

# Washington State Trade Adjustment Assistance Policy

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**Policy Number:** 3005, Revision 1 (2009)

**Policy Title:** Relocation Allowances under the 2009 Amendments

**Effective Date:** December 21, 2018

## 1. **Purpose:**

To communicate guidance on relocation allowances for workers eligible for Trade Adjustment Assistance (TAA).

## 2. **Background:**

The Trade Adjustment Assistance for Workers Program (TAA program) was first established in the Trade Act of 1974 as a tool to retrain trade impacted workers and help them find suitable employment. The Trade and Globalization Adjustment Assistance Act (TGAAA) of 2009 (Public Law 111-5) was enacted on February 17, 2009, and extended the TGAAA program through December 31, 2010. It expanded TAA benefits for workers, firms, and Farmers, including workers and firms in the service sector. It also improves workers' opportunities for reemployment services, training, and income support. The 2009 Program applies to workers covered under petition numbers TA-W 70,000 – 79,999.

## 3. **Policy:**

Certified workers who apply for TAA services may be eligible for relocation allowances. Relocation allowances are reimbursements for moving expenses to participants who successfully obtain employment outside their normal commuting area.

A worker covered under a certification may receive a relocation allowance when it is determined that:

- There is no reasonable expectation that the participant can obtain suitable work within the participant's commuting area; and
- The participant has obtained suitable work of long-term duration or a bona fide offer of suitable work in the area of intended relocation. (See definition of [suitable work](#).)

### a. **Maximum Allowance**

Participants may receive relocation allowances for not more than 100 percent of the reasonable and necessary expenses incurred in transporting themselves and their families, if any, and household effects to the area of relocation, plus a lump sum equal to three times the worker's average weekly wage. The lump sum payment must

not exceed \$1,500.

## **b. Conditions and Requirements**

- i. Actual reimbursement of expenses will not be made until and unless certifications have been issued and workers have been determined to be eligible for TAA benefits.
- ii. Participants have not previously received a relocation allowance under the same certification.
- iii. Participants must receive an Initial Assessment prior to the approval of any request for relocation allowances. See [TAA Policy 3070](#) – Assessment.
- iv. Participants must request relocation allowances in writing prior to their relocation.
- v. Participants must file an application for relocation allowances within 425 days after the date of the certification under which the participant is covered or the date of the participant's last total separation from adversely affected employment, whichever is later.
- vi. Participants enrolled in approved training must file an application no later than 182 days after completion of such training.
- vii. Relocations must begin no later than 182 days after the date of the application.
- viii. Participants must verify that they have obtained suitable work or bona fide offers of suitable work. Participants enrolled in training are not eligible for relocation assistance until they complete their training component and obtain suitable work or bona fide offers of suitable work.
- ix. Participants must submit original receipts for reimbursement.
- x. Participants cannot use TAA funds to cover the costs of relocation paid by a prospective employer or other programs.
- xi. The following items are excluded from coverage, which means participants must assume costs for and personally arrange for transportation of:
  - A. Items of high intrinsic or sentimental value
  - B. Jewelry, collector's items, etc.
  - C. Animals
  - D. Boats or personal watercraft
  - E. Airplanes
  - F. Camping vehicles
  - G. Farming vehicles
  - H. Explosives or dangerous goods
  - I. Outside fuel tanks or similar non-household articles
  - J. Cord wood and building materials
  - K. Perishable foodstuffs subject to spoilage; and

L. Mobile/manufactured homes (unless primary residence of employee)

Snowmobiles, quads, golf carts and other vehicles with two or three wheels (e.g. Motorcycles, mopeds, Segways, etc.) may be shipped as household goods. The weight of these vehicles will count against the 18,000-pound limit for which reimbursement is available. A participant must pay 100 percent of the associated costs for the weight of household goods more than the 18,000-pound allowance.

- xii. Participants are required to submit a completed Relocation Final Statement of Cost Form with **all original receipts** to the originating office within 30 days of completing their relocation.
- xiii. Use of a commercial carrier requires at least two competitive bids or other adequate justification for the cost. Except for extenuating circumstances, participants must accept reimbursement at the lowest bid on a move by a commercial carrier.
- xiv. Relocations must be completed within a reasonable time period. To determine reasonableness, the following factors must be considered:
  - A. Whether or not suitable housing is available in the area of relocation
  - B. Whether or not participants can dispose of their current houses
  - C. Whether or not participants or a family member is ill or a member of a participant's family is attending school.

**c. Transportation**

The amount allowable for transportation cannot exceed the lesser of:

- 100 percent of the actual cost of the trip for participants and any dependents by the most economical public transportation they reasonably can be expected to take from the place of residence to the area of relocation; or
- 100 percent of the cost per mile at the prevailing federal mileage rate for such a trip for participants and any dependents by the usual route from the place of residence to the area of relocation.

Up to two privately-owned vehicles can be moved by the most direct route at 100 percent of the prevailing federal mileage rate provided that:

- Participants and/or their dependents travel to the new location in such vehicles;
- The vehicles are driven rather than towed;
- There are no other claims under this move for transportation costs for such worker and/or dependents; and
- Other family members and/or household goods will be traveling in the authorized vehicle(s)

**d. Lodging and Meals**

The amount allowable for lodging and meals cannot exceed the lesser of 50 percent of the prevailing federal per diem rate for lodging and meals or 100 percent of the actual expense for lodging and meals.

Payment is limited to the number of days reasonably necessary to travel to the new location when traveling by personal vehicle. If more than one day of travel is necessary, 425 miles per day is the standard. When traveling by commercial air, one day is normally allowed for travel. Lodging and meals at the new location may be authorized for a reasonable period when circumstances warrant. Invoices and receipts that document expenses must be submitted by participants, even when the federal rate for lodging and meals is used.

**e. Moving**

The total amount allowable for moving household goods of participants and their family by commercial carrier, trailer or rental truck, or of moving a mobile home to the new location, and of insuring such goods for their actual value or \$10,000, whichever is least, cannot exceed 90 percent of the total cost.

The total amount allowable for moving must not exceed the cost of moving a maximum of 18,000 pounds of household goods between the same origin and destination points by commercial carrier. Participants must pay charges for weights more than 18,000 pounds.

Such amount is payable for the most practical and economical method reasonably available to participants.

**f. Storage**

Storage for up to 60 days at either the origin or destination, but not both, is allowed at 90 percent of the total cost. The request for storage must be approved prior to the move and the cost for storage must be identified.

**g. Advance Payment**

Advance payment of 100 percent of the estimated allowance for transportation, lodging and meals, transportation of household goods (where a commercial carrier is not involved), and lump sum payment may be provided to participants not more than 10 days prior to the anticipated move.

**h. Veteran's Priority of Service**

The Trade Adjustment Assistance program will comply with the Jobs for Veterans Act (Public Law 10-288), which was enacted into law on November 2, 2002. Covered veterans and their eligible spouses who are determined eligible for the TAA program receive priority over non- veterans for receipt of TAA services.

#### 4. **Definitions:**

##### **Suitable Work**

- Suitable work as defined in the applicable state law for claimants for regular compensation, i.e., employment in an occupation in keeping with an individual's prior work experience, education, or training...or employment the individual would have the physical and mental ability to perform - RCW 50.20.100); or
- Suitable work as defined in the applicable state law provisions consistent with section 202(a)(3) of the Federal-State Extended Unemployment Compensation Act of 1970; whichever is applicable but does not in any case include self-employment or employment as an independent contractor.

#### 5. **References:**

- [Public Law 111-5](#), Trade and Globalization Adjustment Assistance Act of 2009
- [20 CFR Part 618](#), TAA Final Rule
- [Training and Employment Guidance Letter \(TEGL\) 22-08](#), Operating Instructions for Implementing the Amendments to the Trade Act of 1974 enacted by the Trade and Globalization Adjustment Assistance Act of 2009; [Change 1](#).

#### 6. **Supersedes:**

TAA Policy 3005 – Relocation Allowances under the 2009 Amendments effective 8/22/17.

#### 7. **Website:**

[Workforce Professionals Center](#)

#### 8. **Action:**

Employment Security Department Regional Directors and WorkSource Administrators must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

#### 9. **Attachments:**

None.

#### **Direct Inquiries To:**

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