



David A. Paterson, Governor

M. Patricia Smith, Commissioner

## NEW YORK STATE WORKFORCE DEVELOPMENT SYSTEM TECHNICAL ADVISORY

### Workforce Development System Technical Advisory #04-6.3

**TO:** Workforce Development Community

**DATE:** January 13, 2009

**SUBJECT:** REVISED

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*

The purpose of this Technical Advisory is to modify the current maximum amount allowed for individual occupational and on-the-job (OJT) TAA-approved training plans as detailed in Technical Advisory #04-6.2 issued June 12, 2007.

#### *Background*

Technical Advisory #04-6.2 issued June 12, 2007 established limits on training dollars to support individual occupational and OJT training plans as follows:

- \$12,500 for a training plan of up to 130 weeks; and
- \$7,500 for a training plan of up to 52 weeks.

In order to meet rising tuition and training-related costs, these limits are being increased effective January 1, 2009. These revised limits remain subject to change based on availability of funds. Training costs will be reviewed on an annual basis.

#### *Action*

Modification of the maximum amount allowed for individual occupational and on-the-job training TAA approved training plans.

- A. Effective January 1, 2009, maximum amounts for TAA approved training plans to provide individual classroom or on-the-job training are as follows:
  - \$15,000 for a training plan of up to 130 weeks; and
  - \$8,250 for a training plan up to 52 weeks.

These maximum amounts or caps are inclusive of all funding streams – including, but not limited to, all Federal or State program funding allocations such as WIA, VESID, Veterans Programs, PELL, TAP and employer contributions -- and all planned costs, including transportation and subsistence allowances.

- Under no circumstances will a training program be approved if it exceeds the maximum cap of \$15,000.
  - The single exception to the 52-week plan cap for an individual’s occupational or OJT training plan may be granted only where it can be demonstrated that funds available are being leveraged to the maximum extent allowable. Any exception to the 52-week plan cap must be reviewed and approved by the One-Stop Operator and WIB Director to ensure that there is sufficient justification and support for the exception to the maximum amount of the training plan.
- B. All currently approved training plans in effect must now be reviewed to determine if the annual costs of the training provider have increased and affected the total cost of the plan. If there has been an increase in costs, the training plan approval must be updated to reflect the increase in cost and identify the responsible funding source. If TAA funds are required, they may be requested at this time. In no circumstance may a training plan be approved that exceeds the maximum amounts established in this TA.

Submit requests to [WDTDFunding@labor.state.ny.us](mailto:WDTDFunding@labor.state.ny.us).

Questions regarding this Technical Advisory may be submitted via the NYSDOL’s Workforce New York website, <http://www.workforcenewyork.org>, by choosing **Trade Act** (from the left side of the homepage), then **E-Mail Questions**

## **References**

Trade Reform Act of 2002; TEGL 11-02 and 11-02 change 1, Operating Instructions for Implementing the Amendments to the Trade Act of 1974 enacted by the Trade Act of 2002.