

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

A Relocation Allowance may be granted to an adversely affected worker to assist the individual and the individual's family, if any, to relocate within the United States. The following are basic points associated with TAA Relocation Allowances:

- Relocation Allowance amounts (estimates) must be approved *before* the individual relocates.
- A Relocation Allowance may be granted to an individual only once under a specific certification.
- A Relocation Allowance shall not be granted to more than one member of a family with respect to the same relocation.
- If applications for a Relocation Allowance are made by more than one member of a family as to the same relocation, the allowance shall be paid to the head of the family, if otherwise eligible.

APPLICATIONS

- Applications for Relocation Allowances must be made using the *Trade Programs Request for Relocation Allowances* Form via MOSES/TAARRNEG and in accordance with the items outlined above. Applications must be complete and contain the estimated figures. When applying for a moving allowance for a commercial carrier or rental truck, a bona fide estimate must be provided and at least 2 bids must be supplied for commercial carriers.
- An application for Relocation Allowances can be filed before an individual's eligibility has been determined.
- Applications may not be approved until after the individual's eligibility has been determined (1666).
- Applications for Relocation Allowances may not be approved unless submitted before:
 1. the 425th day after the date of the certification of the company,
 - or**
 2. the 425^h day after the date of the individual's last total separation, **whichever is later.**
 3. the 182nd day after the concluding date of training approved under Trade.

ELIGIBILITY

For Relocation Allowances, each of the following requirements must be met:

- A timely filed application (see Attachment B).
- The individual must be totally separated when the relocation commences.
- No prior receipt of a Relocation Allowance under the same certification.
- Relocation must be within the United States *and* beyond the individual's normal commuting area.

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

- Registration with a Career Center for reemployment services, as appropriate.
- Verification that the customer has obtained “suitable work.” (See Attachment C)
- Verification that the customer is not receiving relocation benefits from his/her new employer. (See Attachment C)
- The Career Center must also provide a statement via MOSES/TAARRNEG that states that a determination has been made that there is no reasonable expectation that the individual will secure suitable work within his/her normal commuting area* and that he/she has a reasonable expectation of obtaining suitable work** of long-term duration outside the commuting area in the area in which the job search will be conducted.

***Note:** For the purpose of this section, the term “*Normal commuting area*” means the area in which an individual would be expected to travel to and from work on a daily basis as determined under the applicable state law. Please refer to the Travel Allowances While in Training Under the Trade Program Policy (WIOA Communication 13-101).

**For the purposes of this section, the term “*suitable work*” means suitable work as defined in 20 CFR Section 617.3 (kk) (1) or (2). This section requires States to utilize their own State law.

Therefore, Massachusetts General Laws Chapter 151A, Section 25(c) states "Suitable employment", as used in this subsection, shall be determined by the commissioner, who shall take into consideration:

- whether the employment is detrimental to the health, safety or morals of an employee;
 - is one for which he is reasonably fitted by training and experience;
 - is one which is located within reasonable distance of his residence or place of last employment;
 - is one which reasonably accommodates the individual's need to address the physical, psychological and legal effects of domestic violence; and
 - is one which does not involve travel expenses substantially greater than that required in his former work;
 - the position offered is vacant due directly to a strike, lockout or other labor dispute;
 - the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;
 - If acceptance of such work would require the individual to join a company union or would abridge or limit his right to join or retain membership in any bona fide labor organization or association of workmen.
- A relocation move expires 182 days after the date of application for a relocation allowance or 182 days after the conclusion of Trade approved training.
 - In determining whether an individual's relocation is completed in a reasonable period of time, DCS, among other factors shall consider whether:
 - Suitable housing is available in the area of relocation
 - The individual can dispose of the residence
 - The individual or family member is ill
 - A member of the family is attending school and when the member can be best transferred to a school in the area of relocation

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

ALLOWABLE ITEMS

The costs of the following items may be covered with Relocation Allowances:

1. **TRANSPORTATION:** the more cost effective mode of transportation shall be approved by using:
 - A. The actual cost of round trip travel from the individual's place of residence to the area of relocation by the most economical means of transportation an individual and/or family can reasonably be expected to utilize;
 - or**
 - B. The cost per mile at the prevailing mileage rate authorized under the Federal Travel Regulations for round trip travel from the client's old residence to the area of relocation by the usually traveled route.
2. **LODGING AND MEALS:** costs allowable for lodging and meals must be the lesser of the following:
 - A. The actual cost to the client while in travel status.
 - or**
 - B. 50% of the prevailing per diem allowance rate authorized under the Federal travel regulations for the locality to which the client is moving to.

Separate Travel: If, for *good cause**, a member or members of a family must travel separately to the individual's new residence, transportation, lodging and meals would be paid for separately and are computed as described above.

* Good cause means such reasons as would justify the family member's inability to relocate with the other family members. Reasons, for example, may include, but are not limited to:

 - Health
 - Schooling
 - Economic Circumstances

3. MOVING ALLOWANCES:

- A. **Commercial Carrier:** Allowable costs for moving household goods shall not exceed the maximum number of pounds net weight authorized under the Federal Travel Regulations. Allowable costs may include reasonable and necessary accessorial charges, by the most economical commercial carrier the individual can reasonably be expected to use.

Before relocation begins, it must be APPROVED by the DCS Trade Programs Central Office. The individual must submit at least 2 bids (estimates) from commercial carrier (s).

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

Accessorial charges shall include the cost of insuring such goods and effects for their actual value or \$10,000.00, whichever is least, against loss or damage in transit. If the State finds that it is more economical to pay a carrier an extra charge to assume the responsibility of a common carrier for such goods and effects, 100% of the extra charge, but not to exceed \$50.00, shall be paid in lieu of insurance.

B. Trailer or Rental Truck: There are various types of trailers and rental trucks. An example of each is outlined below:

- **If the trailer is hauled by private vehicle,** the cost per mile for the use of the private vehicle at the prevailing mileage rate authorized under the Federal Travel Regulations shall be approved. Individuals may be reimbursed for the usually traveled route from the individual's old residence to the area of relocation.
- **If the trailer is rented, and of the type customarily used for moving household goods and person effects,** the individual may be reimbursed for the rental fee for each day reasonably required to complete the move. The necessary fuel for such rental truck will be paid for by the individual.

C. House Trailer: If a house trailer or mobile home was used as the individual's place of residence in the old area and will be so in the new area, the allowable costs of moving such a house trailer or mobile home shall be:

- The commercial carrier's charges for moving the house trailer or mobile home;
- Charges for unblocking and re-blocking;
- Ferry charges, bridge, road and tunnel tolls, taxes and fees fixed by a State or local authority for permits to transport the unit in or through its jurisdiction, and retention of necessary flagmen; and
- The cost of insuring the house trailer or mobile home, and the personal effects of the individual and family against loss or damage in transit, in accordance with the policy described above for commercial carrier accessorial charges.

D. Temporary Storage: If temporary storage of household goods and personal effects is necessary, the cost of such temporary storage may be approved, for a period not to exceed 60 days.

NOTE: Payments described above in this section, "**MOVING ALLOWANCE**", are in addition to payments for travel expenses for the individual and/or family, if needed, except that the costs approved for a private vehicle cannot be reimbursed also for hauling a trailer.

4. LUMP SUM ALLOWANCE (Relocation Stipend): A lump sum allowance may be

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

approved to help the individual resettle. This stipend is tax-free and can be used at the individual's discretion. It is computed as:

- A. 3 times the individual's average weekly wage, not to exceed **\$1,500.00** (for individuals covered by petition rules under **2009** (*Trade and Globalization Adjustment Assistance Act of 2009*))
- B. 3 times the individual's average weekly wage, not to exceed **\$1,250.00** for individuals covered by petition rules under 2002, 2011 and 2015 (*TAA Reform Act of 2002, TAA Extension Act of 2011 and TAARA Trade Adjustment Assistance Reauthorization Act of 2015*)

PAYMENTS

The DCS Trade Program's Central Office shall promptly make and record determinations regarding an individual's entitlement to relocation allowance(s). Payment(s) shall also be made promptly as soon as an individual is eligible.

No Relocation allowance can be paid or advanced to an individual until the Department of Unemployment Assistance determines that the individual is eligible and covered under a certification (1666 approved).

1. TRAVEL ALLOWANCES:

- An amount approved for a separate family member shall be paid at their time of departure or within 10 days prior thereto.
- Original receipts shall be required for all lodging and purchased transportation expenses incurred by the individual and family.
- An adjustment to the amount shall be made if an advance is less or more than the amount to which the individual is entitled.

2. MOVING:

- A. **Commercial Carrier:** Charges approved by Trade Programs Central Office for commercial carriers can be paid in 2 ways:
 - Advanced by check or checks payable to the carrier and insurer, and delivered to the individual at the time of the scheduled shipment or within 10 days prior thereto.
 - i. Upon completion of the move, the individual shall promptly submit to Trade Programs Central Office a copy of the bill of lading prepared by the carrier, including a receipt as evidence of the moving costs.
 - ii. Upon review, the individual will also, if applicable, receive the difference if the amount advanced was less than the percentage owed for the actual moving costs approved by the Trade Programs Central Office.
 - The preferred method is for Trade Programs Central Office to make direct arrangements for moving and insuring via a purchase order, which is paid

ATTACHMENT A

TAA Relocation Allowances Procedural Guide

directly to the moving company.

- i. No such arrangement shall release a carrier from liability otherwise provided by law or contract for loss or damage to the individual's goods and effects.

Note: neither the United States nor the Trade Programs Central Office shall be or become liable to either party for personal injury or property loss damage under any circumstances.

B. Private Trailer or Truck: If the move is by private vehicle and trailer, the allowable costs for the use of the private vehicle shall be paid in advance or within 10 days thereof.

C. Rental Trailer or Rental Truck: If the move is by rental trailer or rental truck:

- The individual shall submit to the Trade Programs Central Office an estimate of the rental cost from the renting agency.
- Upon completion of the move, the individual shall promptly submit to the Trade Programs Central Office, an itemized receipt as evidence of payment for the trailer or truck and fuel costs.

D. House Trailer: If the move is by house trailer:

- The individual shall submit to the Trade Programs Central Office an estimate of the cost from the commercial carrier.
- Upon completion of the move, the individual shall promptly submit to the Trade Programs Central Office an itemized receipt as evidence of payment for the commercial carrier.

3. LUMP SUM ALLOWANCE:

The lump sum allowance described above shall be paid when arrangements are completed for relocation of the individual's family, if any, but not more than 10 days before the earlier of the individual's anticipated departure from the individual's residence to begin relocation or the anticipated date of shipment of the individual's household goods and effects.

SUMMARY

Relocation is completed when an individual and his/her family, if any, and their household personal goods and effects arrive at the individual's residence in the area of relocation.

If no household goods and effects are moved, relocation is completed when the individual and his/her family, if any, arrive in the area of relocation and establish a residence in the new area.

The later arrival of a family member approved by the Trade Programs Central Office shall not alter the date the relocation was completed.