

## **TAA Benefits and Services**

To receive Trade Adjustment Assistance (TAA) Program benefits and services, the worker group must be determined eligible by the U.S. Department of Labor. Individual workers must then apply for benefits and services through the state workforce agency and their local American Jobs Center. For additional information about TAA, please visit <https://www.dol.gov/agencies/eta/tradeact>.

## **To file a TAA petition**

To ensure timely processing of petitions, we strongly encourage submitting petitions through the online petition portal at <https://www.dol.gov/agencies/eta/tradeact/petitioners>.

Petitions may also be submitted by email at [taa.petition@dol.gov](mailto:taa.petition@dol.gov) or by fax to 202-693-3584 or 202-693-3585.

## **Benefits and Services Under the 2015 Amendments**

The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), title IV of the Trade Preferences Extension Act of 2015 (Public Law 114-27), was signed into law by President Barack Obama on June 29, 2015. These amendments reauthorize the TAA program for six years and change the group eligibility requirements and individual benefits and services available under the Trade Adjustment Assistance (TAA) program since January 1, 2014. TAARA 2015 also amends the Internal Revenue Code to provide a new version of the Health Coverage Tax Credit (HCTC) benefit for TAA program participants.

## **Overview of Benefits and Services under the 2015 Program**

TAARA 2015 repeals the sunset provision of the Trade Adjustment Assistance Extension Act of 2011 (TAAEA), under which the Reversion 2014 Program has been in effect since January 1, 2014. Operating Instructions were issued to administer benefits and services under the 2015 Program that addressed the transition of workers from the Reversion 2014 Program to the 2015 Program.

TAA offers a variety of benefits and services to support workers in their search for reemployment. This includes Trade Readjustment Allowances, training, assistance with healthcare premium costs, Reemployment Trade Adjustment Assistance, employment, and case management services, and may also include job search and relocation allowances.

## **Trade Readjustment Allowances (TRA)**

Trade Readjustment Allowances (TRA) is available to continue to provide income support while you are participating in full-time training. The amount of each weekly TRA payment is based on the weekly unemployment insurance (UI) benefit amount you already have received. You must have been entitled to receive UI benefits before you may receive TRA and you must have exhausted your UI entitlement.

### **There are three types of TRA: Basic TRA, Additional TRA, and Completion TRA.**

1. **Basic TRA** is payable if you are enrolled or participating in TAA-approved training, have completed training, or have obtained a waiver of the training requirement. The total amount of Basic TRA available will be calculated by multiplying your UI weekly benefit amount by 52 and subtracting the total sum of UI received. Therefore, if you have already received at least 52 weeks of UI generally you will not be eligible to receive any Basic TRA. You may still receive Basic TRA even if you are not in training if you obtain a waiver of the training requirement from your State. Under the 2011 Amendments, states may no longer issue waivers on the grounds of Recall, Marketable Skills, or Retirement. The three remaining grounds for which states can issue waivers are:
  - a. Health: you are unable to participate in or complete training due to a health condition; or
  - b. Enrollment Not Available: no enrollment in training is available within 60 days; or
  - c. Training Not Available: no training program is available in which you can enroll.
2. **Additional TRA** is payable only if you are participating in TAA-approved training and have exhausted all rights to Basic TRA. Additional TRA may be payable for up to an additional 65 weeks after the exhaustion of Basic TRA or after the period for Basic TRA eligibility during which you received UI, but only if you are enrolled in an approved training program.
3. **Completion TRA** (an additional period of up to 13 weeks of income support) is payable only if you are participating in TAA-approved training and have exhausted all rights to Basic TRA and Additional TRA. Assuming you meet the other TRA eligibility requirements, you may qualify for up to 13 weeks of Completion TRA where all five of the following additional criteria are met:

The requested weeks are necessary for you to complete a training program that leads to completion of a degree or industry-recognized credential; and

- a. You are participating in training in each such week; and
- b. You have substantially met the performance benchmarks established in your approved training plan (you have maintained satisfactory academic standing and are scheduled to complete training within your training plan's specified timeframe); and
- c. You are expected to continue to make progress toward the completion of the approved training; and
- d. You will be able to complete the training during the period authorized for receipt of Completion TRA

## **Training**

Allowable types of training include: classroom training, on the-job training, customized training designed to meet the needs of a specific employer or group of employers, apprenticeship programs, post-secondary education, prerequisite education or coursework and remedial education, which may include GED preparation, literacy training, basic math, or English as a Second Language. The cost of training is paid to the training provider by the State with TAA Program funds.

Training may be approved on a full-time or part-time basis, although full-time training is required in order to meet TRA eligibility requirements. Workers covered by a certification may enroll in a TAA-approved training program when they are still working but have been threatened with a lay-off.

To receive training paid for under this program, you must meet the following six criteria:

1. No suitable employment is available.
2. You would benefit from appropriate training.
3. There is a reasonable expectation of employment following completion of training.
4. Training is reasonably available.
5. You are qualified to undertake and complete such training.
6. Training is available at a reasonable cost.

## **Health Coverage Tax Credit (HCTC)**

See IRS website for information regarding HCTC at <https://www.irs.gov/credits-deductions/individuals/hctc>.

## **Reemployment Trade Adjustment Assistance (RTAA)**

These benefits are available if you are age 50 or older and you do not earn more than \$50,000 annually in your new employment. If you qualify, participation in RTAA allows you to receive a wage supplement when you accept new employment at a lower wage.

RTAA payments may total 50% of the difference between your old and new wages, with a maximum of \$10,000 paid over a period of up to two years. If you are receiving RTAA, you also are entitled to receive employment and case management services and are eligible to apply for HCTC, and you may be eligible to enroll in TAA-approved training. Workers may qualify for RTAA when working part-time, employed at least 20 hours a week, and participating in a TAA-approved training program. You may choose between receiving TRA or RTAA (even if you have received some TRA payments), but you may not receive both payments concurrently or receive TRA after receiving a wage supplement.

## **Employment and Case Management Services**

This additional set of services offered by your state include:

1. Comprehensive assessments of skill levels and service needs
2. Development of an individual employment plan (IEP) to identify employment goals and objectives
3. Information on available training and counseling, and how to apply for financial aid
4. Short-term prevocational services, such as development of learning skills, communications skills, interviewing skills, etc.
5. Individual career counseling
6. Provision of employment statistics relating to relevant market areas
7. Information relating to the availability of supportive services

## **Job Search Allowances**

This monetary benefit covers necessary expenses incurred while seeking employment outside your normal commuting area if employment in a good job, where you are likely to remain employed and earn family-sustaining wages, is not available in your area. Job search allowances reimburse 90% of the costs of allowable travel and subsistence, up to a maximum of \$1,250. An application for a job search allowance must be submitted before your job search begins, and within 365 days of your layoff or certification (whichever is later), or within 182 days after the conclusion of training.

## **Relocation Allowances**

This monetary benefit reimburses you for approved expenses when you must move to a new area to earn family-sustaining wages in employment outside of your normal commuting area. Relocation allowances may include 90% of the reasonable and necessary expenses involved in moving you, your family, and household goods to a new area following your re-employment outside of your normal commuting area. In addition, you may receive a lump sum payment equal to three times your average weekly wage, up to a maximum payment of \$1,250. You must submit an application for a relocation allowance before your relocation begins, and within 425 days of your layoff or certification (whichever is later) or within 182 days after the conclusion of training.

## **Appeal Rights for Benefits and Services**

All TAA benefits have different deadlines and individual eligibility criteria. Once certified, you must meet the criteria for each benefit to receive that benefit. If you are dissatisfied with the decisions on your individual application for TAA benefits, you have the same appeal rights as those provided under your state's UI law. The written notice that you receive after filing your applications for each benefit will explain your appeal rights and time limits for filing appeals under state law.

You may mail, fax, or deliver your appeal, or file the appeal online at [www.labor.alabama.gov](http://www.labor.alabama.gov). Mailed, faxed, or delivered appeals must be made in writing. Your appeal must be signed and include your full name (printed), the last four digits of your social security number, and the reason you do not agree with the decision made on your claim. Be certain that you mail, fax or deliver your appeal so that it is received at the Alabama Department of Labor on or before the 7th calendar day if the decision was handed to you or the 15th calendar day if mailed.

The mailing address and fax number for the Hearings and Appeals Division is shown below:

Alabama Department of Labor  
Hearing and Appeals Division, Room 4677  
649 Monroe Street  
Montgomery, Alabama 36131  
FAX: (334)956-5891  
TELEPHONE: (800)321-9323  
(for TTY, see back cover)

### **Overpayment of Benefits**

An overpayment can result if you are paid benefits and it is later determined, for any reason, that you did not qualify for those benefits. Failure to truthfully answer all questions on your claim, to report any gross income or deductible income, or to report any condition or situation that may make you unavailable for or unable to work can lead to an overpayment of benefits.

If it is determined that you were overpaid benefits, you will be notified by mail, through a **Notice of Determination of Overpayment**, which will indicate the amount of the overpayment and explain why you were overpaid.

The overpayment can be collected, by law, through offset of your weekly benefit if payment(s) were not determined as fraud. If overpayments are determined as fraud, the offset of your state and/or federal income tax refunds can be intercepted to satisfy the overpayment as a cash payment. You may also voluntarily repay your overpayment online at [www.labor.alabama.gov](http://www.labor.alabama.gov), or via personal check, money order, certified check, or a cashier's check made payable to the **Alabama Department of Labor**.

### **PLEASE DO NOT SEND CASH IN THE MAIL! WRITE THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER ON YOUR CHECK OR MONEY ORDER!**

If the overpayment cannot be paid in full, a repayment agreement can be arranged. If you would like to make repayment arrangements or have any questions about your overpayment, you may contact the Benefit Payment Control Section at (334) 956-4000. All repayment agreements must be in writing.

Mail your payments to the following address:

Alabama Department of Labor  
Benefit Payment Control Section  
649 Monroe Street  
Montgomery, Alabama 36131  
Phone: (334) 956-4000

## **Recovery of Overpayment**

Statute: Section 243(a)(1) of the 2015 Act reads:

(a)(1) If a cooperating State agency, the Secretary, or a court of competent jurisdiction determines that any person has received any payment under this chapter to which the person was not entitled, including a payment referred to in subsection (b), [on receipt of payments where fraud is involved], such person shall be liable to repay such amount to the State agency or the Secretary, as the case may be, except that the State agency or the Secretary shall waive such repayment if such agency or the Secretary determines that—

- A) the payment was made without fault on the part of such individual, and
- B) requiring such repayment would cause a financial hardship for the individual (or the individual's household, if applicable) when taking into consideration the income and resources reasonably available to the individual (or household) and other ordinary living expenses of the individual (or household).

## **Other Training Opportunities and Reemployment Services**

Rapid Response assistance is provided by the Dislocated Worker Unit in the state where you were laid off to groups of workers on whose behalf a petition is filed. Rapid Response staff will make employees aware of the different services available to workers after a layoff, and if provided before a petition is filed, will include information on the process of petitioning for certification under the TAA program. Learn more about Rapid Response visit <https://www.dol.gov/agencies/eta/layoffs>.

Also, if you do not qualify for TAA benefits, you may be eligible for services under the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker program or other programs accessible through your local American Job Center.

For additional information about benefits and services under the 2015 amendments, please visit <https://www.dol.gov/agencies/eta/tradeact/benefits/2015-amendments>.

## **TAA Final Rule:**

The TAA Final Rule was published in the Federal Register on August 21, 2020 and became effective on September 21, 2020. A copy of the Final Rule can be found here. Questions on the Final Rule should be directed to [regulations.taa@dol.gov](mailto:regulations.taa@dol.gov). Please visit the TAA Community on WorkforceGPS for training and technical assistance opportunities at <https://taa.workforcegps.org/>. For additional information, please visit <https://www.dol.gov/agencies/eta/tradeact/law/regulations>.

**\*\*\*The Trade Adjustment Program is Changing\*\*\***

Effective July 1, 2021, the TAA Program as amended by the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA, 2015 Program, or 2015 Amendments) is reverted to a previous version of the program, referred to as Reversion 2021. See how the TAA Program is changed for petitions filed on or after July 1, 2021 here.

Guidance for State Workforce Agencies is here at <https://www.dol.gov/agencies/eta/tradeact/law/directives>.

**Workforce Innovation and Opportunity Act (WIOA)**

The TAA Program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to (re)build skills for future jobs. Any member of a worker group certified by the Department may be eligible to receive the following benefits and services at a local American Job Center: training, employment and case management services, job search allowances, relocation allowances, and income support in the form of Trade Readjustment Allowances (TRA). Reemployment TAA (RTAA) and Alternative TAA (ATAA), which provide wage supplements for reemployed older workers whose reemployment resulted in lower wages than those earned in their trade-affected employment, may also be available. For more information about WIOA, please visit <https://www.dol.gov/agencies/eta/workforce-investment/dislocated-workers>.

To file a TRA claim for benefits in the state of Alabama, please visit <https://prodalabamaiccs.azurewebsites.net/>.