

IMPROVE YOUR CAREER CHOICES THROUGH TRAINING

If there are no suitable jobs in your area and training would help you get a job, discuss your needs and goals with a staff person at your local One-Stop Career Center or DEWS office.

Staff will tell you the employment outlook for workers with different job skills. They can guide you to the work best suited for your aptitudes and interest, and list the training programs you can take at **no cost to you**. Your options include:

- On-the-job training (OJT),
- Customized training,
- Vocational or technical training,
- College courses and/or
- Remedial classes (ESL, GED, basic skills).

Travel and Living Allowances During Training

If the training site is beyond normal commuting distance from your home, we may help pay for some of your transportation and living expenses.

We can only approve travel within the United States.

JOB SEARCH ALLOWANCE

You may qualify for a job search allowance if staff at your local One-Stop Career Center or DEWS office determines that there is no suitable work within commuting distance of your home. They will also check to see if you can expect to get suitable, long-term work in the area where you will search for a job. A job search allowance can pay up to 90 percent of the travel and living expenses while you look for work. There is no limit on the number of job searches you can make. However, the total limit for all searches is \$1,250.

NOTE: YOU MUST FILE A JOB SEARCH APPLICATION THROUGH YOUR LOCAL ONE-STOP CAREER CENTER OR DEWS OFFICE BEFORE YOU BEGIN TO LOOK FOR A JOB OUTSIDE YOUR COMMUTING AREA.

You must file reimbursement forms for your job search within:

- 365 days after the date of the certification; **or** 365 days after your last layoff -- whichever is later; **or**
- 182 days after completing approved training.

MOVING ALLOWANCES

You may qualify for moving allowances if you find a job outside your current labor market area. These funds cover moving you, your family, and household goods to the new job. The allowance pays 90 percent of the reasonable, necessary expenses of moving. You will also receive a lump sum payment of three times your former average weekly wage, up to \$1,250.

To qualify for the moving allowance:

Staff at your local One-Stop Career Center or DEWS office must find that there is no suitable work in your current labor market area;

- Your move is for long-term work or a genuine offer of such work within the United States;
- This is your first moving allowance;
- You are laid off at the time of the move;
- If you are working part-time, you may apply in advance of a total layoff.

YOU MUST APPLY FOR A MOVING ALLOWANCE AND GET APPROVAL BEFORE YOU MOVE.

You must file for a moving allowance within:

- 425 days after the date of certification; **or** the date of your layoff - whichever is later; **or**
- 182 days after completing approved training.

HEALTH COVERAGE TAX CREDIT (HCTC)

The HCTC gives an end-of-year tax credit of 65 percent on certain health insurance premiums paid by approved workers. People who qualify may opt to have the IRS pay 65 percent of the monthly insurance premium, rather than wait until the end of the year to claim the credit. For information on the tax credit, contact the HCTC call center at 1-866-628-HCTC (1-866-628-4282) or logon to the IRS website at www.IRS.gov (keyword HCTC.)

For information on NYS Health Coverage options, logon to www.healthyNY.com and click on the link for "Info on Federal Health Coverage Tax Credit for TAA and PBGC recipients."

ALTERNATE TRADE ADJUSTMENT ASSISTANCE (ATAA) FOR OLDER WORKERS

Older workers may qualify for Alternative Trade Adjustment Assistance (ATAA) program benefits instead of the TAA program. ATAA allows older workers, who may not benefit from retraining, to take a job at a lower wage and receive a wage subsidy. Workers may qualify for this benefit if they are:

- Age 50 or older and
- Get a new, full-time job,
- Paying less than \$50,000,
- Within 26 weeks of layoff.

The wage subsidy may cover half the difference between the old and new wages, up to \$10,000 per year. This subsidy may last up to two years. A worker who receives benefits from the ATAA program may not also collect under the TAA program. To qualify for ATAA, a worker must find a job within 26 weeks of layoff. This deadline applies even if the certification is not issued until after the 26 weeks have passed.

Anyone who knowingly makes a false statement or hides relevant facts to obtain or increase TRA benefits could be fined up to \$1000 and/or spend up to one year in jail, and lose future TRA benefits.

1-888-4-NYSDOL
www.labor.ny.gov

Have You Lost Your Job Due to Foreign Competition?

Trade Adjustment Assistance Reform Act of 2002



Trade Adjustment Assistance (TAA) applies to workers who have lost their jobs, or who had their hours of work and wages reduced due to increased imports from or production shift to foreign countries. The New York State Department of Labor (NYSDOL) administers the Federal TAA program for the US Department of Labor (USDOL).

Under the Trade Act, workers whose jobs suffer from overseas competition can apply for TAA. TAA offers many benefits such as:

- Rapid Response assistance,
- Re-employment services,
- Job search allowances,
- Moving assistance,
- Training or
- On-the-job training.

Other benefits include Trade Readjustment Allowance (TRA) and Health Coverage Tax Credit (HCTC). Workers who are over 50 years old may qualify for the Alternative Trade Adjustment Assistance (ATAA) program for older workers.

HOW TO QUALIFY

Someone must file a petition with the USDOL Division of Trade Adjustment Assistance on behalf of the workers.

Who can file a petition?

- A group of three or more workers, including farm workers and fishermen;
- Your union, or a labor representative;
- Your employer;
- The State Dislocated Worker Unit;
- Staff at your local One-Stop Career Center (Find your local center on the web at www.labor.state.ny.us, click on Working in New York.); or
- Staff at the NYSDOL Division of Employment and Workforce Solutions (DEWS) offices. (Refer to the blue pages of your local phone book for numbers.)

Where do you get forms?

- On the web at www.doleta.gov/tradeact (Click on the link for petitions);
- Call (518) 402-0189 or (202) 693-3560;
- Visit a local One-Stop Career Center;
- Contact the local DEWS office; or
- Write to:

US Department of Labor
Employment & Training Administration
Office of Trade Adjustment Assistance
200 Constitution Ave. Room C 5311
Washington, DC 20210

USDOL staff will review the petition. If they approve it, USDOL will issue a certification for the worker group, and notify the petitioners and a company official. If it is denied, workers may appeal to USDOL. The approval will include an **“impact date.”** This is the date when layoffs or reduced schedules began or were set to begin. The impact date can be up to one year before the date of the petition. Unless USDOL ends the certification, it remains in effect for two years after the impact date. Workers who lose their jobs during this time (if they are covered) may apply for TAA.

HOW TO APPLY FOR TAA BENEFITS AFTER APPROVAL

To qualify for TAA benefits, you must have lost your job due to lack of work or have lost work time between the impact date and the date the petition ends.

The NYSDOL Special Programs Unit sends TAA applications to workers covered under a certified petition. If you receive one, complete and return it by the deadline. We will use this form to decide if you qualify for TAA benefits. After our review, we will send you a written TAA Notice of Entitlement.

NYSDOL coordinates benefits under the TAA program through your local One-Stop Career Center or DEWS office. Contact an office near you for job search services and/or training. We offer many types of aid at the One-Stop Career Center or DEWS office. You can use these services any time -- you don't need to wait for your written notice.

HOW TO QUALIFY FOR TRADE READJUSTMENT ALLOWANCES (TRA)

TRA is weekly income support paid to individuals who are in approved training. Sometimes, workers who cannot take or use training also qualify for TRA benefits.

To qualify for TRA benefits, you must:

- **Be covered by a petition;**
- **Be laid off due to lack of work during the approved time;**
- **Have worked at least 26 weeks for the affected company in the year before layoff and earning at least \$30 or more per week; (up to 7 weeks of some employer-authorized leave, and up to 26 weeks of workers' compensation may count toward this 26-week total);**
- **Qualify for State Unemployment Insurance (UI) benefits (You can not receive TRA benefits until you have exhausted all rights to State UI.); and**
- **Meet the DEADLINE for enrolling in training; or**
- **Qualify for a training waiver and be searching for work.**

If you do not qualify for TRA benefits, but fall under a certification and lose your job, you may still qualify for some benefits. They include reemployment services, training, job search allowances and moving allowances.

You could receive weekly TRA benefits for up to 104 weeks while you attend TAA-approved training, if you make satisfactory progress. This total includes

26 weeks of UI, 26 weeks of basic TRA and up to 52 weeks of additional training. There are up to 26 additional weeks for workers who require remedial training, such as English as a Second Language (ESL), General Equivalency Diploma (GED) or other basic adult education.

HOW MUCH IS MY WEEKLY TRA BENEFIT RATE?

The TRA benefit rate is generally the same amount as the State UI benefit rate you received until your UI benefits ran out. Similar to your State UI benefits, any earnings or other payments you receive, will reduce TRA benefits. Any other Federal training funds you get may also reduce your TRA.

KEY DEADLINES

The first step to get basic TRA benefits is to enroll in training or get a Waiver from Training. The deadline to do this is either:

- The end of the 16th week of your most recent layoff; **or**
- The end of the 8th week after the certification date of a petition.

You must apply for training before the deadline passes. If you miss your training application deadline, you will not qualify for weekly TRA benefits while in training. We can only extend deadlines (up to 45 days) in special cases that delay your enrollment.

While you look for a job, take training, or wait for training to become available (even if you have a training waiver), don't forget the second step. To qualify up for to 52 weeks of additional TRA benefits, you must see a counselor and start the Employment Plan Process. The counselor who meets with you will file Training Section J on the day you discuss your continuing training needs. You have a 210-day window to apply, from the date of your layoff or the petition certification date (use the later date).

WHAT IS A WAIVER FROM TRAINING?

You can get a training waiver from a staff person at your local One-Stop Career Center or DEWS office. This means that you need not attend training to receive TRA benefits.

Staff at your local One-Stop Career Center or DEWS office may offer a waiver for any of these reasons:

- You expect a recall within six months;
- You have marketable skills;
- You are near retirement;
- You cannot attend training because of poor health, but you can work;
- There is a delay in the start of training;
- Training or training funds are not available under TAA or other federal laws.

WORK SEARCH REQUIREMENTS

With a Waiver from Training, you must search for work every week you claim TRA benefits. You must accept “suitable work”. Suitable work is work that you are fit to do, by training and experience, which pays 80% of your previous wage. **If you fail to apply for or accept suitable work, you may not receive TRA benefits.**