



# Workforce Issuance

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**100 DCS 13.111**

☒ **Policy**   ☐ **Information**

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**To:** Chief Elected Officials  
MassHire Workforce Board Chairs  
MassHire Workforce Board Directors  
Title I Administrators  
MassHire Career Center Directors  
Title I Fiscal Officers  
MDCS Operations Managers

**cc:** WIOA State Partners

**From:** Alice Sweeney, Director  
MassHire Department of Career Services

**Date:** April 10, 2019

**Subject:** **Interstate Customers Under The Trade Adjustment Assistance Programs**

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**Purpose:** To notify MassHire Workforce Boards, MassHire Career Center Directors and Operations Managers, and other local workforce partners of guidelines for processing Trade Adjustment Assistance Interstate customers benefits requests.

**Background:** The Trade Adjustment Assistance Program for workers was first established by the Trade Act of 1974 and has been amended numerous times. The current amendment is The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) signed into law by President Barack Obama on June 29, 2015. TAARA 2015 effects petitions starting January 1, 2014. The benefits are available under the program all over the United States.

**Policy:** This policy provides guidance for processing Trade benefits for workers that seek services in or outside of Massachusetts (MA).

First, it must be determined whether MA is the Liable or Agent state for the worker.

## 20 CFR Section 617.26 - Liable and Agent State responsibilities.

### (a) Liable State.

The Liable State means, for any individual, the state which administers the applicable state law (as determined under 617.16). The Liable State is responsible for making all determinations, redeterminations, and decisions on appeals on all claims for program benefits under this part 617, including waivers and revocations of waivers pursuant to 617.19, subsistence payments pursuant to 617.27, and transportation payments pursuant to 617.28. Upon receiving a copy of a certification issued by the Department, with respect to an affected firm in the state, the Liable State also is responsible for publishing newspaper notices as provided in 617.4(d), furnishing information and assistance to workers as provided in 617.4, furnishing reemployment services under subparts C, D, and E of this part to all eligible workers covered by such certification, and carrying out other activities and functions required by the State's Agreement with the Secretary entered into pursuant to 617.59. All determinations pertaining to any individual's eligibility for or entitlement to any program benefit under this part 617 shall be subject to the provisions of 617.50 and 617.51.

### (b) Agent State.

Agent State means, for any individual, any state other than the Liable State for the individual. Agent States shall be responsible for cooperating fully with the Liable State and assisting the Liable State in carrying out its activities and functions. These Agent State responsibilities shall be part of the activities and functions undertaken by the Agent States under their Agreements entered into pursuant to 617.59. Agent State responsibilities include cooperating with Liable States in taking applications and claims for TAA, providing reemployment services to certified workers in accordance with subparts B, C, D and E of this part, providing interstate claimants with TAA program information and assistance, assisting applicants or claimants to file claims for TAA program benefits and services, cooperating with the Liable State by providing information needed to issue determinations, redeterminations, and decisions on appeals, and procuring and paying the cost of any approved training, including subsistence and transportation costs, according to determinations issued by the Liable State.

### Liable:

- The Liable State is the state which is paying the worker's unemployment insurance (UI), thus Trade Readjustment Allowances (TRA) will follow, if otherwise eligible.
- The worker seeks Trade benefits outside of MA (e.g. training).
- MA would need to approve any benefits for TRA purposes.
- RTAA would be processed and paid by MA

### Agent:

- The Agent State (the state in which the customer is seeking services) will send MassHire Department of Career Services the TAA benefit(s) request(s) for approval. (This is done for TRA cash benefits eligibility.) This includes extension requests for TRA deadlines (i.e. 45-day EC), training, waivers, RTAA, and any relevant documentation.
- The worker is collecting Unemployment Insurance benefits outside of MA. Worker is seeking Trade benefits from a MassHire Career Center.
- MDCS will need to send to the Liable State the TAA benefit(s) request for approval for TRA cash benefits eligibility. This includes extension requests for deadlines, training, waivers, RTAA, and any relevant documentation in the state from which they are collecting Unemployment Insurance.

### Action

**Required:** Please assure that all appropriate staff persons are knowledgeable of the content of this Policy and that related TAA activities are carried out in a compliant manner.

**References:** 100 DCS 13.107 Training Under the Trade Adjustment Assistance Programs

**Inquiries:** Please email all questions to [PolicyQA@Detma.org](mailto:PolicyQA@Detma.org); indicate Issuance number and description.

**Attachments:** A&B Interstate Customer Checklist