



Trade Act Programs

*If Your Job Moves to
Mexico or Canada...
If Imports Cost You Your Job...
Apply for Assistance!*

Trade Adjustment Assistance

NAFTA Transitional Adjustment Assistance

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AFL-CIO INSTITUTE

The materials in this booklet were prepared by the AFL-CIO Working for America Institute under grant No. G-7615-9-00-87-60 from the Employment and Training Administration, U.S. Department of Labor (DOL).

The booklet contains a summary of Trade Adjustment Assistance and NAFTA/TAA laws. Although precautions have been taken to ensure accuracy and clarity, this summary does not have the effect of law or regulation and should not be so treated.

Read this book and keep it for reference

The AFL-CIO strongly supports special federal assistance to U.S. workers who are harmed by U.S. trade policies. The Trade Adjustment Assistance (TAA) program and the North America Free Trade Agreement Transitional Adjustment Assistance (NAFTA/TAA) program were created especially to help workers who have been adversely affected by U.S. Trade policies.

While these programs cannot make up for your job loss, it is important for you to know about their benefits and services.

This booklet is provided for your information. It is not an official statement of either the Trade Act or NAFTA/TAA. If you have questions this booklet does not answer, please contact:

- Your local union,
- Your international union,
- Your state or local AFL-CIO,
- Staff at your nearest One-Stop Career Center or State Dislocated Worker Unit.
- DOL website at http://doleta.wdsc.org/trade_act/petitions.asp

You can find phone numbers for your state and local AFL-CIO offices and unions in the yellow pages of your telephone directory under "Labor Organizations."

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What Are the Trade Act Programs

1. Trade Adjustment Assistance (TAA) Program

The amended Trade Act of 1974 offers federal help to U.S. workers who are significantly harmed by U.S. Trade policies. This law allows workers to apply for “trade adjustment assistance” (TAA) if they lose their jobs or have less work because increased imports are directly competitive with or like those produced by their company.

TAA is handled by the Employment and Training Administration (ETA) of the Department of Labor through various state agencies. These state agencies serve as agents of the Federal government. They:

- Provide information about the program,
- Process applications for TAA,
- Determine each worker’s eligibility for TAA benefits,
- Issue allowance payments for eligible workers, and
- Provide reemployment services and training opportunities

Three or more workers — or their union representative, a company official, or a community-based organization — can file a petition to be certified for TAA or NAFTA-TAA benefits.

The ETA processes petitions for group eligibility. It decides whether groups of workers are, or are not, eligible to apply for TAA benefits through their State Dislocated Worker Unit. (See State listing on page 13 for your state contact.)

2. NAFTA Transitional Adjustment Assistance Program

The NAFTA-TAA program was created in 1993 especially to help workers who lose their jobs or whose hours of work and wages are reduced as a result of trade with Canada and Mexico.

The NAFTA-TAA program offers help to workers whose companies have been directly or indirectly impacted as a result of trade with Canada or Mexico. These companies are known as primary and secondary firms. Primary firms are those which either import production from Canada or Mexico, shift production to Mexico and Canada, or are adversely affected by trade with Canada and Mexico. Secondary firms are those which supply materials to primary firms and/or assemble or finish products of a primary firm. Family farmers and farm workers who do not meet the group eligibility requirement are also considered under the procedures as secondary firms.

Both the TAA and NAFTA-TAA programs provide a number of retraining and reemployment services that are re-tailored to meet the needs of individual workers.

What Services Can I Get?

Both the TAA and NAFTA-TAA programs provide a number of retraining and reemployment services that are tailored to meet the needs of the individual workers. Major activities and services include:

“Rapid Response” and Reemployment Services such as career counseling, job placement assistance services, supportive services, skills assessment, job development, and job search assistance and referral.

Training for employment in another job or career, up to 104 weeks of approved training in occupational skills, basic or remedial education, or training in literacy or English as a second language.

The NAFTA-TAA program offers help to workers whose companies have been directly or indirectly impacted as a result of trade with Canada or Mexico.

Income support known as trade readjustment allowance (TRA) is a weekly cash payment available for 52 weeks after a worker’s unemployment compensation benefit is exhausted — provided you are enrolled in approved full-time training. The TRA payment is equal to your unemployment compensation benefit.

Job search and relocation allowances that provide reimbursement for approved expenses while job hunting and/or for relocating to a new job.

Workers can apply for “trade adjustment assistance” (TAA) if they lose their jobs or have less work because increased imports are directly competitive with or like those produced by their company.

Am I Eligible? How Do I Apply?

Your workplace must be certified by the Department of Labor before you can get individual services under either program. To be certified eligible, the following requirements must be met:

1. that workers have been totally or partially laid off, and
2. that sales or production has declined, and
3. for TAA benefits, that increased imports have contributed importantly to worker layoffs, or
4. for NAFTA-TAA, that increased imports from Canada and Mexico have contributed importantly to
5. worker layoffs or
6. that there has been a shift in production to Canada or Mexico.

A separate petition must be filed for each program. You cannot receive services under both programs.

Three or more workers — or their union representative, a company official, or a community-based organization — can file a petition to be certified for TAA or NAFTA-TAA benefits. Depending on the circumstances, you should consider making application for both programs. A separate petition must be filed for each program. You cannot receive services under both programs. You may prefer TAA's greater flexibility on training services and income support.

Petition forms are included in this brochure and can be obtained from your local One-Stop Career Center or any agency designated by the governor to provide services under these programs.

Your international union or the state AFL-CIO may be able to help you complete the petition. You can also ask for assistance from the local One-Stop.

NOTE: Petitions are often denied because they are filed too soon. The best time to file a petition is approximately 60 days before the anticipated layoff.

A speedy determination of your group's eligibility is required.

Appeal Rights

Workers whose petitions have been denied by the U.S. Department of Labor may request *administrative* reconsideration of the U.S. Department of Labor's finding within 30 days after publication of the final determination in the *Federal Register*.

The request for reconsideration must be in writing, including the name of the company, the petition investigative number, and a description of the group of workers on whose behalf the petition was filed. It must also cite specific reasons why the workers consider the decision to be in error, either according to the facts, the interpretation of the facts, or the law itself. Requests for reconsideration should be mailed to the U.S. Department of Labor, Division of Trade Adjustment Assistance.

Workers may also file an appeal seeking judicial review of the U.S. Department of Labor's negative determination or re-determination within 60 days of publication of the denial in the *Federal Register*.

Workers whose petitions have been denied by the U.S. Department of Labor may request administrative reconsideration of the U.S. Department of Labor's finding within 30 days after publication of the final determination in the Federal Register.

Petition For Trade Adjustment Assistance

U.S. Department of Labor

Employment and Training Administration



This is a petition for Trade Adjustment Assistance under Section 221(a) of the Trade Act of 1974, as amended. (If the firm of which you are or were employed does not manufacture a product, you cannot be certified for benefits and you should not file a petition.)

OMB No. 1205-0192
Expires: 07/31/2003

I. State the name, address and telephone number of each petitioner and identify the group of workers on whose behalf the petition is filed. Print or type. (For each petitioner who is a worker and who is not currently employed at the firm, give the date of his or her most recent total or partial separation from the firm.)

Name:	1) _____	2) _____	3) _____
Address:	_____	_____	_____
Telephone:	_____	_____	_____
Date of Separation:	_____	_____	_____

Identify the group of workers involved in the separations

If the petition is being filed by a worker representative, give the capacity in which the petitioner is filing, e.g., union local president, corporate treasurer. _____

II. List the complete name and address of the firm and each subdivision of the firm at which the workers for whom this petition is filed are (were) employed.

III. State the name, address, telephone number and title of a company official who can be contacted for additional information. (The official should be someone knowledgeable about the firm's production, sales and employment.)

IV. State the date on which separations due to increased imports began and continued, or are scheduled to begin, and the approximate number of workers affected. (List this information separately for each subdivision of the firm listed in Section II above.)

V. Give a description of the articles (products) produced by the firm, the sales or production of which are being hurt by the increased imports, and a description of the imported articles concerned. (Include such information as the common and technical names of the articles, the method manufactured, the end uses and the wholesale or retail value of the articles.)

VI. State the reasons for believing increased imports of articles competitive with those described in Section V above have caused a decline in the sales or production of the firm or a subdivision of the firm and to the workers' actual or threatened loss of employment. (Attach any supporting documents such as statements by officials of the firm or newspaper articles.)

VII. Has this group of workers been previously certified? Yes No Don't Know

Before signing be sure that all seven sections of the form have been filled out. This petition **must** be signed by three workers of the firm or by their duly authorized representative.

I (we) hereby affirm that the information included in this petition is correct to the best of my (our) knowledge and belief.

Date _____ Signed _____

Processing Instructions
Petition for Adjustment Assistance

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Division of Trade Adjustment Assistance, Room C-5311, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (Paperwork Reduction Project 1205-0192).

Who may file a petition- A petition may be filed by a group of three or more workers in a firm, or a subdivision thereof, or by their union or other duly authorized representative. The workers on whose behalf a petition is filed must be, or have been, employed regularly at the firm or subdivision identified in the petition. The workers' employment must be, or have been, related to the production of articles described in the petition.

Assistance in preparing a petition- Workers may request assistance in preparing a petition at any local employment security agency office. Also, workers may write or telephone (202-693-3560) the Division of Trade Adjustment Assistance.

Filing a petition- Petitions should be addressed to:
U.S. Department of Labor
Employment and Training Administration
Division of Trade Adjustment Assistance
200 Constitution Ave., N.W., Room C-5311
Washington, D.C. 20210

General Instructions- Print or type. Complete all items. If more space is needed, attach additional sheets to this form. In some cases, some of the information requested may not be available. If so, give the reason it is not available, e.g., the firm will not release the information. Submit a signed original and two clear copies of this form when filing a petition.

Further information and clarification concerning the filing of this petition may be found in Title 29 of the Code of Federal Regulations, Part 90.

How this information will be used- The U.S. Department of Labor will use the information contained on the Form ETA 8560 to conduct an investigation to determine whether the group of workers included on the petition meets the certification criteria established by law for eligibility to apply for adjustment assistance.



Petition For NAFTA Transitional U.S. Department of Labor
Adjustment Assistance Employment and Training Administration

Primary and Secondary Firms

OMB No. 1205-0342
Expires: 06/30/2001

1. Petition information (Required for each of the three petitioning workers or their authorized : filed by a union representative, family farmer or company official, only one petitioner : reverse side on Who May File a Petition.

Name(s)	
Street Address	
City, State, Zip Code	
Telephone	
Date of Separation	
Union Affiliation (if applicable)	

2. Complete Name and Address of Company Division or Subdivision for Subject (affected) Workers

Company Name	
Company Division	
Address	
Contact Person	Telephone/ FAX:

3. Describe articles (products) affected by shift in production to or imports from Mexico or Ca

YES	NO	UNKNOWN
	production to	
	importing products	
	losing sales to customers	
	supplier or assembler/ Canada, or 2.)	

4. a. Are job losses due to your company's (employer's) shift in production to Mexico or Canada?
- b. Are job losses due to your company (employer) importing products manufactured in Mexico or Canada?
- c. Are job losses due to your company (employer) losing sales to customers who are importing products from Mexico or Canada?
- d. Are job losses due to your firm losing business (as a supplier or finisher) with a firm that 1.) shifted production to Mexico or Canada, or 2.) Lost sales because of increased imports from Mexico or Canada?

IMPORTANT: If the answer to 4d is YES, fill out the Secondary Firm information on the reverse side of this form. If the answer to 4d is NO, you do not need to fill out the Secondary Firm information. If the answer to 4d is UNKNOWN, you may fill out the Secondary Firm information if you wish.

Petitioners' Signatures (If) worker submitted, requires three workers' signatures; If submitted by company official, requires only one signature.)

1. _____ 2. _____ 3. _____ Petition Date: _____

GOVERNOR'S OFFICE USE ONLY	
Representative (name):	State Name:
Telephone/Fax:	State Case #:
	Company contacted? Y / N
	Receipt Date:

SECONDARY FIRM: Complete only if the answer to question 4d on the reverse was YES.

1. Complete name and address of primary firm affected by NAFTA:

Company Name	Division:
Address	
Contact Person	Telephone/ FAX:

2. Describe the article(s) produced by the primary firm: _____

3. Relationship of secondary firm to the primary firm (check one):

- Supply components/unfinished or semifinished goods to the primary firm.
- Assemble or finish products made by the primary firm.
- Other: (specify) _____

4. OPTIONAL: What percentage of secondary firm's (or subdivision's) business activity is directed

Processing Instructions
Petition for NAFTA Transitional Adjustment Assistance

Public reporting burden for this collection is estimated to average 15 minutes per response, including reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Trade Adjustment Assistance, U.S. Department of Commerce, 14 Constitution Avenue, N.W., Washington, DC 20210 and/or the Office of Information Management, U.S. Department of Commerce, 14 Constitution Avenue, N.W., Washington, DC 20210 (1205-0342).

DO NOT SEND THE COMPLETED FORM TO EITHER OF THESE OFFICES

Background

The North American Free Trade Agreement established a Transitional Adjustment Assistance Program for workers in firms directly impacted by imports from Canada or Mexico or by shifts in production to a program that provides affected workers with both rapid and early intervention and the opportunity to receive income support. As part of the NAFTA Bridge Program, assistance is also available for secondarily impacted, e.g. suppliers of components to firms directly impacted or assemblers/ firms

Who may file a petition may be filed by a group of three or more workers, including farm workers, duly authorized representative (including community-based organizations) or by a company official. A petition is filed must be, or have been, employed regularly at the firm or subdivision identified must be, or have been related to the production of articles (products) described in the petition article (product), you cannot be certified for benefits and you should not file a petition.

Assistance in preparing a petition may request assistance in preparing a petition at any local agency office.

Filing a petition should be sent to the following address:

Attn: Bobbie J. Crenshaw
NAFTA-TRA Unit - 7th Floor
401 S. State Street
Chicago, Illinois 60605

General Instructions: Print or type. Complete all items. If more space is needed, attach additional attach any supporting documents such as statements by officials of the firm or newspaper article

Other Training Opportunities and Reemployment Services

Workers who have lost their jobs or are informed that they will lose their jobs may be covered by several programs that target laid off workers. Workers may be eligible for training, reemployment assistance, and other services under Title I of the Workforce Investment Act or other state or Federal job training programs. Contact your local union or One-Stop Center for more information, or call your state Dislocated Worker unit as referenced in the directory on the following page.

State Dislocated Worker Units

State Dislocated Worker Unit Coordinators

With Telephone Numbers

Alabama	(334) 242-5300 or 1-800-562-4916	Nebraska	(402) 471-9903
Alaska	(907) 269-4680	Nevada	1-800-900-4610
Arizona	(602) 542-3957	New Hampshire	(603) 228-9500 ext. 440
Arkansas	(501) 682-3137	New Jersey	1-800-343-3919
California	(916) 654-7799	New Mexico	(505) 827-6827
Colorado	1-800-388-5515	New York	(518) 457-3101
Connecticut	(860) 263-6593	North Carolina	1-800-562-6333
Delaware	(302) 761-8117	North Dakota	1-800-247-0981
District of Columbia	(202) 565-0010	Ohio	(614) 466-3817
Florida	1-800-633-3572	Oklahoma	(405) 557-5339
Georgia	(404) 656-6336	Oregon	(503) 373-7084
Hawaii	(808) 586-8812	Pennsylvania	(717) 772-0781
Idaho	(208) 334-6298	Puerto Rico	(787) 754-5504
Illinois	(217) 785-6006	Rhode Island	(401) 828-8283
Indiana	1-800-437-9136	South Carolina	1-800-922-6332
Iowa	(515) 281-9034	South Dakota	1-800-952-2316 1-888-822-5246
Kansas	(785) 296-5115	Tennessee	1-800-255-5872
Kentucky	(502) 564-5360	Texas	1-888-562-7489
Louisiana	(504) 342-7637	Utah	1-888-848-0688
Maine	(207) 624-6390	Vermont	(802) 828-4177
Maryland	(410) 767-2833	Virgin Islands	(304) 332-1347 (340) 773-1994 ext. 203
Massachusetts	(617) 727-8158 ext. 319	Virginia	(804) 786-3037
Michigan	(517) 373-2162	Washington and Wisconsin	(360) 438-4117
Minnesota	1-800-438-5627	West Virginia and Wyoming	1-800-843-2408
Mississippi	1-800-762-2781		
Missouri	(573) 751-3349		
Montana	(406) 444-1827		

Other reference websites include:

www.workers.gov

www.doleta.gov/individ.asp

www.gao.gov



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The AFL-CIO Working for America Institute works with unions and their allies to create and retain good jobs and build strong communities through promoting high road economic strategies for individuals; employers and industrial sectors; and public economic and workforce development systems.

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This brochure is also available in Spanish.

Este folleto también está disponible en Español.