



Workforce Development System

Technical Advisory



September 30, 2004

Workforce Development System Technical Advisory #04-6.1

- TO:** Chairpersons of Local Workforce Investment Boards
Chief Elected Officials
WIA Grant Recipients
WIA Fiscal Agents
WIA Local Area Contact Persons
- SUBJECT:** Guidance on Integrating Services Under the Trade Act Programs—the Trade Adjustment Assistance (TAA) Program, the North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) Program, and the Trade Reform Act of 2002 with the Workforce Investment Act
- Purpose:** To modify the current policy for requesting funds under the Trade Adjustment Assistance program to support approved training to include the federal funding year that the funds will be expended.
- Reference:** The Government Accountability Office (GAO) report “Trade Adjustment Assistance: Reforms Have Accelerated Training Enrollment, but Implementation Challenges Remain.”
- The GAO noted in the report that 23 states, at the direction of ETA, have implemented state policies to obligate and approve TAA funding for approved training for only that portion of the TAA plan that will be expended within a given federal fiscal year; another 13 states planned to implement a similar policy during FFY2004.
- A copy of this report can be accessed at www.gao.gov/cgi-bin/getrpt?GAO-04-1012.
- Background:** Technical Advisory 04-6 details the State’s policies on the delivery of services under the Trade Act and Workforce Investment Act. Additional material and resources, including forms to request TAA funds, have been made available on www.workforcenewyork.com. Until this time, TAA funds, if needed, could be requested and were obligated to support the training plan through completion.
- This Technical Advisory provides the new guidelines for requesting TAA funds for approved training.

USDOL has directed New York State to obligate the Trade Act Funds for only the training costs needed to cover expenses in the current federal fiscal year. They have further directed the State that training plans must include a clause that will indicate that the commitment of funds in the next federal fiscal year is subject to the availability of federal funds to the State. USDOL advises that a training plan for an individual is not an obligating document nor should it be considered a contract that guarantees services.

Guidelines: Effective October 1, 2004 all requests for TAA funds used to support approved training plans, both employer based and occupational, will be authorized by current federal fiscal year (FFY).

- If Trade Act funds are available, funding for OJT will be approved to cover the expenditures related to the approved training plan that will occur within the current Federal Fiscal Year (FFY). If the duration of the OJT spans more than one FFY, a subsequent request for TAA funds associated with the expenditures that will occur during the following FFY can be made no sooner than 60 days prior to the start date of the actual training. If TAA funds are available, the State will approve only the funds for the portion of training that will be expended during that FFY.
- If Trade Act funds are available, funding for classroom training will be approved to cover only the expenditures related to the approved training plan that will occur within the current Federal Fiscal Year (FFY). If the duration of the classroom training spans more than one FFY, a subsequent request for TAA funds associated with any expenditures that will occur during the following FFY can be made no sooner than 60 days prior to the start date of the actual training. If TAA funds are available, the State will approve only the funds for the portion of training that will be expended during that FFY.

For approved, continuing training programs that span Federal Fiscal Years, every effort will be made to honor subsequent requests based on the availability of TAA funds.

For original requests with approved training plans starting October 1 or later, a request for funds may be submitted not sooner than 60 days prior to the start of the training.

Action: Effective October 1, local area staff must use the updated Request for TAA Funds form to request funds for the current FFY only. In addition, the Employment Plan and Training Approval form have been revised and must be used for all trade affected workers effective October 1, 2004.