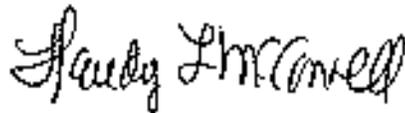


U. S. Department of Labor Employment and Training Administration Washington, D.C. 20210	CLASSIFICATION TAA
	CORRESPONDENCE SYMBOL TWT
	DATE October 29, 1997

DIRECTIVE : ETA HANDBOOK 315

TO : REGIONAL AND STATE OFFICES



FROM : WENDY L. McCONNELL
 Acting Administrator
 for Regional Management

SUBJECT : Part D, Chapter III of Handbook on the
 Trade Adjustment Assistance (TAA) Program

1. Purpose. To provide clarification of reporting instructions for Form ETA 563, Quarterly Determinations, Allowance Activities and Employability Services under the Trade Act.

2. Content. These instructions will apply to reporting procedures under both subchapters A (the Regular TAA program) and D (the NAFTA-TAA Program), of Chapter II, Title II of the Trade Act of 1974. There are no changes to the specific items collected by the States. However, some significant clarifications are being made to the way the States are requested to report some items in order to ensure States are in compliance with the amendments to the Omnibus Trade and Competitiveness Act of 1988.

3. OMB Approval. Form ETA 563 is approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995; OMB approval number 1205-0016, expiration date October 31, 1999.

4. Reporting. These clarified reporting instructions for Form ETA 563 will be effective beginning with the

RESCISSIONS None	EXPIRATION DATE Continuing
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quarterly report period ending December 31, 1997. That report is due January 31, 1998.

5. Action Required. State Administrators are requested to:

- a. Distribute these updated instructions to holders of ETA Handbook No. 315 and to other appropriate staff.
- b. Request that Trade program staff review the information contained in the documents and ensure that appropriate arrangements are made

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with both program and MIS staff to implement these clarifications in applicant reporting instructions.

- c. Require appropriate State staff to review the present State benefits delivery system to ensure that services provided to workers are tracked and reported in accordance with the instructions provided in this transmittal.

6. Handbook Maintenance

Remove and Destroy:

Part D, Chapter III, R-12-89, Pages D-III-1 through D-III-12

Insert: Part D, Chapter III, R-10-97

7. Inquiries. Inquiries should be directed to appropriate Regional Offices or to Grant Beale, Acting Director, OTAA at 202-219-5555, Ext. 101, or Curtis Kooser, Senior Economist, OTAA, at 202-219-4845, Ext. 111.

8. Attachment. Part D, Chapter III

Chapter III - Reporting Instructions

ETA 563, Quarterly Determinations, Allowance Activities, and Reemployment Services Under the Trade Act.

1. Purpose of Report. Form ETA 563 provides the means for the States to report on the services they provide to adversely affected workers under the Trade Act of 1974. The report provides information on eligibility determinations, income support payments, reemployment services, and training. The same form serves these purposes for both the regular Trade Adjustment Assistance (TAA) program and the North American Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) program. Data supplied on Form ETA 563 is used by the Department of Labor (DOL) to measure the effectiveness of the TAA and NAFTA-TAA programs in helping adversely affected workers adjust and find new employment. In particular, the reports are necessary to gather data needed to comply with the Government Performance and Results Act (GPRA).

2. General Instructions. Each report is for reporting activity under a specific certified petition. A separate report is required for each certified petition under which services are provided. Each report is quarterly and covers a three-month reporting period for activity under the certified petition being reported on.

a. Scope of the Report. Quarterly reports must be submitted by petition number for all TAA and NAFTA-TAA services in the State. Services provided under petition numbers with alphabetic suffixes should be combined into a single report under the petition number alone.

b. Duration of the Report. A report must be submitted for each reporting period as long as there is activity related to the certified petition. When no activities occur during a reporting quarter, the State should not submit a report. If activity resumes after one or more quarters of inactivity, the State should resume reporting.

c. Reporting Methods. Form ETA 563 may be submitted on paper or in one of five different electronic formats on 3-1/2" floppy disk. Allowable electronic formats are discussed in Attachment A.

d. Due Date. Reports are due in the Office of Trade Adjustment Assistance (OTAA) National Office by the last day of the month following the end of the reporting period which the reports cover. One copy of the report, or the floppy disk for reports in electronic format, should be sent directly to:

U.S. Department of Labor
ETA/OTAA Room C4318
Attention: Curtis Kooser
200 Constitution Avenue, NW
Washington, DC 20210

One copy of each report should also be sent to the appropriate ETA Regional Office.

e. State Contact. States are requested to complete and forward a memorandum designating the agency and contact person responsible for each ETA 563 report. Attachment B provides a format for the memorandum. A copy of the memorandum should also be sent to the appropriate ETA Regional Office. States should keep the contact information current by submitting a memorandum whenever there is a change.

f. Item Coverage. When there is no activity to report for a particular report item, enter a zero. If the item does not apply, also enter a zero. Do not use dashes or "NA", and do not leave any items blank (except on amended reports; see below).

g. Amended Reports. Amended reports should be used to correct errors on previously-submitted reports. Do not alter the numbers on current reports to adjust for previous reports; especially, do not enter negative numbers. Amended reports should contain only the identifying items in the heading section and the data for the affected items; the rest of the reporting items should be left blank. For States reporting in electronic format, amended reports should be submitted on paper, unless there are more than 15

amended reports for a reporting period. In that case, the State should recompile the entire report for the reporting period without identifying any report as amended.

h. Agent State - Liable State. In general, the State issuing payments for benefits should report those payments and the number of beneficiaries. In particular, all interstate trade readjustment allowance (TRA) data, and job search and relocation data, should be reported by the liable State. Training and related costs, such as travel and subsistence, should be paid and reported by the agent State.

i. Dollar Amounts. All dollar amounts reported on ETA 563 should be rounded to the nearest whole dollar.

3. Definitions of Categories.

a. Basic TRA. TRA payable after the claimant exhausts all rights to unemployment insurance (UI).

b. Additional Weeks. Weeks in which TRA is paid to claimants who are in TAA-approved training and have exhausted basic TRA entitlement.

c. EB Work Test Disqualification. Disqualification of a TRA claimant who fails to accept or apply for suitable work or who fails to actively seek such work in accordance with the Extended Benefits (EB) work test.

d. Training Disqualification. Disqualification of a TRA claimant who, without justifiable cause, fails to begin participation in a TAA-approved training program, or ceases participation in such training, or for whom a waiver is revoked.

e. Training Waiver. Determination by the State agency that training is not feasible or appropriate for a TRA claimant. Training waivers are not allowed under the NAFTA-TAA program.

f. Obtained Job. The number of adversely-affected workers who entered, whether by the efforts of

the State agency or not, full or part-time unsubsidized employment, which is employment not financed from funds provided under the Trade Act or other Federal training programs. For TAA reporting purposes, obtained job includes entry into the Armed Forces, entry into employment in an apprenticeship program, and entry into self-employment.

g. Training-Related Cost. This item includes the following:

(1) Tuition. Facility and training costs, books and laboratory fees, and/or equipment expenses approved by the State agency.

(2) Transportation. Payments made to defray the costs of travel between the trainee's residence and the training facility, if the training is outside the commuting area.

(3) Subsistence. Payments made to persons in TAA-approved training to defray the expenses of separate maintenance when the training facility is located outside the commuting area.

h. Occupational Training. Training of the type normally conducted in an institutional setting, including vocational education, designed to provide trainees with the technical skills required to perform a specific job or group of jobs.

i. Remedial Training. Training designed to enhance the employability of trainees by providing basic skills such as reading, writing, mathematics, and/or English for non-English speakers.

j. On-the-Job Training (OJT). Training in the public or private sector, given to a trainee who has been first hired by the employer, while the person is engaged in productive work which provides knowledge or skills essential to the fully successful performance of the job.

k. Relocation Allowances. Payments made to defray the cost of relocating workers and their families to an area within the U.S., and outside the

normal commuting area, when the worker has obtained employment or received a *bona fide* offer of employment which is reasonably expected to be of long-term or lasting duration.

l. Job Search Allowances. Payments of actual job search expenses incurred by a worker seeking employment in an area within the United States and outside the normal commuting area when there is no reasonable expectation of finding work within the commuting area.

m. Title III Participant. A TAA participant who has also received employment, training, or other services under the Job Training Partnership Act (JTPA) Title III.

4. Preparation of the Report.

Overview. The ETA 563 report has three basic types of data items - counts of people, counts of actions (TRA payments, job referrals, etc.), and dollar amounts. With few exceptions, the data items which report numbers of people are meant to be accurate counts of claimants under the petition number. Please be careful not to double-count people in these categories, i.e., do not include the same person more than once in any quarterly report or in reports for more than one quarter. Exceptions will be noted below where the item is discussed.

a. Heading

(1) Item A, State Name. Enter the name of the State.

(2) Item B, State Code. Enter the State code from FIPS Publication 5-1, States of the United States.

(3) Item C, Petition Number. Enter the number assigned by OTAA. It is no longer necessary to zero-fill to the left so that the number totals six places; this is a change from previous instructions. Enter regular TAA case numbers with a TA-W prefix, e.g., TA-W-

1000. Enter NAFTA-TAA numbers with a NAFTA prefix, e.g., NAFTA-100.

(4) Item D, Report Period Ending Date.

Enter the month, day, and year of the last day of the report period. There are four valid month/day combinations. They are 3/31, 6/30, 9/30, and 12/31. Use four digits for the year, e.g., 9/30/1997.

(5) Item E, Report Type.

On the first report for any certified petition, check the box marked "Initial". All subsequent reports for that certified petition should have the box marked "Continuing" checked. In a change from previous instructions, OTAA is no longer using the "Final" and "Reopened" report types.

Do not submit any report that contains all zeroes. Even if a report for a particular certified petition is submitted after a break of one or more quarters, mark it "Continuing".

For States filing electronically, use report type "1" for the first report for any certified petition. All subsequent reports for that certified petition should have report type "2", even if there is a break of one or more quarters where no report is submitted for the petition. Report types "3" and "4" are no longer used. Do not submit a report which has nothing but zeroes for all the data items.

(6) Item F, Amended.

Check this box if the report amends a report submitted earlier.

An amended report is the vehicle for correcting not only mistakes but also for reporting normal changes. For example, if a State reports \$5000 as training related cost in one quarter, but receives \$500 returned from a training vendor the next quarter because a student dropped out, the State should file an amendment to the earlier quarter's report which changes the training related cost item to \$4500. DO NOT submit a report for the current quarter which includes a negative \$500 in the training related cost item.

b. Section A, Determinations and Readjustment Allowances (lines 100 and 110).

(1) Column 1, Request for Determination of Entitlement. Enter on line 100 the total number of people who filed requests for determination of entitlement to basic TRA during the reporting period.

(2) Column 2, Number Determined Entitled. Enter on line 100 the total number of people determined eligible for basic TRA. Enter on line 110 the total number of people determined eligible for additional weeks of TRA.

(3) Column 3, First Payments. Enter on line 100 the number of payments which represent the first week of basic TRA paid to claimants. Enter on line 110 the number of payments made which represent the first week of additional TRA paid to claimants. In both cases, the number reported in this item should be equivalent to a count of the number of claimants who received a first payment during the quarter being reported on.

(4) Column 4, Weeks Paid. Enter on line 100 the total number of weeks for which basic TRA was paid to eligible claimants. Enter on line 110 the total number of weeks for which additional TRA was paid to eligible claimants. This item is an exception in that it will document more than one payment to most claimants, so it is not intended to represent a count of claimants.

(5) Column 6, Amount Paid. Enter on line 100 the total dollar amount of basic TRA paid during the reporting period. Enter on line 110 the total dollar amount of additional TRA paid during the reporting period.

NOTE: for lines 100 and 110, the entries in column 5 divided by the entries in column 4 should not be greater than the maximum weekly benefit amount for the State.

(6) Column 6, Final Payments (Exhaustions). Enter on line 100 the number of payments which represent the final week of basic TRA entitlement for claimants who have received the maximum monetary amount of their basic TRA entitlements. Enter on line 110 the number of payments which represent the final week of additional TRA entitlement for claimants entitled to additional weeks of benefits while in training.

(7) Column 7, Final Payments (Eligibility Expired). Enter on line 100 the number of persons whose eligibility period for basic TRA expired prior to receipt of the maximum monetary amount of their basic TRA entitlement.

c. Section B, Disqualifications, Waivers, and Overpayments (line 200).

(1) Column 8, EB Work Test Disqualifications. Enter the number of claimants disqualified from TRA eligibility because they failed to satisfy the EB work test.

(2) Column 9, Training Disqualifications. Enter the number of claimants disqualified from TRA eligibility because they failed to begin participation in an approved and scheduled training program or ceased to participate in such training program, or had a waiver from training revoked.

(3) Column 10, Training Waivers Issued. Enter the number of claimants who received a waiver from the training requirement because training was not feasible or appropriate. DO NOT count any claimant more than once in any quarterly report, and DO NOT count any claimant in more than one quarterly report, regardless of the number of waiver renewals granted. This is changed from earlier instructions. The Omnibus Trade and

Competitiveness Act of 1988, which amended the Trade Act of 1974 and established waivers from training, clearly requires the Department of Labor to report to the Congress on the number of persons who receive such a waiver. The data on Form ETA 563, column 10 must be reported to DOL in the same way.

Waivers from the training requirement must be clearly and completely documented in State records. This documentation must show why training is not feasible or appropriate for the individual who is granted the waiver.

(4) Column 11, Training Waivers Revoked. Enter the number of people whose waivers from training were revoked during the reporting period because a determination was made that training was now feasible and appropriate for the claimant. Do not report waiver expirations which do not involve such a determination.

(5) Column 12, Overpayments, Total Number. Enter the total number of determinations of TRA overpayments to claimants. This item, like the weeks paid item, is an exception in that it is not intended to be a head count of people receiving overpayments. It is intended to be a count of the total number of overpayments made.

(6) Column 13, Overpayments Total. Enter the total dollar amount of overpayments made during the reporting period.

(7) Columns 14 and 15, Overpayments, Fraud, Number and Amount. Enter in column 14 the number of overpayments made which involve claimant fraud (willful misrepresentation). Enter in column 15 the dollar amount of overpayments which involve claimant fraud. This item is also an exception in that it is not intended to be a head count of people receiving overpayments due to fraud. It is intended to be a count of the total number of overpayments due to fraud.

NOTE: The figure on line 200, column 14, cannot be larger than the figure on line 200, column 12. Also, the figure on line 200, column 15, cannot be larger than the figure on line 200, column 13.

d. Section C, Reemployment Services (line 300).

(1) Column 16, Applicants, New. Enter on line 300 the number of newly-registered applicants for reemployment services. Include previously registered applicants newly identified as TAA adversely affected workers.

(2) Column 17, Applicants, Active. Enter on line 300 the number of applicants in active status as of the end of the reporting period. Include applicants currently enrolled or participating in TAA approved training. Within one reporting period, there must be no double-counting of applicants. However, the same applicant(s) may remain active, and be reported as such, in more than one reporting period.

(3) Column 18, Job Referrals. Enter on line 300 the number of job referrals supplied to applicants. This item reflects total referrals for all applicants, not the total number of individuals who receive referrals.

(4) Column 19, Obtained Job. Enter on line 300 the number of applicants who obtained unsubsidized employment on their own or with any assistance, including assistance of the State agency. For this purpose, include individuals in OJT who continue to be employed with the same employer after completing OJT.

NOTE: this item includes those individuals who obtain unsubsidized employment after training as reported on line 400, column 26 along with those who obtain a job without entering a training program. Therefore,

the number in column 19 cannot be smaller than the number in column 26.

(5) Column 20, Title III Participants.

Enter the number of new TAA applicants (column 16, line 300) who have also received one or more JTPA Title III services related to the same qualifying separation. Also enter the number of active TAA participants who begin to receive one or more JTPA Title III services related to the same qualifying separation. Count each individual only once.

e. Section D, Training Activities, Job Search, Relocation (lines 400, 500, and 510).

(1) Column 21, Entered Training, Occupational. Enter the number of TAA participants who began TAA approved occupational skill training.

(2) Column 22, Entered Training, Remedial. Enter the number of TAA participants who began TAA approved remedial training.

(3) Column 23, Entered Training, OJT. Enter the number of TAA participants who began on-the-job training.

(4) Column 24, In Training. Enter the number of TAA eligible trainees participating in TAA approved training as of the last day of the reporting period. Within one reporting period, there must be no double-counting of trainees. However, the same trainee(s) may be counted in more than one reporting period as long as they continue in training.

(5) Column 25, Completed Training. Enter the number of individuals who completed training during the reporting period. Include those individuals who left training before the end of the prescribed training period to take a job in an occupation for which the individual was being trained.

(6) Column 26, Obtained Job After Training. Enter the number of individuals who obtained unsubsidized employment on their own or with any assistance, including assistance of the State agency, after completing training. For this purpose, include trainees in OJT who continue to be employed with the same employer after completing OJT.

NOTE: this item is a subset of the number reported on line 300, column 19. Therefore, it cannot be larger than that figure.

(7) Column 27, Training Related Cost. Enter on line 500 the number of individuals who received a training related benefit (tuition, subsistence, transportation, and related expenses). Enter on line 510 the total amount paid for these benefits during the reporting quarter.

(8) Column 28, Job Search Allowances. Enter on line 500 the number of individuals who received a job search allowance. Enter on line 510 the total amount paid for job search allowances.

(9) Column 29, Relocation Allowances. Enter on line 500 the number of individuals who received a relocation allowance. Enter on line 510 the total amount paid for relocation assistance.

f. Comments. Make comments on the back of the report to explain peculiarities in the data or to provide any other necessary explanations.

g. Signature and Title. The report should be signed by the person responsible for the accuracy of the report and to whom questions should be addressed.

5. Editing Procedures. States should carry out the following basic editing procedures for each report for each period.

a. If there is an entry greater than zero in line 100, column 4, then there must be an entry greater than zero in line 100, column 5 (and conversely). In this case, the entry in line 100, column 5, divided by the entry in line 100, column 4 must not be greater than the maximum weekly benefit amount for the State.

b. If there is an entry greater than zero in line 110, column 4, then there must be an entry greater than zero in line 110, column 5 (and conversely). In this case, the entry in line 110, column 5, divided by the entry in line 110, column 4 must not be greater than the maximum weekly benefit amount for the State.

c. Line 200, column 14 cannot be larger than line 200, column 12.

d. Line 200, column 15 cannot be larger than line 200, column 13.

e. Line 400, column 26 cannot be larger than line 300, column 19.

f. If there is an entry greater than zero in line 500, column 27, then there must be an entry greater than zero in line 510, column 27 (and conversely).

g. If there is an entry greater than zero in line 500, column 28, then there must be an entry greater than zero in line 510, column 28 (and conversely).

h. If there is an entry greater than zero in line 500, column 29, then there must be an entry greater than zero in line 510, column 29 (and conversely).