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Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, the WorkSource Standards & Integration Division sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memorandums, and technical assistance.

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## **WorkSource Advisory Bulletin 10-01**

**TO:**                   **Workforce Development Councils**  
                          **WorkSource Area Directors**  
                          **Workforce Training and Education Coordinating Board**

**FROM:** Amy Smith-Rubeck, Deputy Assistant Commissioner

**DATE:** February 10, 2011

**SUBJECT:** Instructions for Phasing Out Changes to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009.

**1.    Purpose:**

The purpose of this guidance is to highlight information about these recent DOL directives. It also provides state guidance on key information contained the document that will impact local area administration and operations. Keep in mind that the state will notify affected parties, once it has heard officially from DOL, of the results of Congressional action.

**2.    Action:**

The WSID has requested information from the DOL Regional Office on the Health Care Tax Credit Provisions in the Trade Act. The Division continues to analyze and track information related to the passage and funding of the legislation and DOL guidance, and discuss operational and other issues with other appropriate agency contacts.

**3.    Background:**

Change 1 to TEGL 16-10 was issued on January 14, 2011. It provides clarification on the extension of the Trade & Globalization Adjustment Assistance Act (TGAAA) of 2009 until February 12, 2011. Since this date falls on a Saturday, USDOL–Office of Trade Adjustment Assistance (OTAA) will accept petitions from an adversely impacted group of workers under the current law's established benefits until February 14, 2011.

#### 4. Information:

##### **TEGL 16-10, Change 1 (Issued: January 14, 2011)**

The Effect of the Omnibus Trade Act of 2010 on Phasing Out Changes to the Trade Act of 1974 Enacted by the Trade & Globalization Adjustment Assistance Act of 2009.

Link: [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2977](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2977)

- a. Adversely impacted workers that do not have their petitions filed by this date and time may not receive the same level of benefits as those meeting this requirement. If the Congress does not reauthorize the TGAAA of 2009, then Trade Act will revert back to the 2002 amendments and regulations.
- b. Trade Act petitions must be received on or before 11:59 PM EST on Monday, February 14, 2011. Workers covered by certifications of petitions filed before this date and time will continue to be eligible for the benefits available under the 2009 amendments. Post marked mailed petitions will not be accepted. A physical copy must be received at OTAA by the time and date identified.
- c. Workforce Development Councils (WDC), Employment Security TAA Staff, Administrators and Supervisors, Washington State Labor Council (WSLC) should ensure that potential adversely impacted workers are informed and timely submission of TAA petitions takes place

##### **TEGL 16-10, Change 2 (Issued: February 4, 2011)**

Instructions for Operating the Trade Adjustment Assistance Program after the Termination of the Trade and Globalization Adjustment Assistance Act Amendments on February 12, 2011- Program Reverts to 2002 Amendments.

Link: [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2985](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2985)

- a. If the Omnibus Trade Act is not acted upon by Congress and extended to include the application of the 2009 Amendments by February 12, the Act will revert to the law in effect before the 2009 Amendments. It is the Department's interpretation that after February 12, 2011, the TAA program in effect before the 2009 Amendments would continue through February 12, 2012.

**Information:** As a result, there will now be three (3) separate and distinct cohorts of participants that TAA counselors will need to serve. The three cohorts are:

<p style="text-align: center;"><b>Petition is Received by OTAA Before May 17, 2009 AND Assigned a Petition Number Equal to and Lower than 69,999</b></p>	<p style="text-align: center;"><b>Petition is Received by OTAA On or After May 18, 2009 and On or Before February 14, 2011 AND Assigned a Petition Number Between 70,000 and 79,999</b></p>	<p style="text-align: center;"><b>Petition is Received by OTAA After February 14, 2011 AND Assigned a Petition Number Greater Than or Equal to 80,000</b></p>
<p><b>Eligible workers are entitled to receive TAA benefits and services under the 2002 Amendments</b></p>	<p><b>Eligible workers are entitled to receive TAA benefits and services under the 2009 Amendments</b></p>	<p><b>Eligible workers are entitled to receive TAA benefits and services under the 2002 Amendments</b></p>

The TEGE points out recent regulatory changes to program administration and funding codified in 29 CFR part 618, and reporting required through the revised TAPR will continue to apply.

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