

**TAA Program Sunset Provisions:  
Questions and Answers for Participants  
December 8, 2010**

The Trade Adjustment Assistance (TAA) program helps workers who have lost their jobs as a result of international trade get back to work. The TAA program offers a variety of benefits and services to eligible workers, including job training, income support, job search and relocation allowances, a tax credit to help pay the costs of health insurance, and a wage subsidy to workers 50 years of age and older.

The Trade and Globalization Adjustment Assistance Act of 2009 (2009 Amendments), part of the Recovery Act, enacted the largest expansion of the TAA program since its creation almost four decades ago. The 2009 amendments expanded the Trade Act in several substantial ways, all of which will expire on December 31, 2010. On January 1, 2011, assuming that Congress does not extend the 2009 Amendments, the TAA program will revert (as qualified in the second question and answer below) to the program in effect under the Trade Act of 1974 as amended by the TAA Reform Act of 2002 (2002 Amendments), as if these amendments had never happened.

**What happens to the TAA program?**

As mentioned above, the expanded TAA Program included a sunset provision that requires TAA to be administered as if the 2009 Amendments had never existed, starting January 1, 2011. The exception is that the reduction in the Health Coverage Tax Credit (HCTC), a tax credit for individual health insurance costs, goes into effect beginning with the month of January, 2011, and applies to all recipients, regardless of when their petition was filed.

**December 31, 2010 is a Federal Holiday. Will I have additional time to file my petition and still be eligible to receive benefits under the 2009 Amendments?**

Yes. TAA regulations define “date of filing” as the “date on which petitions are received by” the Office of Trade Adjustment Assistance. December 31, 2010 is a Federal Holiday and thus, mail will not be received by OTAA that day, nor will technical support be available on that day or January 1 and 2, 2011 as they are not business days. In order to be considered “filed before January 1, 2011” and covered under the 2009 Amendments, a petition must be received by OTAA by 11:59 PM on January 3, 2011. It is not sufficient for a petition to be postmarked before that date. In addition, due to security procedures, mail delivered to the Department of Labor is often delayed. Therefore, the Department strongly recommends that petitioners who wish for their petitions to be considered under the 2009 Amendments file early and file online or by fax to ensure receipt by OTAA by 11:59 PM EST on Monday, January 3, 2011.

**What if I miss filing by the 11:59 PM EST January 3, 2011 deadline?**

Petitions received on or after January 4, 2011, will be governed under the 2002 amendments, and workers covered by these petitions will be eligible for TAA program benefits and services under the 2002 Amendments.

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**What if I file my petition before the deadline, but OTAA does not certify it until after the deadline?**

As long as a petition is filed on or before 11:59 PM EST on January 3, 2011, the fact that it is certified after that date does not affect covered workers' eligibility for benefits under the 2009 Amendments.

**How can I tell what level of TAA benefits and services I am eligible for under the TAA Program?**

You can tell the level of program TAA benefits and services you are eligible for by looking at the petition number, which is usually displayed in your paperwork as TA-W-XX,XXX. Using your petition number as a guide, you will be able to determine which of the three distinct cohorts (groups) listed below govern the TAA Program benefits and services for which you are eligible:

- i. Workers covered by petitions filed on or before May 17, 2009, identified by a petition number lower than 70,000 will be eligible for benefits and services under the 2002 Amendments.
- ii. Workers covered by petitions filed on or after May 18, 2009 and on or before 11:59 PM EST on January 3, 2011, identified by petition numbers greater than 70,000 and less than 80,000 will be eligible for benefits and services under the 2009 Amendments.
- iii. Workers covered by petitions filed on or after January 4, 2011, identified by a petition number greater than 80,000 will be eligible for benefits and services under the 2002 Amendments.

Cohorts (i) and (iii) have TA-W petition numbers that fall below 69,999 and above 80,000, and are eligible to receive TAA benefits and services codified in the Trade Act as amended by the 2002 Amendments; however, petition numbers ranging from 70,000 to 79,999 are eligible to benefits and services available under the Trade Act as amended by the 2009 Amendments.

**I am a worker who is already part of a worker group certified as eligible to apply for TAA under a petition with a TA-W number between 70,000 and 79,999. Will I continue to receive benefits provided under the 2009 Amendments?**

Yes. Workers covered by certification of petitions filed on and after May 18, 2009, and before 11:59 PM EST on January 3, 2011, will receive the benefits that were available under the 2009 Amendments. The exception is that the reduction in the amount of the HCTC that goes into effect for the month of January, 2011, applies to all recipients (including workers covered by certifications of petitions filed under the 2009 Amendments), regardless of when their petition was filed.

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**What are the major changes in benefits and services?**

The chart below describes the benefits and services of the TAA program under the 2009 Amendments to the TAA program and the benefits and services under the 2002 Amendments.

<b>TA-W numbers that range <u>between</u> 70,000 and 79,999</b> <i>Program Benefits and Services Available Under the 2009 Amendments</i>	<b>TA-W numbers that fall <u>below</u> 69,999 and <u>above</u> 80,000</b> <i>Program Benefits and Services Available Under the 2002 Amendments</i>
<p>Trade Readjustment Allowances (TRA)</p> <ul style="list-style-type: none"> <li>• Up to 130 weeks of cash payments for workers enrolled in full-time training</li> <li>• Up to 156 weeks of cash payments if the worker is also enrolled in remedial or prerequisite training</li> </ul>	<p>Trade Readjustment Allowances (TRA)</p> <ul style="list-style-type: none"> <li>• Up to 104 weeks of cash payments for workers enrolled in full-time training</li> <li>• Up to 130 weeks of cash payments if the worker is also enrolled in remedial training</li> </ul>
<p>Training Enrollment Deadlines</p> <ul style="list-style-type: none"> <li>• Workers must be enrolled in training 26 weeks after certification or layoff, whichever is later, in order to receive TRA</li> <li>• States have wide latitude in applying good cause provisions to missed deadlines</li> </ul>	<p>Training Enrollment Deadlines</p> <ul style="list-style-type: none"> <li>• Workers must be enrolled in training eight weeks after certification or 16 weeks after layoff, whichever is later, in order to receive TRA</li> <li>• States may extend the training enrollment deadline by 45 days in the event of extenuating circumstances</li> </ul>
<p>Training Services</p> <ul style="list-style-type: none"> <li>• Training may be approved on a full-time or part-time basis, although full-time training is required for TRA eligibility</li> <li>• Certified workers may begin approved training when threatened with separation, or when they are totally or partially separated, from adversely affected employment</li> </ul>	<p>Training Services</p> <ul style="list-style-type: none"> <li>• Training may only be approved on a full-time basis</li> <li>• Certified workers may not begin approved training until they have been totally or partially separated from adversely affected employment</li> </ul>
<p>Reemployment Trade Adjustment Assistance</p> <ul style="list-style-type: none"> <li>• Available to workers 50 years of age or older</li> <li>• Does not require a separate certification of group eligibility</li> <li>• Workers may participate in TAA- approved training</li> <li>• Requires full-time employment, unless the worker is also enrolled in TAA-approved training and employed at least 20 hours per week, and does not set a deadline for reemployment</li> <li>• Available only for workers earning less than \$55,000 per year in reemployment</li> <li>• Maximum benefit of \$12,000 over a period of up to two years</li> </ul>	<p>Alternative Trade Adjustment Assistance</p> <ul style="list-style-type: none"> <li>• Available to workers 50 years of age or older</li> <li>• Requires a separate certification of group eligibility</li> <li>• Workers may not participate in TAA-approved training</li> <li>• Requires full-time employment within 26 weeks of separation</li> <li>• Available only for workers earning less than \$50,000 per year in reemployment</li> <li>• Maximum benefit of \$10,000 over a period of up to two years</li> </ul>
<p>Job Search Allowances</p> <ul style="list-style-type: none"> <li>• 100% of allowable costs, up to \$1,500</li> </ul>	<p>Job Search Allowances</p> <ul style="list-style-type: none"> <li>• 90% of allowable costs, up to \$1,250</li> </ul>
<p>Relocation Allowances</p> <ul style="list-style-type: none"> <li>• 100% of costs, up to the statutory limit for Federal Employees</li> <li>• Provides an additional lump sum payment of up to \$1,500</li> </ul>	<p>Relocation Allowances</p> <ul style="list-style-type: none"> <li>• 90% of costs, up to the statutory limit for Federal Employees</li> <li>• Provides an additional lump sum payment of up to \$1,250</li> </ul>

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**How will I know if my petition was filed in time to be covered under the 2009 Amendments?**

A petition is filed in time to be considered for benefits and services under the 2009 Amendments if it is received:

- Via mail at the Office of Trade Adjustment Assistance at Employment and Training Administration (ETA), United States Department of Labor, 200 Constitution Avenue, NW, Room N-5428, Washington, DC 20210 before 5:00 PM EST January 3, 2011;
- Via fax to 202-693-3585 on or before 11:59 PM EST January 3, 2011. The Department strongly suggests that petitioners retain the fax cover sheet with the date and time stamp.
- Via online petition processing located on the OTAA's website, [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact), and a confirmation email generated by the system that indicates the petition was received by the Office of Trade Adjustment Assistance by 11:59 PM EST January 3, 2011.

The date and time in the Eastern Standard Time (EST) time zone controls whether a petition is timely. Workers should file petitions simultaneously with the State. A listing of State Coordinator addresses can be found at: <http://www.doleta.gov/tradeact/contacts.cfm>.

**How do I get more information?**

Information about the changes to the TAA Program can be found below.

United States Department of Labor  
Employment and Training Administration  
Office of Trade Adjustment Assistance  
Room N-5428  
200 Constitution Avenue, N.W.  
Washington, DC 20210  
Phone: 202-693-3560 or 1-888-DOL-OTAA  
(1-888-365-6822)  
Fax: 202-693-3584 or 202-693-3585  
Website: <http://www.doleta.gov/tradeact>