



U.S. Department of Labor

Trade and Globalization Adjustment Assistance Act of 2009

OVERVIEW

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Sense of Congress

Sec. 288 of the Trade Act:

The Secretaries of Labor, Commerce, and Agriculture should apply the provisions of their respective TAA programs with the utmost regard for the interest of workers, firms, communities, and farmers petitioning for benefits.

Trade Adjustment Assistance

- Established at the DOL by the Trade Act of 1974 to provide assistance to workers in firms affected by international trade.
- **Most recent amendments:**
 - 2002 Act – For petitions filed before May 18th, 2009
 - 2009 Act – For petitions filed on or after May 18th, 2009

Eligibility Requirements

- **Group Eligibility** – Certification of a petition filed with DOL and the Governor by a group of workers, the employer, union or representative, or a One-Stop Operator or partner.
- **Individual Eligibility** – Approval by the State agency of individual application for benefits.

Major Areas of Change

- Expanded Group Eligibility
- Increased Benefits
- New Funding and Reporting

Workers Group Eligibility

- Workers in the service and public sectors.
- Manufactures of component parts based on increased imports of finished products.
- Shifts in production/service relocation or foreign contracting to any country
- Workers in firms that supply services to firms with TAA certified workers.
- Workers covered by ITC decisions.

➤ Expanded Group Eligibility

- **Primary Workers** – Products/services directly related to increased imports or off shoring.
- **Secondarily –Affected Workers** - Suppliers or downstream producers or service providers to a certified firm.
- **Public Agency Workers:** Department or agency of a State or local government or of the Federal Government, or a subdivision thereof.

Program Activity

Between 05/18 thru 11/30

	2007	2008	2009
Petitions	1,172	1,302	3,168
Certifications	765	886	1,274
Workers	73,075	81,172	144,895

➤ Increased Benefits

- Improved training opportunities.
- Created an additional entitlement to case management and employment services.
- Improved access to benefits.
- More Accessible Wage Insurance
- Improved Opportunities for Health Insurance Coverage.

Improved Training Opportunities

- **Increased Training Funds to \$575 Million**
 - 65% Initial distribution and 25% hold harmless
 - 35% held in reserve but 90% by July 15th
- **New Funding Formula Factors for Distribution :**
 - Trend in number of certified workers
 - Trend in number of workers in training
 - Estimated number of workers to be in training
 - Estimated amount of funding needed for training

Improved Training Opportunities

- Long -Term Training
- Prerequisite Education
- Part -Time Training
- Pre - Separation training

Improved Training Opportunities

- Apprenticeship, Higher Education and WIA programs.
- New Standards for OJT.
- Reasonable Cost.
- Benefits while in training.

Improved Training Opportunities

- Provides up to 156 weeks of income support with remedial/prerequisite training.
- Adds 26 weeks of additional TRA and a 91-week period for receipt of such payments.
- Allows election between UI and TRA.

Case Management Entitlement

- Funds such case management with:
 - 15% for Administration and case management
 - At most 2/3 for administration
 - At least 1/3 for case management
 - \$350,000 for case management services
- Coordination with WIA.

Case Management Entitlement

- ✓ Comprehensive skill assessments
- ✓ Individual employment plans
- ✓ Career counseling and labor market information
- ✓ Information on training available and how to apply for such training
- ✓ Information on financial aid and supportive services

Improved Access to Benefits

- Removes the 60 day waiting period for first week of TRA payment.
- Removes the 210-day deadline for bona fide application for training to receive additional TRA.

Improved Access to Benefits

- Amends the enrollment of training deadlines:
From 8/16 weeks after certification or separation, and 210 days after layoff to one 26 weeks after layoff or certification.
- Provides for additional justifiable cause exceptions for workers missing deadlines:
 - 45-day extenuating circumstance
 - State UI “good cause” provisions applicable
- Provides for appeal actions and active duty status to preserve deadlines and rights.

Waiver from Training

- Marketable skills waivers may include post-graduate degrees.
- Waivers review - three months after issuance and monthly thereafter.
- Retirement waivers do not require review.

Reemployment TAA

- Removes the requirement for a group certification for workers who are at least 50.
- Removes the requirement that a worker find employment within 26 weeks of being laid-off to participate in the program.
- Increases the limit on wages in eligible reemployment to \$55,000 a year and the individual's benefit cap to \$12,000.

Reemployment TAA

- Allows recipients to go from TRA to wage insurance benefit collection.
- Allows participants to receive training, employment and case management services:
 - ✓ Fulltime Employment if not in training.
 - ✓ Employment at least 20 hours per week if in approved fulltime training.

Job Search and Relocation

- Increases reimbursement from 90% to 100%
- Increases maximum benefit from \$1,200 to \$1,500
- Removes receipt of training waiver from determining timeframe for filing for benefits.
 - **Job Search:** 365 days after certification or layoff, or 182 days after completing training.
 - **Relocation:** 425 days after certification or layoff, or 182 days after completing training.

Health Coverage Tax Credit

- Administered by the IRS
- Increases the credit from 65% to 80% of qualifying health insurance premiums.
- Removes the requirement that a worker who is receiving UI be enrolled in training or receive a waiver in order to be eligible.
- Extended breaks in training may not impact HCTC eligibility.

➤ New Reporting

- Reporting Requirements
- Core Indicators
- Additional Indicators
- Valid and Reliable Data

New Changes to TAA

THANK YOU

ADDITIONAL INFORMATION AT

<http://www.doleta.gov/tradeact/>