

## Chapter 16 – Agent/Liable (Out-of-State Transfers)

The TAA program is a federally funded program which entitles adversely affected workers, eligible under any one of the TAA Laws, to seek TAA benefits at any location within the United States of America.

At any time, the MWA is informed of an adversely affected worker relocating to another state, or when an adversely affected worker seeks TAA services from another state, the WDA must be contacted to carry out the transfer. The TAA State Coordinator, Jimelle Blakley, handles all agent/liable inquiries and can be contacted by email at [blakleyj1@michigan.gov](mailto:blakleyj1@michigan.gov) or by telephone at 517-930-4169.

The WDA identifies the Liable State and Agent State. If the State of Michigan is identified as the Liable State, the WDA will issue the Determination of TAA Eligibility, Determination of TAA Training, and also, determine the eligibility for TRA, Job Search Allowances, Relocation Allowances, and ATAA or RTAA.

### Transfer Between States

When an adversely affected worker seeks TAA benefits in a state for which their UI benefits are not paid, and/or the TAA certification did not occur, the Liable State and Agent State must be identified by the WDA.

### Liable State

The Liable State is defined as the state in which the adversely affected worker's UI claim was last established. If the adversely affected worker does not have a UI claim established in any state, the state law for which the TAA qualifying separation occurred is to be identified as the Liable State.

The Liable State is responsible for the issuance of the following:

- TAA Determinations of Eligibility, and
- TAA Training Determinations, including:
  - Modification of the training contract, and
  - Removal from training.
- Job search and Relocation Allowances determinations, and
- Waivers:
  - Issuance, and
  - Extension, and
  - Revocation.
- Determination and payment of UI benefits and TRA, and
- ATAA/ or RTAA, and
- Enforces the appeal and redetermination procedure, and
- Conducts ALJ hearings (via telephone).

The Liable State also defines the normal commuting area for travel required by the adversely affected worker.

## Agent State

The Agent State is the state where the adversely affected worker seeks TAA services. It should be noted that residency is not relevant to the agent or liable state definition.

The Agent State is responsible for cooperating fully with the Liable State and assists the Liable State in carrying out its activities and functions including, but not limited to:

- Providing information needed for a determination of eligibility.
- Completing an ISS.
- Providing an initial and/or comprehensive assessment (determined by applicable TAA law).
- Assisting the adversely affected worker in completing all requirements for application for a waiver of the training requirement.
- Conducting all 30-day waiver reviews.
- Providing all training information for a training determination.
- Procuring and paying all training costs approved by the liable state.
- Reimbursing mileage, as defined by the liable state's commuting area.
- Procuring and paying all subsistence and mileage for job search and relocation allowances.
- Assisting in the completion of all relevant appeal and redeterminations, as necessary.

If the State of Michigan is identified as the Agent State, the MWA should contact the WDA for assistance in obtaining the case file from the Liable State. The MWA may not provide TAA services until a Determination of TAA Eligibility is received from the Liable State. As the Agent State, the MWA and the WDA will work to ensure all required processes are followed.

Activity	Liable State	Agent State
Trade Act Determinations	<ul style="list-style-type: none"> <li>Issues TAA Determination of Eligibility</li> </ul>	<ul style="list-style-type: none"> <li>Provides TAA benefits/services upon receipt of Liable State determination</li> </ul>
TRA	<ul style="list-style-type: none"> <li>Determines eligibility</li> <li>Makes payments</li> </ul>	<ul style="list-style-type: none"> <li>Provides biweekly attendance forms as required</li> <li>Transmits status updates</li> </ul>
Training Benchmarks	<ul style="list-style-type: none"> <li>Liable State TRA Unit pays Completion TRA</li> <li>As a result of a failed benchmark, the Liable State determines approval of a modification to the training plan</li> </ul>	<ul style="list-style-type: none"> <li>Reviews benchmarks for adversely affected workers enrolled in TAAEA of 2011 and TAARA of 2015 training.</li> <li>Communicates failed benchmarks to Liable State</li> </ul>
Training (Including travel and/or subsistence)	<ul style="list-style-type: none"> <li>Issues TAA Training Determination upon receipt of training plan from Agent State</li> <li>Reviews and determines approval of modification requests</li> </ul>	<ul style="list-style-type: none"> <li>Provides training plan to Liable State.</li> <li>Funds training and expenses related to training, including travel and/or subsistence, based on Liable State training determination</li> <li>Submits modification request to Liable State for a determination</li> <li>Communicates changes in training status including: successful completion, withdrawal, failure to maintain satisfactory progress and participation, etc.</li> </ul>
Waivers	<ul style="list-style-type: none"> <li>Issuances, extension, and/or revocation</li> </ul>	<ul style="list-style-type: none"> <li>Continues waiver updates and transmits information to Liable State TRA Unit as necessary</li> </ul>
Job Search Allowances	<ul style="list-style-type: none"> <li>Determines Job Search Allowance eligibility;</li> <li>Funds Job Search Allowance(s)</li> </ul>	<ul style="list-style-type: none"> <li>Processes Job Search Allowance(s) application(s) and supporting documentation and transmits to Liable State for approval.</li> </ul>
Relocation Allowances	<ul style="list-style-type: none"> <li>Determines Relocation Allowance eligibility</li> <li>Funds Relocation Allowance</li> </ul>	<ul style="list-style-type: none"> <li>Processes Relocation Allowance application and supporting documentation and transmits to Liable State for approval.</li> </ul>
A/RTAA	<ul style="list-style-type: none"> <li>Determines eligibility</li> <li>Pays the A/RTAA benefit</li> </ul>	<ul style="list-style-type: none"> <li>Processes the A/RTAA application and supporting documentation and transmits to Liable State TRA Unit</li> </ul>