



A Glance at the Trade Adjustment Assistance Reauthorization Act of 2015

The information contained in this guide applies to petitions filed on or after January 1, 2014 (identified by petition numbers that are 85,000 and higher).

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), and reauthorizes the Health Coverage Tax Credit (HCTC) retroactive back to January 2014.

These guide cards are for reference only. Please refer to your Trade manuals for more specific information. For the most up-to-date policies, please visit:

<http://www.mass.gov/massworkforce/issuances/wioa-policy/13-taa-trade-adjustment-assistance/>

◦ ◦ Training ◦ ◦

THE SIX CRITERIA:

- There is no suitable employment
- The worker would benefit from appropriate training
- There is reasonable expectation of employment following completion of such training
- Training is reasonably available to the worker
- The worker is qualified to undertake and complete such training
- Such training is suitable for the worker and available at a reasonable cost

MAX COSTS:

Tuition, fees, books, tools, supplies, etc.

- \$10,000 for remedial training
- \$20,000 for vocational training
- \$28,000 for degree programs
- \$35,000 max including travel and subsistence

MAX LENGTH:

- Up to **130 weeks**

FOR TRA:

- Must attend training **full-time**
- Training must be approved by **26th week** after company certification or layoff, whichever is later

PART-TIME TRAINING:

- May be approved, but no TRA eligibility

FOR RTAA:

- Must be enrolled full-time and work at least 20 hours per week (ex. if not TRA eligible)
- Cannot collect RTAA and TRA at the same time

OTHER:

- Other types of approvable training include apprenticeship, OJT, and incumbent worker training

THE THREE TYPES OF WAIVERS:

- Health – Worker is unable to participate in training due to health, but can work
- Enrollment Unavailable – Training does not start within 30 days of approval
- Training not Available – No training funds or no suitable training at reasonable costs

DURATION AND REVIEW:

- Initially approved for **three months**
- Must review after initial 90 days and every **30 days** thereafter

TRA:

- Can only collect “Basic” TRA
- Waiver must be approved by **26 weeks** after certification or layoff, whichever is later

TRAINING:

- If the criteria under which the waiver was approved no longer exists, training **may** be approved
- Approval must occur by the Monday of the 1st week occurring 30 days after the waiver ends

JOB SEARCH:

- Workers must conduct job search while on waivers
- Job search efforts must be **documented** in MOSES when submitting waivers

GENERAL REQUIREMENTS:

- Must be approved for training or a waiver by 26 weeks after certification of layoff, whichever is later
- Must have exhausted all UI (on the claim filed for the worker’s most recent separation from the Trade-approved company)

“BASIC”:

- “Basic” + UI (and any EUC) = up to **52 weeks**
- Must be on a waiver or in training full-time
- Can collect the balance of “Basic” TRA after training ends if worker is not suitably employed and conducting job search

PART-TIME WORK:

- A worker can earn up to their weekly TRA benefit amount without any deduction.
- After the TRA benefit amount has been reached, the balance of earnings is subject to the 1/3rule.

ADDITIONAL”:

- Up to **65 weeks**
- Must be enrolled in training full-time
- Worker has 78 weeks to collect up to 65 weeks of TRA (to accommodate for breaks in training)
- “Additional” TRA ends when Training ends

RTAA:

- Can go from TRA to RTAA
- **Cannot** go from RTAA to TRA if TRA has been collected

“COMPLETION”:

- Up to **13 weeks** within a 20 week period if established benchmarks are met and still in training
- Must complete training within the authorized period

UI:

- Weekly amounts of TRA **may** be less than what worker was receiving as UI
- If a new claim is filed with a new benefit year, the worker may choose to collect TRA instead of UI

GENERAL REQUIREMENTS:

- Must be at least age 50 at the time of RTAA application or within the individual's eligibility period
- Cannot earn more than \$50,000 annually in gross wages
- Cannot return to employment at the firm from which the worker was separated
- No 26-week deadline for reemployment

REEMPLOYMENT & TRAINING:

- Must be reemployed full-time and not enrolled in training **or**
- Must be reemployed for at least 20 hours per week **and** enrolled in training full-time

ELIGIBILITY PERIOD:

- If worker has **not** received TRA - Two years from the date worker exhausts UI (and any EUC) or two years from the date of reemployment, whichever is **earlier**
- If worker has received TRA – Two years from the date of reemployment, minus the number of weeks the worker received TRA

MAX BENEFIT:

- Workers may receive up to \$10,000 over the course of the eligibility period
- If worker has received TRA, this max benefit will be dependent on how much TRA was received

TRA:

- Can go from TRA to RTAA
- Cannot go from RTAA to TRA once TRA has been collected

◦ ◦ **Travel & Subsistence Allowances** ◦ ◦

TRAVEL – AMOUNTS:

- Worker is reimbursed the lesser of:
 - a per mileage rate or per diem rate based on the federal GSA rates or
 - reasonably available public transportation (bus, train, etc.)
- Only travel to required classes will be reimbursed

SUBSISTENCE – AMOUNTS:

- Worker will be reimbursed the lesser of
 - 100% of allowable subsistence costs (e.g. lodging, meals, etc.) up to the maximum allowed or
 - 50% of the per diem rate for the area in which training is commenced
- Only subsistence required for training will be reimbursed

TRAVEL – REQUIREMENTS:

- Must be requested **in advance** (submit with training package)
- Carpooling options must be considered
- Available only if worker's round-trip commute to training is 30 miles **greater than** his/her round-trip commute to previous work location.
 - Example: Worker's RT commute from home to work was 10 miles. Worker's RT commute from home to training is 35 miles. $35 - 10 = 25$ miles *** not eligible**
 - Example: Worker's RT commute from home to work was 10 miles. Worker's RT commute from home to training is 61 miles. $61 - 10 = 51$ miles **✓ eligible**

SUBSISTENCE – REQUIREMENTS:

- Must be requested **in advance** (submit with training package)
- Available only if the training is out of the worker's normal commuting area and a daily commute to and from the training location is not reasonable.
 - Example: Worker lives in Greenfield, MA and will be attending training in Chicopee, MA *** not eligible**
 - Example: Worker lives in Fall River, MA and will be attending training in Hampton, NH **✓ eligible**

The Trade Preference Extension Act of 2015 was enacted June, 29, 2015. This extended and modified the HCTC. Please note: Information below reflects HCTC instructions prior to expiration in 2013 and currently awaiting confirmation on HCTC administration from the IRS.

WHAT IS IT?

- A tax credit covering **72.5%** of an eligible participant’s monthly qualifying health insurance premium
- The HCTC can be claimed monthly or yearly
- For more information, go to www.irs.gov/HCTC

REQUIREMENTS:

- Must be Trade-eligible (defined as **worker must be receiving TRA or would be but has not yet exhausted UI** (as of the first day of the month or any day within that month).
- Must have a **qualifying health insurance plan** (COBRA, state-qualified health plan, spousal coverage, non-group/individual health plan)

CLAIMING HCTC MONTHLY:

- The HCTC Program Kit and Registration Form will be sent in the mail & should be completed and mailed back
- Worker will receive monthly invoices from the HCTC Program. Worker must submit payment for 27.5%. HCTC will take the 27.5%, pay the remaining 72.5%, and send 100% payment to the health plan
- Worker should continue to pay health insurance bills in full directly to the health plan until the worker receives the first HCTC invoice.

CLAIMING HCTC YEARLY:

- Worker should keep the following documents:
 - Records of payments and other supporting documents to submit with IRS Form 8885
 - HCTC Program invoices or IRS Form 1099H for those times worker claimed the monthly HCTC
 - HCTC Program documents or letters
- With federal tax return, fill out IRS Form 8885 and include it with all required documents.
- Worker will receive HCTC in the form of a refund or as a credit against the taxes owed

◦ ◦ **Relocation & Job Search Allowances** ◦ ◦

JOB SEARCH – DEADLINES:

- The application must be filed the 365th day after the company’s certification date **or** the 365th day after the worker’s separation date, whichever is later

JOB SEARCH – AMOUNTS:

- 90% of allowable costs, up to a maximum \$1,250 available at state discretion

JOB SEARCH – REQUIREMENTS:

- Job Search Allowances must be approved by DCS before traveling to interview(s).
- It must be determined that the worker cannot reasonably be expected to find suitable employment in his/her commuting area
- At least 1 bona fide interview must be scheduled to submit the job search application
- Job search efforts must be completed within 30 days

RELOCATION – DEADLINES:

- The application must be filed the 425th day after the company’s certification date **or** the 425th day after the worker’s separation date, **or** the 182nd day after the worker completed training, whichever is later

RELOCATION – AMOUNTS:

- 90% of allowable costs, up to the statutory limit (see www.gsa.gov)
- Includes an additional lump sum payment of \$1,250 available at state discretion

RELOCATION – REQUIREMENTS:

- Relocation must be approved by DCS before relocation commences
- It must be determined that the worker cannot reasonably be expected to find suitable employment in his/her commuting area
- The worker must have obtained suitable employment or a bona fide job offer in an area in which the worker wishes to relocate

◦◦ Scenarios: Benefits While Working and/or in Training ◦◦

WORKING...	+	TRAINING...	=	Potentially eligible for...	Eligible for training costs?
Full Time		Not Training		RTAA	NO
Full Time		Part Time		RTAA	Only if not "suitably employed"
Full Time		Full Time		RTAA	Only if not "suitably employed"
Not Working		Full Time		TRA	YES
Part Time		Part Time		NONE	YES
Part Time (<20 hours)		Full Time		TRA	YES
Part Time (> 20 hours)		Full Time		TRA or RTAA	Only if not "suitably employed"