

Mass Workforce Issuance

100 DCS 13.103

☒ Policy

☐ Information

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: December 9, 2016

Subject: **Trade Adjustment Assistance Programs:**
➤ **Waivers from Training**
➤ **Extensions of TRA Deadlines**

Purpose: To notify Local Workforce Development Boards, One-Stop Career Center Operators and local workforce partners of the ability and process to waive the requirement to attend training under the Trade Adjustment Assistance Program (TAA) and receipt of Basic Trade Readjustment Assistance (TRA) benefits.

Background: The Trade Adjustment Assistance Program for workers was first established by the Trade Act of 1974 and has been amended numerous times. It was first amended by the TAA Reform Act of 2002; then by the Trade and Globalization Adjustment Assistance Act of 2009 and further amended by the Trade Adjustment Assistance Extension Act of 2011. On January 1, 2014 the Sunset Provisions of the Trade Adjustment Assistance Extension Act of 2011 program became effective and are referred to as “Reversion 2014”. The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) was signed into law by President Barack Obama on June 29, 2015. TAARA 2015 repeals the sunset provision of the Trade Adjustment Assistance Extension Act of 2011 (TAAEA), under which the Reversion 2014 Program had been in effect since January 1, 2014.

Policy: A waiver from training may be granted to an adversely affected worker if it is determined that it is not feasible or appropriate for the worker to attend training.

In order for individuals to be determined to be TAA eligible for Trade Readjustment Allowances, they must be enrolled in training, participating in training, have completed training or *be approved to be “waived” from training* no later than **26 weeks*** from the date of the petition certification or **26 weeks*** from the worker’s most recent total separation from adversely affected employment.

Please refer to Attachment A for the various possible TRA deadline extensions.

*Individuals under the Trade Reform Act of 2002 are subject to the 8/16 deadlines.

All waivers must be initially reviewed after 90 days, and reviewed every 30 days thereafter**. A summary of the individual’s job search information must be submitted with each request to extend a previously approved waiver.

***Individuals under the Trade Reform Act of 2002 are subject to every 30 day reviews.

Action

Required: Please distribute this policy to all appropriate individuals in your organization, and take necessary action to ensure compliance with this policy.

Effective: Immediately

Attachment: A. Waivers from Training - Criteria

References: Trade Adjustment Assistance Act of 1974, as amended
Trade Reform Act of 2002
The Trade and Globalization Adjustment Assistance Act of 2009
Trade Regulations, 20 CFR Part 617
TEGL 11-02, Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002, issued October 10, 2002 and subsequent changes
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, issued on May 15, 2009
TEGL 05-15 Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015)

Inquiries: Please email all questions to PolicyQA@MassMail.State.MA.US. Also, indicate Issuance number and description.