



MASSACHUSETTS

Workforce Investment Act

WIA Communication No. 02-07☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DET Regional Directors
DET Area Directors

cc: WIA State Partners
Tim Theberge, U.S. Department of Labor Regional Office
Craig Paton, Division of Employment & Training

From: Jonathan Raymond, President
Commonwealth Corporation

Date: February 27, 2002

Subject: **Trade Programs Travel Allowances While in Training**

Policy: Operating entities must ensure that client services are in compliance with this policy and with the Trade Adjustment Assistance Regulations, 20 CFR Part 617.

Action Required: Please distribute copies of this policy to all appropriate individuals in your organization, and take necessary action to ensure compliance with this policy.

Effective: Effective immediately, this policy will be in “temporary” effect until August 11, 2002 while CommCorp analyzes the outcomes. CommCorp would like to monitor the results and reliability of this policy to ensure reasonableness for clients eligible for Trade Programs benefits.

References: Trade Act of 1974, as Amended.

Inquiries: Questions related to this policy should be directed to Beth Drummond (Goguen) at (617) 727-8158, extension 1336.

Trade Programs Travel Allowances While in Training

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An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.
TDD/TTY 1-800-439-2370 - Voice 1-800-439-0183

INTRODUCTION

This policy is being issued to address travel allowances and situations related to clients receiving Travel Allowances While in Training. It is essential that counselors understand the requirements for travel allowances when assisting clients in requesting approval for training.

APPLICABLE REGULATIONS

The Trade Regulations at 20 CFR 617.28 state:

- (a) Eligibility. A trainee under this subpart C shall be afforded supplemental assistance necessary to pay transportation expenses if the training is outside the commuting area, but may not receive such assistance if transportation is arranged for the trainee as part of a group and paid for by the State agency or to the extent that the trainee receives a payment of transportation expenses under another Federal law, or the extent the individual is entitled to be paid or reimbursed for such expenses from any other source.”

POLICY

It is the intent of this policy to set forth guidelines for Travel Allowances While in Training. This policy supersedes any previous policy issued.

A. Eligibility:

A worker must meet the following requirements to be approved for Travel Allowances While in Training.

- ◆ The worker’s approved training must be at a facility which is a distance greater than the distance that the worker used to commute to his/her previous place of employment

AND

- ◆ The worker must anticipate being able to find employment upon completion of training within his/her commuting area.

The following criteria apply to Travel Allowances:

1. The worker’s commute to the training facility must be more than fifty (50) miles (round-trip) greater than the commute he/she was making to his/her previous place of employment.

2. In determining the number of miles to the vendor, actual odometer readings should be used whenever possible. However, Commonwealth Corporation will allow average miles. To calculate, please use:

A. Milo Mileage Guide

B. Various Internet Sites, if no Milo Guide is available. (For example travel.com,yahoo.com)

Commonwealth Corporation (CommCorp) will confirm all calculations. Please note that it is important to review directions provided through Internet sites to ensure the route is the shortest possible.

3. No mileage will be paid for travel that is less than fifty (50) miles per day (round trip) from the worker's home to the training facility, regardless of the commuting distance indicated in #1 above.
4. Travel Reimbursement may only be paid for the days when clients actually attend scheduled classes.
5. Requests for travel reimbursement exceeding those approved will become the client's responsibility unless he/she (with the help of a counselor) provides the CommCorp Trade Unit with a request for an amendment to the travel allowance and the amendment is approved in conjunction with a training contract amendment, if applicable. Such amendments must be approved by CommCorp PRIOR to the effective date.
6. No payments shall be made for violations such as parking tickets, speeding, etc.
7. No mileage will be paid if transportation has been arranged as part of a group, except if the group members alternate driving on a periodic basis with other group members. In all cases, only the driver will be reimbursed.

Please note: If group travel is reasonably available to the customer and he/she declines to accept it, individual travel should not be approved.

8. If there is a less expensive means of transportation than private automobile reasonably available (bus, train, etc.), only the least expensive means may be approved.
9. The daily travel allowance may not exceed 50% of the federal per diem rate for the area to which the client is traveling.
10. When reimbursement is requested for mileage, the cost of tolls and parking is included in the mileage rate.
11. When reimbursement is requested for the train, bus, ferry, etc., the cost of *parking* (only) shall be in addition to the cost of travel by bus, train, etc.
12. The worker must be expected to be able to find employment within his/her previous commute.

13. The worker will only be reimbursed for 1 round trip per day and only for scheduled classes. Workers will not be reimbursed for attending on weekends, for extra help, etc.
14. If a client is commuting to an internship, CommCorp must be notified of the mileage to the internship and the applicable dates. A determination as to whether the client will qualify for reimbursement to and from the internship will be made by CommCorp, in the same manner as travel allowances for scheduled classes.

Example: Jack used to drive twenty (20) miles (roundtrip) to work. He is now driving seventy-five (75) miles (roundtrip) to his Help Desk/Support training.

- He is traveling more than 50 miles (roundtrip) each day to training.
- The difference in his commute is fifty-five (55) miles (roundtrip).
- He will be able to find work within his previous twenty (20) mile commuting area upon completion of training.
- Carpooling is not an option.
- There are no bus or train services.

➔ Therefore, Jack is traveling outside his normal commuting area for school. Jack **is eligible** for a travel allowance.

Example: Jane used to drive thirty (30) (roundtrip) miles to work. She is now driving sixty (60) (roundtrip) miles to her Fashion Design training.

- She is traveling more than 50 miles (roundtrip) each day to training.
- The difference in her commute is thirty (30) miles (roundtrip).
- Carpooling is not an option.
- There are no bus or train services.
- Upon completion of her training she will have to continue to travel over thirty (30) miles (roundtrip) to find employment.

➔ Since Jane's commuting difference is thirty (30) miles (roundtrip) and job search after completion of training will be over thirty (30) miles because her job search indicates that her new job opportunities will cause her to travel further, that becomes her new "normal commuting area".

➔ Therefore, Jane **is not eligible** for travel allowances because the sixty (60) mile commute is within her new commuting area.

B. Payments:

1. A transportation allowance shall not exceed the lesser of:
 - (a) The actual cost of travel by the least expensive means of transportation reasonably available between the trainee's home and the training facility; or

(b) The cost per mile at the prevailing mileage rate authorized under the Federal Travel Regulations. (41 CFR part 101-7).

2. CommCorp will reimburse eligible clients for documented travel costs.
3. For those clients who submit travel reimbursement requests by the Tuesday following the two (2) week training period requested, payments will be processed that week. To best of CommCorp's ability. Otherwise, payments will be processed the following week.

C. Approved Mileage Rate:

The maximum Mileage Rate that will be approved for Trade clients will be that which is approved by the IRS for Federal Travel.

D. Willful Misrepresentation:

Any willful misrepresentation of the client's status and eligibility for travel can result in disqualification from receipt of travel allowances and/or disqualification from the Trade Program.

CommCorp must pursue any client who is found to have received an overpayment to obtain repayment.

Clients must contact their counselors as soon as possible to resolve any issues regarding Travel reimbursement, other than timeliness of payments, etc., which CommCorp will resolve directly with the client.

In those cases where a client has submitted a form which CommCorp has verified as incorrect, such as indicating attendance on a holiday, a letter is sent to the client with the correct payment. The first time a client has inaccurately completed a form:

- The amount of the payment is corrected to reflect the attendance verified through the school.
- A brief letter of warning is sent to the client explaining how CommCorp has calculated this payment and that he/she can be disqualified from the receipt of travel allowances for willful misrepresentation.

[**Once a client has received three letters of warning, the disqualification process is initiated.**

[**If a client has willfully claimed attendance at training when not in attendance, he/she may be disqualified without warning.**

[**Clients do have the right however, to appeal any determination made by the Trade Unit regarding travel. If a client appeals a decision he/she must complete a *Trade Programs Hearing Request Form* and submit it to the DET Hearings Department. (See Appendix C of the Trade Programs Handbook)**