

Policy-related |  Fiscal |  Performance |  Q&A |  Other

Number: WIN 0130

Date: June 21, 2022

Expiration Date: N/A

**TO:** Workforce Development System Partners

**FROM:** Gary Kamimura, Policy Manager

**SUBJECT:** Termination provisions of Trade Adjustment Assistance (TAA), Alternative Trade Adjustment Assistance (ATAA), and Reemployment Trade Adjustment Assistance (RTAA).

### **Purpose:**

To communicate that the authorization of appropriation for the TAA program expires on June 30, 2022 and absent congressional action to reauthorize or continue the program, phased termination provisions will take effect beginning July 1, 2022.

### **Action Required:**

Although the program expiration provision requires that the Department of Labor (DOL) will no longer certify petitions for TAA as of July 1, 2022, States are still required to continue serving trade affected workers from worker groups certified prior to that date for the 2002 Program, 2009 Program, 2011 Program, 2015 Program, and the Reversion 2021 Program, in accordance with existing regulations, subject to limitations outlined below.

### **Content:**

The Employment Security Department (ESD) must continue to determine individual worker eligibility and provide benefits and services for workers covered under certified petitions after June 30, 2022.

In order to be entitled to TAA benefits and services on and after July 1, 2022, a worker must:

1. be covered by a petition filed and determined to be certified on or before June 30, 2022;
2. be an "adversely affected worker" as defined in 20 CFR 618.110, who because of lack of work in adversely affected employment has been totally or partially separated from such employment on or before June 30, 2022; and
3. meet or continue to meet the individual eligibility requirements for TAA benefits and services in accordance with relevant operating instructions and federal regulations at 20 CFR part 618, including any applicable deadlines.

For the 2015 Program, this includes “adversely affected incumbent workers,” as defined in 20 CFR 618.110, who were threatened with total or partial separation on or before June 30, 2022.

Adversely affected incumbent workers are not eligible for services under Reversion 2021.

Workers who were included in groups certified by DOL as eligible to apply for TAA benefits, but who are not adversely affected workers or adversely affected incumbent workers on or before June 30, 2022, are not entitled to TAA benefits and services as they did not become eligible for those benefits and services prior to termination of the program.

ESD may issue an individual determination on eligibility after June 30, 2022, but the worker’s separation or threat of separation must be on or before June 30, 2022, regardless of which version of the TAA Program they were certified under, and regardless of the expiration date indicated on the certification.

### **Alternative Trade Adjustment Assistance (ATAA) / Reemployment Trade Adjustment Assistance (RTAA) – (A/RTAA):**

The termination provision, which is applicable to only ATAA and RTAA, limits the receipt of A/RTAA benefits after the termination date to workers, “receiving payments under the program.”

- Participants who have already begun receiving A/RTAA payments as of June 30, 2022, may continue to receive payments after that date.
- Participants who have met all the other eligibility requirements for A/RTAA by June 30, 2022, but who have not yet been issued a determination approving an application to receive at least one A/RTAA payment by June 30, 2022, will not be eligible to receive any payments under these benefits.
- ESD will not approve applications for ATAA or RTAA on or after July 1, 2022.

### **Petitions:**

- Only petitions that are filed *and certified* on or before 11:59 PM EDT Thursday, June 30, 2022, may allow a worker in the covered group to be eligible for TAA after June 30, 2022.
- No determinations will be made for pending, uncertified petitions.
- Applications for Reconsideration filed on or before June 30, 2022, will be considered; however, determinations on these requests will cease.
- Amendment petitions in relation to petitions certified on or before June 30, 2022, will continue to be processed and determinations will continue to be issued, where appropriate.
- Updates to amendment requests for petitions certified on or before June 30, 2022, may be provided.
- No updates will be provided regarding administrative reconsiderations on pending petitions after that time unless the TAA Program is subsequently restored.

### **Notifications for worker groups and individual workers:**

- Worker group and worker notification practices will not change for petitions certified on or before June 30, 2022.

### **TAA case management services and program allowances:**

- There are no changes to the provision of case management services, Trade Readjustment Allowance (TRA), Training, Job Search, and Relocation for eligible participants.

### **Co-enrollment of TAA participants into the WIOA Title I-B Dislocated Worker Program:**

- There are no changes to the requirement for co-enrollment. TAA participants must be co-enrolled in the WIOA Title I-B DW program, unless the participant declines (see WIOA Title I Policy 5617, Revision 2, Co-enrollment of TAA participants into the WIOA Title I-B Dislocated Worker Program).

### **Reporting Requirements:**

- There are no changes to reporting requirements.

### **References:**

[Training and Employment Guidance Letter \(TEGL\) 13-21](#)

### **Website:**

<https://wpc.wa.gov/policy/state/guidance>

### **Direct Inquiries To:**

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