

CHAT TRANSCRIPT

Title	Scheduled Chat: Signatures on Trade Adjustment Assistance (TAA) Documents
Date	06/03/2020
Start Time	12:54 PM GMT-04:00
End Time	02:03 PM GMT-04:00
Moderator	Theberge, Timothy

Theberge, Timothy- 1:00 PM:

Welcome to our 3rd scheduled chat! The purpose of this forum is to provide an opportunity to share with your peers on challenges and solutions in the effective operation of the TAA Program – specifically related to signatures and electronic signatures.

Theberge, Timothy- 1:00 PM:

We'll wait another minute or two to let everyone join.

Theberge, Timothy- 1:00 PM:

Hope you are all safe and well.

Theberge, Timothy- 1:03 PM:

Good afternoon. We'll get moving along at 1:05pm to give people enough time to find their GPS passwords (or reset them).

Waters, Jhansi- 1:04 PM:

Ok, thanks.

Theberge, Timothy- 1:05 PM:

Welcome to our 3rd scheduled chat! The purpose of this forum is to provide an opportunity to share with your state peers on challenges and solutions in the effective operation of the TAA Program – specifically related to signatures and electronic signatures. A couple of ground rules to support multiple conversations occurring at the same time. If you are responding directly to individual comments or questions, please reference the person in question by using an @ sign and then their first name.

Theberge, Timothy- 1:05 PM:

So, for example, if Beth from MA wanted to ask about signatures on IEPs, it would be helpful if she started off like this:

Signatures on IEPs – [Question or statement goes here.]

Then you can reply to Beth like this:

@Beth - [Answer or follow-up goes here]

Theberge, Timothy- 1:05 PM:

As a reminder, we will be issuing a transcript of this chat to all registered participants. The contents of this chat should be considered technical assistance and not official guidance of the Department.

Theberge, Timothy- 1:06 PM:

Ok - so the purpose of today's chat is to discuss issues around signatures. Have at it. Are you using electronic signatures? Wet signatures only? On what documents do you require them?

Huhmann, Myra- 1:07 PM:

Signatures on IEPs - In Missouri, we have digital signature on most forms, but the IEP is from our case management system and it requires a "wet signature". How are other states handling this?

Waters, Jhansi- 1:08 PM:

@Tim, PA's TAA applications are built in our system. Participants usually sign apps with their unique identifier. We now give them a generic user ID and Pin to sign apps and then instruct them to change it after

Bevel, Ann-Marie- 1:08 PM:

we've been accepting electric signatures for some time...with covid they have all been this way unless customers are printing forms at home and send them back in

Huhmann, Myra- 1:09 PM:

@ Ann-Marie, where are participants sending them? All our Job Centers are closed.

Marquez Rios, Mayra- 1:09 PM:

TN has tested new electronic signature functionality in our system and we're hoping/waiting to be available soon

Grant, Kelli- 1:09 PM:

@All - in SC, our case management system is starting to introduce digital signatures. Current applications are only on eligibility applications, however they are expanding into training, IEP, etc docs, hopefully this year....Currently we are wet signatures

Waters, Jhansi- 1:09 PM:

@myra, Pa has a digital signature for IEPs within the participants' record

Olson, Kathleen- 1:09 PM:

Signatures - [Due to all of our Case Managers teleworking from home and none of our participants being able to come to the local offices we are utilizing electronic signatures. (Oregon)

Griffith, Michelle- 1:09 PM:

@Tim we've converted the majority of our program forms to fillable PDFs to allow us to obtain electronic signatures. Especially useful since the AJCs are closed to the public and services are virtual.

Bevel, Ann-Marie- 1:09 PM:

@Myra to their case manager via email

Saito, Sarah- 1:10 PM:

@Myra and @Ann-Marie, when you use electronic signatures, are they through a service (i.e. DocuSign) or using Adobe or something else?

Bevel, Ann-Marie- 1:10 PM:

@Myra- some are taking a picture of the form once they fill it out. levels of IT ability vary

Huhmann, Myra- 1:10 PM:

@Ann-Marie, what about those client's without electronic means.

Wright, Robin- 1:10 PM:

Up until COVID-19 TN required a signature on TAA [applications] and IEPs that were uploaded into our Case Management System. With the onset of office closures we sometimes emailed the documents to our participants and they would mail back. Recently our case management system has been set up for electronic signatures.

Pratt, Melissa- 1:10 PM:

CO still uses wet signatures, but we're looking to move to more electronic signatures. We're just trying to figure out the best method/software to use.

Theberge, Timothy- 1:10 PM:

Has there been any push-back in your states (management, auditors, etc.) to the use of electronic signatures?

Waters, Jhansi- 1:11 PM:

@ALL Pa also converted program forms to fillable PDFs

Grant, Kelli- 1:11 PM:

@All, for those of you using a specific software for digital signatures, have you had any issues with appeals, and do you have a process or statement that covers that?

Bevel, Ann-Marie- 1:11 PM:

@Saito we use pdfs, or a typed signature...our case managers have Microsoft Surfaces

Huhmann, Myra- 1:11 PM:

@Timothy - in Missouri, unless the WDB requires it, WIOA is not requiring their participants to sign the IEP

Link, Lisa- 1:11 PM:

KY is using electronic signatures on our forms. Like other states we do have issues with participants not having access to technology. We would love to hear how other states are addressing this issue as well. Our staff are also telecommuting.

Theberge, Timothy- 1:12 PM:

@Kelli - Can you elaborate on the appeals issue.

Bevel, Ann-Marie- 1:14 PM:

I'm not with the TRA unit but I know progress and attendance still are wet signatures because the form is mailed to each customer

Huhmann, Myra- 1:14 PM:

@Kelli - We have not had any appeals issues using digital signatures in Missouri and we have been using digital signatures mainly since March (COVID-19)....so not very long

Waters, Jhansi- 1:15 PM:

@Ann-Marie, same with PA TRA for remedial attendance

Grant, Kelli- 1:15 PM:

@Tim - In an appeal hearing, we present the wet signed documents as evidence, our hearing officer may ask the participant if they received the document and signed it as an understanding - SC requires signatures on BRO, Eligibility Docs, Training Docs, attendance forms, etc. I am wondering what, if any, digital signatures will present when it isn't in the participants handwritten signature....if that makes sense.

Bevel, Ann-Marie- 1:15 PM:

@kelli- KS hasn't had issues, we've been using them for some time (not 100%) but haven't had any issues

Theberge, Timothy- 1:16 PM:

@Kelli - Thank you. Good questions.

Pratt, Melissa- 1:16 PM:

@kelli - what's a BRO?

Theberge, Timothy- 1:16 PM:

@Jhansi - Is your system a home-built or from an outside provider/which one?

Grant, Kelli- 1:16 PM:

@ Melissa - Benefit Rights and Obligations form

Huhmann, Myra- 1:16 PM:

@Kelli - If you used a digital signature, could you supplement it with an email from the client?

Waters, Jhansi- 1:17 PM:

@Tim, home-built

Pratt, Melissa- 1:18 PM:

@kelli- Thanks. I had a hunch it was something like that, but couldn't get the letters to fit right. We call it a BRI in our UI world.

Grant, Kelli- 1:18 PM:

@ Myra, we rolled out a Virtual Enrollment procedure today that is requiring an email acknowledgement in lieu of signature until our office open and we can obtain the signature, it is a good possibility that we could roll that over to digital signatures....would be interesting to look at the practicality of it

Grant, Kelli- 1:18 PM:

@ Melissa - Gotta love the alphabet soup of government!

Huhmann, Myra- 1:19 PM:

@Kelli - we use that in MO especially for distance learning even before COVID-19

Grant, Kelli- 1:20 PM:

@Myra - do you have a suggested language that you have participants use when emailing acknowledgement?

Bevel, Ann-Marie- 1:20 PM:

@Kelli- we also use e-mail confirmation

Huhmann, Myra- 1:21 PM:

@Kelli - No I don't. We don't have standardize wording. As long as we get approval, we feel lucky.

Grant, Kelli- 1:21 PM:

@ Myra, I understand....if anyone has any, I would love to look at it!

Theberge, Timothy- 1:22 PM:

From one of our Q&As on the topic...

Theberge, Timothy- 1:22 PM:

Q: Are signatures from the training institution or instructor required to sign off on a participant's progress in training for purposes of Completion Trade Readjustment Assistance (TRA) eligibility?

Theberge, Timothy- 1:23 PM:

Response: To determine that the worker has "substantially met the performance benchmarks established in the approved training plan," TEGL No. 05-15, Change 1, Attachment A, Section C.5.1 (Training Benchmarks to meet Completion TRA Eligibility Requirements) explains that states must evaluate satisfactory progress against the two benchmarks at intervals of no more than 60 days, beginning with the start of the training plan.

Theberge, Timothy- 1:23 PM:

For this review, states may request the training vendor to provide documentation of the worker's satisfactory progress. The case manager may attest to the worker's progress after consultation with the vendor and the worker. The state may request that the worker provide documentation of the worker's satisfactory progress toward meeting the training benchmarks from the vendor, such as through instructor attestations.

Theberge, Timothy- 1:23 PM:

To address the question, the mechanism for such collection is flexible and not limited to hard copy signature only. A case manager may document telephone conversations, save emails into the case file, or use other similar collection mechanisms. If state policy requires that a signature be obtained, it would be helpful to determine if an electronic signature will meet state policy or if state policy could be met in some other way.

Griffith, Michelle- 1:24 PM:

@Kelli I worked with my Policy and TRA units to create a Q&A sheet to list some of the workarounds we're allowing during COVID. It also includes some standardized statements that are included into an individualized case note. This helps us keep things consistent within our CMS database.

Pratt, Melissa- 1:24 PM:

@Michelle - would you be willing to share the Q&A?

Griffith, Michelle- 1:25 PM:

@Tim what's the best way to share examples of things we're using at the state level?

Theberge, Timothy- 1:25 PM:

@Michelle - The TAA Community on WorkforceGPS!!!!

Theberge, Timothy- 1:25 PM:

<https://taa.workforcegps.org/>

Griffith, Michelle- 1:26 PM:

@tim Thank you! I'll see what I can do to get some info together to share

Theberge, Timothy- 1:26 PM:

We have a Discussion Topics section and a Community Resources section.

Theberge, Timothy- 1:26 PM:

<https://taa.workforcegps.org/resources>

Pratt, Melissa- 1:26 PM:

@Michelle - Thank you for sharing!

Theberge, Timothy- 1:27 PM:

These are YOUR resources and YOUR opportunities to have discussions with your peers.

Theberge, Timothy- 1:27 PM:

The intent of the Community is for the states (and providers) to populate the Discussions and Resources. Our job is to help facilitate that exchange.

Manikowski, Susan- 1:27 PM:

@Michelle - While members can post in the discussions, we'll need to post actual resources. Please follow the instructions here for that process:

<https://taa.workforcegps.org/resources/2019/09/12/20/03/Submitting-a-Resource-to-the-TAA-Community>

Keltner, Sue- 1:28 PM:

@Tim - it is much appreciated that these tools have been made available. Thank you!

Theberge, Timothy- 1:28 PM:

For those of you looking for the COVID-19 Q&As, they have been moved to the dol.gov site at:

<https://www.dol.gov/agencies/eta/coronavirus#TAA>

Griffith, Michelle- 1:28 PM:

@Susan Excellent! Thank you both Susan and Tim for the info.

Theberge, Timothy- 1:30 PM:

As a reminder, there is only 1 requirement in the current regulations involving signatures - that's on the training waivers at 20 CFR 617.19(a)(2)(vi) and (vii).

Saito, Sarah- 1:30 PM:

@Timothy, can that be an electronic signature on the waiver?

Theberge, Timothy- 1:31 PM:

Yes!

Theberge, Timothy- 1:31 PM:

See: Electronic Signatures in Global and National Commerce Act (Pub. L. 106-229)

Saito, Sarah- 1:31 PM:

@Timothy, thank you

Theberge, Timothy- 1:31 PM:

That federal statute says that electronic signatures have the same legal standing as "wet" ones.

Huhmann, Myra- 1:31 PM:

@Timothy - During COVID-19, can email approvals work?

Theberge, Timothy- 1:32 PM:

@Myra - I encourage you to check out the Q&As. In short, email approvals were never not allowed.

Theberge, Timothy- 1:32 PM:

But, we recognize that many of you may be dealing with state or local policies that limit the usage of electronic signatures and approvals as opposed to a federal restriction.

Theberge, Timothy- 1:34 PM:

@Myra - To be clear. If the email approval follows the requirements of the Electronic Signatures in Global and National Commerce Act they would be considered a valid signature.

Huhmann, Myra- 1:35 PM:

Does anyone use GeoSol case management system? If so, do they require client's to sign the TAA Application?

Grant, Kelli- 1:37 PM:

@ Myra - We use GeoSol here in SC, we don't sign the application that is generated by the system, however we have a separate TAA Eligibility Doc that is signed. Have you all started using the electronic signature feature?

Bouloubassis, Sheila- 1:38 PM:

@Myra - MD uses GeoSol, but we do not have them sign the application. We have a separate document with TAA Rules and expectations that we require them to sign

Huhmann, Myra- 1:38 PM:

@Kelli, we have not started using the electronic signature feature yet. We have a separate TRA/TAA eligibility process. I just wondered if it was necessary to have the TAA Application signed

Wright, Robin- 1:39 PM:

@ Myra, TN does and yes we have required the TAA Application be signed. However, we maintain no wet signatures. Everything up to now has been scanned into the CMS. We have just switched on the electronic signature capability on the applicants and are hopeful to have the IEPs set up soon.

Huhmann, Myra- 1:39 PM:

Thanks everyone

Theberge, Timothy- 1:42 PM:

Any last thoughts or questions for the group?

Pratt, Melissa- 1:42 PM:

I have a RTAA question. TEGL 05-15 requires that an applicant/participant visit the workforce center in person to establish eligibility. Is this still true? How are you accepting RTAA applications with the workforce centers closed?

Theberge, Timothy- 1:44 PM:

@Melissa - I think we answered that in the COVID Q&A. If not, great question. If you don't find the answer in the Q&A, please submit it to COVID-19@dol.gov

Pratt, Melissa- 1:44 PM:

@Tim - I don't remember seeing it in the COVID Q&A, but I'll double check. If it's not there, I'll submit it.

Theberge, Timothy- 1:46 PM:

With that - time to ask for what you want covered in our next session. And, when do you want that to be? We've been doing every other week. Too much? Too little?

Grant, Kelli- 1:47 PM:

@Tim - unrelated question, do we have any estimated idea when the new regulations will be ready?

Theberge, Timothy- 1:48 PM:

@Kelli - The rule is officially at OMB for review.

Grant, Kelli- 1:48 PM:

@ Tim, thank you!

Huhmann, Myra- 1:49 PM:

@Tim - I'd like to know how successful other states are with Job Search and Relocation Allowance

Theberge, Timothy- 1:49 PM:

They are allowed 90 days. If there are no issues, it would then go over to the Federal Register to be published.

Theberge, Timothy- 1:49 PM:

@Myra - Ok. Good topic. It's about 1% of participants nationally.

Theberge, Timothy- 1:49 PM:

Any other suggestions for future topics?

Pratt, Melissa- 1:50 PM:

@Tim how about OJT and registered apprenticeship?

Zebrak, Susan- 1:51 PM:

How about TRA and PEUC.

Theberge, Timothy- 1:51 PM:

@Susan - We'll put it on the list.

Griffith, Michelle- 1:51 PM:

@Tim...what about co-enrollment in WIOA Title 1. Always a good one to generate ideas

Link, Lisa- 1:52 PM:

@Susan and @Tim also include PUA

Theberge, Timothy- 1:52 PM:

@Melissa & Michelle - Those are two very popular topics but both impacted by what could be in the Final Rule.

Grant, Kelli- 1:52 PM:

@Tim - I think training is always a good topic - ways to improve outcomes, completion rates and credentials

Theberge, Timothy- 1:52 PM:

@Kelli - Good topics.

Huhmann, Myra- 1:53 PM:

@ Tim - Is it me or are petition determinations taking longer than normal. Does someone from USDOL want to chat about that?

Theberge, Timothy- 1:53 PM:

@Myra - Call Jesse

Saito, Sarah- 1:53 PM:

@Timothy -how are states contacting and communicating to people who become eligible for TAA while social distancing/AJCs are closed? We touched on this during a different chat but there may be enough for an entire chat.

Theberge, Timothy- 1:53 PM:

@Sarah - Yes. Good question. We only briefly touched on that.

Theberge, Timothy- 1:54 PM:

These are all great suggestions. Thank you. And thank you for your continued participation in these chats. We'll get the transcript out as soon as we can. Our next chat is tentatively 6/17 at 1pm.

Zebrak, Susan- 1:55 PM:

Outstanding, I do have a lot of questions concerning how TRA/PEUC and the old EUC questions for TRA.

Link, Lisa- 1:55 PM:

@Sarah that would be a great topic. Here in KY we are going through this right now. We are using email to initiate contact.

Theberge, Timothy- 1:55 PM:

@Susan - Me too!

Pratt, Melissa- 1:56 PM:

@Susan - Me three!

Zebrak, Susan- 1:56 PM:

Yes Lisa, I forgot about PUA and State EB

Marquez Rios, Mayra- 1:56 PM:

thank you!

Grant, Kelli- 1:59 PM:

@Tim - thanks for another great session!

Theberge, Timothy- 1:59 PM:

Thank you all for joining us. We hope these chats are helpful. They provide us some great insight to what issues you are dealing with and what topics you need to hear from us and your peers on.

Hughes, Gwendolyn- 2:00 PM:

Thank You!

Pratt, Melissa- 2:00 PM:

Thank you!

Wright, Robin- 2:00 PM:

Thank you!

Link, Lisa- 2:00 PM:

Thank you

Theberge, Timothy- 2:00 PM:

Make sure to check out the resources and other items available at <https://taa.workforcegps.org>

Zebrak, Susan- 2:00 PM:

Thank you!!