

TRAINING AND EMPLOYMENT NOTICE	<b>NO.</b> 14-10
	<b>DATE</b> November 10, 2010

**TO:** STATE WORKFORCE AGENCIES  
STATE WORKFORCE LIAISONS  
ONE-STOP CENTER SYSTEM LEADS  
STATE WORKFORCE ADMINISTRATORS  
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS  
STATE LABOR COMMISSIONERS

**FROM:** JANE OATES /s/  
Assistant Secretary

**SUBJECT:** Availability of an Electronic Submission Process for Petitions for Trade Adjustment Assistance (TAA): ETA Form 9042 (OMB Control No. 1205-0342).

1. **Purpose.** To announce the implementation of an online electronic filing application for petitions for TAA.
2. **References.** The Trade and Globalization Adjustment Assistance Act of 2009, Division B, Title I, Subtitle I of the American Recovery and Reinvestment Act of 2009, Public Law (P. L.) No. 111-5 (enacted February 17, 2009) (TGAAA); the Trade Act of 1974, as amended (P. L. No. 93-618, as amended) (Trade Act); 20 CFR Part 617; 29 CFR Part 90; Training and Employment Guidance Letter (TEGL) No. 22-08, OMB PRA Information Collection Control No. 1205-0342 (ETA-9042), online form approval issued October 1, 2010, and <http://www.doleta.gov/tradeact/>.
3. **Background.** The first step in obtaining TAA reemployment services and benefits is to file a petition on behalf of a worker group with the U.S. Department of Labor's Office of Trade Adjustment Assistance (OTAA) requesting certification as workers adversely affected by foreign trade. Eligible petitioners include:
  - a group of three or more workers
  - a union or duly authorized representative
  - a company official
  - a State Workforce Office
  - a One Stop Operator/Partner

If the worker group meets the necessary group eligibility criteria found in section 222 of the Trade Act, a certification of eligibility to apply for TAA is issued. Individuals may then seek TAA benefits and services through their local One-Stop Career Center.

- 4. Benefits of electronic petition submissions.** Currently, petitioners must submit copies of their completed petitions by fax or mail to both OTAA in Washington, D.C. and to their state workforce agency. To better facilitate submissions of petitions for TAA, an electronic filing application has been designed that will allow users to file online. Through the OTAA website, users can complete the application online, sign the petition electronically, and file the petition with both OTAA and the relevant state workforce agency.

While the option to file a paper petition continues, electronic filing has the benefit of providing guidance to the user for completing the petition that is not available in the paper petition. For example, identification of “Petitioner Type” by the user will affect the selection of successive screens provided. If a user selects “Three Workers,” the application will provide a screen that allows the entry of personal information for three petitioners; the selection of “Company Official” will lead to a screen that allows the entry of information for a single petitioner and requests the professional “title” of that petitioner. Most screens contain data fields that must be completed by all petitioner types and are displayed in their proper order regardless of which “Petitioner Type” is selected. This process eliminates common errors that often result in returned petitions and delays in petition processing.

To view the instructions for the online petition, refer to Attachment A of this TEN. The online petition also provides assistance to users in form of “Help Tags” that contain additional clarification about the required information. For example, when users are asked to select their “Petitioner Type,” a link to a help tag containing information on who may file a petition is presented.

- 5. Electronic Petition Recipients.** Petitions that are submitted electronically will be transmitted simultaneously to OTAA and the relevant state workforce agency contact (usually the State Trade Coordinator). Even though all petitions will be transmitted to both OTAA and the state contact, not all petitions will result in an investigation by OTAA (petitions may be incomplete when filed or duplicative of other ongoing investigations, for example). All petitions that are under investigation can be found at: <http://www.doleta.gov/tradeact/>.

Electronic transmission of the petition increases the speed by which the petition is transmitted and filed with the two statutorily required entities (OTAA and the relevant State agency). In addition, the user may also choose to send a copy of the petition via email to the petitioner(s) and any other(s) for whom a non-mandatory email address is provided.

After the petition has been transmitted, the user will have an opportunity to print or save a copy of the petition for record-keeping purposes.

- 6. Affirmation of Data Provided, Signature, and Date.** Prior to successful electronic submission, the petitioner must check a box at the end of the petition application (for affirmation statement, refer to Attachment B of this TEN). By checking this box the petitioner(s) affirm that all of the information (including petitioner name(s) and contact data)

is correct and true, and this single check mark will serve as the electronic signature for the petitioner(s) listed on the petition.

Further, the petition date will automatically be set as the date of the electronic submission.

7. **Email Confirmation.** Users who include their email in the electronic petition will receive an email confirmation that the petition has been received.
8. **Inquiries.** Inquiries related to the electronic online petition should be directed to [taa.petition@dol.gov](mailto:taa.petition@dol.gov).
9. **Attachments.**  
Attachment A: Instructions  
Attachment B: Statement of Affirmation