

Important Information for Individuals Considering Filing a Petition

Thank you for your interest in the Trade Adjustment Assistance (TAA) for Workers program. The Department of Labor will be pleased to accept your petition and conduct an investigation. However, a recent law will make significant changes to the TAA program. You have the option of submitting a petition now or submitting a 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:

1) File a petition now, and the Department of Labor will immediately begin an investigation of the 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 will have the option to withdraw your petition up until the time the Department of Labor issues a determination.

2) You may wait to file a 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.

Before deciding when to file a 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 to file a petition before or after May 18, 2009, it is important to consider how long before the filing of a new petition workers covered by that petition would have been laid off. If workers were laid off nearly a year before the date of a petition submitted in March, April, or early May 2009, then waiting to file a petition could result in the exclusion of some workers from eligibility to apply for any TAA benefits. In addition, waiting to file 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.