

## TEXAS WORKFORCE COMMISSION LETTER

<b>ID/No:</b>	WD 10-11
<b>Date:</b>	March 10, 2011
<b>Keyword:</b>	TAA; TWIST
<b>Effective:</b>	Immediately

**To:** Local Workforce Development Board Executive Directors  
Commission Executive Offices  
Integrated Service Area Managers



**From:** Laurence M. Jones, Director, Workforce Development Division

**Subject:** **Trade Adjustment Assistance Reporting Requirements**

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### **PURPOSE:**

To provide Local Workforce Development Boards (Boards) with information and guidance on:

- reporting requirements on trade-affected workers to be entered into The Workforce Information System of Texas (TWIST), specifically:
  - characteristics for Trade Adjustment Assistance (TAA)-affected workers, including a worker's tenure with a trade-affected employer;
  - remedial and/or prerequisite training;
  - part-time training; and
  - distance learning;
- reporting TWIST fund codes; and
- entering planned cost of training into TWIST.

### **BACKGROUND:**

The U.S. Department of Labor (DOL) requires reporting of specific information about trade-affected workers and potential trade-affected workers.

### **PROCEDURES:**

#### **Reporting Characteristics for TAA-Affected Workers**

Boards must ensure that Workforce Solutions Offices staff completes the following in TWIST *Intake Common Specialized Services* and *TAA Program Detail*:

- *Identity* tab
- *Characteristics* tab
- *Education* tab
- *Military* tab
- *Disability/Medical* tab

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Boards must ensure that Workforce Solutions Offices staff completes the above tabs and the TWIST *Application Date* field on the same day. (The application date is the date an individual first requests TAA services; for more information, see WD Letter 52-09, Change 1, issued February 2, 2010, and entitled “Trade and Globalization Adjustment Assistance Act of 2009—*Update*.”)

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#### Reporting Tenure

Boards must ensure that Workforce Solutions Office staff:

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- calculates tenure based on the number of months a trade-affected worker was employed with the trade-affected employer; and
- enters the tenure into the TWIST *TAA Program Summary* tab.

#### **Reporting Remedial and/or Prerequisite Training Included in TAA-Approved Training**

DOL allows weekly support payments—Additional Trade Readjustment Allowances (TRA)—to be paid to trade-affected workers for the amount of time the workers are participating in TAA-approved training that includes remedial and/or prerequisite training.

Boards must be aware that Additional TRA payments for prerequisite training are allowable *only* for trade-affected workers with Trade petition numbers 70,000–79,999.

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For state office staff to calculate the Additional TRA amounts, it is necessary to know the number of weeks of remedial and/or prerequisite training included in the TAA-approved training. Boards must ensure that Workforce Solutions Office staff enters the total number of weeks the trade-affected worker is enrolled in remedial and/or prerequisite training into the TWIST *TAA Program Detail Summary* tab.

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Boards must ensure that:

- if the planned number of remedial and/or prerequisite weeks is amended on the TAA Reemployment Plan, the number is also changed in TWIST; and
- case managers document in TWIST *Counselor Notes* the actual number of weeks and corresponding dates a trade-affected worker is enrolled in remedial and/or prerequisite training.

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Boards also must ensure that private funds from family, friends, or self-financing are not used after training is approved for TAA.

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Boards must ensure that Workforce Solutions Office staff:

- uses new TWIST service code *190–Prerequisite Training* if coursework is required by the training provider prior to a trade-affected worker’s acceptance into a training program; and
- includes prerequisite training as part of the total training program and documents it on the TAA Reemployment Plan.

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Integrated Remedial Training

Integrated remedial training is training in which the provider teaches both remediation courses and occupational vocational training concurrently. When a TAA-approved training program includes integrated remedial training, Boards must ensure that Workforce Solutions Office staff selects new Sub Fund 50–*Integrated Remedial* in the *Occupational/Vocational* service fund code line in TWIST *Service Tracking*.

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*Note:* Boards must be aware that more than one sub fund can be entered into TWIST; however, each sub fund requires its own fund code line.

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**Reporting Part-Time Training**

Boards must be aware that DOL allows part-time TAA-approved training for Trade petition numbers 70,000–79,999.

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*Note:* Boards must be aware that trade-affected workers are eligible for TRA only if they are enrolled in full-time TAA-approved training.

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When a trade-affected worker is enrolled in part-time training, Boards must ensure that Workforce Solutions Office staff selects new Sub Fund 49–*Part-Time Training* in the *Occupational/Vocational Training* service fund code line in TWIST *Service Tracking*.

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**Reporting Distance Learning**

Boards must ensure that Workforce Solutions Office staff selects new Sub Fund 48–*Distance Learning* in the *Occupational/Vocational* service fund code line in TWIST *Service Tracking* if the TAA-approved training is entirely distance learning training (i.e., online training).

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**Reporting TWIST Fund Codes**

Boards must ensure that Workforce Solutions Office staff uses TAA fund code 121–*Trade Adjustment Assistance* if TAA funds are used for any of the TAA-approved training.

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Boards must ensure that Workforce Solutions Office staff uses TWIST fund code 136–*TAA/Other* if a TAA-approved training is funded completely by other government or private sources (e.g., Workforce Investment Act, Choices, Supplemental Nutrition Assistance Program, Pell Grants, Texas Department of Assistive and Rehabilitative Services, DOL Veterans’ Employment and Training Service, or scholarships).

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**Planned Cost of Training**

Boards must be aware that planned cost of training is an estimated cost of the entire training program. The estimated cost is used to determine the average cost of TAA-approved training programs; the average cost is used to determine the annual reasonable cost standard.

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*Note:* Boards must be aware that the planned cost of training is not the annual obligated amount associated with contracted distribution of TAA funds to Boards.

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Boards must ensure that Workforce Solutions Office staff:

- enters the estimated cost into TWIST *Service Tracking* in the *Planned Training* field; and
- ensures the estimated cost entered into TWIST is the same amount as recorded in the TAA Reemployment Plan.

**INQUIRIES:**

Direct inquiries regarding this WD Letter to [taa@twc.state.tx.us](mailto:taa@twc.state.tx.us).

**RESCISSIONS:**

None

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**REFERENCE:**

The Trade and Globalization Adjustment Assistance Act of 2009 [Division B, Title I, Subtitle I of the American Recovery and Reinvestment Act of 2009, Public Law (P.L. No. 111-5)]  
The Trade Act of 1974, as amended (P.L. No. 93-618, as amended)  
U.S. Department of Labor Employment and Training Administration, Training and Employment Guidance Letter No. 22-08, issued May 15, 2009, and entitled “Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009”  
WD Letter 52-09, Change 1, issued February 2, 2010, and entitled “Trade and Globalization Adjustment Assistance Act of 2009—*Update*.”

**FLEXIBILITY RATINGS:**

**No Local Flexibility (NLF):** This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

**Local Flexibility (LF):** This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”