data entry may be necessary to save the customer record. Required fields are marked with a green dot. Data must be entered in the following fields in order to save the record:

- Social Security Number
- Status, Job Seeker
- Last Name, First Name
- Gender
- Portfolio Level
- Address, City, State, Zip, County, Country
- U.S. Citizen
- Ethnic Heritage
- Race
- Service Veteran
- Education Level
- School Status
- Employment Status
- At least one contact preference must be entered
- Income Info – Lower Living Standard and Income 70% LLSIL
- Disability Status
- Migrant / Seasonal Worker
- Certificates/ Licenses, Schools, and Professional Organizations, or check the No Information Provided checkbox for each.
- Skills

If you attempt to save a record that does not have data in all required fields, an OSOS pop-up error message will indicate which fields are missing data.

OSOS Error Message -- Webpage Dialog

OSOS Error Message

You must enter information for at least one Certificate/License or check the 'No Information Provided' checkbox.

![OSOS One-Stop Operating System logo]
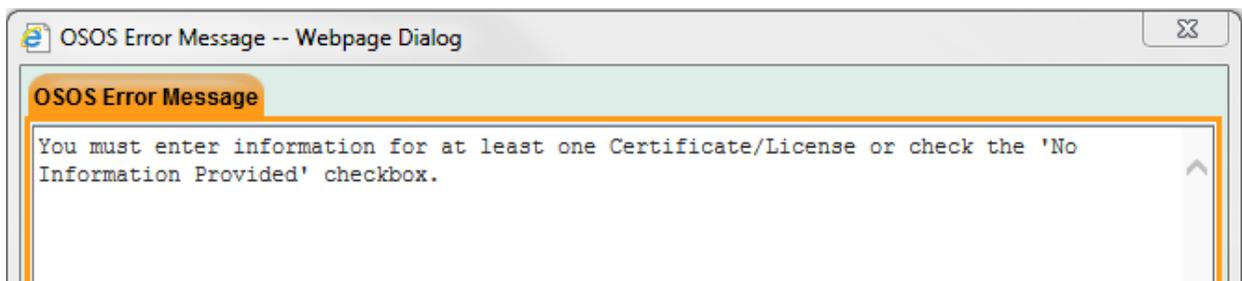
INITIAL ASSESSMENT

Upon initial contact with any customer connected to an existing OSOS record, all information must be reviewed and updated as necessary to ensure a complete record. A complete OSOS record must also be created for a new customer. The customer's job readiness skills should be addressed to develop a preliminary determination of the customer's needs and what services exist to meet those needs. All subsequent services should be driven by staff's assessment of the customer's needs at that point in time.

TAA related data entry requires prerequisites to the customer record. The following sections detail the additional information needed for TAA data entry.

EMPLOYMENT STATUS

The **Employment Status** must be accurately recorded at the time of participation. It is recorded in the **Customer** module > **Customer Detail** window > **General Info** tab. Generally, Trade Act customers will be listed as **Employed - Rcvd Notice of Termination** or **Not Employed**.

ADDITIONAL INFORMATION TAB

Selective Service information must be recorded for male participants born on or after January 1, 1960. It is located in the **Customer** module > **Customer Detail** window > **Add'l Info** tab.

The Register/Lookup button can be used to identify the customer's Selective Service number. Enter the Selective Service number, then click the **Save** button.

  Customers who have chosen not to comply with Selective Service registration requirements are not eligible for WIOA funding and not able to be registered as Dislocated Workers. The only exception to this is if the customer is able to provide convincing evidence to the agency providing the benefit that their failure to register was not knowing and willful. For further information regarding Selective Service Requirements under WIOA, please reference Technical Advisory 12-9.1.

WORK HISTORY

A Rapid Response event may result in the creation of a new customer record that includes the affected worker's work history, including a current job if the customer is still employed. The Unemployment Insurance (UI) automated process that integrates with OSOS may create duplicate job listings in an existing customer record. Any duplicate job listings must be combined into a single inclusive job history.

Navigate to the **Customer** module > **Customer Detail** window > **Work History** tab to edit the customer's work history information. Select the box next to the appropriate work history from the list at the bottom of the screen.

Staff must correct and complete the work history information to be retained. This may require adding the **O*Net Code**, **Address**, **Wage**, **Job Duties**, and **NAICS** code.

Whenever a Rapid Response event occurs, Rapid Response staff will create the event in OSOS and usually attach it to the work history. However, if the Rapid Response number is not visible and staff can see that a Rapid Response orientation occurred by reviewing the activities in the OSOS record, they should contact the local Rapid Response coordinator. If the coordinator is able to provide the appropriate number, click the Rapid Response **Event** button and enter it into the **Rapid Response Lookup** dialog box. Click the **OK** button to save the **Rapid Response Event Number**.

The **Reason for Leaving** data field for the trade affected job must state **Category 5 DW - Dislocated due to foreign trade.**
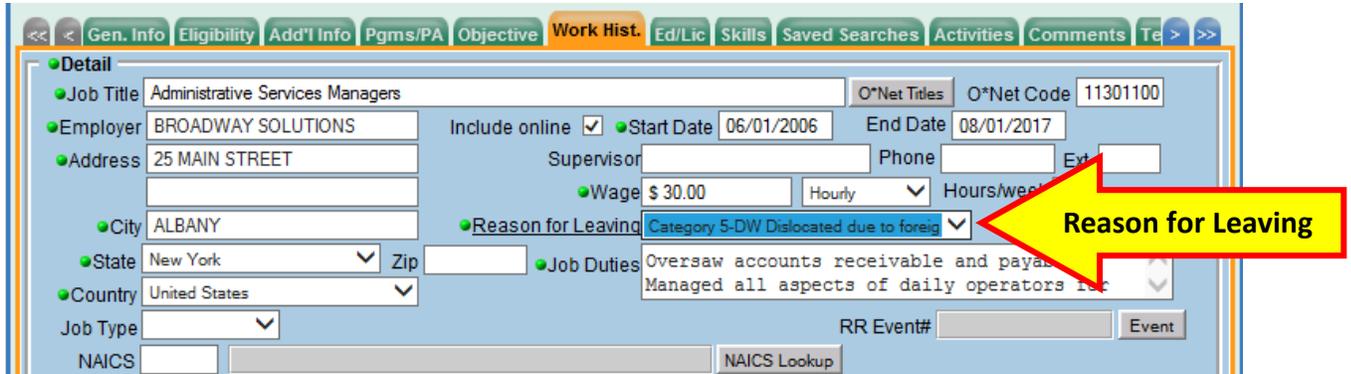
When the **Reason for Leaving** is set to **Category 5 – DW Dislocated due to foreign trade**, additional fields are displayed in the **TAA / NAFTA-TAA** section requiring specific information.

The data in this section needs to be entered or verified.
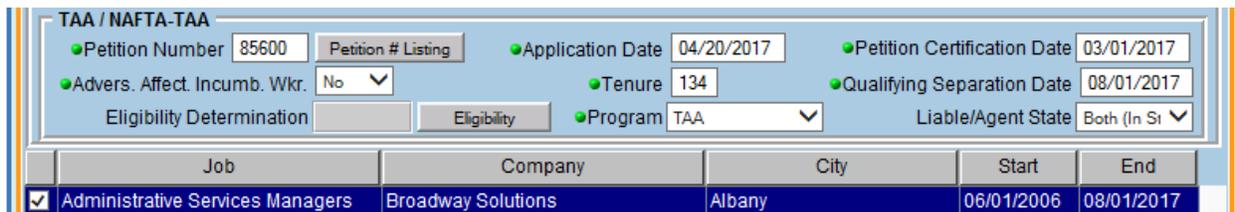
The additional fields include:

- **Petition Number** (includes a button with a hyperlink for petition search): This is the petition number for the trade certification. If there is an alphabetic suffix, it must be included. The petition number is used in the **Services** module to link the customer to the Trade Act enrollment.

- **Adversely Affected Incumbent Worker**: This is an employee that has received a letter of threatened status. This letter grants eligibility (solely) for the training benefit. The Career Center may provide service to an **Adversely Affected Incumbent Worker** that is receiving training while still employed. In this situation, the work history should leave the **End Date** field blank and state **Category 5 – DW Dislocated due to foreign trade** rather than **Still Employed** in the **Reason for Leaving** field. The **Qualifying Separation Date** will not become a required field until the employment has ended.

- **Application Date**: This is the date the customer signed the TA720 and returned it to SPU. If the customer has been determined by NYSDOL to be an **Adversely Affected Incumbent Worker (AAIW)**, the **Application Date** entered will be the mailing date on the customer's "*threatened status letter.*" The **Application Date** must be a date that is before or equal to the **Eligibility Determination Date**. For purposes of AAIWs, the **Eligibility Determination Date** entered will also be the mailing date of the customer's "threatened status letter."

- **Tenure**: This is the total number of months that the customer was employed with the employer of record ending with the customer's **Qualifying Separation Date** or **Last Day Worked** on the customer's TA722 Determination of Entitlement to Trade Adjustment Assistance.

- **Program**: The TAA option in the drop down covers all amendments to TAA regulations. Included are the Trade Adjustment Assistance (TAA), Trade and Globalization Adjustment Assistance (TGAA), Trade Adjustment Assistance Extension Act (TAAEA) or Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA). For all programs listed above, the customer is eligible to receive services and/or benefits based on the petition certification.

- **Petition Certification Date**: This is the date on which USDOL approves a petition for trade program eligibility. (Available on TAA Outreach Report, distributed via email and at the USDOL website: https://www.doleta.gov/tradeact/petitioners/taa_search_form.cfm)

- **Qualifying Separation Date**: This is the date of separation from trade-impacted employment that qualifies the customer to receive benefits and/or services under the Trade Act. It is the **Last Day Worked** on the customer's TA722.

- **Liable/Agent State**: This field identifies the trade-related liable or agent state.
  - Select **Both (In State**) if the customer resides in New York State and New York is responsible for determining the customer's entitlement to TAA; paying the UI and TRA benefits; issuing waivers from training, and monitoring training.
  - Select **Liable** if the customer resides *outside* of New York State and New York is the entity responsible for determining the customer's entitlement to TAA; paying the UI and TRA benefits; issuing waivers from training, and monitoring training.
  - Select **Agent** if the customer resides within New York State and a state *other than New York* is the entity responsible for assisting customers to file claims for TAA program benefits and services. The Agent State is responsible for the costs of an approved training program, including subsistence and transportation costs. The Agent State will continue to monitor the customer's training progress.

- The **Eligibility Determination** field is accessed by clicking the **Eligibility** button.

- o **Eligibility Determination**: This defaults to a blank space and must be changed to **Eligible** or **Ineligible** when a determination is rendered indicating if the customer is, or is not eligible, for TAA benefits.
  - o **Eligibility Determination Date**: This is the mailing date of the TA722 form that informed the customer of their eligibility for Trade Act services.
  - o The **Eligibility Cancel Date** is the date that the customer is no longer eligible for Trade Act funding. For example, if a customer misses their training enrollment deadline, fails to attend regularly scheduled training waiver reviews without justification, or secures suitable employment, then local staff will enter the **Eligibility Cancel Date**.
  - o The **Eligibility Staff** and **Eligibility Office** will automatically populate, but may be changed by any user.

Click the **Save** button after all work history information is complete.

Saving the **Eligibility Determination** will create an activity in the **Activities** tab.

This is not the Trade Act enrollment.

After functional alignment occurs, enrollments will include:

- WIA / WIOA
- Common Measures
- Labor Exchange

To view enrollments, navigate to the **Customer** module > **Services** window > **Enrollments** tab.

Click the **Show Eligibility Determination** button to view the details of any determination.

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This is the Trade Act Determination and not an enrollment. Without attaching the petition number to an L2 service, the Trade Act enrollment will not have occurred yet.

The **Eligibility Determination Date** can be viewed in the **Customer** module > **Services** window > **Enrollments** tab. It is not necessary to navigate to the **Customer** module > **Customer Detail** window > **Work History** tab.

COMPREHENSIVE ASSESSMENT

Trade Act customers are usually co-enrolled in WIOA and must therefore comply with the Data Element Validation (DEV) requirements per the following Technical Advisories:

- TA 11-12.2 Data Element Validation for the Workforce Investment Act, Wagner-Peyser, Veterans Employment and Training Service and Trade Adjustment Assistance/Trade and Globalization Adjustment Assistance Programs
- TA 10-3.1 Requirements for the Collection of Additional Participant Demographic Information upon Receipt of Intensive or Training Services under Title I-B of the Workforce Investment Act of 1998

All Technical Advisories are available on the New York State Department of Labor's Policy Directives page.

It is necessary to complete data fields required for dislocated workers and staff must verify this data through the customer's self-attestation.

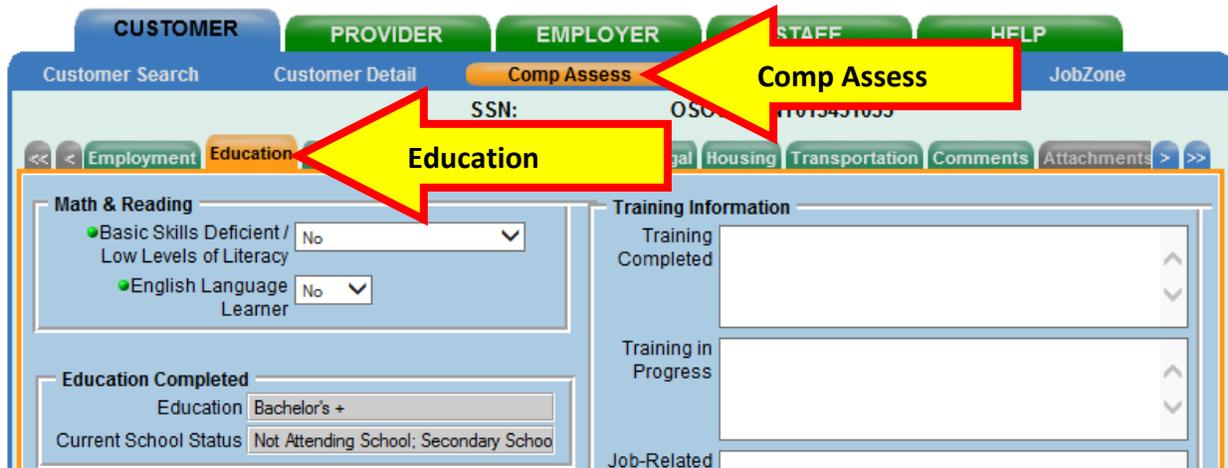To access the Comprehensive Assessment tabs, select the **Customer** module > **Comp Assess** window.

For detailed guidance on completing these tabs, please view the Comprehensive Assessment and Supplemental Data OSOS Guide.

All required fields are marked with a green dot. Once information has been entered in one of the Comp Assess fields, all required fields must be completed in order to save the record.

As noted in the above referenced Technical Advisories, Dislocated Workers who are Limited English Proficiency and/or a Single Parent require additional data entry as summarized below.

Limited English Proficiency must be recorded in the **English Language Learner** field. This is located in the **Customer** module > **Comp Assess** window > **Education** tab.

If applicable, Single Parent status must be recorded in the **Family Status** field. This is located in the **Customer** module > **Comp Assess** window > **Family** tab.
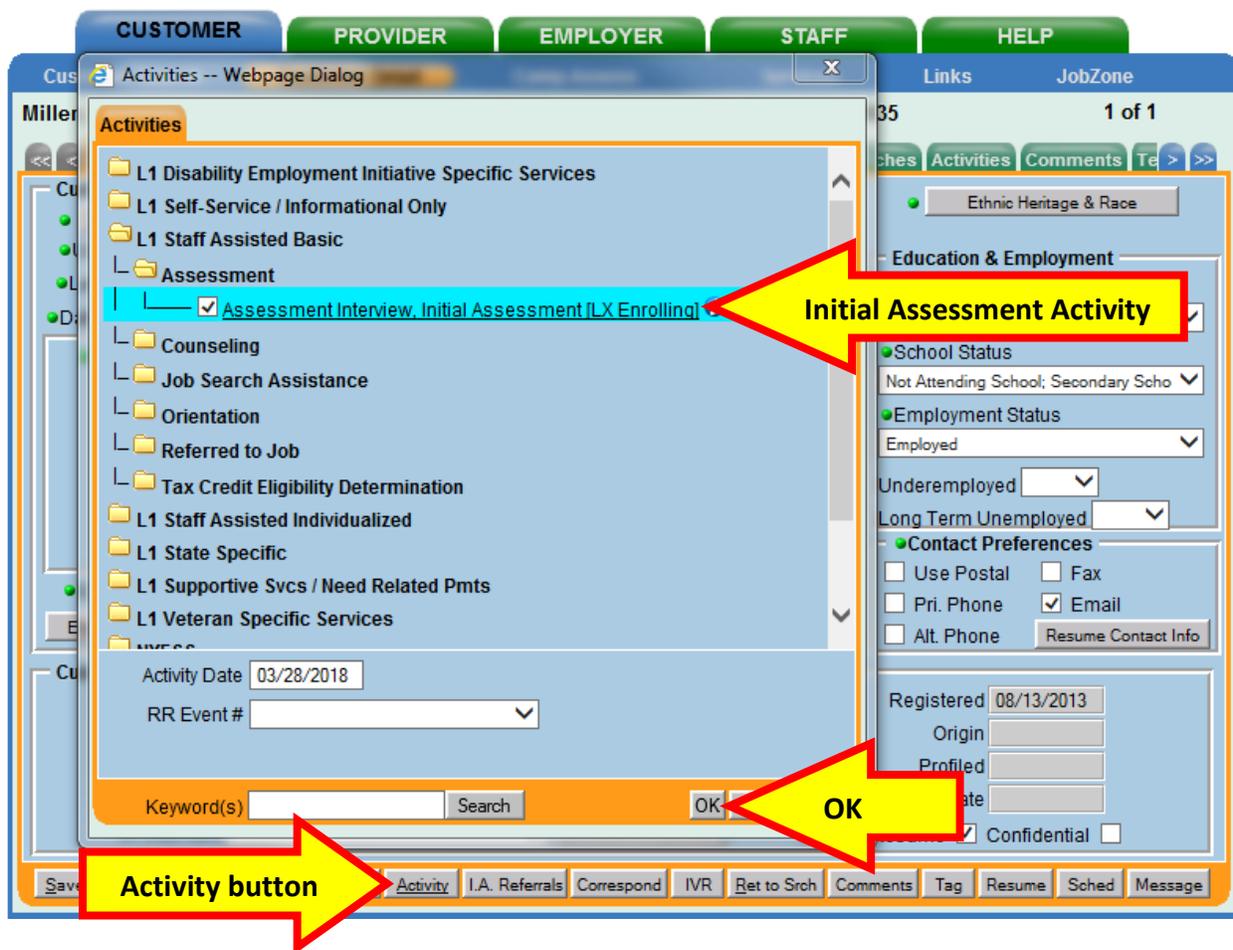
INITIAL ASSESSMENT ACTIVITY

An activity, also known as an L1 service, must be recorded for the initial assessment. This activity will create a WIOA, Common Measures, and Labor Exchange (LEX) enrollment and will extend an existing Trade Act enrollment. It will not create a Trade Act enrollment by itself.

Click the **Activity** button at the bottom of the page to access the **Activities - -Webpage Dialog** screen. Navigate to the **L1 Staff Assisted Basic**, **Assessment**, and select the **Assessment Interview, Initial Assessment** activity.

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

The initial assessment is intended to decide which level of services a customer needs: Job Search Ready Services (JSRS) or Career Development Services (CDS). This assessment must be made on the same day the customer receives his or her first staff-assisted service, with the exception of a Rapid Response Orientation or a job referral. It must be indicated in the customer record by adding the appropriate **Initial Assessment Outcome** activity.

Click the **Activity** button at the bottom of the page to access the **Activities - -Webpage Dialog** screen. Navigate to the **L1 State Specific**, **Initial Assessment Outcome** folders and select either the **Job Search Ready Services (JSRS)-IA Outcome** or **Career Development Services (CDS)-IA Outcome** activity as appropriate.

Click the **OK** button to record the activity.
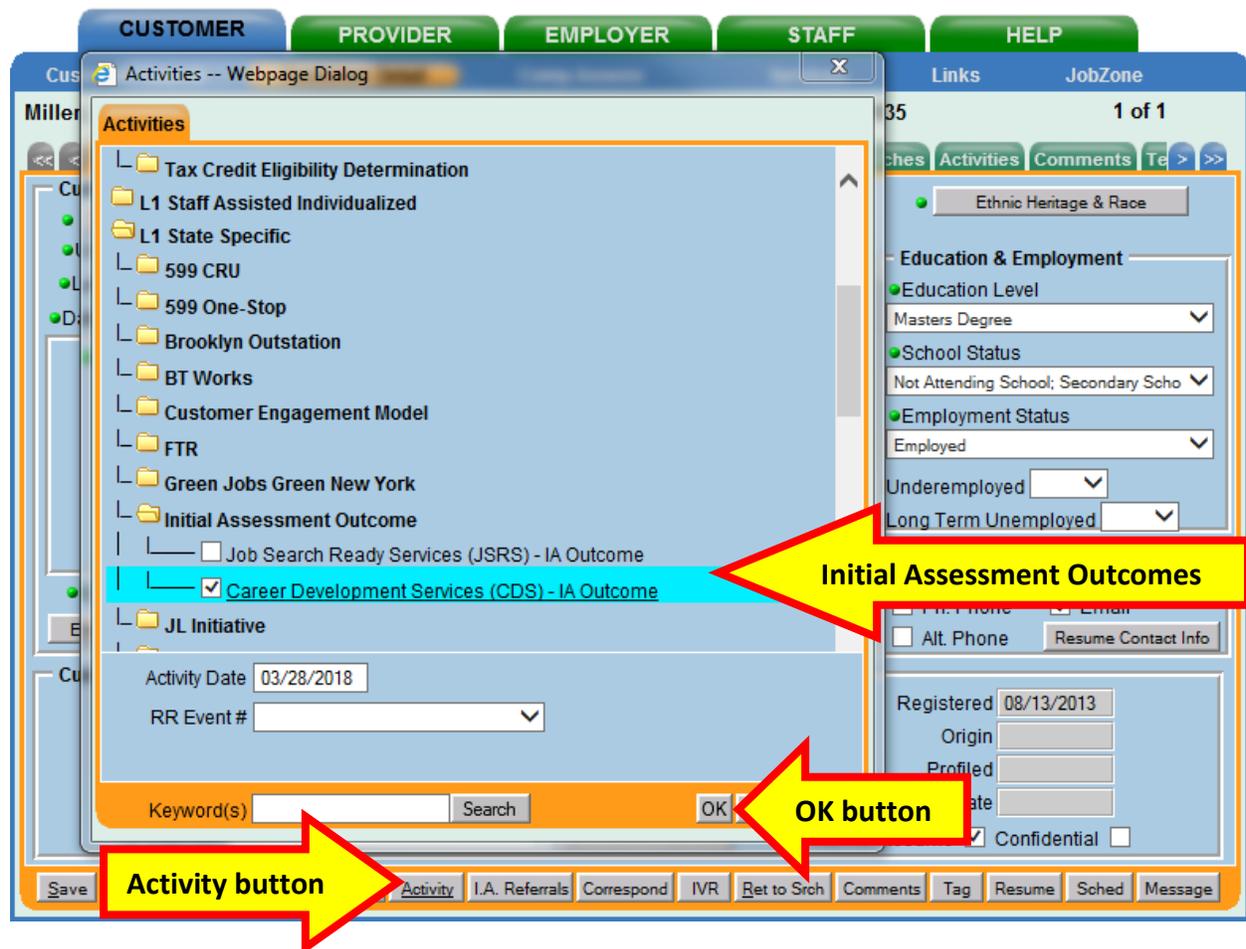
If the activity being recorded is the first service (i.e. the enrolling service), the **Edit--Webpage Dialog** window appears, as shown below. The **Customer Detail** tab (shown below) and the **Comp Assess** tab (next page) contain required fields that are designated with a green dot. Verify all data and update information as required.

Click **Save.**

If you attempt to save the **Edit--Webpage Dialog** without data in all required fields, an OSOS pop-up error message will indicate which fields are missing data.
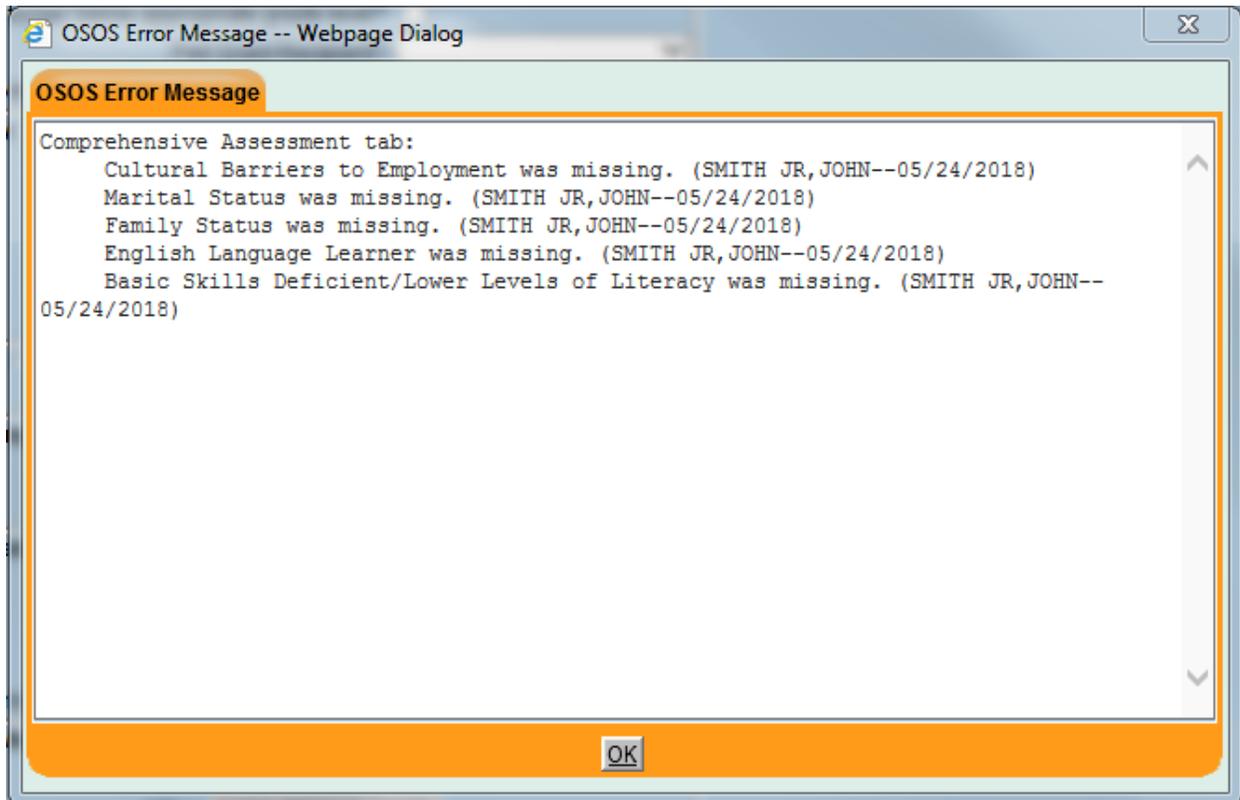
More in-depth services may be necessary to determine the customer's job readiness. These may include career counseling or guidance.

After the initial assessment, staff should continue to evaluate and update the customer's situation as necessary. Assessment should be considered an ongoing process which may change along with a customer's varying needs and decisions.

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

TAA Quick Guide for Petitions: https://labor.ny.gov/workforcenypartners/taa/quick-guide-for-petitions-ta-w-80000.pdf

Additional program information, OSOS guides and other resources can be found at:
http://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