

## EKOS Data Entry for Trade Program

The following instructions detail data entry for the Trade Program in the shared information system, EKOS. Activities and services will be entered by the providing agency. Coordinate services among partners to efficiently serve the Trade affected workers in your area. Each agency staff, OET and WIA, is responsible for recording and closing the services that each provides.

1. **Customer Search.** On the Customer Search screen / Quick Search Tab, enter the Customer SSN, or Name to search for a customer record, then click on the "Search" button. The Customer Detail screen will appear with the customer's basic information. If individual has no record in EKOS, click the **New** button at bottom right and enter all required data indicated by green dots and any additional information needed for Labor Exchange and Trade enrollment.

*Time Saver Tip:* Up to 20 SSN's or Customer ID's may be entered before clicking on the "Search" button. Once the results are returned click on the "Select All" button, then the "Detail" button to view/change each record.

Screen Print #1

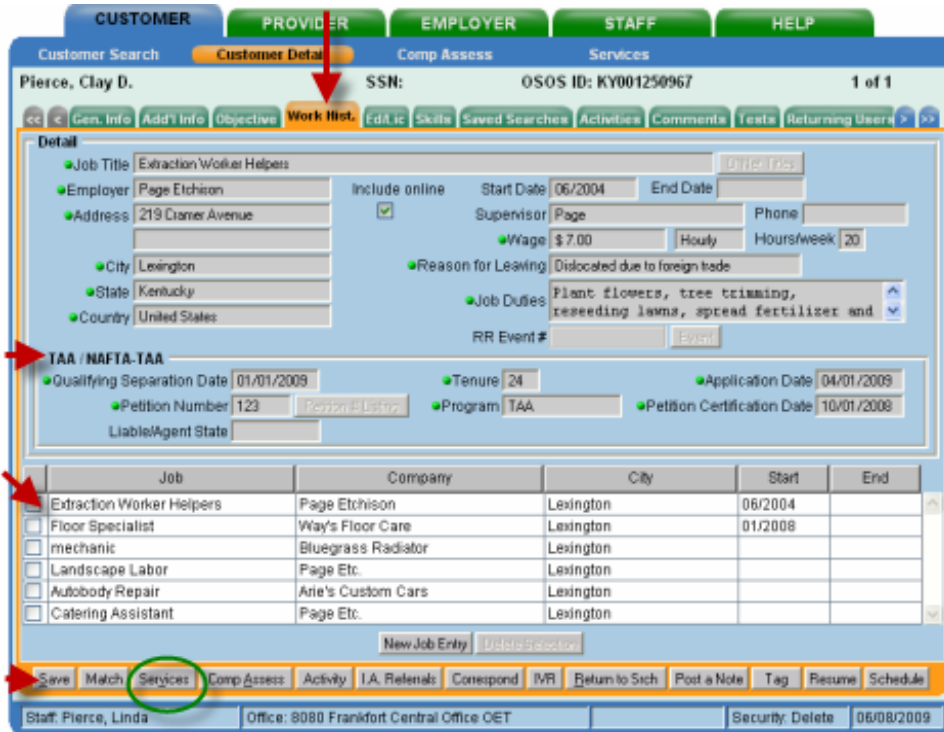
2. **Customer Detail Module.** All fields with green dots **MUST** be entered on each tab in Customer Detail module. Any indicated with arrows in Screen Print #2 must also be entered for reporting purposes. If customer registered through Self-Service, review record to complete any missing required customer detail data.

Screen Print #2

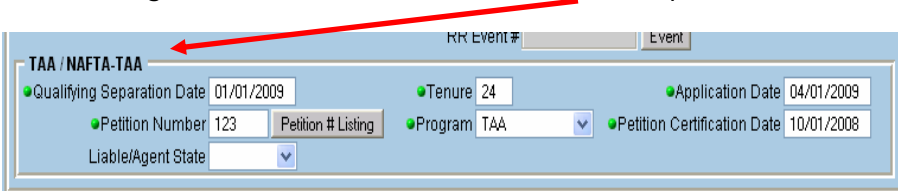
3. Click on the **“Work History”** tab in the Customer Module.

- A. If the trade-affected employer is not listed, click on the ‘New Job Entry’ button and complete all green dotted fields.
- B. The reason for leaving on Trade-affected workers will be “Dislocated due to foreign trade.”
- C. **The TAA/NAFTA-TAA section is required and must be completed.** Once staff begins to enter data into this section all the fields will become green dotted required fields.
- D. If the Trade affected employer is listed, but the reason for leaving selected is a Category 1, 2, 3, or 4, then **do not** change the reason for leaving. A new work history must be created with “Dislocated due to foreign trade” as the Reason for Leaving. (See screen print #3.)
- E. If the individual is an incumbent worker, follow instructions in Attachment A.

**Screen Print #3**



- F. All the fields in the “TAA / NAFTA-TAA” section must be completed:
  - a. “Qualifying Separation Date” is the date recorded in Box 5: “DATE OF SEPARATION FROM IMPACT” field on the TAA/TRA 855 form.
  - b. “Tenure” is the total number of months the participant was employed with the certified employer at the most recent qualifying separation. To obtain the number of months of tenure, subtract the “Start Date” (month/year) from the “End Date” (month/year) from Box 3: “DATE OF EMPLOYMENT”.
  - c. “Application Date” is the “DATE OF THIS REQUEST,” found in Section D, TAA/TRA 855 form.
  - d. “Petition Number” can be obtained from the TAA/TRA 855 form. Do NOT include any alphanumeric suffix.
  - e. “Program” is the Trade Program under which the petition determination was made. Select either “NAFTA/TAA” or “TAA” from the list, whichever is appropriate. The program will be “TAA” in most cases.
  - f. “Petition Certification Date” is the date that DOL certified the company Trade eligible. (Locate by clicking on the “Petition # Listing” button which is a link to the DOL petition determinations website. This date is displayed in the “Decision Date” column.)
  - g. Once all the entries have been completed in this section, click on the “Save” button.

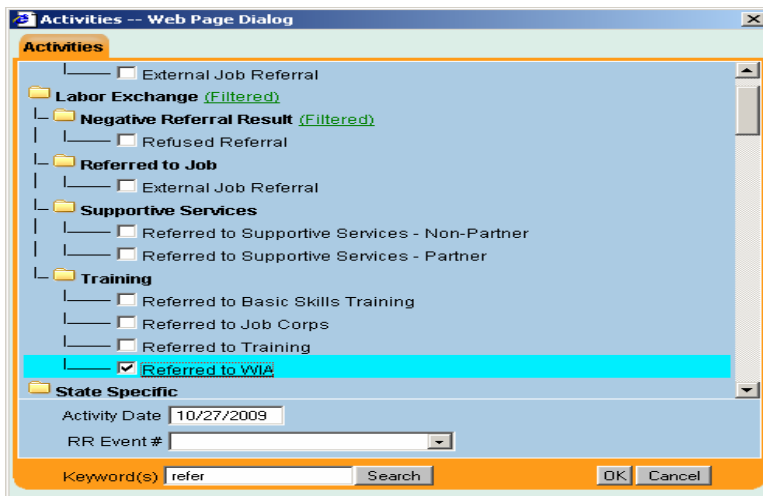


**Liabe/Agent State**  
**Liabe state is where UI claim resides.**  
 Most common scenario: When a KY customer moves to another state, the state of residence becomes the agent state and KY is the liabe state. When an affected worker moves to KY from another state, KY becomes the agent state.

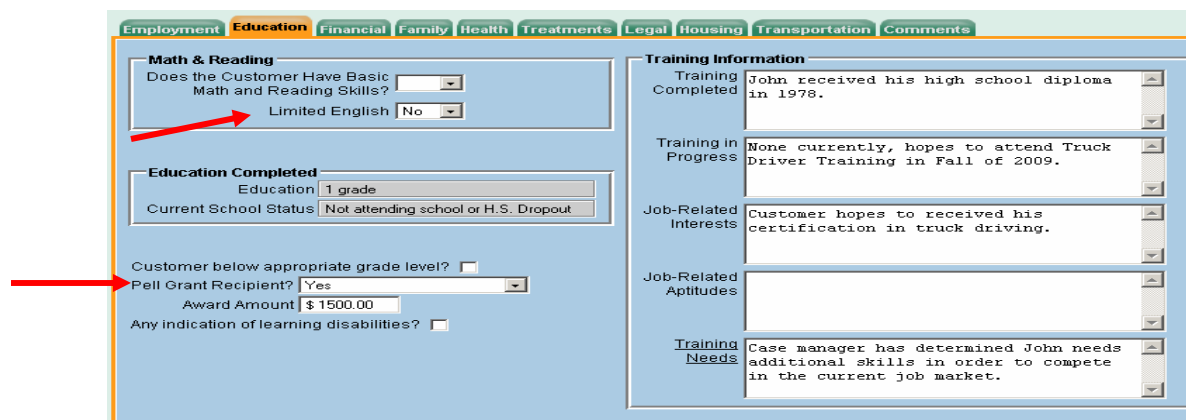
4. **"Activities Tab"** in Customer Detail Module. Upon completion of TAA registration and eligibility determination (TAA/TRA - 855 and 855a) enter the activity a. listed below by clicking on the Activities button and choosing from menu.
  - a. Eligibility Determination Trade or Eligibility Determination Trade ATAA/RTAA

The additional Case Management and Re-Employment activities listed below shall be made available to all adversely affected workers. If a customer refuses services beyond eligibility determination, document that they declined services in the comments section. **Enter all of the following activities that are provided to the customer:**

- b. Referred to WIA (and any other partner or non-partner agencies as needed). Utilize the Interagency Referral Button or record appropriate referral activities.
- c. Individual Employment Plan
- d. Assessment Interview, Initial assessment (upon completion of Form 855)
- e. Assessment Services, Career assessment (upon completion of comp assessment)
- f. Testing (BEAG, GATB, Math, Literacy, NATB, Proficiency, SATB or Other)
- g. Workforce Information Services Staff Assisted or Self-Service (LMI)
- h. Referred to Support Services Partner/Non Partner (including financial & training opportunities)
- i. Short Term Prevocational Services



5. **Comp Assessment Module.** Click Comp Assessment Button at bottom of screen. Enter all applicable information for all trade affected workers to assist in completing the participant's Individual Employment Plan. Remember all green-dotted items must be completed. Also, the two data elements indicated below with red arrows on the Comp Assessment, Education Tab, are required for reporting purposes. Do not make any changes to, or delete, information entered by another staff. You may update by adding current information. Begin each entry by posting your initials and date of entry (ex. JH 10/27/09 Bob is interested in working for Toyota). Space is limited-be brief Additional information may be recorded using post a note in the Comp Assessment comments section.



6. **Services Module** Click the Services button and the **Agency Info Tab** will appear. OET agency is listed as "Department of Labor". WIA agency is listed as "Department for Training and Re-Employment".

- If the Agency has already been created and is in 'Active' status skip to step #8.
- If there is already an existing Agency that is in "Inactive" status and the date of service to be attached falls within the date parameters on the Inactive Agency tab, remove the "Termination Date" and "Termination Reason" and click save. This will restore the Agency to "Active" status.
- If the "DEPARTMENT OF LABOR" agency is not listed, it must be created.

NOTE: When a customer is enrolled in both the Trade program and the Dislocated Worker Program, an agency must be created for both DOL and DTR.

#### Screen Print #4

The screenshot shows a web application interface for the 'Services' module. At the top, there are navigation tabs: CUSTOMER, PROVIDER, EMPLOYER, STAFF, and HELP. Below these are sub-tabs: Customer Search, Customer Detail, Comp Assess, and Services (which is currently selected). The main content area is titled 'Agency Info' and contains the following fields:

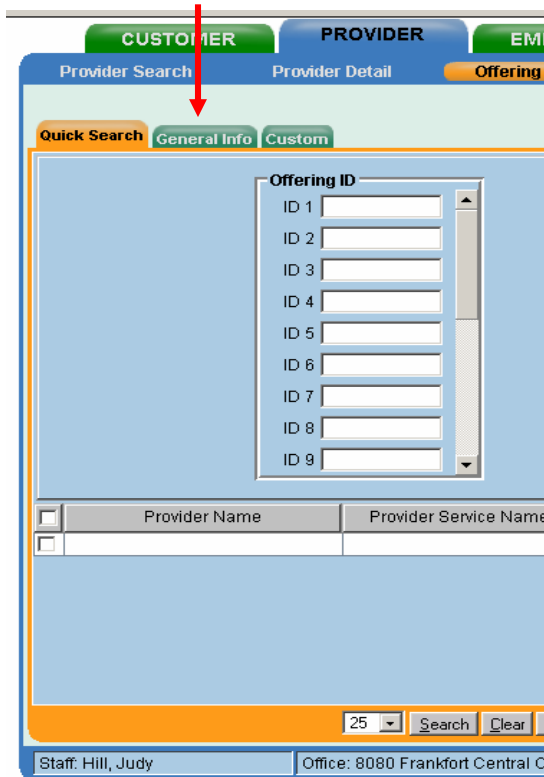
- Agency: DEPARTMENT OF LABOR
- Intake Date: 01/01/2008
- Enrollment Date: 01/01/2008
- Termination Date: (empty)
- Termination Reason: (empty)
- Status: Active

Below the form is a table with two columns: Agency and Status. The table contains one row: DEPARTMENT OF LABOR | Active. At the bottom of the form area, there is a 'New Agency' button, which is highlighted with a red arrow. The bottom of the screen shows a footer with 'Save', 'Customer Detail', 'Comp Assess', 'Print a Note', and 'Check Labor Market Information' buttons. The status bar at the very bottom displays 'Staff: Pierce, Linda', 'Office: 8080 Frankfurt Central Office OET', 'Security: Delete', and '06/08/2009'.

- a. Click on the "New Agency" button to create a new agency.
- b. Select the appropriate agency from the drop-down list.
- c. Enter the "Intake Date". This is the "Application Date" which is located in the Customer Module/Work History Tab / TAA / NAFTA-TAA Section (from Section D of TAA/TRA855 form).
- d. Enter the "Enrollment Date", which is the date of the first agency service and is usually the same date that was entered in the "Application Date" field on the Trade impacted Work History Tab in the Customer Detail Module.
- e. Click on the "Save" button. The Agency should now be displayed as "Active" in the 'Status' column.

7. Click on the “Services” Tab.

- A. Click on the “New Service” button. The Offering Search Module will be displayed.
- B. Click on the Offering Search General Info tab. The WIB location must be set to “blank” in order for statewide Trade services to appear in the search results. Search using Provider Name **Trade**. Statewide Trade services are displayed in the table below. Click search button to display all available statewide Trade services listed in Table 1 below. For all Trade participants, Case Management begins with initial assessment and eligibility determination upon completion of the TRA/TAA 855 and 855a forms with start date when TRA/TAA855 forms were signed. Enter other services from Table I as they are provided. NOTE: If participant is also receiving case management services through the WIA Dislocated Worker Program, a separate case management service will be entered by WIA staff using appropriate funding. Any Training and Related Services provided with either WIA or Trade funding will be entered by the agency providing those services.



Screen Print #5

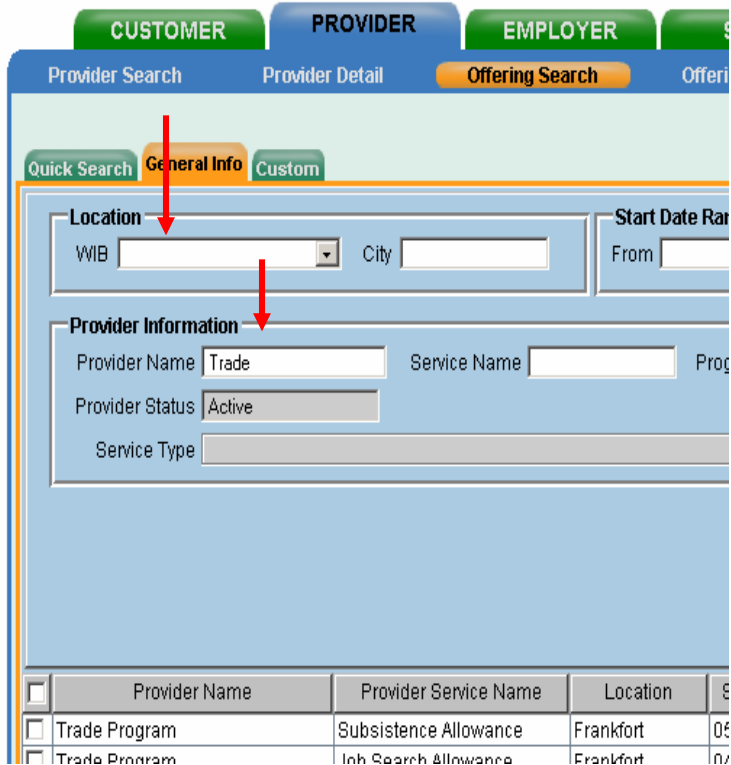


Table 1

Service Name	Provider ID 16539	Program	Location	WIB	Service ID	Offering ID
ATAA/RTAA Wage Subsidy	Trade Program	Trade	Statewide	Leave Blank	31780	31621
Participation in ATAA/RTAA	Trade Program	Trade	Statewide	Leave Blank	31784	32612
Case Management	Trade Program	Trade	Statewide	Leave Blank	31608	32320
Job Search Allowance	Trade Program	Trade	Statewide	Leave Blank	22131	21550
Relocation Allowance	Trade Program	Trade	Statewide	Leave Blank	31607	31319
Subsistence Allowance	Trade Program	Trade	Statewide	Leave Blank	30612	31320
TRA Additional	Trade Program	Trade	Statewide	Leave Blank	30615	32322
TRA Basic	Trade Program	Trade	Statewide	Leave Blank	31610	31323
TRA Remedial	Trade Program	Trade	Statewide	Leave Blank	30616	31324
Trade Waiver Assessment	Trade Program	Trade	Statewide	Leave Blank	16539	31621
Transportation Allowance	Trade Program	Trade	Statewide	Leave Blank	30611	32319

- C. Click on the desired offering which will cause it to highlight blue with a check mark in the box in the left column. (Screen Print #6)
- D. Click on the "Schedule" button. The Customer Services Module / Services Tab will be displayed with some fields automatically populated. (Screen Print #7)

### Screen Print # 6

Provider Search    Provider Detail    **Offering Search**    Offering Detail

1 - 13 of 13

Quick Search    **General Info**    Custom

**Location**  
 WIB [ ] City [ ]    **Start Date Range**  
 From [ ] To [ ]

**Provider Information**  
 Provider Name [trade]    Service Name [ ]    Program [ ]  
 Provider Status [Active]    Service Type [ ]    Service Type [ ]

<input type="checkbox"/>	Provider Name	Provider Service Name	Location	Start Date	Start Time	End Date	End Time
<input type="checkbox"/>	Trade Program	Relocation Allowance	Frankfort	05/11/2009			
<input type="checkbox"/>	Trade Program	Subsistence Allowance	Frankfort	05/11/2009			
<input type="checkbox"/>	Trade Program	TRA Additional	Frankfort	05/11/2009			
<input type="checkbox"/>	Trade Program	TRA Basic	Frankfort	05/11/2009			
<input type="checkbox"/>	Trade Program	TRA Remedial	Frankfort	05/11/2009			
<input checked="" type="checkbox"/>	Trade Program	Trade Waiver Assessment	Frankfort	04/08/2008			
<input type="checkbox"/>	Trade Program	Transportation/Travel Allowan	Frankfort	05/11/2009			

25    Search    Clear    Detail    Delete    Print List    **Schedule**

Staff: Hill, Judy    Office: 8080 Frankfort Central Office OET    Security: Search    10/27/2009

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8. On the Services Detail screen, complete the following (all on left side):
- "Planned Start Date" is the date the service is scheduled to begin.
  - "Planned End Date" is the date the service is scheduled to end.
  - "Next Contact Date" is used for your inbox reminders.
  - "Actual Start Date" is the date the service actually began. (It cannot be a future date.)
  - "Program Svc Type",
    - Select "Intensive" from the drop-down list field for all statewide Trade services and allowances listed in Table 1 on page 5.
    - Select either "ITA-Training" or "non ITA-Training" for any training services
  - "Program" field, from the drop down list select: **TRADE**
  - Click on the "Save" button.

### Screen Print # 7

CUSTOMER    **PROVIDER**    EMPLOYER    STAFF    HELP

Customer Search    Customer Detail    Comp Assess    **Services**

Smith, John Q.    SSN: 777-77-7777    OSOS ID: KY000475327

Agency Info    Achievement Objectives    **Services**    Service History    Enrollments    Outcomes    Comments    Audit    Lit/Num Tes

**Detail**

Provider Name: Trade Program  
 Original Obligation: \$1.00    Total Obligation: \$0.00  
 Offering Cost: \$1.00    Actual Cost: \$0.00  
 Planned Start Date: 09/01/2009    Planned End Date: 10/01/2009  
 Actual Start Date: 09/01/2009    Actual End Date: 10/01/2009  
 Next Contact Date: [ ]    Minimum Hours: [ ]  
 Program Svc Type: Intensive    Completed: [ ]  
 Number of Weeks: [ ]  
 Min. Prog. Agreed: [ ]  
 Achv. Objective: [ ]  
 Program: Trade  
 Agency: DEPARTMENT OF LABOR    Change Office  
 Office: 8080 Frankfort Central Office OET

**Funding**

Level	Source	Obligated	Actual	Oblig #
Total Funding [ ]    Add    Edit    Delete				
Petition # [ ]				
RR Event # [ ]				

Achievement Objective: [ ]    Service: HVAC

Trade Waiver Assessment

New Service    Delete Service    Authorization    IPA Service Summary    Payments    Tracking    Change Actual Cost

Save    Customer Detail    Comp Assess    Post a Note    Check Labor Market Information

Staff: Hill, Judy    Office: 8080 Frankfort Central Office OET    Security: Search    10/27/2009

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Attach funding to the service (all on right side):

- A. Enter the planned amount or \$1.00 into the **"Total Funding"** field.
- B. Select the Trade **Petition #** from the drop down box. (If no Petition # is available in the drop-down box, the work history with Reason for Leaving "dislocated due to foreign trade" has not been completed. Return to Customer Detail/Work History Tab and complete Petition information.)
- C. Only when the funded service is "Trade Waiver Assessment", **Training Waiver** (reason) field must be completed. When Petition number and Waiver Reason field is populated, a waiver button will appear. See #9 below for additional instructions.
- D. Click the **"Add"** button
- E. The "Funding—Web Page Dialog" screen will appear. (Screen Print #9.)
  - a. Enter obligated amount or \$1.00 in the **"Obligated Amount"** field.
  - b. Select the funding source that corresponds to the Program selected
    - i. TAA (Trade) – State Level (trade funded services only)
    - ii. TAA (Trade) – WIB Level (Training & related services funded at local level)

*NOTE: TAA funding will not appear if Petition # has not been selected.*
- F. Click on the "OK" button and then save button.

### Screen Print # 8

The screenshot shows the 'Services' tab for customer John Q. Smith. The 'Funding' section contains the following table:

Level	Source	Obligated
<input type="checkbox"/> State	TAA (Trade)	\$ 1.00

Below the table, the 'Total Funding' is \$1.00, 'Petition #' is 71389, and 'Waiver Reason' is 'Marketable Skills'. A 'Waiver' button is visible next to the reason. A callout box states: "The Training Waiver field should only be selected when the funded service is a Waiver."

### Screen Print # 9

The screenshot shows the 'Funding -- Web Page Dialog' window with the following table:

Level	Funding Source	Year	Remaining
<input type="checkbox"/> WIB	WIA Stimulus Dislocat	2009	\$ 999924.00
<input type="checkbox"/> State	Stimulus Dislocated w	2009	\$ 947379.55
<input type="checkbox"/> State	Stimulus Adult Statew	2009	\$ 992999.00
<input type="checkbox"/> State	NEG173(e)	2007	\$ 1363911.57
<input type="checkbox"/> State	NEG Ice Storm	2009	\$ 998631.00
<input type="checkbox"/> State	TAA (Trade)	2009	\$ 9937009.25
<input type="checkbox"/> WIB	TAA (Trade)	2009	

At the bottom, the 'Obligated Amount' is \$1 and 'Obligated Percentage' is 100. A red arrow points to the 'Waiver' button.

9. **Waiver Button** – The waiver button will produce a pop-up screen which will be used to add, print, revoke and void training waivers. The waiver button will become visible and/or available if:
- Staff have security level to access this button
  - A Trade Waiver Assessment Service is entered per instructions in #7 and 8 above

Data entered in the Trade Waiver Assessment Service on the Service Tab will populate corresponding fields on the waiver pop-up screen and conversely data entered on the waiver pop-up screen will populate the corresponding data on the services screen.

**Correspond Button** – Correspond button will open a template letter that can be sent to participant with a copy of the printable waiver. Staff will also have the ability to send an email to Unemployment Branch when waiver is certified and revoked.

**Print Waiver Button** – As data is entered on the Training Waiver pop-up page, the system updates the printable waiver. Staff may print the waiver at time of certification, after each update and when revoked.

- Data in populated read-only fields are generated from the service tab – Training Waiver Assessment Service and can only be changed from the service tab.
- “Original Certification Date” is populated by the Actual Start Date of the Trade Waiver Assessment Service, but can be edited on the pop-up screen.
- “Last Cert. Date” (review) is the date of the most recent waiver review for the training waiver record.
  - This field will display the original certification date when the training waiver record is created.
  - On the day of each subsequent waiver review, staff will update this field with the appropriate date.
  - The system will automatically generate an “other reportable services (ES, DVOP, LVER)” activity will be generated using **THE DATA ENTRY DATE**. It is imperative that the Last Cert. Date is data entered on the actual date the waiver review is done so that activity is dated correctly.
  - The updated information will populate the printed waiver form.
- Revoke Reason is a drop-down box to indicate the reason the training waiver was revoked.
- Revoked Date is the date waiver was revoked.  
NOTE: Once revoke reason and date has been entered and saved indicating the waiver has been revoked, **the waiver cannot be un-revoked**.
- Void Entry Checkbox denotes the training waiver record as being an error, but will be retained for audit purposes. When box is checked, all other fields are locked and not editable. An open training waiver can be un-voided by deselecting the checkbox.
- Once waiver has been revoked, if participant again becomes eligible for a training waiver for the same Petition, a new trade waiver assessment service can be entered, as long as the previous waiver service has been revoked and closed. Follow same steps as initial waiver.

### Screen Print # 10

The screenshot shows a web-based form titled "Training Waiver" with the following fields and values:

- Petition Number: 70143
- Waiver Number: 1
- Waiver Reason: Marketable Skills
- Original Certification Date: 01/01/2010
- Last Cert. Date: 01/01/2010
- Revoke Reason: (dropdown menu)
- Revoke Date: (text field)
- Void Entry:
- Service Actual Start Date: 01/01/2010
- Service Actual End Date: (text field)
- UI Claims Office: Central Office - EKOS
- Original Cert. Admin: Hill, Judy
- Original Cert. Office: 8080 Frankfort Central Office OET
- Last Cert. Admin: Hill, Judy
- Last Cert. Office: 8080 Frankfort Central Office OET
- Revoke Admin: (text field)
- Revoke Office: (text field)

At the bottom, there is a table with the following data:

Waiver #	Last Cert. Date	Last Cert. Admin	Waiver Reason	Revoke Date	Revoke Reason	Void
<input checked="" type="checkbox"/> 1	01/01/2010	Hill, Judy	Marketable Skills	.	.	<input type="checkbox"/>

Buttons at the bottom include: Add, Delete, Correspond, Print Waiver, OK, and Cancel.



- On the Enrollments Tab, the preceding steps of attaching funded services will create a Trade Program enrollment. Refresh the record by clicking on the Customer Detail button, then returning to the Services Module. Click on the Enrollments Tab to review the Trade Act Enrollment.

### Screen Print # 11

Program Type	Enr. Date	Enrollment Office	Exit Date	Exit Office	SA
<input checked="" type="checkbox"/> Trade Act	09/01/2009	8080 Frankfort Central Office OET			Yes
<input type="checkbox"/> Common Measures	09/01/2009	8080 Frankfort Central Office OET			Yes
<input type="checkbox"/> Labor Exchange	05/07/2003	0067 Morehead Career Ctr OET	05/07/2003	0067 Morehead Career Ctr OET	Yes
<input type="checkbox"/> Labor Exchange	10/20/2009	8080 Frankfort Central Office OET			Yes

- Once a participant has completed a service, the "Actual End Date" must be completed. These fields are located on the Customer Services Module / Services Tab. When the Waiver is revoked, in addition to entering the end date, the Training Waiver reason must be removed. If a training service, click on the "Completed" arrow and choose "yes" if participant completed training, or "no" if participant did not complete training.

### Screen Print # 12

Level	Source	Obligated	Actual	Oblig #
<input type="checkbox"/> State	TAA (Trade)	\$ 1.00	\$ 0.00	

12. Once **all** Trade services have been completed, enter the "Termination Date" and "Termination Reason" fields for the appropriate agency on the Agency Tab and save the record.

### Screen Print # 13

Agency: DEPARTMENT OF LABOR

Intake Date: 06/06/2009 Enrollment Date: 06/06/2009

Termination Date: 09/20/2009

Termination Reason: DOL/TAA Satisfactorily Completed

Status: Active

Agency	Status
DEPARTMENT OF LABOR	Active

**NOTE: Do not complete the "Exit Reason" or "Exit Date" on the Enrollments Tab for participants. The date of exit will automatically be created by EKOS (retroactively to the last date of service funded by the program or partner program) when the participant:**

- does not receive a service for 90 consecutive calendar days;
- has no planned gap in service; and
- is not scheduled for future services.

### Screen Print # 14

**Enrollment Info**

Program Type: Common Measures

Enrollment Date: 02/09/2009

Enrolling Service Name: [Empty]

Enrolling Service Type: Workforce Information Services Staff Assisted (L)

Enrolling Admin: Hill, Judy

Enrolling Office: 0098 Murray Career Ctr OET

Staff Assisted: Yes

Employment Status: Not Employed

**Enrollment Holds**

Start Date	End Date	Reason
[Empty]	[Empty]	[Empty]

**Exit Info**

Exit Date: 02/09/2009

Exit Reason: Exited after 90 days

3rd Qtr Exclusion: [Empty]

Exit Admin: Hill, Judy

Exit Office: 0098 Murray Career Ctr OET

Transaction Date: 05/10/2009

Transaction Admin: Administrator, Batch

Transaction Office: EMPLOYMENT SERVICES

Program Type	Enr. Date	Enrollment Office	Exit Date	Exit Office	SA
<input type="checkbox"/> WIA	06/22/2009	0098 Murray Career Ctr OET			No
<input type="checkbox"/> Trade Act	06/26/2007	0051 Mayfield Career Ctr OET	07/09/2008	0098 Murray Career Ctr OET	Yes
<input type="checkbox"/> Common Measures	03/07/2007	0098 Murray Career Ctr OET	07/09/2008	0098 Murray Career Ctr OET	Yes
<input checked="" type="checkbox"/> Common Measures	02/09/2009	0098 Murray Career Ctr OET	02/09/2009	0098 Murray Career Ctr OET	Yes

13. Once the participant has exited from the program by the system, go back into the Service Module and click on the **Outcomes Tab** to record reemployment.

**Screen Print #15**

The screenshot shows a software interface with the following components:

- Navigation Tabs:** Agency Info, Achievement Objectives, Services, Service History, Enrollments, **Outcomes** (highlighted with a red arrow), Comments, Audit, Lit/Num Tes.
- Employment Section:**
  - O\*Net Title: [Text Field]
  - Recalled By Layoff Employer: [Dropdown]
  - Employment Training Related: [Dropdown]
  - Employment Non-Traditional: [Dropdown]
  - Employed in Federal Contractor Job: [Dropdown]
- Education & Training Section:**
  - Education Level at Exit: [Dropdown]
  - Entered Advanced Training: [Dropdown]
  - Entered Post-Secondary: [Dropdown]
  - Attained Credential: [Dropdown]
  - Type of Credential: [Text Field]
  - Date Attained: [Text Field]
- Employed in Quarter after Exit Section:**
  - Employed after Exit: [Dropdown]
  - Determination Method: [Dropdown]
  - 1st Quarter: [Dropdown]
  - 2nd Quarter: [Dropdown]
  - 3rd Quarter: [Dropdown]
- Table:**

	Program Type	Enr. Date	Enrollment Office	Exit Date	Exit Office	SA
<input type="checkbox"/>	Trade Act	09/01/2009	7503 Leitchfield Career Ctr OET			Yes
<input checked="" type="checkbox"/>	Common Measures	09/01/2009	7503 Leitchfield Career Ctr OET			Yes
<input type="checkbox"/>	Labor Exchange	09/01/2009	7503 Leitchfield Career Ctr OET			Yes
- Buttons:** Print List, Save, Customer Detail, Comp Assess, Post a Note, Check Labor Market Information.
- Status Bar:** Staff: Hill, Judy | Office: 7503 Leitchfield Career Ctr OET | Security: Delete | 09/30/2009

- A. Complete the following fields when the participant is reemployed:
- "O\*Net Title" which best describes the customer's most recent post-exit reemployment; or
  - "Recalled by Layoff Employer".
  - Employed in 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters after exit must be reported. If wages are found in UI/WRIS these fields will automatically be populated by the system. If staff is aware that participant's wages are not reported to UI/WRIS, staff will select "yes" for "Employed After Exit" and select "Supplemental" for "Determination Method" and provide all employer documentation (employer name, employment dates and wage amount) in comments by selecting "Post a Note" button.
  - If participant received educational or training services, information in "Education & Training" section will be entered by providing agency.

**ATTACHMENT A**  
**INCUMBENT WORKER DATA ENTRY**  
**(Temporary work-around)**

The 2009 Trade Act provides that training may be approved before separation for adversely affected incumbent workers. This provision defines an adversely affected incumbent worker as a worker who: (1) is a member of a group of workers that has been certified as eligible to apply for TAA benefits, (2) has not been totally or partially separated from employment and thus does not have a qualifying separation, and (3) is determined to be individually threatened with separation when the worker has received a notice of termination or layoff from employment. Staff must request a separate list of workers who are threatened with separation at the same time they request the list of adversely affected workers from the employer.

In order for incumbent workers to be attached to Trade funding, all data fields relating to Trade must be entered. In the current EKOS version, a person cannot be attached to Trade funding unless there is a work history with "dislocated due to foreign trade" reason for leaving and all fields in the TAA/NAFTA-TAA section completed. Even though an incumbent worker has not yet been separated from the employer, these fields must still be completed.

Follow all Data Entry instructions in the "EKOS Data Entry for Trade Program", with the following exceptions on the work history, "TAA/NAFTA-TAA section:

1. Date of Employment will be from the beginning date of employment to the date the individual's TAA/TRA 855 was signed (application date)
2. Qualifying Separation Date will be date the individual's TAA/TRA 855 was signed (application date)
3. Tenure will be months from start date to application date
4. Post a Note to comments with explanation of incumbent worker status

Future versions of EKOS will have a mechanism in place to enter verification of incumbent worker status without entering information that is not applicable (e.g. qualifying separation date and tenure).

## ATTACHMENT B TRAINING WAIVER GUIDANCE

**PURPOSE:** To provide guidance on the approval and management of the waiver of Trade Adjustment Assistance (TAA) training requirements for Trade Readjustment Allowances (TRA) and Health Coverage Tax Credit (HCTC) recipients.

Managers must ensure that appropriate staff is apprised of and complies with the requirements in this Guidance Memo.

**BACKGROUND:** In order to receive Basic TRA under the Trade Act of 1974, as amended, an otherwise eligible worker must:

- be enrolled in training;
- be participating in training;
- have completed a TAA-approved training program; or
- have a written certification waiving the training requirements.

**PROCEDURES:** Waivers must only be approved for the six reasons stated below. These reasons are also stated on the Waiver of Training Form and in EKOS on the (Waiver) Reason drop-down list on the Services Detail screen.

1. Worker subject to recall within six months.
2. Worker possesses marketable skills.
3. Worker in poor health. [To receive TRA, worker must meet "able and available for work" criteria
4. Worker within two years of retirement.
5. First available enrollment date for training is not within 60 days.
6. Training is not available at a reasonable cost and/or no funds are available under TAA or other federal laws.

Staff must be aware that the approval of a waiver does not approve a TAA customer to receive TRA; rather, it is an approval to waive the TAA training requirements, which allows eligible TAA customers to receive TRA benefits while conducting job search.

Office of Employment and Training (OET) staff approve and sign the Waiver of Training Form and then fax or mail the form to the UI/TRA Division, attn: Brandon Inman 275 E Main Street 2-ED, Frankfort, KY 40621 or fax at 502-564-5623. Local staff enters the Training Waiver information into EKOS Service Module, Service Detail Tab.

### Waiver Processing

For Trade petitions numbered less than 70,000, staff must ensure that waivers of training be approved no later than eight weeks after the Trade petition's certification date or sixteen weeks after the trade-affected worker's layoff date, whichever is later, in order for the TAA customer to be eligible to receive TRA.

For Trade petitions numbered greater than 70,000, staff must ensure that waivers of training be approved no later than twenty-six weeks after the Trade petition's certification date or after the trade-affected worker's layoff date, whichever is later, in order for the TAA customer to be eligible to receive TRA.

If the TAA customer does not want to sign a waiver, staff must enter comments in EKOS to document that the offer was made, and the customer refused. Staff must be aware that failing to approve waivers of training in a timely manner may seriously affect a TAA customer's eligibility for the Health Coverage Tax Credit.

### Initial and Subsequent Waiver Filing

Initial Waiver: It is recommended that "marketable skills" be used as the initial reason for approving a waiver of training unless one of the other five reasons for approving a waiver is more applicable, or the

waiver will be recommended for denial. TAA customers likely have marketable skills because they were recently employed and can potentially transfer their skills to another occupation.

Staff must ensure that:

- the waiver is valid for no more than 26 weeks (six months);
- the start date of the waiver begins on the Sunday of the week the waiver was approved;
- the waiver ends on the Saturday of the 26th week;
- an initial basic assessment of the TAA customer is conducted that includes the job history and skills of the customer (This information must be entered in EKOS on the Work History Tab and the Skills Tab; and
- the TAA customer has an active work registration in EKOS.

During waiver periods, TAA customers under petitions numbered less than 70,000 must contact their caseworker at least every 30 days from the start date of the waiver to discuss how their work search is progressing and if training needs to be considered. If the TAA customer does not make contact, staff must ensure that the waiver of training is revoked because one of the six reasons to approve a waiver cannot be demonstrated (see "Revoked Waivers" and "Denied Waivers" below).

During waiver periods, TAA customers under petitions numbered greater than 70,000 must contact their caseworker 90 days after the start date of the waiver, and thereafter, at least every 30 days to discuss how their work search is progressing and if training needs to be considered. For good customer service, staff should contact the customer at least every 30 days during this period to offer case management and employment services. If the TAA customer does not make contact, staff must ensure that the waiver of training is revoked because one of the six reasons to approve a waiver cannot be demonstrated (see "Revoked Waivers" and "Denied Waivers" below).

The waiver is issued for up to six months. The waiver of the training requirement is an ongoing assessment. Staff must review it at least every 30 days to ensure the reason for approving the waiver is still valid. Staff must document this review in EKOS Comments and enter the activity Labor Exchange, Other Reportable Service, 'Other Reportable Services (ES, DVOP, LVER)'. If there is no longer a valid reason, OET staff must revoke the waiver. At the end of the waiver period, if training is still not feasible, OET staff can issue another waiver. There is no limit to the number of waivers that can be approved as long as an acceptable reason is valid.

Soon after the start date of the initial waiver, staff should ensure that an assessment is conducted to determine the employability of the TAA customer; and must begin developing an Individual Employment Plan if the participant is not employed, within two years of retirement, subject to recall, or has a health issue keeping him or her from training

It is recommended that all workers be referred to the LWIA. Those not work ready may be determined to need intensive services including a comprehensive assessment that includes:

- the Test of Adult Basic Education (TABE) or another approved test that assesses the TAA customer's basic skills and education; and
- one or more tests that measure the TAA customer's occupational aptitudes or interests.

Because these are intensive services, LWIA staff must ensure that the TAA customer is co-enrolled in dislocated worker services.

### Subsequent Waivers

As long as one of the six reasons for approving a waiver applies, staff may approve additional waivers for 26-week periods, beginning the Sunday of the first week and ending the Saturday of the 26th week. However, the LWIA caseworker is ultimately responsible for determining whether training is feasible. Staff must ensure that any information supporting the approval of an additional waiver is documented in EKOS Comments.

### Revoked Waivers

Staff must ensure that waivers are revoked if one of the six reasons to approve a waiver no longer exists. If the revocation of a waiver is likely to affect the TAA customer's weekly TRA benefits, then the staff must follow the procedures under "Denied Waivers."

Staff must follow the procedures below when a waiver is denied or revoked:

- Sign and date a Waiver of Training Form.
- Ensure that the TAA customer has signed the form.
- Fax the form to the State Trade Unit at 502-564-5623.
- Local office staff (WIA or OET) will enter the waiver denial or revocation into EKOS;
- Local office staff (OET) will notify the TAA customer in writing of the denial or revocation; and
- The TAA customer will be provided with information on the right to appeal the denial and how to appeal if they wish to do so.

It is recommended that staff enters a record of each communication with the TAA customer in EKOS Comments.

### 45-day Extension

Under certain extenuating circumstances, a 45-day extension may be granted past the eight / sixteen-week deadline or the 26-week deadline in order for the TAA customer to receive a timely waiver of training or enter TAA-approved training [see Training and Employment Guidance Letters 11-02 and 11-02, Change 1]. The following are acceptable extenuating circumstances:

- A TAA customer has been enrolled in a training program that is suddenly cancelled.
- A TAA customer becomes ill or injured and cannot enroll in training.
- Other circumstances where staff can justify and document that the extension is warranted.

Ensure that the extenuating circumstances are clearly documented by in EKOS Comments. Otherwise, a 45-day extension cannot be allowed for TRA benefits.

Please contact Tom Dobson at 502-782-3065 or [tom.dobson@ky.gov](mailto:tom.dobson@ky.gov) for further clarification if you have any questions.