

State of South Carolina
Executive Department

FILED

APR 30 2010

Mark Hammond⁸
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER No.

2010-09

WHEREAS, the United States Congress enacted the Workforce Investment Act of 1998 (WIA), Public Law No. 105-220, "to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation;"

WHEREAS, Section 111 of WIA authorizes a governor of a State to designate a State agency to serve as the State entity responsible for developing the State Workforce Investment Plan and administering other statewide WIA activities, including, but not limited to, those described in Sections 111 and 112 of WIA;

WHEREAS, pursuant to Executive Order 2005-09, I designated the South Carolina Department of Commerce as the State entity responsible for administering the State Workforce Investment Plan in South Carolina to increase accountability and better coordinate the State Workforce Investment Plan with the state's economic development activities;

WHEREAS, the Trade Adjustment Assistance (TAA) program of the Trade Act of 1974, as amended by the Trade and Globalization Adjustment Assistance Act of 2009 (Division B, Title I, Subtitle I of the American Recovery and Re-Investment Act of 2009, Public Law No. 111-5 (enacted on February 17, 2009)), requires a governor of a state to ensure rapid response assistance of core services under WIA to employees terminated from their employment who are entitled to assistance under the Trade Act;

WHEREAS, pursuant to Executive Order 2007-12, I transferred the administration of the TAA program to the South Carolina Department of Commerce to consolidate TAA and WIA activities for better coordination between available workers and job opportunities in South Carolina;

WHEREAS, on March 30, 2010, I signed into law House Bill 3442, R. 159, which, among other things, created the South Carolina Department of Employment and Workforce as the successor agency to the South Carolina Employment Security Commission and transferred the administration of the State Workforce Investment Plan to the Department of Employment and Workforce;

WHEREAS, the Department of Employment and Workforce, as a successor agency to the Employment Security Commission, is an entity eligible to develop and administer the State Workforce Investment Plan pursuant to Section 111(e) of WIA; and

WHEREAS, continued consolidation of WIA and TAA activities is needed to ensure better coordination between available workers and job opportunities in South Carolina.

NOW THEREFORE, pursuant to Section 111 of WIA, I designate the Department of Employment and Workforce as the entity responsible for the administration of WIA and TAA activities and for carrying out all functions necessary to comply with WIA and the Trade Act of 1974, as amended by the Trade and Globalization Adjustment Assistance Act of 2009;

FURTHER, I direct the Department of Commerce, the Employment Security Commission, and the Department of Employment and Workforce to work together openly and cooperatively to ensure a successful transition of the WIA and TAA programs; and

FURTHER, I rescind Executive Orders 2005-09 and 2007-12.

This Order shall take effect May 3, 2010.



GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 30th DAY OF APRIL 2010.

A handwritten signature in black ink, appearing to read "Mark Sanford", is written over a horizontal line.

MARK SANFORD
Governor

ATTEST: A handwritten signature in black ink, appearing to read "Mark Hammond", is written over a horizontal line.

MARK HAMMOND
SECRETARY OF STATE