




Date of Issue:
Office of Issue: AWI
Reference: USDOL

AWI Communiqué

DATE: February 10, 2011

TO: Workforce Florida, Inc., and Regional Workforce Boards

FROM: Lois A. Scott, Program Manager, One-Stop and Program Support 

SUBJECT: Updated Federal Guidance on Phasing Out Changes to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009

PURPOSE

To transmit Changes 1 and 2 to Training and Employment Guidance Letter (TEGL) 16-10 and Change 1 to TEGL 01-10. These changes provide updated guidance required when Congress temporarily extended the expanded Trade Act Program until February 12, 2011.

BACKGROUND

The Trade Adjustment Assistance (TAA) Program was amended effective May 18, 2009 expanding services to eligible workers through December 31, 2010. The expanded services include: group eligibility for service and public sector workers; increased spending caps for training services, case management funded with TAA dollars, additional weeks of TRA benefits, additional types of allowable training, as well as an increase in allowances for job search, relocation and health coverage tax credit percentage increase. The United States Department of Labor (USDOL) issued TEGL 16-10 to provide guidance to states regarding the reversion of the expanded Trade Act program to the eligibility criteria and service options that existed prior to the changes made by the Trade and Globalization Adjustment Assistance Act of 2009.

Change 1 to TEGL 16-10 notified states that the Omnibus Trade Act of 2010 extended the application of the 2009 Amendments for six weeks and delayed implementation of the new merit staff rule until February 12, 2011. Change 2 to

TEGL 16-10 provides guidance to the states on how to operate the program when the temporary extension of the expanded program ends on February 12, 2011. That change also clarified that regulatory changes to the program administration (including the new merit staff rule and reporting through the revised TAPR) continue to apply.

REFERENCES

The Omnibus Trade Act of 2010 (Pub. L. No.111-344); 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. No. 111-5, enacted February 17, 2009); Trade Adjustment Assistance Reform Act of 2002, Division A, Title I, Subtitle A of the Trade Act of 2002 (Pub. L. No. 107-210) (2002 Amendments); the Trade Act of 1974, as amended (Pub. No. 93-618, as amended) (Trade Act); 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.

ACTION REQUIRED

The Regional Workforce Boards (RWBs) should review the information outlined in the attached guidance TEGL 16-10, Changes 1 and 2. RWBs should follow the guidance contained in Change 2 of TEGL 16-10 for new petitions submitted on or after February 15, 2011.

RWBs also are notified that the new merit staffing rule for the Trade Act Program is now scheduled to become effective February 12, 2011 (see Change 1 to TEGL 01-10).

AUTHORITY

United States Department of Labor

ATTACHMENT

TEGL 16-10, Change 1
TEGL 16-10, Change 2
TEGL 1-10, Change 1