



# Trade Adjustment Assistance

Trade Adjustment Assistance (TAA) helps trade-affected workers who have lost their jobs as a result of increased imports or shifts in production out of the United States. TAA program services and benefits are provided to help eligible workers get back to work. This fact sheet provides details on the process of applying for TAA in order to help workers successfully obtain TAA eligibility.

### How to Apply for TAA

**Application Process Overview** – To obtain TAA reemployment services and benefits, a group of workers must first file a petition with the U.S. Department of Labor’s Division of Trade Adjustment Assistance (DTAA) requesting certification as workers adversely affected by foreign trade. If certified, each worker in the group must then apply for individual services and benefits through their local One-Stop Career Center to determine individual eligibility for reemployment services and benefits.

**Who may file a petition** – A petition may be filed by a group of three or more workers, by a company official, by One-Stop operators or partners (including state employment security agencies and dislocated worker units), or by a union or other duly authorized representative of such workers. The workers on whose behalf a petition is filed must be, or have been, employed at the firm or subdivision identified in the petition. Workers’ employment must be, or have been, related to the production of articles (products) described in the petition.

**Obtaining a Petition Form** – Petitioners may obtain forms from: (1) the Trade Act Program’s Web site (<http://www.doleta.gov/tradeact/petitions.asp>); (2) a local One-Stop Career Center; (3) a state “Rapid Response Team;” (4) a State Employment Services office; or (5) the DTAA (see address at the end of this document).

**Assistance in preparing a petition** – Petitioners may request assistance in preparing the petition at their local One-Stop Career Center or by contacting their State Dislocated Worker Unit, Employment Security Agency or the DTAA in Washington, DC. To locate such assistance, workers may call 1-877-US2-JOBS, 1-877-889-5627(TTY), or visit the America’s Service Locator Web site at: <http://www.servicelocator.org>.

**Submitting a Petition** – Once completed, petitions must be signed. Petitions filed by a group of adversely affected workers must be signed by at least three workers; petitions filed by any other authorized representatives require only one signature. Once signed, petitions must be filed with the DTAA **and** the TAA Coordinator or Dislocated Worker Unit of the state in which the plant is located.

**Who is covered by the petition** – A completed petition describes a group of workers working at a specific location, for a specific company, producing a specific product or group of products. If the group of workers described in the petition is certified, the certification will cover all workers in the group, whether or not their names are on the petition.

**DTAA Investigation** – After receiving a TAA petition, DTAA investigators analyze facts contributing to the workers’ layoffs or work reductions in order to determine if the following eligibility requirements are met:

1. Increased imports contributed importantly to a decline in sales or production, and to a layoff or threat of a layoff;
2. There has been a shift in production to certain countries outside the United States;
3. There has been a shift in production outside the United States and there has been or is likely to be an increase in the import of like or similar articles; or
4. Loss of business as a supplier of component parts, a final assembler, or a finisher for a TAA certified firm contributed importantly to worker layoffs.

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Generally, 40 days after receiving a TAA petition, the DTAA will make a final determination on whether or not the eligibility requirements have been met.

**Certified Petitions** – If the eligibility requirements have been met, the DTAA will issue the worker group a “Certification Regarding Eligibility to Apply for Worker Adjustment Assistance.” Worker Adjustment Assistance includes individual services and benefits available to eligible workers under the TAA program.

**Who is covered by the certification** – Generally, the certification covers all members of the worker group who are laid off during the three-year period beginning one year before the petition was filed and ending two years after the date of the certification. Each certification specifies the beginning and ending dates.

**Denied Petitions** – If the eligibility requirements are not met, the DTAA will issue the worker group a “Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance.” A negative determination denies workers certification of eligibility to apply for TAA services and benefits.

Workers who are denied certification may: (1) request administrative reconsideration of their petition; (2) appeal the denial; and/or (3) apply for reemployment services from other programs such as those available through the Workforce Investment Act’s Dislocated Worker program (<http://www.doleta.gov/layoff>), also available through local One-Stop Career Centers.

**Notification of Certification or Denial** – The DTAA will notify petitioners and a company official of its determination. If the petition is certified, the state will notify the worker group. Workers who are certified by DTAA must next apply for individual reemployment services and benefits under TAA that will help them obtain suitable employment. Certified workers apply for individual services and benefits through their local One-Stop Career Centers.

## How to Challenge a Petition Denial

**Administrative Reconsideration** – Determinations on TAA petitions are published in the *Federal Register*, the official daily publication for Rules, Proposed Rules, and Notices of Federal organizations ([http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)). Workers who are denied certification may request administrative reconsideration by the DOL. Requests for reconsideration must: 1) be in writing; 2) include the TAA investigation number; and 3) describe the group of workers included in the petition. Requests must also cite reasons why the workers consider the denial erroneous according to the facts, the interpretation of the facts, or the law itself. Reconsideration requests must be mailed to the DTAA within 30 days of *Federal Register* publication.

**Judicial Review** – Workers who are denied certification may seek judicial review of the DOL’s initial petition denial or denial following administrative reconsideration. 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. Appeals must be mailed within 60 days of *Federal Register* publication of the initial denial or administrative reconsideration denial.

### For more information or petitions, contact DTAA:

United States Department of Labor  
Employment and Training Administration  
Division of Trade Adjustment Assistance  
Room C-5311  
200 Constitution Avenue, N.W.  
Washington, DC 20210  
Phone: 202-693-3560  
Fax: 202-693-3584 or 3585  
Web site: <http://www.doleta.gov/tradeact>