

**TEXAS WORKFORCE COMMISSION**  
**Workforce Development Letter**

<b>ID/No:</b>	WD 12-22
<b>Date:</b>	July 13, 2022
<b>Keyword:</b>	Rapid Response; TAA; UI; WIOA
<b>Effective:</b>	Immediately

**To:** Local Workforce Development Board Executive Directors  
Commission Executive Offices  
Integrated Service Area Managers



**From:** Courtney Arbour, Director, Workforce Development Division

**Subject:** **Trade Adjustment Assistance (TAA) Program Sunset**

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**PURPOSE:**

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on the Sunset of the Trade Adjustment Assistance (TAA) program, including the following categories:

- Operating Procedures
- Petitions
- Funding
- Trade Readjustment Allowance (TRA)
- Rapid Response

**BACKGROUND:**

TAA is a federal entitlement program established by the Trade Act of 1974 (Trade Act) to assist workers adversely impacted by foreign trade. The Trade Act was amended in 2002, 2009, 2011, and 2015. The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), Section 406, terminates the TAA program on July 1, 2022. The termination follows a one-year period from July 1, 2021, to June 30, 2022, known as Reversion 2021, which allows limited group eligibility, reduced program funding, and restricted benefits available to workers.

**PROCEDURES:**

**No Local Flexibility (NLF):** This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

**Local Flexibility (LF):** This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set

forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

### **Operating Procedures**

**NLF**: Boards must continue to administer the TAA program and serve trade-affected workers in accordance with the existing regulations and prior administrative guidance based on the petition certification date.

**NLF**: Boards must be aware that in order for a worker to be entitled to TAA benefits and services on and after July 1, 2022, a worker must:

- be covered by a petition certified on or before June 30, 2022;
- meet or continue to meet individual eligibility requirements; and
  - under the 2002, 2009, 2011 TAA programs, and Reversion 2021, be an adversely affected worker who has been totally or partially separated from employment on or before June 30, 2022; or
  - under the 2015 TAA program, be an adversely affected incumbent worker who has been threatened with total or partial separation from employment on or before June 30, 2022.

**NLF**: Boards must continue to coenroll all trade-affected workers in the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker program as outlined in WD Letter 18-21, issued September 27, 2021, and titled “Coenrollment in the Trade Adjustment Assistance and Workforce Innovation and Opportunity Act Dislocated Worker Programs.”

### **Petitions**

**NLF**: Boards must be aware that any pending petitions and any petitions submitted after June 30, 2022, will not be investigated or certified by the US Department of Labor.

**LF**: Boards may submit petitions to the Office of Trade Adjustment Assistance through the online system; however, these petitions will be held and remain uninvestigated and uncertified in the absence of future legislation.

### **Funding**

**NLF**: Boards must be aware that subject to grant documents and appropriate TEGs, grant funds are available through September 30, 2024.

**LF**: Boards may use WIOA Dislocated Worker funds or apply for National Dislocated Worker grants to serve customers who are not eligible for TAA services after June 30, 2022.

### **Trade Readjustment Allowance**

**NLF**: Boards must be aware that Reemployment Trade Adjustment Assistance (RTAA) and Alternative Trade Adjustment Assistance (ATAA) are limited to workers who received their first payment prior to June 30, 2022.

**NLF:** Boards must be aware that the Texas Workforce Commission (TWC) TRA unit will not approve new applications for RTAA or ATAA after June 30, 2022.

**NLF:** Boards must continue to submit TRA applications for trade-affected workers under a certified petition. These applications will be accepted by the TRA unit. The TAA Sunset will not affect TRA payments.

**Rapid Response**

**NLF:** Boards must continue to provide rapid response services to dislocated workers and refer them to the WIOA Dislocated Worker program.

**INQUIRIES:**

Send inquiries regarding this WD Letter to [wfpolicy.clarifications@twc.texas.gov](mailto:wfpolicy.clarifications@twc.texas.gov).

**REFERENCES:**

Trade Adjustment Assistance Reauthorization Act of 2015

20 CFR Part 618, Trade Adjustment Assistance Under the Trade Act of 1974, as Amended

Training and Employment Guidance Letter No. 13-21, issued June 10, 2022, and titled “Trade Adjustment Assistance (TAA) for Workers and Alternative Trade Adjustment Assistance (ATAA) and Reemployment Trade Adjustment Assistance (RTAA) Program Operations after June 30, 2022”

WD Letter 18-21, issued September 27, 2021, and titled “Coenrollment in the Trade Adjustment Assistance and Workforce Innovation and Opportunity Act Dislocated Worker Programs”

Trade Adjustment Assistance Guide