TO: Local H-1B ITA Coordinators

SUBJECT: Program Eligibility Requirements, Local Area Responsibilities, Notice of Obligational Authority Request Process, Accrued Expenditure Reports, and Questions and Answers.

ACTION: Participating Local Workforce Investment Boards are responsible for ensuring the Local Area’s H-1B ITA program complies with the guidance provided in this letter.

Program Eligibility Requirements

1. Eligible Training
   - The H-1B ITA program provides funding for certain types of advanced manufacturing training provided by Monroe Community College, Genesee Community College, or Finger Lakes Community College. The allowable training is for an Associate’s Degree in one of these subjects:
     i. Advanced Manufacturing
     ii. Biotechnology
     iii. Engineering Science
     iv. Electrical Engineering Technology
     v. Manufacturing Technology
     vi. Optical Systems Technology
     vii. Precision Machining
     viii. Instrumentation and Control Technologies
     ix. Mechanical Technologies
     x. Computerized Drafting and Design

2. Pool of Eligible Participants
   - H-1B ITA Participants must be at least 18 years of age, unemployed, enrolled in the Workforce Investment Act (WIA) Adult and/or Dislocated Worker Program, and have a high school diploma or GED.
Local Area Program Responsibilities

The three participating Local Workforce Investment Boards will be responsible for the following.

1. Screening of individuals for eligibility both in WIA and the H-1B ITA Program.

2. Provision of all necessary services prior to enrolling the individual in an ITA. These include, but are not limited to, Initial Assessments (core) and Individual Employment Plans (Intensive). LWIB’s are expected to follow all local policies regarding ITA’s and the provision of Supportive Services. The only exception to this is the use of the caps established for this program regardless of the local caps on ITA’s and Supportive Services.

3. Ensuring that all resources available to the individual are exhausted prior to requesting funds through the H-1B ITA program. This includes, but is not limited to, Pell Grants.

4. Proper data entry into OSOS. This includes information presented in Technical Advisory 09-17: Individual Employment/Training Plans for WIA Participants in Training (10/09/09).

5. Follow up with enrolled individuals at the end of each semester. This follow up must include a review of the grades received to determine if additional tutoring is required.

Allowable Costs

The following costs are allowable under this program.

1. ITA Costs
   a. Tuition Costs
   b. Lab fees
   c. Academic and application fees
   d. Study materials (e.g., books, CDs, DVDs) and supplies
   e. Parking, or vehicle registration fees
   f. Health fees

2. Supportive Services
   a. Transportation
   b. Child/Dependent Care
   c. Housing

Funding

1. The maximum allowable funding levels per participant are:
   a. ITA Costs (including Tuition, , etc.): $8,500.00
   b. Supportive Services: $1,880

2. Notice of Obligational Authority (NOA) Request process
   a. As the last step in the process, H-1B ITA funds must be requested for each participant. To do this, send a completed H-1B ITA NOA Request form (see attachment A) to the H-1B ITA email box, H1B_ITA@labor.ny.gov, using the subject line “H-1B ITA NOA Request – [Individuals name].”
b. Requests will be reviewed as they are received. If approved, the requesting local area will be given confirmation via that same email box. This confirmation will allow the local area to move forward with the ITA. It is anticipated that this process will take no more two business days.

If denied, program staff will respond to the requesting local area to discuss the reason for denial and work to put the request in order so it can be approved.

c. Initially NOAs will be issued to appropriate local areas on a bi-weekly basis. The frequency will be adjusted as required depending on volume of requests received.

3. Notice of Obligational Authority (NOA) De-obligation Request process

a. In the event that the participant does not complete the program, remaining H-1B ITA funds must be de-obligated. To do this, send a completed H-1B ITA De-obligation Request form (see attachment B) to the H-1B ITA email box, H1B_ITA@labor.ny.gov, using the subject line “H-1B ITA De-obligation Request – [Individuals name].”

b. De-obligations will be reviewed and processed as they are received. It is anticipated that this process will take no more two business days.

If any issues are found during the review, program staff will respond to the requesting local area to discuss the issue and work to put the request in order so it can be processed.

Note that de-obligations requests should be made as soon as the Local Area discovers the individual no longer in need of the funds. This will ensure that funding can be re-obligated appropriately in a timely fashion.

4. Accrued Expenditure Report (AER)

a. Funding used under the H-1B ITA program must be reflected on your monthly cash report. To do this, an H-1B ITA-specific MSDCT tab has been added to the monthly cash report and the H-1B program has been added to the MSCR for PY11 (see attachment C). These reports must agree with the records maintained by the LWIA.

b. Each completed report is to be submitted to NYSDOL by the 20th day of the month following the month reported. Completed forms should be e-mailed to dews.aers-taa@labor.state.ny.us with a cc to the Local Area’s FOTA and State Representatives.

In addition, one copy of the reports should then be printed and signed by an authorized individual for the LWIA. The signed hard copy of the reports should be sent to:

Sheila Maddox
NYSDOL, Building 12, Room 290
Gov. Averill Harriman State Campus
Albany, NY 12240

Questions and Answers

All questions regarding this program should be directed to the H1B_ITA@labor.ny.gov Questions will be answered by direct email as they are received. They will also be compiled and posted on the Department webpage. The online Q&A will be updated on a weekly basis as needed.

Attachment A – H-1B ITA NOA Request Form
Attachment B – H-1B ITA De-obligation Request Form
Attachment C – H-1B ITA AER Form