

A P P E N D I C E S

TEXAS WORKFORCE COMMISSION

SUMMARY: THE TRADE ADJUSTMENT ASSISTANCE (TAA) and NAFTA-TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA-TAA) SERVICES

WHAT IS IT? *The Trade Act of 1974* provides for re-employment services and benefits for workers who lost their jobs due to certain affects of foreign trade. The programs help these trade-affected workers adjust to changing economic conditions through preparation for re-employment. The potential services and benefits may include job placement and employment services, job search and relocation allowances, training, and possibly Trade Readjustment Allowances (“TRA”) which provide some income support while a worker is in supported training.

WHO ARE SERVED? Trade services and benefits are for workers whose unemployment results from certain affects of foreign trade. The federal Department of Labor (USDOL) makes determinations in response to “petitions” filed by workers, employers, and certain other interested parties. USDOL will “certify” a group of workers as “trade-affected” based on its investigations of the foreign trade-related circumstances that may have led or will lead to the a layoff or plant closure. Petition forms for both TAA and NAFTA-TAA should be available in each local TWC office.

BENEFITS PROVIDED TO OBTAIN RE-EMPLOYMENT GOAL:

Placement Assistance: - The Texas Workforce Commission (TWC) and Local Workforce Development Boards will provide job search and placement assistance through Texas Workforce Centers in local communities.

Training - Institutional or on-the-job training (OJT) is available if suitable re-employment is otherwise unavailable. Such training enables workers to acquire new skills. Institutional training must be completed within 104 continuous calander weeks; the maximum time allowed for OJT is 26 weeks. Workers must apply for training and be enrolled within certain time periods in order to receive allowable income support while in training.

In Texas, the training facility must be accredited by either the Texas Higher Education Coordinating Board, the Texas Education Agency or the Texas Workforce Commission Division of Proprietary Schools and Veterans Training; or it must be registered with TWC’s Training Provider Certification System.

Job Search Allowance - Workers may be reimbursed for expenses incurred while seeking employment outside their local area if suitable local employment is otherwise unavailable. Requests for job search allowances must be made before beginning a job search trip. The request must be within 365 days from the date of separation from trade-affected employment, or the petition certification date, whichever is later. If the worker just completed or is in TAA approved training, the request must be made with 182 days after completion of the training. Reimbursement is usually 90 percent of incurred expenses— transportation, meals, and lodging. The total reimbursement for job search allowance is \$800.

Relocation Allowance - Assistance is available to help pay moving expenses if the worker must relocate to accept suitable employment. To be eligible, a trade-affected worker must obtain a genuine job offer or suitable employment outside their local area. Requests for relocation assistance must occur prior to the beginning of the move, and within 425 days from the date of separation from trade-affected employment or the petition certification date, whichever is later. If

the worker completed, or is in, TAA-approved training, the request must be received within 182 days of successful completion of training. Reimbursement is typically paid at 90 percent of the cost for moving the worker's household goods and transportation, meals and lodging to move the worker's family to a new residence. The worker may be eligible for a maximum \$800 lump sum payment.

ALL TRADE READJUSTMENT ALLOWANCE (TRA) APPLICATIONS AND QUESTIONS ARE HANDLED THROUGH THE TEXAS WORKFORCE COMMISSION CLAIMS TELECENTERS. THE LOCAL TEXAS WORKFORCE CENTER STAFF CAN PROVIDE TELEPHONE NUMBERS ASK FOR A "TRA SPECIALIST." LOCAL TAA STAFF ARE UNABLE TO ANSWER TRA QUESTIONS.

Weekly Trade Readjustment Allowance (TRA) - TRA weekly benefit payments are similar to unemployment compensation payments. TRA benefits are payable when the trade-affected worker has applied for them on time, is enrolled in TAA-approved training, and regular unemployment benefits (UI) are exhausted.

A worker may be eligible for TRAs if s/he:

- A. Was totally separated due to lack of work or placed on a reduced employment schedule; and,
- B. Worked in employment affected by imports and had at least 26 qualifying weeks of earnings of \$30 or more in the previous 52 weeks up to and including the week of the lay-off. The combined amount payable of unemployment compensation (UI) and "basic" TRA benefits is 52 times the weekly UI benefit amount of the valid UI claim the TRA entitlement is based upon.

To be eligible for "BASIC" TRA benefits, the worker must meet one of the following conditions:

- 1. Be enrolled in TAA approved training;
- 2. Be regularly attending and making satisfactory progress in the training;
- 3. Have completed TAA approved training, or
- 4. Have completed training which would have been approved by TAA standards; or
- 5. Have a waiver of training.

Under item (1) or (2), to qualify for training, a worker must apply for TAA-approved training within 210 days after the date of the Department of Labor certification or the worker's first qualifying separation from work, whichever is later. TAA-approved training should be applied for before or at the time of filing for "basic" TRA benefits. Under item 3, 4 & 5, the worker must conduct a minimum of two work searches per week on different days by different means.

The TRA **BASIC** benefits have an expiration date of two years from the worker's separation date.

ADDITIONAL TRA benefits may be paid for up to 26 calendar weeks to displaced workers while actually in TAA-approved training. To be eligible for "additional" TRA payments the worker must have exhausted the "basic" TRA entitlement and must be successfully participating in a TAA-approved training program.

NAFTA-TAA has a different set of rules to receive any TRA benefits. In order to receive TRA **BASIC** or **ADDITIONAL**, the trade affected worker must be enrolled in approved TAA training within 6 weeks from the date the petition was certified by the Department of Labor, or 16 weeks from the date of separation from the Trade Affected Employer, whichever is later.

14 DAY RULE:

If there is a break in institutional training that is 14 days or less, TRA benefits should be able to pay.

If there is a break in training that is 15 days or more, TRA will NOT be able to pay during any part of the break. Monetary benefits will resume when classes resume, provided they have not exhausted.

HOW TO BE COVERED UNDER THE PROGRAM: A petition for group eligibility may be filed with USDOL by three or more workers, their union, or an authorized representative. The petition form and instructions are available at TWC Local Offices. Once a USDOL has certified a group of workers, each worker in the group is eligible to apply for benefits.

HOW TO APPLY: When covered by a USDOL-certified petition, the worker should go to a TWC office, or similar employment service office in another state, to make an appointment for the necessary filing procedures.

This information bulletin is for information only and does not carry the force and effect of statute or regulation.

REGISTERING WITH TWC

After filing a claim for unemployment benefits, an individual must contact an employment services (ES) office to register for work. (Within 7 calendar days from calling the Call Center)

1. Registering with Texas Workforce Commission's computerized matching system is the job seeker's first step to finding employment. With 130 computer-linked offices across the state, TWC has one of the largest telecommunications networks in the country.
2. When you go to a TWC local office to register for a job, you will be asked to complete forms that describe your employment history and skills. Every line of information is crucial to the job matching process. Employers who have job openings come to TWC seeking applicants with specific skills and employment histories.
3. The heart of the job matching system is a programmed "search strategy" which compares applicants' experience, education, training, interests, salary requirements, and preferences with the requirements of the registered job listings. The computer reviews every application in the job bank each night to find applicants that best meet the employer's requirements.
4. Some helpful points to remember about the job matching system:
 - ◆ The computer searches for qualified applicants for referral based **only on** an employer's requests.
 - ◆ Renew your application every **60** days! It stays in the "system" for one year but becomes inactive every 60 days.
 - ◆ Codes used by TWC to match you to a job come from the Dictionary of Occupational Titles (DOT) and Handbook of Occupational Keywords. Be very thorough and honest about which DOT codes/keywords **best fit** your employment history.
 - ◆ If you are **flexible** about your salary, work location, etc., make sure your application reflects that!

WORK SEARCH REQUIREMENTS

MAKE YOUR WORKSEARCH YOUR FULL-TIME JOB !!

- ◆ Try to get at least one in-person interview ***each day***.
- ◆ Only one contact per week is ***not*** an active search for work.
- ◆ Make as many contacts as it takes to ***get a job!***
- ◆ Keep good records! Failure to look for, apply for, or accept ***suitable*** work may keep you from receiving UI or other benefits.
- ◆ Protect your eligibility ! Write down your contacts ! We may ask you for your work search contacts for ***any week*** you claim. (TWC verifies work search contacts on a random basis)
- ◆ New job orders come in every day. Check out Job Express at your local office on a regular basis. Also available on the internet at WWW.TWC.STATE.TX.US

TWC WORLDWIDE WEB HOME PAGE

You are encouraged to do a self-directed search of job openings by using public access terminals and Internet computers located in your local Texas Workforce Centers. You can also access TWC job order information using your home computer. Have your computer dial 1-800-227-8392, select a user-ID and password for the Window, then type /GO DIALTWC from the Main Menu to connect to "hi-T.W.C.", or the Internet access.

[HTTP://WWW.TWC.STATE.TX.US](http://www.twc.state.tx.us)

TEXAS WORKFORCE COMMISSION
Summary of Unemployment Insurance

1. HOW DO I FILE MY INITIAL CLAIM FOR UNEMPLOYMENT?

- ◆ Once you are unemployed, call a Texas Workforce Commission (TWC) **Tele-Center to file your claim**. File your claim **only by telephone** through the **TELE-CENTER**.

Information You Will Need:

- ◆ Name
- ◆ Address
- ◆ Telephone number of employer
- ◆ Date of last day worked
- ◆ Amount of wages earned

TELE-CENTER PHONE NUMBERS

AUSTIN	512/340-4300	HOUSTON	(713) 982-7400
DALLAS	214/252-1200	McALLEN	(956) 984-4700
EL PASO	915/832-6400	SAN ANTONIO	(210) 258-6600
FORT WORTH	817/420-1600	TOLL FREE	1-800-939-6631

2. WHAT IS UNEMPLOYMENT INSURANCE

Unemployment insurance (UI) is an employer-paid insurance program that helps workers who are unemployed through no fault of their own. It provides temporary financial help to qualified individuals, based on their previous earnings, while they look for work.

3. HOW DO I QUALIFY

The law sets three main areas of qualifications:

- 1) Non-disqualifying job separation
- 2) Ongoing availability
- 3) Work search requirements

4. TELE-SERVE FILING INSTRUCTIONS

- ◆ Once you have filed your initial claim for unemployment benefits, **filing instructions will be mailed to you**.

- ◆ Call the Tele-Serv phone number every two weeks from a touch-tone telephone. Your Tele-Serv filing day will be Sunday or Monday.
- ◆ **Failure to file within the scheduled week may cause a delay or denial of your payment**

5. HOW LONG WILL IT TAKE TO RECEIVE FIRST CHECK

- a) 4 Weeks receive 1 check (waiting week)
- b) 2 Weeks later receive 1 check for 3 weeks (provided no earnings)
- c) 2 Weeks later 1 check for 2 weeks

6. REPORTING PAY

- ◆ If you work while you are to receive UI, you must report all wages you earn when you file your claims. You must report vacation, pension, severance, and “Wages In-Lieu of Notice” (WILN) pay.
- ◆ **Report money in the week you earn it**

7. PART TIME WORK

You may work part-time while receiving UI. The State will adjust your UI payments to account for the part-time wages you earn. You won't lose any UI money, but you must report your status and your wages.

8. INCOME TAX

UI payments are taxable income for your federal income tax. The State won't pay it unless you ask for it. You're responsible for your taxes.

TRADE ACT: Comparison of the TAA and NAFTA/TAA Provisions

TRADE ADJUSTMENT ASSISTANCE (TAA)	NORTH AMERICAN FREE TRADE AGREEMENT TRANSITIONAL ADJUSTMENT ASSISTANCE (NAFTA/TAA)
Trade Adjustment Assistance was established under the Trade Act of 1974, as amended, to help American workers who have lost work as a result of increased imports.	NAFTA Transitional Adjustment Assistance was established in 1993 as an amendment to the Trade Act of 1974 to help American workers whose job loss can be linked to NAFTA.
TAA is a federal program administered by the U.S. Department of Labor and cooperating state agencies.	NAFTA/TAA is a federal program administered by the U.S. Department of Labor and cooperating state agencies.
Petitioning for Adjustment Assistance	
A petition for assistance may be filed by any group of three or more workers of a firm or subdivision of a firm, their union or a duly authorized representative of the firm, who feel that increased import competition has contributed significantly to the workers' unemployment. The group may petition the U.S. Department of Labor for a determination of eligibility to apply for adjustment assistance.	A petition for assistance may be filed by any group of three or more workers of a firm or subdivision of a firm, their union or a duly authorized representative of the firm or a community-based organization, who feel that increased import competition has contributed significantly to their unemployment. The group may petition the U.S. Department of Labor for a determination of eligibility to apply for adjustment assistance.
Workers may obtain a <i>Petition for Adjustment Assistance</i> (ETA 8560) from TWC Local Offices in Workforce Development Board Areas, or they may notify the Department of Labor's Office of Trade Adjustment Assistance directly of their interests in filing a petition for readjustment assistance. Write to: U.S. Department of Labor Employment & Training Administration Office of Trade Adjustment Assistance 200 Constitution Avenue, N.W., Room C-4318 Washington, DC 20210	Workers may get a <i>Petition for NAFTA Transitional Adjustment Assistance</i> (ETA 9042) from TWC Local Offices in Workforce Development Board Areas. Preliminary NAFTA petition investigations for the Department of Labor are conducted by the State Office Trade Unit. The State has 10 days to make its initial determination and send it to the Department of Labor. Mail NAFTA/TAA petitions to: Texas Workforce Commission Trade Adjustment Assistance Unit 101 East 15th Street, Room 506T Austin, Texas 78778-0001
Certification	
If the Department of Labor determines that trade imports contributed significantly to the workers' unemployment, it will issue a certification of eligibility to apply for adjustment assistance, within 60 days.	If the Department of Labor determines that increased imports from or relocation of production to Canada or Mexico has contributed significantly to workers' unemployment, it will issue a certification of eligibility to apply for adjustment assistance, within 40 days.
A certification is an official authorization by the Department of Labor for a specific group of workers to apply for adjustment assistance. The certification indicates the impact date, the date that the group of workers becomes eligible to apply for adjustment assistance.	Same as TAA.
A worker who learns that her/his group has been certified must contact the TWC Local Office or Texas Workforce Center to apply for trade adjustment assistance. The center will assist the worker in applying for trade benefits.	Same as TAA.
TAA Qualifying Requirements	
<ul style="list-style-type: none"> • The worker must have been laid off for lack of work on or after the impact date and before the termination date of the certification. • 	The basic qualifying requirements are the same as TAA.
Affected workers who move to another state and learn that former employees of their old company have been certified eligible to apply for adjustment assistance should immediately contact the nearest Employment Service Office of that State.	Same as TAA.
Allowances and Special Assistance	
Eligible workers may receive Trade Readjustment Allowances (TRA) during periods of unemployment, if: <ol style="list-style-type: none"> 1. The worker must have had wages of \$30 or more in adversely affected employment in each of at least 26 of the previous 52 weeks, ending with the week of the worker's separation, and 2. Is in TAA approved training or has a waiver of training, and 3. To receive Additional TRA benefits you must be in TAA approved training. 	Same provisions as TAA, EXCEPT : <ol style="list-style-type: none"> 1. The worker must be enrolled in a training program approved by the later of: <ul style="list-style-type: none"> • The last day of the 16th consecutive week of such worker's unemployment insurance claim; or • The last day of the 6th week after the week of the effective date of the USDOL Certification. 2. Under NAFTA/TAA there is a prohibition of training waivers.

Providing Trade Program Services

Texas Workforce Commission, Workforce Investment Act (WIA), and Trade Programs Coordination

	<i>TWC^{3/4} WORKFORCE DEVELOPMENT BOARDS PROVIDE:</i>		<i>TWC PROVIDES:</i>	
	WIA DISLOCATED WORKER RAPID RESPONSE PROGRAM	REGULAR WIA DISLOCATED WORKER PROGRAM	NAFTA-TAA PROGRAM	REGULAR TAA PROGRAM
PRIMARY SERVICES	<ul style="list-style-type: none"> • GROUP ACTIVITY • ABBREVIATED SERVICES • EARLY INTERVENTION • JOB SEARCH WORKSHOP • STRESS MANAGEMENT • FINANCIAL COUNSELING 	<ul style="list-style-type: none"> • INDIVIDUAL ACTIVITY • CORE SERVICES— USUALLY IN WORKFORCE CENTERS • INTENSIVE SERVICES • TRAINING/RETRAINING NECESSARY TO GET A JOB 	<ul style="list-style-type: none"> • TRAINING/ RETRAINING IF NECESSARY TO GET A JOB • JOB SEARCH ASSISTANCE • RELOCATION ALLOWANCES 	
ELIGIBILITY	<ul style="list-style-type: none"> • DEPENDS ON CONDITIONS OF THE LAYOFF OR CLOSURE WHICH MUST AFFECT 50 OR MORE PEOPLE. 	<ul style="list-style-type: none"> • INDIVIDUAL DETERMINATION— NOT AN ENTITLEMENT PROGRAM • CONDITIONS OF LAYOFF/CLOSURE WHICH MAY MAKE WORKERS ELIGIBLE FOR UNEMPLOYMENT INSURANCE . UNEMPLOYMENT INSURANCE (UI) 	<ul style="list-style-type: none"> • USDOL GROUP CERTIFICATION • ABSOLUTE DECLINE IN SALES OR PRODUCTION • COMPANY MUST MANUFACTURES A PRODUCT 	
			<ul style="list-style-type: none"> • AFFECT BY IMPORTS FROM MEXICO OR CANADA. • PRODUCTION SHIFT TO MEXICO OR CANADA 	<ul style="list-style-type: none"> • AFFECTED BY IMPORTS FROM ANY FOREIGN COUNTRY
INCOME SUPPORT	TWC DETERMINES ELIGIBILITY FOR UNEMPLOYMENT INSURANCE (UI). AN INDIVIDUAL MAY RECEIVE A MAXIMUM OF \$294 PER WEEK FOR A MAXIMUM OF 26 WEEKS. THE MINIMUM IS \$48 PER WEEK FOR A MINIMUM OF 13 WEEKS.			
	<u>NONE</u>	<ul style="list-style-type: none"> • NEEDS-RELATED PAYMENTS (NRPS) IF THERE 'S A LOCAL POLICY. • FEDERAL-STATE ASSISTED NRPS POSSIBLE IF NAFTA-TAA ELIGIBLE. 	<ul style="list-style-type: none"> • UP TO 52 WEEKS OF "TRADE READJUSTMENT ALLOWANCES (TRA) SINLAR TO UI <u>WHILE IN TAA APPROVED TRAINING</u>. • TO RECEIVE TRAs IN THE NAFTA-TAA PROGRAM, PARTICIPANT MUST BE ENROLLED IN APPROVED TRAINING WITHIN 16 WEEKS OF THE LAYOFF DATE OR 6 WEEKS OF THE USDOL CERTIFICATION DATE. 	