

## **Important Information for Individuals Who Filed a Petition Currently Under Investigation**

Thank you for your interest in the Trade Adjustment Assistance (TAA) for Workers program. The information on this page applies to individuals who have filed a petition that is currently under investigation by the Department of Labor. A recent law will make significant changes to the TAA program. You have the option of withdrawing your petition and submitting a new petition when those changes take effect in order to take advantage of those changes.

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009, commonly known as the economic stimulus package. This new law includes significant changes to the TAA program, including changes to who is eligible for benefits, the deadlines for accessing benefits, and the benefits that are available. Many of these changes only take effect for petitions filed on or after May 18, 2009. Therefore, you have two options regarding the petition you submitted:

1) Allow the Department of Labor to continue investigating this petition. If the investigation leads to a certification of eligibility, the workers may be eligible for the package of benefits that is currently available. However, the workers will not be eligible for the expanded benefits under the New TAA Program that will be available to a worker group that is certified under a new petition submitted on or after May 18, 2009. You do not need to take any further action to pursue this option.

2) You may withdraw the petition and submit a new petition on or after May 18, 2009. Petitions filed on or after May 18, 2009 will be evaluated using new and expanded eligibility criteria to include certain workers in the service sector and public agencies, and broader categories of workers in firms that have shifted their production to foreign countries or increased their imports. Furthermore, individuals who are determined by the states to be eligible for benefits under the New TAA Program may receive expanded benefits, including:

- An additional 26 weeks of income support in the form of Trade Readjustment Allowances for workers who are in long-term training.
- Extension of the current law deadline for enrolling in training (8 weeks after certification or 16 weeks after layoff), to 26 weeks after certification or layoff, whichever is later.
- The option of beginning training after worker group certification and prior to layoff, which is not permitted under current law.
- Case management and employment services funded under the New TAA program.
- Increased Job Search and Relocation Allowances.
- Instead of Alternative Trade Adjustment Assistance for Older Workers, Reemployment Trade Adjustment Assistance for workers age 50 years or older, with expanded eligibility for both increased wage supplements as well as regular TAA benefits when a TAA certification is issued, and eligibility to participate in training while receiving wage supplements.

In order to withdraw your petition, you should contact the individual investigator assigned to your petition or the Trade Adjustment Assistance program office at 202-693-3560, if you do not have contact information for the investigator assigned to the case. Once the Department has

issued a determination on your petition, it will not be possible to request a withdrawal. A written request should reference and confirm any oral request to withdraw a petition. While a new petition may be filed if your petition for certification has been denied, certifications issued under petitions filed before May 18, 2009 may not be modified to allow workers to apply for benefits available under the New TAA Program. In addition, while you may discuss your pending petition with the investigator, the decision on whether to withdraw a petition must be made by the individuals who originally filed the petition, and include all of the signatories to the petition.

Before withdrawing your petition, please note that a certification does not cover workers laid off more than one year prior to the date the petition is filed. This provision of law has not changed. Therefore, when deciding whether or not to withdraw your petition, it is important to consider how long before the filing of a new petition workers covered by that new petition would have been laid off. If workers were laid off nearly a year before the date of a petition currently under investigation, then withdrawing and resubmitting that petition could result in the exclusion of some workers from eligibility to apply for any TAA benefits. In addition, withdrawing and resubmitting a petition will result in the investigation of different time periods, which could change the outcome of the investigation from a certification to a denial of certification (or from a denial to certification).

Additional information is available by calling the TAA program office at (202) 693-3560.