

Detailed Petition Filing Instructions Desk Aid

Petition Sections Overview

Section 1 - Petitioner Information

Petition forms must be completed by a group of three or more workers, a company official, a union or other duly authorized representative, or a One-Stop Operator or One-Stop partner. Contact information should be provided for each petitioner. The contact information should include the home address of each petitioner. This will allow USDOL to contact each petitioner even if the facility is closed or the petitioner is no longer working there.

If three workers complete the petition, they must all work at the same location. Additionally, all three workers must be sure to sign the petition form in Section 4. If workers who complete the form are not from the same location, or if they do not all sign the form, the petition will be considered invalid and returned to the petitioners.

Section 2 - Company Information

Petitioners should provide information about the firm/subdivision where the workers are employed. When possible, contact information should be provided for two knowledgeable company officials, in order to expedite the investigative process.

Section 3 - Trade Effects

Petitioners should provide as much information as possible in this section. The more information provided, the sooner investigators can complete their research into the causes of the layoff and issue a determination.

Workers may be certified for TAA in two ways. The certification may be based on direct effects such as the workers' company increasing imports, or based on the indirect, or secondary, effect of losing business to companies whose workers are certified for TAA. Workers certified because of indirect effects are also known as secondary workers. Secondary workers are eligible for TAA only if the firm they supplied components to or finished products for has already been certified by the USDOL as affected by increased imports or shifts in production to foreign countries. Petitioners can verify if firms have been TAA certified by checking the Determinations page. The Determinations page provides updates on the status of TAA petition investigations, as well as final determinations. Petitioners who suspect that they may be eligible as secondary workers should answer 'Yes' to question 5(b) or (c) in Section 3 and provide as much information about the TAA certified firm as possible. The more information provided, the sooner investigators can determine whether or not workers qualify.

Petitioners may also attach additional information or supporting documents to the petition. If they choose to do so, they should check the box indicating that documents were attached. This will help alert the investigator in the event that the documents become separated from the petition.

Section 4 - Affirmation of Information

Each petitioner is required to sign this section indicating that the information provided is true,

correct, and complete. The petition must also indicate the date on which it is filed. Petitions that are not signed and dated will be considered invalid and returned to the petitioners.

Group Eligibility Requirements

TAA

After receiving a TAA petition, DTAA investigators analyze facts contributing to the workers' layoffs or work reductions in order to determine if the following eligibility requirements are met:

- Workers' company produces a product.
- A required minimum of the workforce has been laid off in the 12 months preceding the date of the petition or is threatened with layoffs (3 workers in groups of fewer than 50, or 5% of the workforce in groups of 50 or more).
- One of the following:
 - Increased imports contributed importantly to an actual decline in sales or production, and to a layoff or threat of a layoff; or
 - There has been a shift in production to certain countries outside the United States; or
 - There has been a shift in production outside the United States and there has been or is likely to be an increase in the import of like or similar articles; or
 - Loss of business as a supplier of component parts, a final assembler, or a finisher for a TAA certified firm contributed importantly to an actual decline in sales or production, and to a layoff or threat of a layoff.

ATAA

In investigations on behalf of worker groups who meet the above TAA criteria, DTAA will also assess whether the following criteria have been met:

- A required minimum of the petitioning workers are age 50 or older (3 workers in groups of fewer than 50, or 5% of the workforce in groups of 50 or more).
- Skills of workers age 50 or older in the workgroup possess skills that are not easily transferable.
- Conditions within the industry are adverse.