



201 N. Washington Square, Victor Office Center, Lansing, MI 48913 • www.michigan.gov/mdcd

Trade Adjustment Assistance

The Trade Adjustment Assistance (TAA) program is a federal entitlement program established under the Trade Act of 1974, as amended. The TAA program provides aid to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports. TAA offers a variety of benefits and re-employment services to assist unemployed workers in preparing for and obtaining suitable employment. Workers may be eligible for training, job search and relocation allowances, income support, and other re-employment services.

How to Apply

A petition for Trade Adjustment Assistance may be filed by a group of three or more workers, their union, or a company official. Petition forms may be obtained from the local Michigan Works! Service Center. Petitioners should complete and sign the petition and send it directly to the U.S. Department of Labor, Office of Trade Adjustment Assistance (OTAA), at the address listed on the form. If a petition is filed by a union or company official, only one petitioner's signature is required. Otherwise, the petition must be signed by at least three workers.

Establishing Eligibility for TAA

All petitions for TAA are filed with the Office of Trade Adjustment Assistance. OTAA has sole responsibility for conducting a fact-finding investigation to determine whether group eligibility criteria have been met. OTAA will issue an official notice of its decision no later than 60 days after receiving the petition. In order for OTAA to issue a Certification Regarding Eligibility to Apply for Worker Adjustment Assistance, the following requirements must be met:

- (1) that workers have been totally or partially laid off;
- (2) that sales or productions have declined; and
- (3) that increased imports have contributed importantly to worker layoffs.

Once OTAA issues a Certification Regarding Eligibility, trade-affected workers may apply for benefits under the TAA program. When a determination by OTAA states that workers who petitioned do not meet the eligibility requirements under this program, workers may obtain benefits and services from other programs authorized under Title I of the Workforce Investment Act.

Appeal Rights

Workers whose petitions for TAA are denied by OTAA may request administrative reconsideration of OTAA's finding within 30 days after publication of the final determination in the *Federal Register*. The request for reconsideration must be in writing, including the name of the company, the TAA investigation number, and a description of the group of workers on whose behalf the petition was filed. The request must also cite specific reasons why the workers consider the decision to be in error, according to either the facts, the interpretation of the facts, or the law itself. Requests for reconsideration should be mailed to the U.S. Department of Labor; Office of Trade Adjustment Assistance; 200 Constitution Ave., N.W.; Room C-5311; Washington, D.C. 20210; (202) 693-3560. Workers may also file an appeal seeking judicial review of the U.S. Department of Labor's negative determination or redetermination within 60 days of publication of the denial in the *Federal Register*. Appeals for judicial review must be filed with the Office of the Clerk, U.S. Court of International Trade, One Federal Plaza, New York, New York 10007, (212) 264-7090.

Program Benefits

The TAA program emphasizes a comprehensive, timely array of retraining and re-employment services tailored to meet the needs of the individual workers. Major activities and services include:

- Re-employment Services such as career counseling, job placement assistance, supportive services, skills assessment, job development and job search assistance and referrals.
- Training for employment in another job or career. Workers may receive up to 104 weeks of approved training in occupational skills. Basic or remedial education, or training in literacy or English as a second language, may be approved as part of an overall vocational plan, but may not be approved by itself.
- Income Support known as Trade Readjustment Allowances (TRA) are weekly cash payments available for 52 weeks after a worker's unemployment compensation (UC) benefit is exhausted and during the period in which a worker is participating in an approved, full-time training program. Income Support is a combination of Unemployment Compensation and Trade Readjustment Allowance benefits for a maximum of 78 weeks (26 weeks for UC and 52 weeks for TRA).
- Job Search Allowance may be payable to cover expenses incurred in seeking employment outside a worker's normal commuting area.
- Relocation Allowances provide reimbursement for approved relocation expenses if a worker is successful in obtaining employment outside the worker's normal commuting area.

Benefits Appeal Rights

Workers must meet individual eligibility requirements established under each benefit in order to receive that specific benefit. All benefits have different time constraints; therefore, workers must file application for specific benefits by the required deadline. If, however, workers are not satisfied with the determination of their individual applications, they have the same appeal rights as are provided under their State Unemployment Compensation Law. The determination notice, which they receive after filing their application, will explain their appeal rights and time limits for filing an appeal.

For additional information on the Trade Adjustment Assistance program contact:

Ms. Deborah Hennessey
NAFTA-TAA Program Manager
Michigan Department of Career Development
Workforce Transition Unit
Phone: (517) 335-1943 Fax: (517) 373-4648
TTY: 1-888-605-6722