

TRADE ADJUSTMENT ASSISTANCE REAUTHORIZATION ACT OF 2015

ASSISTANCE FOR WORKERS

UNDER THE TRADE ACT OF 1974, AS AMENDED, BY THE TRADE ADJUSTMENT
ASSISTANCE REAUTHORIZATION ACT OF 2015 (TRADE ACT OF 2015)

**FOR PETITIONS FILED ON OR AFTER
JANUARY 1, 2014 NUMBERED 85,000 AND ABOVE**

This booklet is issued for information only.
It does not have the force of law or regulation.

*Auxiliary aids and services are available upon request to individuals with disabilities.
Equal Opportunity Employer/Program*

READ THIS BOOKLET

KEEP IT FOR REFERENCE

This booklet was prepared to help inform you of your rights and responsibilities for benefits available under the Trade Act of 2015 (Trade Act of 1974, as amended through the Trade Adjustment Assistance Reauthorization Act of 2015). It will answer many of the questions that you may have while filing for these benefits.

This booklet is for your general information. It is not intended to be a statement of the official Trade Act or of the Pennsylvania Unemployment Compensation (UC) Law. The statements are merely a brief description of the procedures and requirements under the law. If you have any questions after reading this booklet, contact the nearest Pennsylvania (PA) CareerLink® or UC service center.

The benefits described in this booklet apply only to petitions received by the U.S. Department of Labor for the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), which is retroactive and covers petitions filed under the Reversion 2014 Trade Act, on or after January 1, 2014.

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Important Addresses, Telephone Numbers & Websites

U.S. Department of Labor (USDOL)	
USDOL Employment and Training Administration Office of Trade Adjustment Assistance 200 Constitution Avenue, N.W., Room N-5428 Washington, DC 20210	Telephone: 202-693-3560 or 888-DOL-OTAA (888-365-6822) Fax: 202-693-3584 or 202-693-3585
USDOL Trade Adjustment Assistance Website	www.doleta.gov/tradeact
USDOL Petition Website	www.doleta.gov/tradeact/DownloadPetitions.cfm or www.eta-reports.doleta.gov/petition/index.cfm?reset=true
USDOL Petition Status	www.doleta.gov/tradeact/taa/taa_search_form.cfm
PA Department of Labor & Industry	
PA Department of L&I Federal Programs Unit 651 Boas Street, Room 604 Harrisburg, PA 17121-0750	Tel: 717-787-4268 Fax: 717-772-0378
PA Department of L&I UC Website	www.uc.pa.gov
PA Unemployment Compensation service center	
To File a New UC or TRA Claim	Call 888-313-7284 and select the menu option to speak with a TRA representative.
TAA/TRA Resource Account	RA-UCSC-TRA-TAA-DUQU@pa.gov
To File a Biweekly UC Claim	888-255-4728
TTY Services For The Deaf & Hard of Hearing	888-334-4046

PA Training, Reemployment Benefits and Services

PA Department of L&I
Trade Act Services (TAS) Unit
651 Boas Street, 12th Floor, West
Harrisburg, PA 17121-0750

Tel: 717-783-8050

PA CareerLink® Website

www.pacareerlink.pa.gov

Things to Remember

Petitions must be filed with the USDOL and PA Department of L&I by mail, online or by fax.

To file a petition online go to **www.doleta.gov/tradeact** and click on "file online." Filing a petition at **www.doleta.gov/tradeact** submits an application to both the USDOL and the PA Department of L&I and no further action is necessary.

Filing online is the best method.

To file by mail, send a copy of your petition, on the same day, to both addresses listed below.

U.S. Department of Labor
Employment and Training Administration
Office of Trade Adjustment Assistance
200 Constitution Avenue, N.W., Room N-5428
Washington, DC 20210

PA Department of Labor & Industry
Federal Programs Unit
651 Boas St., Room 604
Harrisburg, PA 17121-0750

To file by fax, fax a copy of your petition, on the same day, to the USDOL and PA Department of L&I numbers listed below.

U.S. Department of Labor
Fax: 202-693-3584 or 202-693-3585

PA Department of Labor & Industry
Fax: 717-772-0378

Steps to take immediately after the petition is certified, or you are separated from certified employment:

- To file a claim for Trade Adjustment Assistance (TAA) program coverage, including cash Trade Readjustment Allowances (TRA), telephone the UC service center at **888-313-7284**, and **select the menu option to speak to a TRA representative. TRA claims may not be filed via the Internet at this time.** Do **not** wait until you exhaust your regular UC benefits.
- Contact a PA CareerLink® to file an application for training or a written waiver of the training requirement (see below), job search allowances or relocation allowances, or to obtain other reemployment services. A list of PA CareerLink® offices may be found at: **www.pacareerlink.pa.gov**, or in your local telephone directory under State Government, Department of Labor & Industry, PA CareerLink®.
- Continue to file your biweekly claims (Form B4-POS) for benefits, even if you are appealing a denial of benefits. Make sure to complete all sections. If you run out of forms, contact the UC service center. **TRA benefits may not be claimed via the Internet or PA Teleclaims (PAT) system.**

Important:

Deadlines for the Trade Act of 2015 benefits

In order to receive weekly cash TRA payments under the TAA Program, you must:

- Be enrolled in a Trade Act-approved training program by the end of the **26th week** after the week in which the petition is certified, or
- Be enrolled in a Trade Act-approved training program by the end of the **26th week** after your most recent qualifying separation from the affected employment, or
- Apply for and have been issued a written certification by the PA Department of L&I waiving the training enrollment required by the later of the last day of the 26th week after the most recent separation or the last day of the 26th week after the certification date, or
- Be enrolled in a Trade Act-approved training program by the Monday of the first week occurring 30 days after the date the waiver expired or was revoked.
- Have completed a Trade Act-approved training program.

The **26/26 week** enrollment deadlines as described previously may be extended under extenuating circumstances.

General TAA & TRA information

- While in training, a school official must complete sections C and D of form FP-858A "Worker in Training" online, or by mailing a copy to the UC service center.
- Payment of benefits **cannot be issued** to you until the UC service center has received the biweekly claim and "Worker in Training" forms for each week.
- Once the TRA unit receives your TRA mail claim forms, you can expect to receive your TRA cash benefits within 10 days of the date that the form was received in the TRA unit.
- If you are issued a waiver of training enrollment or have completed training, you must conduct a work search as described on page 16 during each week claimed. Enter the work search activity information on the reverse side of the biweekly TRA claim form.
- Your weekly TRA benefit amount is the same as the last weekly benefit amount payable on the UC application that existed, or that you filed (or could have filed) following your **first** qualifying separation in adversely affected employment covered by the petition certification. Your TRA weekly benefit rate may reflect the application of federal or state benefit reduction provisions, if in effect.
- If you begin to receive TRA and re-qualify for a subsequent UC claim, you may elect to continue to receive TRA instead of regular UC only if the subsequent UC claim is based at least in part on part-time or short term employment that occurred after your most recent total separation from adversely affected employment. Otherwise, if at any time you have entitlement to regular UC, you must claim UC rather than TRA, even if at a lower weekly benefit rate.
- Working in a job considered self-employment **may** cause you to become **totally disqualified** from receiving benefits regardless of the amount of income you receive.

General TAA & TRA information (cont.)

- Your entitlement to **Additional** or **Completion** TRA benefits **will end** when you complete training, withdraw from training, your eligibility period ends, or you have exhausted your maximum benefits.
- There is **NO GUARANTEE** that you will receive weekly UC or TRA benefits throughout the course of your training.
- Contact the local PA CareerLink® for assistance with reemployment services and benefits, including:
 - Employment registration
 - Career guidance
 - Job search workshops and activities
 - Job development
 - Supportive services
 - Self-directed job search services
 - Assistance with resumes
 - Funded training
 - Job search allowances
 - Relocation allowances

These reemployment services and benefits are available only through a PA CareerLink®.

What is Trade Adjustment Assistance?

Trade Adjustment Assistance (TAA) is a federal program that provides assistance to certain workers whose employment with a firm is adversely affected by increased imports of competitive articles (or component parts) or services, or shifts in production to foreign countries of competitive articles or supply of services. Workers are adversely affected when the increase in imports or shift in production contributes importantly to a significant number or proportion of workers at their firm losing their jobs or having their hours of work and wages, reduced, or having their work, hours or wages threatened to be affected. TAA benefits may be available to workers at impacted firms, including agricultural firms, or appropriate subdivision of a firm, and may also be available to certain workers whose firm is a supplier or downstream producer to a firm whose workers received certification of eligibility.

This program is administered by the USDOL's Employment and Training Administration through the PA Department of L&I, under the provisions of the **Trade Act of 1974, as amended under the Trade Adjustment Assistance Reauthorization Act of 2015.**

TAA benefits include reemployment services to assist you in returning to work, funded training, and job search and relocation allowances. Additionally, cash weekly **Trade Readjustment Allowances (TRA)** may be payable to you. You also may be eligible for the **Health Coverage Tax Credit (HCTC)** which provides federal tax credits for the cost of health insurance.

Information on TAA reemployment services and UC programs are available on the PA Department of L&I's website at **www.uc.pa.gov**.

Applying for Trade Adjustment Assistance

Obtaining a Certification of Group Eligibility for Adversely Affected Workers

A TAA petition may have already been filed for workers in your company. You may verify whether a petition has been filed and the status of the petition by checking with the PA CareerLink®, UC service center, by visiting the U.S. Department of Labor's website at www.doleta.gov/tradeact, or by contacting the U.S. Department of Labor, Employment and Training Administration (ETA), Office of Trade Adjustment Assistance (see "Important Addresses, Telephone Numbers & Websites" on page 1).

If a petition has not been filed, you should obtain the petition form and follow all instructions regarding properly filing the petition. You can obtain the petition form and assistance in preparing the petition by visiting a PA CareerLink®, by telephoning a UC service center, or by contacting the USDOL (see page1).

The petition form (in English and Spanish) is also available on the USDOL's website at www.doleta.gov/tradeact. TAA petitions must be filed with the USDOL's Office of Trade Adjustment Assistance in Washington, DC. If you file by mail or by fax, a copy must also be sent to the Federal Programs Unit in Harrisburg, PA (see page 1).

After a copy of the petition is received by the PA Department of L&I, workers will be provided rapid response and basic readjustment services available under other federal laws, if they have not already been provided.

Tip: When a petition is filed by three workers, **each** worker's separation date from the affected company should be no earlier than one year prior to the date the workers sign the petition.

Incomplete or expired petition forms may be considered invalid and returned to the petitioner(s).

Certification and Impact Date

The Office of Trade Adjustment Assistance will review the petition and issue a certification or denial of certification. Their review includes whether:

- Your company or subdivision produces an "article" or provides a "service";
- Increased imports were an important cause of a significant number or proportion of the total or partial separations, or threatened separations, in your particular firm;
- There has been a shift to a foreign country in the production of articles or the supply of services like or directly competitive with articles which are produced or services which are supplied that contributed to a significant number or proportion of separations or threat of separations at your firm.

Your firm may also be covered under the TAA program if it is **secondarily** affected. It may be considered secondarily affected if it supplies components to a firm whose workers are **primarily** affected (see prior paragraph), or your firm performs additional, value-added production and finishing operations for a firm whose workers are **primarily** affected.

If an affirmative finding is made, your firm will be certified as having group eligibility to apply for program benefits. The certification will establish an **impact date**. The impact date cannot begin more than one year prior to the filing date of the petition. The certification may set a **termination date** which identifies the date that the adverse effect ceased. If there is no termination date, the certification will expire two years from the date it is issued. Only workers who have had a total or partial separation due to lack of work from certified employment **on or after the impact date and before the termination or expiration date** are eligible **to apply** for program benefits.

A **total** separation is a layoff lasting seven or more consecutive days. A partial separation means that you had your hours of work and wages reduced to 80 percent or less of your average weekly hours and wages.

However, if you are not yet separated, but are threatened with a total or partial separation, you may be eligible as an incumbent adversely affected worker and may apply for program benefits.

If you were not separated from certified employment during the period covered under the certification, or the petition was denied certification, but you feel that you qualify for benefits, you have appeal rights that are explained in the "Appeal Rights" section on page 19.

Important

Applying for a Determination of Entitlement to TAA Benefits

When you are informed by the USDOL, the PA Department of L&I, your employer or union, or any other source (e.g., newspaper, radio, television, etc.), that your group has been certified as eligible to apply for TAA, you must **telephone the UC service center** at 888-313-7284, and select the menu option to speak to a TRA representative if you wish to apply to receive any benefits available under the TAA program. You must apply for a determination on your overall entitlement to TAA benefits. This determination will indicate whether you are entitled to apply for reemployment benefits (which include training, job search allowances and relocation allowances) and TRA.

If you are an adversely affected incumbent worker and you are interested in incumbent worker training, you must contact your local PA CareerLink® for assistance with filing an incumbent worker training application. You will not be eligible to receive TRA benefits while participating in incumbent worker training until you are totally separated from adversely affected employment.

Applying for Each TAA Benefit

You will also need to make a separate application for each TAA benefit you are interested in receiving, but your applications cannot be approved until you are first determined to be entitled to apply for TAA benefits (see preceding section).

Your applications for each benefit must be filed by the deadlines for application established by law and regulation for each benefit, even if you are awaiting your entitlement determination, claiming state or federal unemployment benefits, or if you return to work.

There are special deadlines for military personnel. Revised deadlines and TRA eligibility periods apply to certain individuals who were in the Armed Forces Reserves. Contact the UC service center and PA CareerLink® for more information.

IMPORTANT: If you intend to claim cash TRA payments, you must meet the deadline to be enrolled in approved training by the 26th week after your most recent separation or the 26th week after certification, whichever is later.

You must also apply for the benefit **before** you begin the activity and **allow enough time** for the review and processing of your application. There are different qualifying requirements for reemployment benefits than there are for TRA. Information on the benefits available, the qualifying requirements, and the deadlines for application for each benefit are found in this booklet. More information is also available at your PA CareerLink® or by telephoning the UC service center at 888-313-7284, and select the menu option to speak to a TRA representative. The PA Department of L&I will determine your overall entitlement to TAA and your eligibility for each TAA benefit in accordance with the provisions of the Trade Act of 1974, as amended under the Trade Act of 2015.

Remember!

- **Apply for TAA entitlement.**
- **File separate applications for each benefit.**
- **Apply on time: You must meet all deadlines!**
- **Apply before you begin the activity.**
- **Allow time for the processing of your application.**

Reemployment Benefits

The Trade Act provides for a variety of reemployment benefits. In Pennsylvania, these benefits are provided through your local PA CareerLink®. You must apply separately for each of the following reemployment benefits:

- Job search allowance
- Relocation allowance
- Funded training

You may receive TAA reemployment benefits even while claiming state or federal unemployment benefits. You are not required to establish a claim for TRA to receive TAA reemployment benefits or other reemployment services. Other reemployment benefits may be available to you (refer to page 4).

Job Search Allowance

If you have a job interview for suitable employment, a job search allowance of up to a maximum of \$1,250 may be payable to you to cover a portion of the necessary job search expenses. Ninety (90) percent of your costs of transportation, lodging, and meals that are not payable or reimbursable from any other source may be paid at amounts set by applicable federal regulations if you:

- Have been totally separated from adversely affected employment,
- Cannot be reasonably expected to secure employment in the commuting area in which you reside and have a reasonable expectation of obtaining suitable employment of long term duration in the area of the job search, and
- **Meet the filing deadline:** File your application for a job search allowance before the later of the 365th day after the certification of the petition under which you are a covered worker, or the 365th day after your most recent total separation from adversely affected employment covered by the petition, or the 182nd day after the concluding date of TAA approved training.

You may apply for a job search allowance at any time after you are totally or partially separated, whether or not a petition covering you has been certified. However, you must:

- Be **totally** separated and apply for the job search allowance **before you begin** the job search,
- Be registered with the PA CareerLink® for reemployment services, and
- Complete your job search within 30 days by obtaining employment or contacting each employer to which you were referred in connection with the job search.

Job search allowances cannot be approved until after you are covered under a certification. In order to be paid, you must provide the PA CareerLink® with required certifications and receipts. Additional restrictions concerning job search allowances are provided in federal regulations.

Contact a PA CareerLink® for additional information. To find the PA CareerLink® nearest you, refer to www.pacareerlink.pa.gov or your local telephone directory under State Government, Department of Labor & Industry, PA CareerLink®.

Relocation Allowance

A relocation allowance may be payable to you to cover a portion of the costs associated with relocating you, your family, and your household effects upon obtaining new suitable employment outside your commuting area. A lump sum payment equal to three times your average weekly wage, not to exceed \$1,250, and ninety (90) percent of reasonable and necessary relocation expenses (transportation, lodging, meals, expenses for moving household goods and personal effects) which are not payable or reimbursable from any other source, may be paid at amounts set by in applicable federal regulations, if:

- You have been totally separated from adversely affected employment at the time relocation commences,
- You cannot be reasonably expected to secure suitable employment in the commuting area in which you reside, and you have obtained suitable employment affording a reasonable expectation of employment of long term duration, or a bona fide offer of such suitable employment, outside the commuting area and in the area of intended relocation,
- You have not previously received a relocation allowance under the same petition,
- Another family member has not already received a relocation allowance with respect to this same relocation,
- You are relocating within the United States and outside of your present commuting area,
- You begin and complete your relocation within a reasonable period of time,
- You are registered with the PA CareerLink® for reemployment services, and
- **You meet the filing deadline** to file your application for a relocation allowance before the later of the 425th day after the certification of the petition under which you are a covered worker, or the 425th day after your most recent total separation from adversely affected employment covered by the petition, or the 182nd day after the concluding date of your TAA approved training.

You may apply for a relocation allowance at any time after you are totally or partially separated, whether or not a petition covering you has been certified. However, you must be totally separated and apply for the relocation allowance before the relocation begins. You must begin your relocation within 182 days after the date of application for the relocation allowance, or within 182 days after the conclusion of your approved training. The allowances cannot be approved until after you are covered under a certification.

In order to be paid, you must provide the PA CareerLink® with required certifications and receipts. Additional restrictions concerning relocation allowances are provided in federal regulations. Contact your PA CareerLink® for additional information.

Funded Training

If **suitable** employment is not available, you may be eligible for Trade Act-funded training. **Act quickly** to discuss your goals with your PA CareerLink® representatives. They can advise you on the employment outlook for workers with different job skills, help you decide what kind of work is best suited to your aptitudes and interests, and tell you about opportunities for funded training.

Important Deadline: You must be enrolled in approved training, or be granted a waiver from training, by the applicable deadline in order to be eligible for TRA.

Eligibility requirements for several TAA benefits refer to the term **suitable employment**, which is work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than 80 percent of the worker's average weekly wage, in the past adversely affected employment.

Funded training opportunities may include up to 130 weeks of full-time or part-time,* on the job, prerequisite, remedial, vocational, technical, trade-related, apprenticeships, incumbent worker, community college, or college programs, the last 13 of which are only available if needed for completion of a training program and training benchmarks are met. The length of a training program may only exceed a worker's eligibility period for benefits if the worker demonstrates the financial ability to complete the training after having exhausted all state and federal unemployment and TRA benefits. **You are entitled to only one training program under a single certification.** Under limited circumstances, you may also be eligible for payments to help cover the costs of subsistence and transportation.

*IMPORTANT: If you are approved for only part-time training, you are ineligible for TRA benefits while in training.

All training must be approved **before** incurring any of the costs or actually beginning training. Approval of training is subject to the availability of federal Trade Act funding.

To be approved for funded training, the following requirements must be met:

- You were not previously determined entitled to a training program under the same certification,
- You must be an adversely affected worker or, an adversely affected incumbent worker at the time you apply,
- You must be determined to be entitled to TAA reemployment benefits (unless you are an adversely affected incumbent worker).
- You must have no suitable employment available to you,
- You must benefit from appropriate training,
- There must be a reasonable expectation of employment following completion of the training,
- Training must be reasonably available and generally within commuting distance,
- You must be qualified to undertake and complete the training, and
- The training must be suitable and available at a reasonable cost.

A training program may be approved only if you show that you have the financial resources to undertake and complete the training, including if your training period exceeds your remaining weeks of UC and TRA payments.

IMPORTANT: You might not be eligible for weekly UC or TRA cash benefits to cover the entire period of your training.

Therefore, in order to be able to receive income support for as much of the time period while attending training, it may be to your advantage to apply for training as soon as you believe you may be covered by a petition, or early in your regular unemployment claim.

Trade Readjustment Allowances

Trade Readjustment Allowances (TRA) are weekly cash benefits payable to eligible workers. You may apply for TRA by contacting a UC service center. However, **you can only be paid TRA for weeks beginning on or after the date the petition is certified by the U.S. Department of Labor**. You **cannot** be paid TRA if you have entitlement on your **TRA qualifying UC claim** or other state or federal unemployment benefits for the same week, or are serving an unemployment waiting period.

NOTE: You can be eligible for Trade Adjustment Assistance (TAA) and ineligible for Trade Readjustment Allowances (TRA).

Qualifying Requirements

To qualify for TRA benefits, you must:

1. Be an adversely affected worker covered by a certified petition.
2. Be separated from certified employment due to lack of work.
3. Be totally separated from your certified employer for seven consecutive days.
4. Be separated from certified employment on or after the impact (beginning) date and before the termination or expiration date (ending date) of the certification before your application for TRA.
5. Be entitled to unemployment benefits based on your total or partial separation, or have entitlement to unemployment for a week within the benefit period in which your total or partial separation took place (or you would have been entitled to benefits if you had applied for them).
6. Have worked and earned wages in certified employment of \$30 or more a week, in at least 26 of the 52 weeks ending with the week of your separation.

NOTE: Under certain circumstances, up to 26 weeks of compensable disability (workers' compensation) or weeks on call up for active duty in a reserve status in the armed forces, or up to seven weeks of employer authorized leave or service as a full-time representative of a labor organization at your firm or subdivision, may be counted as part of the 26 weeks needed to qualify.

7. Be actively seeking, applying for and accepting work within your capabilities, and reporting your active work search efforts to the UC service center as required, while claiming benefits under the waiver of the training program or after completion of an approved training program (This only applies to Basic TRA. You must be enrolled in Trade Act-approved training to collect Additional or Completion TRA).
8. Not have state or federal unemployment benefits payable to you (or an unexpired waiting period) on your **TRA qualifying UC claim** for the same week, including unemployment benefits from any state, Railroad Unemployment Insurance (RRUI), UC for Ex-Servicemembers (UCX), UC for Federal Civilian Employees (UCFE), Extended Benefits (EB), **or any other federal unemployment benefits**.
9. Meet the "IMPORTANT DEADLINES" covered in the following section.

Important Deadlines

Payment of **weeks of Basic** TRA can only be made if you meet one of these four deadlines:

- Be enrolled in a Trade Act-approved training program by end of the **26th week** after the week in which the petition was certified, or, if later, by the end of the **26th week** after your most recent qualifying separation from the affected employment and attend all scheduled training and make satisfying progress, or
- Apply for and have been issued a written certification by the PA Department of L&I waiving the training enrollment requirement by the later of the last day of the 26th week after the most recent qualifying separation or the last day of the 26th week after the certification date, or
- Be enrolled in a Trade Act-approved training program by not later than the Monday of the first week occurring 30 days following the date of a waiver's expiration or revocation, or apply for and be issued a written renewal waiver before the original waiver expires or has been revoked, or
- Have completed a Trade Act-approved training program.

If you do not meet one of these four requirements, you will not qualify for any further weekly TRA benefits under the TAA Program.

These deadlines to be enrolled in training may be extended if there are certain extenuating circumstances that delay your enrollment. You may request an extension by contacting your PA CareerLink®. Requests for extensions must be completed in writing on the form provided, and must be submitted to and approved by the Trade Act Services (TAS) Unit in Harrisburg. This enrollment requirement deadline **must be met to qualify for any additional weekly TRA benefits** under the TAA Program.

NOTE: The deadline to enroll in approved training or to obtain the written waiver may occur while you are still claiming UC benefits.

Enrolled in training means that you have:

- Completed all necessary forms and applications for training,
- Been accepted by a training facility, and
- Your training has been approved by the TAS Unit to begin within 30 days.

Waivers

The enrollment-in-training deadline may be waived only if enrollment in training is not feasible or appropriate for one or more of the following reasons:

- You are unable to participate in, or complete training due to your health. (This does not exempt you from requirements relating to the availability for work, active search for work, or refusal to accept work under federal or state unemployment compensation laws.)
- The first available enrollment date for approved training is within 60 days after the issued date of the waiver, or, if later, there are extenuating circumstances for the delay in enrollment.
- Training is not reasonably available, suitable training at a reasonable cost is not available, or training funds are not available.

You must apply for and be issued a waiver, at a PA CareerLink® **before** the 26/26-week enrollment deadline. Waivers are issued in writing only and state an expiration date. Waivers are valid for not more than six months from the date issued. If you are given a waiver, it is your responsibility to enroll in Trade Act-approved training as required or obtain a written renewal of the waiver **before** the waiver expires or is otherwise revoked.

If a waiver expires, without renewal, you will lose eligibility for TRA benefits unless you are enrolled in Trade Act-approved training by the Monday of the first week occurring 30 days after the date the waiver expired or was revoked.

If the basis of a waiver is no longer applicable, you will be notified in writing that the waiver is revoked. You should contact the PA CareerLink® immediately.

General Weekly Requirements

For claim weeks after you file your initial TRA application, you must file within the same time limits required under state UC law. You must meet other eligibility requirements similar to state UC law, such as being unemployed, able and available to work, complying with reporting requirements, and reporting all work and earnings for each TRA claim week.

Basic Trade Readjustment Allowances

Your Basic TRA weekly benefit rate will be the same as the weekly benefit rate payable on the UC claim in effect at the time of, or which followed, your **first** total or partial separation due to lack of work from the affected employment during the certification period for which you also met the requirements of number 4 in the prior section on Trade Readjustment Allowances "Qualifying Requirements" (see page 10).

Your weekly benefit rate will be reduced by certain training allowances and income deductible under the provisions of applicable state or federal law. (See section on "Deductions from TRA Benefits" on page 13).

The maximum amount of Basic TRA payable to you is 52 times your Basic TRA weekly benefit rate. However, all of your entitlement to state and federal unemployment benefits (e.g., UC, RRUI, UCX, UCFE) in your first benefit period will be deducted from this amount. For example:

- A worker was entitled to 26 weeks of UC at the weekly benefit rate of \$200 (\$5,200). The maximum amount of Basic TRA payable is 52 times the weekly benefit rate of \$200 (\$10,400). Subtracting \$5,200 from \$10,400 leaves this worker with a Basic TRA maximum benefit amount of \$5,200.
- A worker was entitled to 26 weeks of UC, followed by 13 weeks of a federal extension at the weekly benefit rate of \$200 ($\$5,200 + \$2,600 = \$7,800$). The maximum amount of Basic TRA payable is 52 times the weekly benefit rate of \$200 (\$10,400). Subtracting \$7,800 from \$10,400 leaves this worker with a Basic TRA maximum benefit amount of \$2,600.

Entitlement to unemployment benefits under a subsequently established unemployment application does not reduce weekly or maximum TRA entitlement. For more information on UC eligibility, please refer to the Pennsylvania Unemployment Compensation Handbook (UCP-1) available at **www.uc.pa.gov**.

Eligibility Period for Basic TRA Benefits

The eligibility period for Basic TRA benefits is the 104-week period beginning with the Sunday after your most recent **total** separation due to lack of work from the affected employment during the certification period for which you also met the requirements of number five in the prior section on Trade Readjustment Allowances "Qualifying Requirements" (see page 10). In order to receive TRA, you must claim and be otherwise eligible for weeks occurring within the eligibility period.

Your Basic TRA eligibility period may be modified as permitted under various sections of the Trade Act, (e.g., 233(h), Justifiable Cause, 233(i), Military Service).

Deductions from TRA Benefits

The following may reduce your weekly TRA entitlement under the provisions of applicable state and federal law:

- Any income deductible from unemployment benefits under the Pennsylvania UC law is also deductible from TRA benefits. Deductible income may include wages, vacation pay, holiday pay, and pensions or annuities, earned or received during the week claimed. However, if an adversely affected worker is participating in full-time Trade Act-approved training, such income shall not include earnings from work during weeks that are equal to or less than the weekly benefit amount plus the partial benefit credit of the qualifying UC claim;
- Enforced child support obligations for which the PA Department of L&I has received a court order or a withholding agreement;
- The amount of certain other training allowances you receive, such as Veterans Educational Assistance;
- A state weekly percentage reduction, if required by Pennsylvania law; and
- A federal weekly percentage reduction, if required by federal law.

Withholding for Federal Taxes

TRA benefits are considered **taxable income** for federal income tax purposes and are reported in the calendar year in which the benefits are paid, regardless of when the claim for benefits was filed. It is your responsibility to determine if you will owe tax on these benefits.

You will be mailed one or more Form UC-1099-Gs in January for any unemployment benefits, including TRA or RTAA, paid in the prior tax year.

An automatic deduction of federal withholding tax from TRA benefits is available. If you had elected automatic deductions of federal withholding tax on any prior UC claim, the deduction will continue for your TRA claim unless you elect to discontinue this option. Refer to the Pennsylvania Unemployment Compensation Handbook (UCP-1) available at www.uc.pa.gov, for additional information on federal taxation of benefits.

Additional Trade Readjustment Allowances

Additional TRA benefits are weekly benefits payable to eligible workers to assist the worker in completing a Trade Act-approved training program. Entitlement to Additional TRA ends with the last week of your training program. You may be entitled to up to 65 weeks of Additional TRA benefits at the same weekly benefit rate as your Basic TRA weekly benefit rate if you are still in training and have no more "basic weeks" of TRA payable to you.

Additional TRA benefits are payable during the **Additional TRA eligibility period**. Your Additional TRA eligibility period is the 78 consecutive weeks immediately following the week in which your Basic TRA entitlement expires. However, if your approved training does not begin until after your Basic TRA entitlement has ended, your 78-week Additional TRA eligibility period begins with the week you enter Trade Act-approved training. You may be paid Additional TRA benefits only for weeks during which you are participating in Trade Act-approved training.

You may receive **less** than 65 full weeks of Additional TRA benefits if you:

- Complete your approved training prior to claiming all 65 weeks;
- Are ineligible for any such week(s) because you are not participating in training or have a break in training that exceeds 30 days;
- Your additional eligibility period ends prior to claiming the maximum number of weeks.

Additional TRA is subject to the same deductions and federal income taxes as Basic TRA.

Your Additional TRA eligibility period may be modified as permitted under various sections of the Trade Act, (e.g., 233(h), Justifiable Cause, 233(i), Military Service).

Completion Trade Readjustment Allowances

Completion TRA is another weekly benefit available to eligible workers to assist the worker in completing a Trade Act-approved training program. It provides up to 13 more weeks of income support for a worker who has exhausted Additional TRA and requires a longer period of income support to complete an approved training program. To be eligible for a week of Completion TRA, all of the following criteria must be met:

- The requested weeks are necessary for the worker to complete a training program that leads to completion of approved training; and
- The worker is participating in training in each such week; and
- The worker has substantially met certain performance benchmarks established in the approved training plan; and
- The worker is expected to continue to make progress toward the completion of the approved training; and
- The worker will be able to complete the training during the period authorized for receipt of Completion TRA.

The eligibility period for Completion TRA will be the 20-week period beginning with the first week in which a worker files a claim for Completion TRA.

Your Completion TRA eligibility period may be modified as permitted under various sections of the Trade Act, (e.g., 233(h), Justifiable Cause, 233(i), Military Service).

Completion TRA is not payable during a break in training even if the break is less than 30 days and the break is published in the schedule of the training institution or indicated in the approved training program.

Payment of Basic and Additional TRA During Breaks in Training

If you are enrolled in Trade Act-approved training and there is a break in the training program, you may be paid TRA benefits during the break in training only if:

- The break in training is a scheduled break, published in the schedule of the training institution or indicated in the approved training program;

- You are participating in the training program immediately before the beginning of the break and immediately after the end of the break; and
- The duration of the break does not exceed 30 calendar days (excluding Saturdays, Sundays, and state or national holidays, if training would not have ordinarily occurred on such days).

If training is scheduled for a portion of a week at the beginning or ending of a break in training, and you attend all scheduled training classes and activities, you may be paid benefits for these weeks, regardless of whether the break is a scheduled break or exceeds 30 days. However, you may not be paid benefits for weeks in which no training classes or other training activities are scheduled unless the break in training meets the requirements stated above.

NOTE: While enrolled in training, you cannot qualify for TRA benefits by completing a weekly work search in lieu of meeting the above requirements during a break in training.

Health Coverage Tax Credit

The Health Coverage Tax Credit (HCTC) is a federal tax credit that pays 72.5 percent of “qualified health” insurance premiums for eligible individuals and their family members. If you qualify to receive TRA or RTAA benefits under the TAA Program, you may be eligible for the HCTC for any month you receive a benefit payment. If you would be eligible for TRA benefits, but are filing off a UC claim (or other extended benefits claim) instead of TRA because your UC claim has not yet exhausted, you could be eligible for the HCTC for any month in which you receive a benefit payment.

An individual who meets the TRA and RTAA qualifying criteria as an “eligible individual” must be covered by a qualified health plan, have no other coverage, and not be incarcerated.

You may claim the HCTC when you file for your federal income taxes. You can claim the HCTC on your federal tax return even if you don’t owe any federal income taxes. The HCTC can also be received in advance in the form of a monthly payment. For instructions and requirements on claiming the HCTC on your federal income taxes and/or registering for the advanced monthly payment, go to **www.irs.gov/HCTC**. Information on HCTC can also be found in IRS publication 502.

For information regarding your TRA eligibility for HCTC purposes, you should contact the UC service center at 888-313-7284, and select the option to speak with a TRA representative.

For information regarding your RTAA eligibility for HCTC purposes, you should contact the Federal Programs Unit at 717-787-4268.

All other information can be found at **www.irs.gov/HCTC**. However, if your issue cannot be resolved online, use the HCTC toll free line: 1-844-853-7210 to check on the status of your registration or if you need general help claiming the credit.

Reemployment Trade Adjustment Assistance

Reemployment Trade Adjustment Assistance (RTAA) provides assistance to eligible trade-affected workers age 50 or older who obtain new employment that pays less than their trade-affected employment.

Qualifying Requirements

To qualify for RTAA benefits, you:

- Must apply for TAA and receive an eligibility determination from the UC service center.
- Must be at least 50 years of age at time of reemployment.
- Must be reemployed full-time as defined by the state and if not, enrolled in approved full-time training; or

- Must be employed at least 20 hours per week if enrolled in approved full-time training.
- May not be employed by the separating trade certified employer.
- Cannot be projected to earn more than \$50,000 each year in the new employment.

Benefits of RTAA for qualified workers

If no TRA benefits have been received by the worker:

- RTAA pays 50 percent of the difference between the worker's wages at the time of the qualifying separation and the worker's wages from new employment.
- RTAA benefits may be paid for a period of up to two years beginning on either the date of exhaustion of eligibility for unemployment compensation, including state and federal extension, benefits based on the separation from trade affected employment or the date the worker obtains new employment, whichever is earlier.
- RTAA benefits may not exceed the maximum of \$10,000, paid over a period of up to two years.
- RTAA participants may be eligible for the Health Coverage Tax Credit (HCTC) for any month that they receive an RTAA benefit.

If TRA benefits have been received by the worker:

- RTAA pays up to a maximum of 50 percent of the difference between the worker's wages at time of qualifying separation and the worker's wages from new employment.
- RTAA benefits may be paid for a period of up to two years following the date the worker obtains new employment, reduced by the total number of TRA weeks received.
- RTAA benefits will be reduced by a portion of the TRA benefits received during the RTAA eligibility period.
- RTAA participants may be eligible for the Health Coverage Tax Credit (HCTC) for any month that they receive an RTAA benefit.

Job Prospects Classification

If you are not enrolled in Trade Act-approved training, and if you have no definite job prospects or do not have a recall date to begin work within four weeks, you must apply for and accept work within your capabilities, provided:

- The work pays at least the higher of the state or federal minimum wage and exceeds your TRA weekly benefit amount plus the amount of any supplemental unemployment benefit you receive, and
- The work offered is listed with the PA CareerLink®, or offered to you in writing by the employer. If in training, the effect an offered job will have on your training will be considered.

Weekly Work Search Requirements

If you have completed Trade Act-approved training after your TRA qualifying separation, or have been granted a waiver of the TAA program requirements, you must conduct a weekly active work search. If you have not already done so, you must go to the PA CareerLink® website at **www.pacareerlink.pa.gov** to register.

Work Search Frequently Asked Questions

Q. What are the weekly work search requirements?

A. You must apply for two jobs and participate in one work search activity each week.

Q. What kind of jobs can I apply for?

A. You may apply for jobs that would provide suitable work; that is, any work that you are capable of performing. However, you are allowed to limit your job applications to jobs that offer employment and wages similar to what you had before you became unemployed, and are within a 45-minute commute. If adhering to that limitation prevents you from applying for two jobs, you may choose one of two options for each application that you are unable to make: (1) you may participate in a work search activity, or (2) you may disregard that limitation and apply for a job offering suitable work.

Q. What are the acceptable ways to apply for a job?

A. You may apply for a job in person, by mail, phone or electronic transmission, by submitting a job application or résumé to the employer, or by following a hiring procedure established by the employer. A repeated application for the same job does not count unless there is a reasonable basis to believe that the employer's hiring circumstances have changed.

Q. What qualifies as a work search activity?

A. You may choose from these seven work search activities:

- Attend a job fair.
- Search positions posted on the PA CareerLink® system or Internet job banks.
- Create or post a résumé in the PA CareerLink® system or post a résumé in other résumé-posting services.
- Contact colleagues, former co-workers or other individuals in similar professions or occupations to make known your availability for employment or obtain information about available positions, prospective employers or other employment opportunities.
- Utilize an employment agency, employment registry or school placement service.
- Take a civil service test or other pre-employment test.
- Participate in a program or activity offered through the Pennsylvania CareerLink® system.

If you live outside of Pennsylvania, you may participate in these types of activities offered by your state employment service.

Q. Do I receive credit for a job interview?

A. Yes, you may substitute a job interview by an employer for one of your job applications or a work search activity.

Q. Do I receive credit for an extra job application?

A. Yes, if you apply for more than two jobs in a week, you do not have to participate in a work search activity during that week.

Q. Are the weekly requirements different if I am working part time?

A. If you are working part time during a week and you earn more than your Partial Benefit Credit (PBC), you only have to apply for one job during the week, instead of two, and you do not have to participate in a work search activity during that week. (See your Notice of Financial Determination and accompanying insert entitled "Explanation of Your Notice of Financial Determination" for information about your PBC.)

Q. How do I know if I have met the work search requirements for a week?

A. You may use this chart to verify that you have satisfied the work search requirements. Each column in the chart represents one of the three weekly requirements. In each column, check the box that indicates how you satisfied that requirement or a substitute requirement. You may enter only one checkmark for each job application, work search activity or interview. If you are able to check one box in each column, you have satisfied your work search requirements for the week.

1st Job Application	2nd Job Application	Work Search Activity
<input type="checkbox"/> I applied for a job. <input type="checkbox"/> I participated in a work search activity because I am limiting my job applications. <input type="checkbox"/> I had a job interview.	<input type="checkbox"/> I applied for a job. <input type="checkbox"/> I participated in a work search activity because I am limiting my job applications. <input type="checkbox"/> I had a job interview.	<input type="checkbox"/> I participated in a work search activity. <input type="checkbox"/> I applied for a 3rd job. <input type="checkbox"/> I had a job interview.
	<input type="checkbox"/> <i>I worked part time during the week and earned more than my PBC. A second job application and a work search activity are not required.</i>	

When the Work Registration and Work Search Requirements Don't Apply

Exemptions

The weekly work search requirements, or both the registration requirement and the weekly work search requirements, will not apply to a week if you satisfy one of the following exceptions for the week:

Exemption	Registration Requirement Does Not Apply	Weekly Work Search Requirement Does Not Apply
You actively participate during the week in a program or activity approved by the department as an acceptable work search alternative.		√
During the week you (1) are a member of a union that has a hiring hall or are registered with a hiring hall, (2) are required to obtain employment through the hiring hall, and (3) fulfill all requirements to maintain eligibility for referral by the hiring hall during the week.		√
During the week you are participating in the Shared-Work Program under Article XIII of the Law.	√	√
During the week you are in training approved by the department or under the Trade Act.	√	√
During the week you are required to participate in Pennsylvania Profile Reemployment Program (PREP) at a PA CareerLink® under Section 402(j) of the Law.	√	√
You are unemployed for the week because your employer reduced your hours of work or laid you off for economic reasons and the employer has advised you in good faith and in writing that you will return to work on a specific date.	√ The exemption continues until the recall date is rescinded or has passed. <u>You must keep a copy of the recall notice. You must notify the UC service center of your return-to-work date.</u>	√ The exemption continues until the recall date is rescinded or has passed. <u>You must keep a copy of the recall notice. You must notify the UC service center of your return-to-work date.</u>

Important:

The UC service center will be monitoring your weekly efforts to seek work. Failure to make a systematic and sustained work search during each week claimed or failure to accept a referral to or an offer of suitable work during a week **may result in a denial of benefits for that week and all subsequent weeks**. The denial will remain in effect until you are subsequently employed for four or more weeks and earn four times your weekly benefit rate and have a qualifying separation. If you do not meet the active work search requirements during a week, you can avoid this continuing disqualification by not claiming that week.

NOTE: While you are enrolled in training approved under the Trade Act, you are exempt from the weekly work search requirement. Enrolled means you have been approved by the PA Department of L&I to begin training within 30 days or are participating in approved training.

Appeal Rights

Worker Petition for Group Eligibility Under the Trade Act

Workers whose petition for Trade Adjustment Assistance has been denied by the USDOL may:

- Request administrative reconsideration by the USDOL within 30 days after publication of the determination in the Federal Register. Such requests must be in writing, provide specific information or reasons why the workers consider the decision to be in error, either as to facts not considered or as to the interpretation of the facts or the law, and be mailed or faxed to:

U.S. Department of Labor
Employment and Training Administration Office of Trade Adjustment Assistance
Attn: Reconsiderations
200 Constitution Avenue, N.W.
Room N-5428
Washington, DC 20210
Fax: 202-693-3584 or 3585

Or;

- File an appeal seeking judicial review of the USDOL's notice of final negative determination within 60 days of publication of the denial in the Federal Register. Petitions for judicial review must be filed with the Case Management Supervisor, U.S. Court of International Trade, One Federal Plaza, New York, New York 10007. If administrative reconsideration has been applied for, workers may file a petition for judicial review within 60 days of the final notice of disposition of the administrative reconsideration regarding their application.

For more information, see www.doleta.gov/tradeact

Individual Claims for TAA Benefits Under the Pennsylvania UC Law

If you receive a determination regarding your TAA benefits from the PA Department of L&I that you believe contains an error (e.g. determinations regarding your eligibility period, weekly and maximum benefit rate, entitlement to TAA or eligibility to one or more benefits), you may:

- Appeal the decision to a UC Referee no later than 21 calendar days after the determination date provided on the notice of determination. If the 21st day of an appeal period falls on a Saturday, Sunday, or legal holiday, the appeal period is extended to the next work day. A representative at the PA CareerLink® or UC service center can assist you in filing an appeal. A UC Referee will hold a hearing on your appeal and issue a decision.

- If you disagree with the UC Referee’s decision, you may file an appeal no later than 21 days after the decision date provided on the referee’s decision. If the 21st day of an appeal period falls on a Saturday, Sunday, or legal holiday, the appeal period is extended to the next working day. Your appeal will be reviewed by the Pennsylvania Unemployment Compensation (UC) Board of Review (Board) and a decision and order will be issued. A representative at the PA CareerLink® or UC service center can assist you in filing this appeal.
- If you are not satisfied with the decision and order of the PA UC Board of Review (Board), you may file an appeal to the Commonwealth Court within 30 days after the mailing date of the Board’s decision and order. You may also request the Board to reconsider the decision within 15 days from the mailing date of the Board’s decision. However, unless the Board grants reconsideration, the appeal to Commonwealth Court must still be filed within 30 days.

Important:

If you file an appeal, you **must** continue to file your claims for weekly TRA benefits or applications for other Trade Act benefits, as long as you remain unemployed, and continue to meet all of the weekly qualifying requirements (e.g., enrollment and participation in training or completion of, or waiver of the training program requirement and conducting an active search for work).

Right to Representation

Whenever you have a fact-finding interview or appeal a decision concerning your eligibility for benefits, you have the right to be represented by a lawyer or other person if you so desire. If you cannot afford a lawyer, you may contact your local Legal Aid Society or Legal Service agency, or you may take a friend or witness with you to help present the facts.

What Will Happen if I Am Overpaid Benefits?

If you are determined to have been paid any benefits under the Trade Act to which you were not entitled, you will be required to repay that full amount unless a waiver of the repayment is requested and granted.

A waiver may only be granted if the overpayment was determined to be **without fault** on the part of the individual and requiring repayment would be contrary to equity and good conscience, which is defined as “extraordinary financial hardship.”

Fraud overpayments cannot be waived.

Unless the overpayment is waived or otherwise repaid, it will be recovered by deductions from any amount payable to you under:

- The Trade Act;
- Most federal unemployment benefit programs;
- Any other federal law administered by the Department of Labor & Industry which provides for the payment of assistance or an allowance with respect to unemployment; or
- Any unemployment benefits payable to you under the provisions of the Pennsylvania UC Law.

If it is determined that an overpayment resulted from you knowingly making a false statement or misrepresentation of a material fact, you may be determined ineligible to receive any further

benefits under the Trade Adjustment Assistance Program.

Warning:

Under the Federal Trade Act, if you hide facts or do not tell the truth in order to obtain or increase benefit payments, you are subject to:

- **REPAYMENT OF MONEY RECEIVED**
- **LOSS OF FUTURE BENEFITS**
- **PROSECUTION**

Interstate Claimants

Generally, the state in which you were first separated and established an unemployment benefit claim as a result of your separation from adversely affected employment is the state (liable state) that will determine your eligibility for TAA benefits and will issue payments for TRA benefits and TAA job search and relocation allowances. However, the state in which you reside is generally the state that will procure and pay the costs of approved training.

Applications for training approval should be filed with the state workforce agency in the state of your residence, which will coordinate your eligibility determination with the other state. If you reside out-of-state and PA is the state liable for payment of your TRA benefits and TAA job search and relocation allowances, your eligibility for TRA will be determined and payments issued by the UC service center. If you have any questions about a Pennsylvania interstate claim, you may call 888-313-7284.

Your eligibility for TAA job search, relocation and training allowances will be determined and payments issued by the Pennsylvania Trade Act Services (TAS) Unit. If you have any questions about these TAA reemployment benefits, you may contact:

PA Department of Labor and Industry
Trade Act Services (TAS) Unit
Labor and Industry Building
651 Boas Street, 12th Floor, West
Harrisburg, PA 17121-0750
Telephone: 717-783-8050

UCP-11D, Trade Act of 2015, Certification

I hereby acknowledge that I received the booklet UCP-11D. I understand that it is my responsibility to read and understand the important information contained within this publication. I also understand that if I have questions concerning the information I have been given, it is my responsibility to contact the UC service center and/or the PA CareerLink®. I understand that:

- The main benefits available under Trade Adjustment Assistance (TAA) include Job Search Allowances, Relocation Allowances, Training, and cash Trade Readjustment Allowances (TRA);
- Each benefit has distinct eligibility requirements, must be applied for separately, and that there are specific time limitations to apply for most benefits;
- In order to be eligible for TRA, including additional weeks of TRA, under the TAA Program, I must meet the enrollment in training requirement by enrolling in training approved under the Trade Act by: (1) the end of the **26th week** after the petition certification date or the end of the **26th week** after my most recent qualifying separation, whichever is later; (2) the date specified on a waiver of the enrollment requirement; (3) by the enrollment date specified if I am issued a waiver that is revoked; or (4) by the date of any written extension of these deadlines;
- It is my responsibility to request and obtain a subsequent written waiver prior to the date an existing waiver expires, if not enrolled in approved training;
- If I am claiming basic TRA and: 1) my enrollment in training deadline has not passed; 2) I have received a waiver of the training requirement and have not started training; or 3) I have completed training, I must make at least two job contacts and complete at least one work search activity during each week claimed and report this information on the forms provided;
- I may request an extension to the enrollment in training deadlines if extenuating circumstances exist; and
- I understand there is **(no guarantee)** that I will receive UC, TRA or other federal benefits for the duration of my training program.

.....

_____-_____-_____
Social Security Number TA-W Petition Number

Worker Signature Date

TRA Representative Signature Date

**Worker Copy
(Retain for Your Records)**

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- I may request an extension to the enrollment in training deadlines if extenuating circumstances exist; and
- I understand there is **no guarantee** that I will receive UC, TRA or other federal benefits for the duration of my training program.

.....

_____ - _____ - _____ _____
 Social Security Number TA-W Petition Number

_____ _____
 Worker Signature Date

_____ _____
 TRA Representative Signature Date

Department Copy
(Detach and Return to the UC service center)
 Duquesne UC Service Center
 14 N. Linden Street
 Duquesne, PA 15110-1067
 Fax: 412-267-1479