

Washington State Trade Adjustment Assistance Policy

Policy Number: 3010, Revision 1 (2011)

Policy Title: Job Search Allowance

Effective Date: December 11, 2020

1. Purpose:

To communicate guidance on job search allowances for workers eligible for Trade Adjustment Assistance (TAA) for petitions certified under 2011 rules.

2. Background:

The U.S. Department of Labor (DOL) published TAA Final Rule 20 CFR part 618 on August 21, 2020. Through this final rulemaking, the Department modernizes the TAA Program, provides additional flexibility to states, and consolidates all applicable program regulations into a single section of the Code of Federal Regulations and continued to align the program with WIOA.

The Trade Adjustment Assistance for Workers Program (TAA program) was first established in the Trade Act of 1974 as a tool to retrain trade impacted workers and help them find suitable employment. The Trade Adjustment Assistance Extension Act (TAAEA) of 2011 (Public Law 112-40) was enacted on October 21, 2011. The TAAEA again reauthorized the TAA program with changes to benefits. The 2011 Amendments include a reduction in number of eligible groups qualified for TAA, elimination of three training waivers, and elimination of the additional 26 weeks of TRA for workers participating in prerequisite or remedial training, with the addition of a new Completion TRA component.

The 2011 amendments apply to petitions filed on or after October 21, 2011, and numbered TA-W 81,000 – 89,999. There is a special retroactive applicability for petitions numbered 80,000 – 80,999. Eligible workers with petitions in this range were able elect to receive benefits in accordance with either 2002 or 2011 amendments.

3. Policy:

Job Search Allowances can cover expenses incurred by participants while seeking employment outside their local commuting area, which is defined as 50 miles roundtrip.

These funds are to assist participants in securing suitable employment or employment that pays a wage of at least the 75th percentile of national wages (as determined by the National Occupational Employment Wage Estimates), when the case manager determines that no suitable employment is available in the commuting area in which the worker resides.

a. Maximum Allowance

Participants may receive reimbursement for not more than 90 percent of the allowable costs necessary for their out-of-area job search not to cumulatively exceed \$1,250.

b. Conditions and Requirements

- i. A worker may request job search allowance after the petition for Trade Adjustment Assistance has been certified. However, the case manager must not reimburse job search expenses until the participant is determined eligible under that certification and all other conditions for approval have been satisfied.
- ii. Assessments and Individual Employment Plans (IEP) must be completed prior to the approval of any job search allowance request.
- iii. The local commute distance for job search allowance is 50 miles round trip.
- iv. Participants must file a Job Search Allowance Request no later than:
 - 365 days after the date of the certification they are covered; or
 - 365 days from their last total separation, or
 - 182 days after the completion of an approved training program
- v. Participants must request and have approval for the job search allowance prior to conducting the out-of-area job search.
- vi. Participants must have a scheduled employment interview for the case manager to approve the request.
- vii. The case manager must verify the job search interview and advise participants of the allowable expenditures and duration for the out-of-area job search.
- viii. Participant may use job search allowance to pay for job search expenses not covered by the prospective employer or other partner programs.
- ix. Job Search and relocation allowance are not allowed at the same time; however, a participant may receive a relocation allowance after receiving job search.
- x. The case manager cannot reimburse out-of-area job search expenses without original itemized receipts as evidence of actual costs.
- xi. The case manager must only reimburse costs for the participant.
- xii. The case manager must verify and document the outcome of the out-of-area job search.
- xiii. Payment must be made promptly after the job search has been completed and documentation from the participant has been received.

c. Travel

- i. The amount allowable for out-of-area travel will not exceed 90 percent of the cost per mile at the [prevailing federal mileage rate](#) for round trip travel by the usual route from the place of residence to the area of the job search.

The worker may choose to use a different mode of transportation, however the reimbursement to the participant is based on the [prevailing federal mileage rate](#) calculation for the round trip.

d. Lodging and Meals

To collect reimbursement for lodging and meals, the participant must be in travel status (out of their local labor market) for twelve (12) hours or more.

The amount allowable for lodging and meals will not exceed the lesser of:

- i. Not more than 90 percent of the actual cost for lodging and meals while engaged in the job search; or
- ii. 50 percent of the [prevailing federal rate](#) for lodging and meals for the locality where the job search is being conducted.

e. Maximum Days Allowable

The maximum days allowable for payment of transportation and lodging and meals on an out-of-area job search will be calculated using one of the following formulas:

- i. When a private vehicle is used, the number of allowable days for travel will be calculated by dividing the mileage traveled by 425 miles (this is the expected mileage for a worker to travel in one day). This will determine the number of days that will be allowed for travel to and from the interview.
- ii. One day (more if required by the employer) may be added to the number of days allowed for travel to cover the interview itself. This will determine the total number of days that will be allowed for payment for that job search request; or
- iii. If a commercial mode of transportation is used, the number of allowable days for travel will be based on the normal scheduled time it takes the carrier to travel from the home destination to the place of the interview and back, plus one day (more if required by the employer) for the interview, if necessary. This will determine the total number of days allowed for payment on the job search request.

f. Advance Payment

Case managers may authorize payment of an advance for up to 60 percent of the estimated amount of the job search allowance payable not to exceed \$750. Advances may be provided to the participant no earlier than five days prior to the commencement of the verified out of area job search. Upon completion of the out of area job search, the participant will provide original receipts to the case manager. The case manager must use the original receipts to calculate the remaining balance to be paid to the participant or the overpayment due back to the program.

g. Documentation Requirement

All required job search allowance forms will be uploaded in the management information system. Case note documentation will begin with the initial assessment and end at the time of program exit. Information about participant health issues and sensitive personal and confidential information will not be documented in the management information system.

h. Veteran's Priority of Service

The Trade Adjustment Assistance program will comply with the Jobs for Veterans Act, enacted into Public Law 107-288 on November 2, 2002. Covered veterans determined eligible for the TAA program must receive priority over non-veterans for the receipt of appropriate services provided under the TAA program.

4. Definitions:

Suitable Employment - Work of a substantially equal or higher skill level than the worker's past adversely affected employment (as described for the purposes of the Trade Act of 1974, P.L 93-618), and wages for such work that are not less than 80 percent of the worker's average weekly wage. Part-time, temporary, short-term, or threatened employment is not suitable employment.

5. References:

- [TAA Final Rule 20 CFR part 618](#)
- [National Occupational Employment Wage Estimates](#)
- [U.S. General Services Administration - Prevailing Federal rates for reimbursement](#)

6. Supersedes:

TAA Policy Number 3010 – Job Search Allowances effective August 22, 2017

7. Website:

[Workforce Professionals Center](#)

8. Action:

Employment Security Regional Directors and WorkSource Administrators must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

Direct Inquiries To:

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