

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION TAA
	CORRESPONDENCE SYMBOL OTAA
	DATE

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO.

TO: STATE WORKFORCE AGENCIES
 STATE WORKFORCE LIAISONS
 ONE-STOP CENTER SYSTEM LEADS
 STATE WORKFORCE ADMINISTRATORS
 STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
 STATE LABOR COMMISSIONERS

FROM: JANE OATES
 Assistant Secretary

SUBJECT: Revised Petition Forms to File for Trade Adjustment Assistance

1. Purpose. On October 21, 2011, President Obama signed the Trade Adjustment Assistance Extension Act of 2011 (TAAEA). To implement the TAAEA, this Training and Employment Guidance Letter (TEGL) announces the availability of revised Trade Adjustment Assistance Act (TAA) petition forms that must be used starting December XX, 2011. Downloadable and online petition forms currently in use will be rendered obsolete and may not be used as of that date. The Employment and Training Administration (ETA) will issue further guidance via another TEGL to instruct the State Workforce Agencies or agencies designated by Governors as "Cooperating State Agencies" (CSAs) (also jointly referred to as "states") to operate the Trade Adjustment Assistance (TAA) program under the Trade Act of 1974, as amended by the TAAEA (the 2011 Amendments).

2. References.

- The Omnibus Trade Act of 2010, Public Law (Pub. L.) 111-344 (enacted December 29, 2010) (Omnibus Trade Act);
- The Trade and Globalization Adjustment Assistance Act of 2009, Division B, Title I, Subtitle I of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 (enacted February 17, 2009) (TGAAA or 2009 Amendments);
- The Trade Adjustment Assistance Reform Act of 2002, Division A, Title I, Subtitle A of the Trade Act of 2002 (Pub. L. 107-210) (2002 Amendments);
- The Trade Act of 1974, as amended, Pub. L. 93-618, as amended (Trade Act);
- 20 CFR part 90;
- TEGL No. 22-08 and Change 1, *Operating Instructions for Implementing the Amendments to the Trade and Globalization Adjustment Assistance Act of 2009*;

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- TEGL No. 16-10, *Instructions for Phasing Out Changes to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009* and TEGL No. 16-10 , Change 2, *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*; and
- OMB Paperwork Reduction Act Information Collection Control No. 1205-0342 (ETA-9042, ETA-9042A, and ETA-9042A-1), approval issued January 14, 2011.

3. Background. In order to obtain TAA benefits, a “Petition for Trade Adjustment Assistance (TAA)” (petition) must be filed on behalf of a worker group with the U.S. Department of Labor (Department). The petition form serves as a request for certification of group eligibility to apply for benefits. Under the 2011 Amendments, petitioners are no longer required to specifically request certification for group eligibility to apply for the older workers’ wage subsidy under section 246 of the Trade Act.

ETA has issued updated petition forms for use beginning December XX, 2011. English and Spanish versions of the petition form may be downloaded from the Department’s Web site at <http://www.doleta.gov/tradeact/DownloadPetitions.cfm>. An electronic version of the petition form is located at <https://www.etareports.doleta.gov/petition/index.cfm?reset=true> and has been updated to enable petitioners to file online for group eligibility for TAA benefits under the 2011 Amendments. The updated forms have been assigned the same identification numbers as the current forms; however, the Department will recognize the correct forms by the new title, and the revision date (October 2011), which is found in the lower right-hand corner of the form below the form number (ETA-9042, ETA-9042A or ETA-9042A-1).

4. Instructions. Effective December XX, 2011, states will begin using the updated forms with revision dates identified below:

- ETA-9042 (Rev. October 2011), Petition for Trade Adjustment Assistance (TAA)
- ETA-9042A (Rev. October 2011), Solicitud de Asistencia para Ajuste del Comercio (TAA)
- ETA-9042A-1 (Rev. October 2011), Online Petition for Trade Adjustment Assistance, available online at <https://www.etareports.doleta.gov/petition/index.cfm?reset=true>.

CSA administrators are requested to distribute the approved forms to appropriate CSA staff. States are required to make revised forms ETA-9042 (Rev. October 2011), ETA-9042A (Rev. October 2011), and ETA-9042A-1 (Rev. October 2011) available in all local offices (including One-Stop Career Center operators, One-Stop Career Center partners, and state workforce agencies) to individuals seeking to file a petition for TAA on and after December XX, 2011. CSAs should encourage individuals seeking to file a petition for TAA to do so electronically via the ETA Web site identified above.

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CSA administrators should ensure that copies of the previous petition forms, ETA 9042 (Rev. January 2011), ETA 9042A (Rev. January 2011) and ETA 9042A-1 (Rev. January 2011) are not available to petitioners after December XX, 2011. In order to prevent petitioners from filing for group eligibility using obsolete forms, outdated and/or expired petition forms should be removed from local offices and state Web sites.

5. Action Requested. Starting December XX, 2011, CSAs must use the forms described above when filing petitions on behalf of workers, and provide the updated forms to others eligible to petition on behalf of workers.

6. Paperwork Reduction Act (PRA). The information collections referenced in this TEGL have been approved by the OMB under Control Number 1205-0342, expires 01/31/2013. According to the PRA, no persons are required to respond to a collection of information unless such collection displays a valid OMB Control Number. 44 U.S.C. 3507. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Employment and Training Administration, Office of Trade Adjustment Assistance, 200 Constitution Avenue, N.W., Room N-5428, Washington, DC 20210 and reference OMB Control Number 1205-0342.

7. Inquiries. State Administrators should direct all inquiries to the appropriate ETA Regional Office.

8. Attachments.

- A. ETA-9042 (Rev. October 2011), Petition for Trade Adjustment Assistance (TAA)
- B. ETA-9042A (Rev. October 2011), Solicitud de Asistencia para Ajuste del Comercio (TAA)

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