



# QUICK GUIDE

## TRADE ADJUSTMENT ASSISTANCE REFORM ACT OF 2015

*(TAARA 2015)*

The information contained in this guide applies  
to all petition numbers 90,000 and above

**WE ARE YOUR DOL**



Department  
of Labor



## TRAINING

### THE SIX APPROVAL CRITERIA

1. There is no suitable employment available
2. The trade-affected worker would benefit from appropriate training
3. There is a reasonable expectation of employment as a result of training
4. Training is reasonably available to the trade-affected worker
5. The trade-affected worker is qualified to undertake and complete training
6. Training is appropriate for the trade-affected worker and available at a reasonable cost

### TAA FUNDS TO BE USED FOR TRAINING\*

- \$25,000 soft cap for all training programs up to 130 instructional weeks

*\*There is a mechanism to exceed the training cap without using leveraged funds from other programs*

### GENERAL INFORMATION

Training programs cannot exceed 130 instructional weeks. (An instructional week is any week in which the participant attends classes/ training for at least one day.)

- Participants who achieve suitable employment\* after they are approved for training can continue their approved training. However, their training program must be appropriate, and the participant must continue to meet training benchmarks.

*\*Suitable employment is work of a substantially equal or higher skill level than the participant's past adversely affected employment, and wages not less than 80% of the participant's average weekly wage.*

### TRADE READJUSTMENT ALLOWANCES (TRA) WHILE IN APPROVED TRAINING

- Must be on a waiver from training or ENROLLED\* in TAA approved training by the later of 26 weeks after the date of petition certification; or 26 weeks after the participant's most recent total separation
- Must be attending full-time training to collect TRA

### REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE (RTAA) AND TRAINING

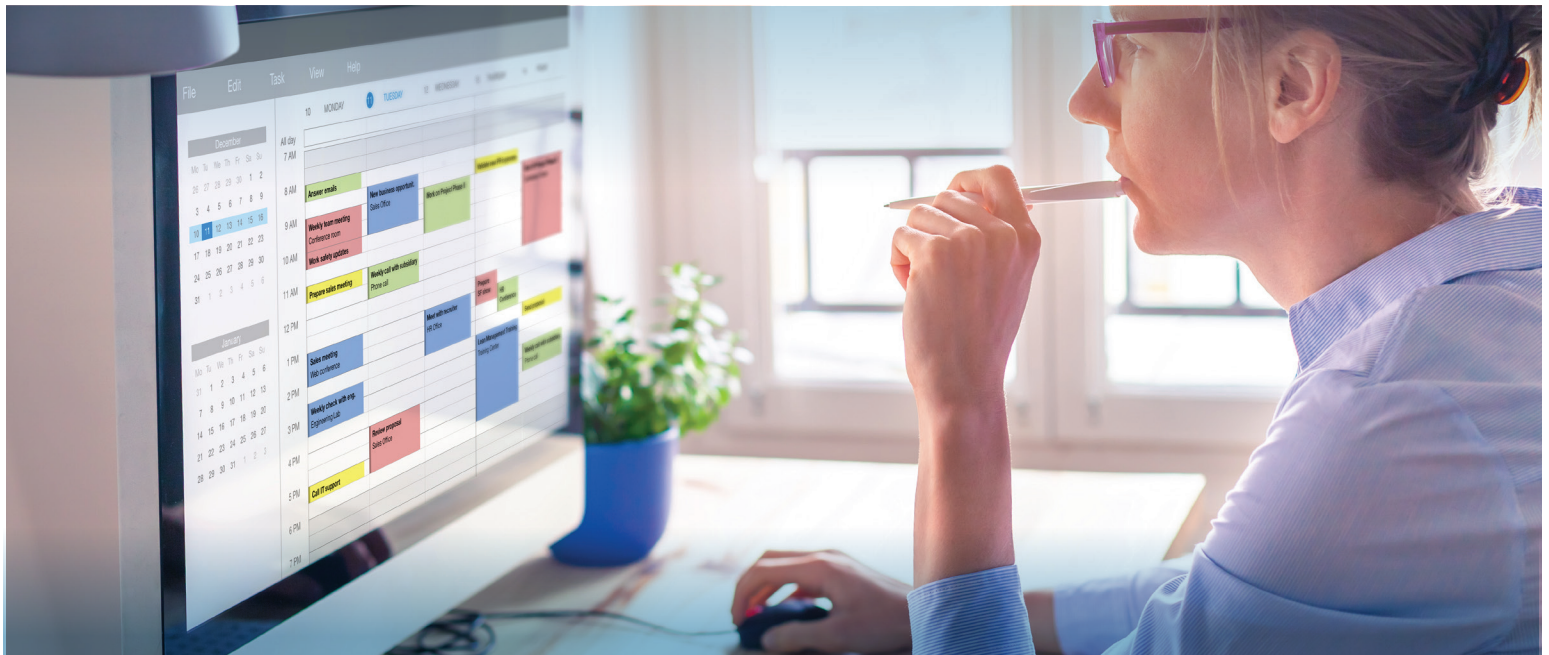
- Participants can take part in full-time or part-time Trade Act-approved training
- If enrolled in Trade Act-approved training, part-time employment must be at least 20 hrs./week
- On-the-Job Training (OJT) followed by RTAA benefits is approvable, if RTAA eligibility requirements are met
- OJT and RTAA benefits can be received at the same time
- When participants choose to collect RTAA benefits, they forfeit their rights to TRA benefits.

### OTHER APPROVABLE TRAINING PROGRAMS

- Part-time training (approvable, but participant will not be eligible for TRA)
- Self-Paced (approvable, but participant may not be eligible for TRA)
- Apprenticeship, OJT and Distance Learning (Online)
- Pre-layoff training (approvable if employment is determined to be in "Threatened Status" by the trade-affected firm)
- Blended programs (Classroom and OJT)

*\*Enrolled has 3 conditions*

1. Training program has been accepted by the training provider
2. Training program has been approved by TAA Central Office
3. Training will begin within 30 days



## WAIVERS

### WAIVERS AND TRA BENEFITS

- Waives the requirement of being enrolled\* in training or attending training by the Training Enrollment Deadline (TED) date, while preserving eligibility to TRA benefits
- A training plan must be approved by TAA Central Office before issuing a waiver
- The participant must have entitlement to Basic TRA to be issued a waiver.
- The start date of a waiver is the date the waiver is issued, which must be on or before the Training Enrollment Deadline (TED) date
- The end date of a waiver must be on a Sunday
- The end date of any waiver cannot exceed the participant's entitlement to Basic TRA

### TYPES OF WAIVERS AVAILABLE

1. **Enrollment Unavailable** – Training does not start within 30 days of approval.
2. **Health** – Participant is unable to take advantage of training due to health reasons but can still work. (Participant must be ready, willing, and able to look for and accept work.)
3. **Training not Available** – No suitable training is available for the participant at a reasonable cost, or no training funds are available.

### WAIVER REVIEW

- The first waiver review must be conducted within 90 days
- All subsequent reviews are conducted at 30-day intervals

### CERTIFYING FOR TRA BENEFITS WHILE ON A WAIVER

- Participants who have been placed on a waiver must be ready, willing and able to work and provide evidence of an adequate job search. They must also provide evidence of at least three job search efforts per week
- Job search efforts must be documented on the TA-952.1 (Request for Payment and Record of Job Search) form.
- This document should be faxed to the Special Programs Unit (SPU), at **518-457-9492**, for the purpose of weekly certification and job search efforts.



## TRA (TRADE READJUSTMENT ALLOWANCE)

### GENERAL INFORMATION

- Trade-affected participants must be enrolled\* in training or placed on a waiver from training within 26 weeks after petition certification, or 26 weeks after their most recent qualifying separation date, whichever is later
- Participants must also exhaust all Unemployment Insurance (UI) benefits in order to collect Basic TRA benefits

### BASIC TRA

- 26 weeks of Basic TRA benefits are available to those who are eligible
- 52 weeks of benefits (26 weeks of regular UI benefits + 26 weeks of Basic TRA benefits = 52 weeks) in total. Participants must be on a waiver to collect Basic TRA benefits
- Participants can collect the balance of Basic TRA benefits after training ends, if the participant is not employed and conducts adequate job searches

### ADDITIONAL TRA

- Up to 65 weeks of Additional TRA benefits are available while attending full time Trade Act-approved training
- Collectible within 78 calendar weeks
- Additional TRA benefits end when training ends

### COMPLETION TRA

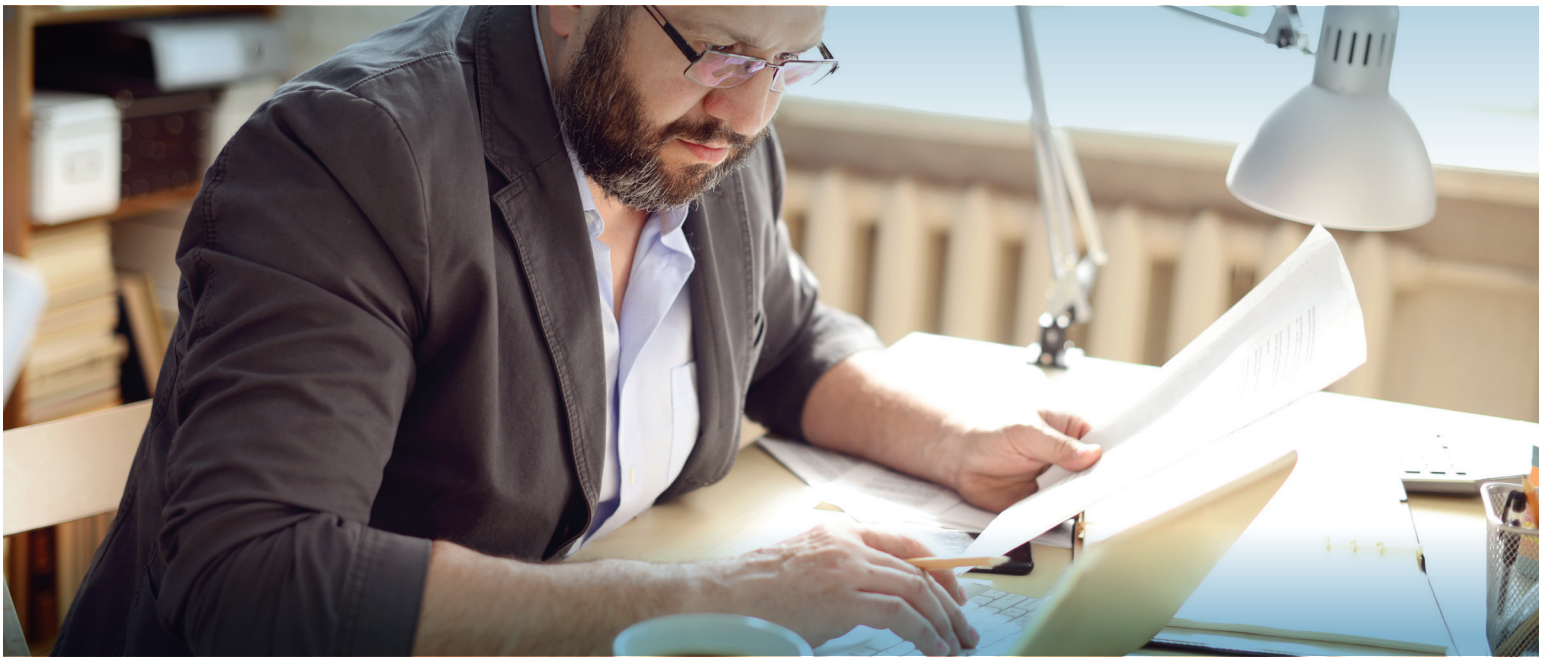
- Up to 13 weeks of Completion TRA benefits are available within a 20-week period
- Established benchmarks must be met:
  1. maintain satisfactory academic standing, **and**
  2. on schedule to complete training by the end date identified in the approved training plan (i.e., must complete training within the authorized period)

### TRA BENEFITS AND RTAA

- Participants can transition from collecting TRA benefits to collecting RTAA benefits
- They **cannot** transition from collecting RTAA benefits to collecting TRA benefits

### TRA BENEFITS AND PART-TIME WORK

- Participant must report wages on their weekly TRA certification form, sent by SPU
- TRA Earnings Disregard- No deduction is made from earnings for a week of work, up to an amount that is equal to the worker's most recent UI/TRA benefit amount



## RTAA (REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE)

### GENERAL INFORMATION

- Provides a wage supplement for up to 2 years, for those who are aged 50 or over and are reemployed at annual wages of \$50,000 or less:
  - Cannot earn more than \$50,000 per year in reemployment
  - Reemployment must occur within 2 years of separation from the trade-affected employer or within 2 years of exhausting UI benefits
  - Must be at least 50 years old at the time of reemployment
  - Requires full-time employment (or 2 part time jobs that equal full-time hours)
- The participant cannot return to employment with their trade-affected employer; specifically, the participant cannot return to the worker group defined in the certification
- SPU determines eligibility to RTAA benefits; any questions should be directed to that office at **518-485-1597**

### RTAA BENEFITS AND OJT

- Participation in an OJT followed by RTAA benefits is approvable, if the RTAA eligibility requirements are met
- Participants can take part in OJT while collecting RTAA benefits

### EMPLOYMENT AND TRAINING

- An RTAA participant can take advantage of Trade Act-approved training, while employed
- Participants must be re-employed full-time, if not enrolled in training

### OR

- Re-employed at least 20 hours per week **and** enrolled in full-time training

### MAXIMUM RTAA BENEFIT

- \$10,000 maximum benefit over the course of the eligibility period. Benefits end when \$10,000 or 2 years is reached, whichever comes first
- If the participant received TRA benefits, their maximum RTAA benefit will be reduced by the amount of TRA benefits received

### RTAA ELIGIBILITY PERIOD

- If the participant has **not** received TRA benefits: 2 years from the date of re-employment, or 2 years from the date they exhausted their UI benefits, whichever is later
- If the participant has received TRA benefits: 2 years from the date of re-employment, minus the number of weeks of TRA benefits received

### RTAA AND TRA BENEFITS

- Participants can transition from collecting TRA benefits to collecting RTAA benefits
- They **cannot** transition from collecting RTAA benefits to collecting TRA benefits



## TRAVEL AND SUBSISTENCE ALLOWANCES

### GENERAL INFORMATION

Available to participants who:

1. Must travel outside their normal “commuting area” \* or temporarily reside outside their “commuting area” for training
2. Relocate outside their “commuting area” \* for new employment
3. Travel outside their “commuting area” \* while searching for work

**\*Commuting area is defined as travel up to 30 miles from the participant’s primary residence, one way, by personal vehicle.**

- For participants who rely almost exclusively on public transportation, the commuting area is defined as travel up to one hour, one way, by public transportation
- Travel outside these defined commuting areas may make participants eligible for a transportation payment/ travel allowance

### REIMBURSABLE AMOUNT FOR TRAVEL (WHILE IN TRAINING)

- The cost of travel to and from training is the only amount that will be reimbursed
- The participant will be reimbursed for the lesser of:

a rate per mile, based on Federal GSA Rates:  
[gsa.gov/portal/content/100715](https://www.gsa.gov/portal/content/100715)

OR

the actual cost of travel, using reasonably-available public transportation

- Per the federal regulations, the mileage eligible for reimbursement is the roundtrip from the first mile outside the commuting area to the destination

### SUBSISTENCE (LODGING AND MEALS WHILE IN TRAINING) – REQUIREMENTS

- Training must be outside the participant’s normal “commuting area” to be eligible
- Supplemental assistance to pay the cost of lodging and meals while residing in a secondary residence during approved training is also potentially available

### REIMBURSABLE AMOUNT FOR SUBSISTENCE (WHILE IN TRAINING)

The participant will be reimbursed for the lesser of:

1. The actual cost of lodging and meals while in travel status,

OR

2. 50% of the prevailing per diem allowance rate, authorized under the Federal travel regulations found at: [gsa.gov/portal/category/21287](https://www.gsa.gov/portal/category/21287)



## **JOB SEARCH ALLOWANCES**

### **REQUIREMENTS**

- Must apply prior to a job interview
- Job interview must be verifiable with contact information
- Job search effort must be completed within 30 days

### **DEADLINE**

An application must be filed by the 365<sup>th</sup> day after the trade-affected company was certified by USDOL or the 365<sup>th</sup> day after the participant's separation date, whichever is later

### **OR**

by the 182<sup>nd</sup> day after the participant has completed Trade Act-approved training

### **REIMBURSABLE AMOUNT FOR JOB SEARCH ALLOWANCE**

- The participant will be reimbursed 90% of the lesser of:
  1. The actual cost to the participant for lodging and meals while in travel status;**OR**
  2. 50% of the prevailing per diem allowance rate, authorized under the Federal travel regulations found at: [gsa.gov/portal/category/21287](https://gsa.gov/portal/category/21287)
- Maximum benefit of \$1,250
- Allowable costs include transportation (the most cost-effective mode of travel reasonably available), or cost per mile at the Federal mileage rate: [gsa.gov/portal/content/100715](https://gsa.gov/portal/content/100715)



## RELOCATION ALLOWANCES

### REQUIREMENTS

- Requests must be approved by TAA Central Office **prior** to the participant's relocation
- The participant must have no reasonable expectation of securing suitable employment within their existing "commuting area"
- The participant must be relocating outside the normal "commuting area", but within the United States. (Outside the normal "commuting area" = travel up to 30 miles from the participant's primary residence, one way, by personal vehicle or travel up to one hour, one way, when public transportation is the primary mode of transport.)
- The participant must provide written verification of suitable employment, obtained from the new employer

### DEADLINE

An application must be filed by the 425<sup>th</sup> day after the trade-affected company was certified by USDOL or the 425<sup>th</sup> day after the participant's separation date, whichever is later

### OR

by the 182<sup>nd</sup> day after the participant has completed Trade Act-approved training.

### REIMBURSABLE AMOUNT FOR RELOCATION ALLOWANCE

- The participant will be reimbursed 90% of the lesser of:
  1. The actual cost to the participant for lodging and meals while in travel status;**OR**
  2. 50% of the prevailing per diem allowance rate, authorized under the Federal travel regulations found at: [gsa.gov/portal/category/21287](https://gsa.gov/portal/category/21287)
- 90% of the reasonable and necessary cost to relocate the participant, their family and their household effects are covered. No more than 18,000 lbs. of household effects will be covered
- In addition to reimbursement for travel and subsistence costs, participants are eligible for a lump sum payment of 3 times the participant's average weekly wage, up to a maximum of \$1,250





## HEALTH COVERAGE TAX CREDIT (HCTC)

### GENERAL INFORMATION

- Benefit will expire on **December 31, 2021**
- A refundable tax credit covering 72.5% of an eligible participant's monthly qualifying health insurance premium
- HCTC can be claimed monthly or annually
- For more information, go to **[www.irs.gov](http://www.irs.gov)** (**[irs.gov/Individuals/HCTC:-Latest-News-and-Background](http://www.irs.gov/Individuals/HCTC:-Latest-News-and-Background)**) or call the IRS Customer Contact Center at **1-844-853-7210**

### HCTC REQUIREMENTS

- Must be an eligible TAA recipient – a participant who receives TRA for any day of the month or who would be eligible to receive TRA (i.e. in approved training or on a waiver and eligible for TRA)

**OR**

An eligible RTAA recipient- a participant eligible for RTAA who is participating in RTAA for a month and is receiving an RTAA benefit for that month

**OR**

An eligible Pension Benefit Guaranty Corporation (PBGC) pension recipient.

- Must have a qualifying health insurance plan (COBRA, certain State-based health insurance programs, Spousal Coverage, etc.)
- Coverage under a State-operated health plan (Medicaid) or receiving Federal financial participation (Medicare and Affordable Care Act Marketplace insurance) are non-qualifying

For other information regarding Trade Adjustment Assistance (TAA), please refer to NYSDOL/USDOL TAA web pages: **[labor.ny.gov/workforcenypartners/tools.shtm](http://labor.ny.gov/workforcenypartners/tools.shtm)** and **[doleta.gov/tradeact/](http://doleta.gov/tradeact/)**

Some of these benefits require case management in OSOS. For details on how to record these services, go to **[labor.ny.gov/workforcenypartners/tools.shtm](http://labor.ny.gov/workforcenypartners/tools.shtm)** and click on *TAA > Guides > OSOS Data Entry Guides*.

## SCENARIOS: BENEFITS WHILE WORKING AND/OR IN TRAINING

WORKING	TRAINING	RTAA POTENTIALLY ELIGIBLE FOR (TRA/TRAA)	ELIGIBLE FOR TRAINING COSTS?
Full Time	No Training	RTAA	No
Full Time	Part Time	RTAA	Only if not "suitably employed"
Full Time	Full Time	RTAA	Only if not "suitably employed"
Not Working	Full Time	TRA	Yes
Part Time	Part Time	NONE	Yes
Part Time (<20 hours)	Full Time	TRA	Yes
Part Time (>=20 hours)	Full Time	TRA or RTAA	Only if not "suitably employed"

## ADDITIONAL SCENARIOS: BENEFITS WHILE WORKING AND/OR IN TRAINING

IF THE CUSTOMER		CAN THEY COLLECT	CONCLUSION
Collected RTAA	THEN	TRA	Ineligible - when participants choose to collect RTAA benefits, they forfeit their rights to TRA benefits
Collected TRA		RTAA	Approvable - if participant has received TRA benefits, their maximum RTAA benefit will be reduced by amount of TRA benefits received
Attended OJT		RTAA	Approvable - if RTAA eligibility requirements are met

CUSTOMER IS CURRENTLY		CAN THEY ALSO	CONCLUSION
Collecting RTAA	THEN	Attend Approved Training	Approvable - participants can take advantage of TAA-approved training while re-employed and collecting RTAA
Attending OJT		Collect RTAA	Approvable to collect both at the same time