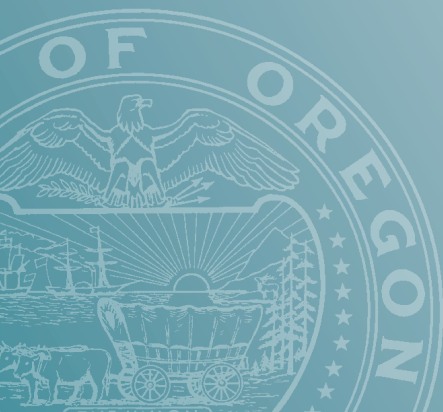




# Trade Act PROGRAM HANDBOOK



**YOUR RIGHTS AND  
RESPONSIBILITIES**



Trade Act is an Oregon Employment Department Program



## **WHAT IS THE TRADE ACT PROGRAM?**

The Trade Act program helps workers who have lost their jobs as a result of foreign competition. Certified individuals may be eligible to receive one or more program benefits and services depending on what is needed to return them to employment.

The success of your Trade Act program depends on you. You must actively work with your Trade Act representative to get the most out of the program.

## **WHY DO I NEED THIS BOOK?**

This book contains general instructions and basic information about all benefits and services for the Trade Affected Worker. This book provides an overview of employment service and unemployment insurance benefits available through the program. As a Trade Act Participant, you have responsibilities as well as rights. It is important that you protect those rights by reading and understanding this information.

## **WHAT SHOULD I EXPECT FROM THE EMPLOYMENT DEPARTMENT?**

You can expect timely, courteous and professional service. In return, the Employment Department may need more information from you. When you receive forms, questionnaires, email, or phone calls you need to respond right away or you could miss out on important services, benefits, or deadlines.

## **TRADE ACT PETITION CERTIFICATION INFORMATION**

Someone files a petition for Trade Act on behalf of the trade-affected workers of the company, division and location identified (See Back Cover). The Department

of Labor certifies the affected workers of this company. This makes them eligible to apply for Trade Act.

Certified individuals may be eligible to receive one or more program benefits and services depending on what is needed to return them to employment.

All workers laid off on or after the Impact Date and on or before the Expiration Date are eligible to apply for assistance.

## **TRADE ADJUSTMENT ASSISTANCE (TAA)**

The TAA program provides benefits and services to help eligible workers return to work. The following services may be available based on the availability of federal funds and individual eligibility:

- Reemployment Services
- Job Search Allowance
- Relocation Allowance
- Additional Unemployment Insurance in the form of Trade Readjustment Allowances (TRA)
- A wage subsidy for re-employed workers aged 50 or older
- Training
- Health Coverage Tax Credit

Basic TAA approval criteria for job search, relocation, and training services:

- No suitable work is available in your labor market
- You must apply in advance
- You must be approved in advance by your TAA representative

## **SUITABLE EMPLOYMENT DEFINITION**

In this handbook, you will see references to the term “suitable employment”. The definition of suitable employment is work of an equal or higher skill level to your trade-affected employment at wages not less

than 80% of your average weekly wage from this employment.

## REEMPLOYMENT SERVICES

Reemployment services help workers look for work. We will work with you to set goals and create steps to achieve those goals by referring you to the services that are best for you.

The Oregon Employment Department, in partnership with local Workforce Innovation and Opportunity Act (WIOA) providers, community colleges, and local Department of Human Services representatives, offers a variety of reemployment services to assist you in reaching your employment goals.

These services include:

- iMatchSkills™ which includes registration for jobs and computer-aided job match
- Local and statewide job listings
- Services for Veterans
- Career exploration tools
- Community resource information
- Reemployment counseling and case management
- Job development
- Job search workshops
- Labor market information
- Resume writing tools
- Supportive services
- Vocational testing

Check out these websites for more information about jobs, careers, training facilities, or services for dislocated workers:

- [www.Oregon.gov/Employ](http://www.Oregon.gov/Employ)
- [www.QualityInfo.org](http://www.QualityInfo.org)
- [www.oregon.gov](http://www.oregon.gov)
- [www.careeronestop.org](http://www.careeronestop.org)
- [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact)

## **INITIAL ASSESSMENT**

Approval of TAA and TRA services and benefits are based on the outcome of an Initial Assessment. This first step starts the conversation between you and your TAA representative. Your representative will review any barriers you may have to employment, skills gained during your trade affected employment, your goals, questions, and concerns. Your representative will determine whether or not suitable employment is available and if training is needed and suitable.

## **INDIVIDUAL EDUCATION PLAN**

Following the Initial Assessment, we will help you develop an Individual Education Plan (IEP) to determine job goals and ways to achieve those goals. The IEP will help to identify the appropriate combination of services.

## **JOB SEARCH ALLOWANCE**

If you have a verifiable job interview or work search plans for another area outside of your labor market, you may be eligible for job search allowances. When you have applied in advance and are approved, you may be reimbursed the cost of food, lodging and travel expenses (based on  $\frac{1}{2}$  the federal per diem or actual cost, whichever is less). You may be reimbursed for more than one job search; however there is a maximum amount. Your TAA representative will review your job search limits upon application.

## **JOB SEARCH ALLOWANCE DEADLINE**

You have 365 days from the certification date or your most recent qualifying separation date (whichever is later) to apply. If you are in training which takes you past this deadline, you have 182 days from the date you complete training to apply. The job search must occur within 30 days of the date you apply.

## **RELOCATION ALLOWANCE**

If you have a bona fide job offer for long term employment in another area, you may be eligible for a Relocation Allowance. The move cannot be located outside the United States. If you have applied in advance and are approved, you may be reimbursed for the cost of your reasonable and necessary moving expenses. This applies to moving you your immediate family, and your house-hold goods. We will reduce the amount if you are entitled to reimbursement from other sources. A lump sum payment equal to three times your average weekly wage (not to exceed the maximum) is available to help you with additional moving costs and getting settled. Your TAA representative will review your relocation limit upon application.

## **RELOCATION ALLOWANCE DEADLINE**

You have 425 days from the certification date or your most recent qualifying separation date, whichever is later to apply. If you are in training which takes you past this deadline, you have 182 days from the date you successfully complete training to apply.

## **TRAINING**

You may be eligible for training if you do not have the skills to secure suitable employment in the existing labor market. The training you take must be targeted to a specific occupation and help you to get a job at a skill level similar to, or higher than, your trade affected employment.

The training is based on your skills and what is happening in your labor market. The training will be the shortest timeframe possible to get you back to work quickly.

The training will not go past the maximum number of weeks allowable. A training program may include remedial and

pre-requisite classes. Remedial education includes GED (General Education Diploma), ESL (English as a Second Language), or ABE (Adult Basic Education). Pre-requisite education is course work the training provider requires to get into the approved training program. If you are claiming unemployment insurance benefits, you will not have to seek work or accept work while you are attending a TAA approved training program or during breaks in training that are 30 days or less.

There is no deadline to apply for TAA training as long as the program is still in existence and funds are available.

## **ALLOWABLE TYPES OF TRAINING**

**a. Classroom Training** that leads to a certificate, degree, or higher level of education. The training must be through an accredited Institution or have acceptable oversight. To find a training institution visit [www.ode.state.or.us](http://www.ode.state.or.us) or [www.QualityInfo.org](http://www.QualityInfo.org).

If you do not have Internet access, you can visit your local WorkSource Oregon office or your TAA representative can assist you. You can take required classes on-line if they are not available in a physical location.

**b. Employer-Based Training / On-the-Job Training (OJT)** If you find an employer who is willing to provide OJT in a specific occupation, the employer may be reimbursed for part of your paid wages while they train you. If you have an employer in mind, contact your TAA representative for help in presenting the OJT information to the employer. The employer and TAA representative must sign an OJT Agreement before the OJT can start.

**You must apply and be approved before you start to work for the potential OJT employer.**



## **TAA TRAINING PLAN RULES:**

- One training plan per certification. Be sure that the occupational goal you choose is one that you can live with. Make sure to investigate the occupation prior to requesting your training plan by talking to employers that hire workers for this occupation and workers that perform duties for the occupational goal. Once you start the occupational training, you cannot quit and be approved for a different occupational training.
- The length of training cannot exceed the maximum amount of weeks allowed for classroom or OJT. This includes any remedial and/or pre-requisite training. The break weeks between terms are not counted toward the maximum weeks allowed.
- Training in most cases must be full time. Full time status is based upon the training facility and your program requirements. Contact your TAA representative for more information.
- If you are claiming unemployment insurance (UI) benefits you are required to comply with UI law until a TAA training plan is approved.

## **YOU MUST MEET ALL THE FOLLOWING SIX CRITERIA TO BE APPROVED FOR A TAA TRAINING PLAN:**

1. There must be no suitable employment available for you in your labor market. This means work of an equal or higher skill level than your trade affected employment at wages of not less than 80% of your average weekly wage from this employer.
2. You must benefit from the training and be job ready for the occupational goal when done. If you are interested in a training program, make sure that it will prepare you to accept employment for your occupational goal when you have completed TAA approved training.

3. There must be a reasonable expectation of employment following the completion of training. Check labor market information resources to know if there will be a reasonable chance of finding a job using the skills and education from your training. Find out if the job will be in demand when you complete training. The online resource for labor market information is:  
[www.QualityInfo.org](http://www.QualityInfo.org)
4. There must be training available. You must first consider training available within your labor market area. If there isn't training available within your labor market area, training in other areas may be considered.
5. You are qualified to undertake and complete training and able to support yourself while in training. This means you must have the skills and qualifications needed to be accepted for, and complete, the training program. Also, you must demonstrate that you have the financial resources to make it through the entire training program.
6. Training must be suitable and available at a reasonable cost. This means the training is right given your abilities, skills and experience. We look at the type of training, the skill level, length of training, average cost of training, and whether support or mileage is necessary to determine the allowable amount for training.

If training is approved, TAA will pay for tuition, books, fees, supplies and tools required of all students for the completion of the training program. TAA cannot pay for any costs that are not required of all students.

If the only training available is outside of your commuting distance (to be determined at the time of training plan review), you may be reimbursed for travel expenses to and from the training facility based on the Federal mileage rate. If it is necessary for you to take care of two households; your main residence and a

temporary secondary residence near the training site, you may qualify for support for the secondary residence based on ½ of the Federal per diem or actual cost, whichever is less.

## **TRADE READJUSTMENT ALLOWANCES (TRA)**

To qualify for TRA benefits (extra unemployment/income support), you must;

1. Be covered by a certification.
2. Have a qualifying separation. This is a layoff that is either a total loss of your job, or a break from your employer for at least 7 consecutive days. This break must start on or after the impact date and on or before the expiration date of the certification.
3. Have qualifying wages and employment. This means you worked for your employer at least 26 of the last 52 weeks before your most recent layoff. Also, you must have earned at least \$30.00 in each of those weeks.
4. Be entitled to and have exhausted all rights to regular and extended unemployment benefits.

If you meet these points, your TRA weekly benefit amount will be the same as you received on the first claim you filed after the impact date, and at the time of your first qualifying layoff. That claim is called your TRA Parent Claim.

## **DEADLINES FOR TRA BENEFITS**

In order to be eligible for any TRA benefits, you must either:

**Be accepted** by a training facility and enrolled in approved TAA training

**OR**

**Be approved** for a waiver of training and conducting a work search.

There is a deadline date that varies depending on the law that your company was certified under. You can find your deadlines by calling the Special Programs Center.

### **Deadline:**

If you do not meet your deadline for a reason that is beyond your control, call the Special Programs Center right away, and they will discuss what options may be available to you.

## **TRA BENEFITS**

TRA benefits are defined in two categories: Basic TRA and Additional TRA. Each has its own set of requirements.

### **BASIC TRA**

Your Basic TRA benefits:

You have 104 weeks after your most recent qualifying layoff to collect Basic TRA. Basic TRA may be collected in one of 3 ways.

You must:

1. Be enrolled or taking part in approved TAA training; or
2. Have completed such training and be actively seeking work; or
3. Have received a waiver of such training and be seeking work as directed.

### **ADDITIONAL TRA**

To be eligible for Additional TRA, you may have to apply for training within 210 days of your most recent qualifying layoff or the date of the certification, whichever is later.

Additional TRA is a period that starts right after you are paid the last week of Basic TRA or the 104 week deadline to use Basic TRA has expired, whichever occurs first.

If you do not start training until after the Basic TRA eligibility period expires, the Additional TRA starts with your first week of training.

**Important:** This eligibility period runs for a set period of time, whether or not you are claiming benefits. You must be in approved training in order to receive Additional TRA benefits.

## **EXCEPTION: TRA COMPLETION**

You must have exhausted all other available benefits, including Additional TRA. If you were not eligible for Additional TRA, the eligibility period starts right after you are paid your last week of Basic TRA or the 104-week deadline to receive Basic TRA ends.

## **POTENTIAL BENEFITS**

Your Trade Act representative will discuss potential benefits with you. They will map out your maximum potential benefits if you are interested in attending training.

## **REGULAR UNEMPLOYMENT INSURANCE**

If at any time you become eligible to file for regular unemployment insurance, you must file the regular claim instead of continuing on TRA. Just call the Special Programs Center, and they will file that claim for you. If you have any options, they will discuss them with you once the new claim is established. Once you have exhausted all regular unemployment insurance, your Trade Act representative will determine what TRA benefits may be available to you.

For further instruction regarding regular unemployment insurance, read the **Claimant Handbook** you received when you filed your regular unemployment insurance claim.

## **TRAINING WAIVERS**

The Employment Department may waive eligible workers from participating in training under certain conditions and the workers still receive Basic TRA, if you meet one of the following conditions:

- The worker is unable to participate in or complete training due to the health of the worker;
- Immediate enrollment is not available; or
- No training program is available.

### **Important:**

- Waivers are reviewed with your TRA representative every 30 days.
- Additional TRA is not payable during waiver status. The worker must be in training.
- Waivers of training expire after six months but may be revoked at any time if the condition of the waiver no longer exists.
- If the waiver expires or is revoked, you would not be eligible for any TRA benefits unless you are enrolled in approved TAA training within the time frame that is given to you at the time the waiver is revoked.

## **HEALTH COVERAGE TAX CREDIT (HCTC)**

Trade Act participants may be eligible to receive a tax credit for health insurance premiums. Contact the Special Programs Center for more information.

## **WAGE SUBSIDY FOR THOSE 50 OR OVER**

Deadlines and conditions apply to this program. If you choose this program, you may not be eligible to receive other TRA benefits. Your representative can give you more information on how this program will affect other benefits.

To be eligible for this program, you must meet the following conditions at the time of reemployment:

- Be at least 50 years old;
- Be employed full time; (There may be a deadline to apply for this benefit depending on the law your company was certified under. Your TRA representative will advise you of any deadlines.)
- Not be expected to earn more than a set amount annually based on the current law (excluding overtime pay) from the reemployment;
- Cannot return to your previous employer.

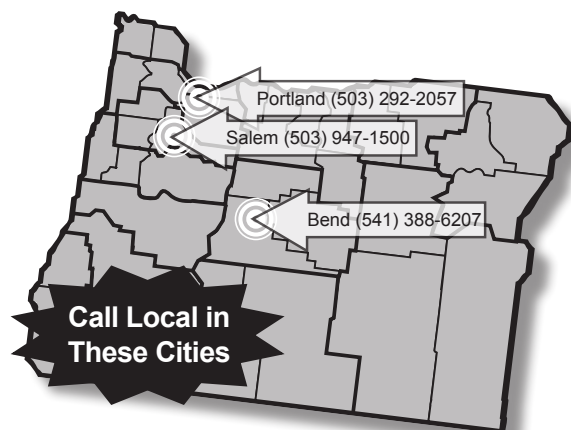
This wage subsidy may be paid up to a set amount during a two-year period.

For additional information, contact the Special Programs Center at:

**Phone: 503-947-1800**  
**Toll free: 1-800-436-6191**

## NEXT STEPS

A TRA determination cannot be made until a regular Unemployment Insurance (UI) claim is filed. To file a UI claim on the internet go to: [www.Employment.Oregon.gov/ocs](http://www.Employment.Oregon.gov/ocs), or call:



**After you have been laid off**, complete the Request for Determination of Entitlement to TAA and TRA form (TRA\_006). Forward the completed form to the TRA (Trade Readjustment Assistance) Unit at:

**Oregon Employment Department  
UI Special Programs Center (TRA)  
PO Box 14518  
Salem, OR 97309**

**Or Fax to: 503-947-1833  
Toll Free fax: 1-877-353-7700**

Approximately 2 weeks later, you will receive a determination in the mail that will let you know of your potential eligibility for Trade Act program benefits and services.

For questions about TAA re-employment, job search, relocation, or training services contact TAA Central Trade Act Unit:

**Phone: 503-947-3096  
Toll free: 1-877-639-7700  
Email: [taacentral@oregon.gov](mailto:taacentral@oregon.gov)**



**[facebook.com/oregoncentraltradeactunit](https://facebook.com/oregoncentraltradeactunit)**

## **LIVING OR MOVING OUT OF OREGON?**

If you will be relocating to another state, contact either the Special Programs Center or the TAA Central Trade Act Unit for assistance in locating a TAA representative in that state.



## ADDITIONAL NOTES:

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## **EQUAL OPPORTUNITY IS THE LAW**

The Oregon Employment Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to persons with limited English proficiency at no cost.

El Departamento de Empleo de Oregon es un empleador/programa que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos y asistencia de idiomas para personas con discapacidades o conocimiento limitado del inglés, a pedido y sin costo.

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act of 1998 (WIOA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such program or activity.

### **What to do if you believe you have experienced discrimination**

If you think that you have been subjected to discrimination under a WIOA Title I fi assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, D.C. 20210. If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the date on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

Employer:
Petition Number:
Impact Date:
Certification Date:
Expiration Date:
Most recent qualifying layoff:

