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AWI Communiqué

DATE: December 17, 2010

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

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

SUBJECT: **Training and Employment Guidance Letter (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

PURPOSE:

To transmit Training and Guidance Letter (TEGL) No. 16-10 that provides guidance regarding the phasing out of amendments to the Trade Act of 1974 enacted by the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA or the 2009 Amendments). The guidance relates to the effective date of these changes, specified sunset provisions, deadlines for applications, the consequential effect on services provided under the changes, the management of benefits in accordance with the amendments and key provisions that will no longer apply.

BACKGROUND:

The TAA Program was amended effective May 18, 2009 to expand services for eligible workers. Effective January 4, 2011 TAA shall revert to the eligibility criteria and service options that existed prior to May 18, 2009. In order for a TAA eligible worker to receive services under the 2009 amendments, petitions must be received not later than 11:59 PM, Monday, January 3, 2011. TAA eligible workers whose eligibility is determined during the eligibility period between May 18, 2009 and January 3, 2011 shall be "grandfathered", i.e., shall remain eligible for services as prescribed under the 2009 amendment. Petitions filed after midnight, Monday January 3, 2011 will be governed under the law as it existed prior to the 2009 amendments.

REFERENCES: 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. L. No. 93-618, as amended) (Trade Act); Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.) (Wagner-Peyser); the Workforce Investment Act of 1998, as amended (Pub. L. No. 105-220) (29 U.S.C. 2801 et seq.) (WIA); 20 CFR Part 617; 29 CFR Part 90; 20 CFR Part 618; Training and Employment Guidance Letter (TEGL) No. 9-09, Fiscal Year (FY) 2010 State Initial Allocations and the Process for Requesting Additional Trade Adjustment Assistance (TAA) Program Reserve Funds; TEGL No. 22-08 and Change 1, Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009; TEGL No. 4-08 and Change 1, Fiscal 2 Year (FY) 2009 State Supplemental Training Fund Distributions Including Case Management Funds and the Process for Requesting Additional Trade Adjustment Assistance (TAA) Program Reserve Funds; TEGL No. 11-02, Operating Instructions for Implementing the Amendments to

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the Trade Act of 1974 Enacted by the Trade Act of 2002, and Changes 1, 2, and 3; TEGL No. 2-03, Interim Operating Instructions for Implementing the Alternative Trade Adjustment Assistance (ATAA) for Older Workers Program Established by the Trade Adjustment Assistance Reform Act of 2002, and Change 1; and TEGL No. 5-00, Attachment B, Guidance on Integrating Services under the Trade Act Programs - Trade Adjustment Assistance (TAA) and North American Free Trade Agreement - Transitional Adjustment Assistance (NAFTA-TAA) - with the Services Provided under the Workforce Investment Act (WIA) and the Paperwork Reduction Act of 1995 (P.L. 104-13).

ACTION REQUIRED:

The RWB's should review the information and guidance contained in the attached TEGL 16-10 and take appropriate steps to ensure compliance with these new changes to the Trade Act Program. The Agency for Workforce Innovation is reviewing the information and will schedule a conference call to discuss the changes and provide RWBs the opportunity to ask questions. Details for the conference call will be provided in a separate message.

AUTHORITY

United States Department of Labor

ATTACHMENTS:

TEGL 16-10

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