

Wyoming Administrative Rules

Workforce Services, Department of

Workforce Development Training Fund

Chapter 1: Business Training Grants

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Chapter 1

Business Training Grants

Section 1. Authority

The Department of Workforce Services (DWS) is authorized under the DWS Act W.S. § 9-2-2601(d), and W.S. § 9-2-2602(b)(vi) and the Wyoming Administrative Procedures Act, W.S. §16-3-101, et seq. to promulgate rules and regulations to be used by DWS in the discharge of its Functions.

Section 2. Purpose

Business training grants provide opportunities for businesses to create new jobs or to upgrade the skills of workers.

Section 3. Business Training Grants

(a) Business Entity Eligibility

(i) The following business entities are eligible to receive training grants under this section:

(A) All business entities that are registered with the Wyoming Secretary of State to conduct business in Wyoming;

(B) Wyoming sole proprietorships;

(C) Wyoming limited liability companies;

(D) Wyoming partnerships; and

(E) Wyoming county hospitals.

(ii) Governmental entities as defined in W.S. § 1-39-103(a)(i) and (ii) are not eligible for training grants.

(iii) Entities as defined in W.S. § 97-1-019 are not eligible for training grants.

(iv) Business entities shall meet the following requirements to be eligible to receive training grants under this section. The business entity must be:

(A) In business for at least 365 days or provide a Letter of Support from the local, regional or state economic development entity for businesses who have been in business less than 365 days.

- (B) Registered and in good standing with the Wyoming Unemployment Insurance program;
- (C) Registered and in good standing with the Wyoming Workers' Compensation program;
- (D) Registered and in good standing with the Wyoming Secretary of State's office, except sole proprietorships and general partnerships;
- (E) In good standing with the Workforce Development Training Fund (WDTF); and
- (F) Registered with DWS's management information system.

(b) Training Eligibility

In order for the training to be approved under this section, the business entity must demonstrate, to the satisfaction of DWS, the following:

- (i) Training will either correct an employee's skill deficiency or upgrade an employee's current skill level;
- (ii) A direct relationship between the training and the trainee's occupation or craft;
- (iii) The training is not normally provided by the business entity;
- (iv) There is a need for the skill upgrade provided by the training for the business entity to remain competitive in the industry or economy; and
- (v) The skill upgrade provided by the training will:
 - (A) Enhance the business entity's productivity, efficiency or profitability;
 - (B) Reduce employee turnover; or
 - (C) Enhance employee wages.
- (vi) Applications without training fees will not be considered.

(c) Trainee Eligibility

In order for a trainee to be eligible to participate in training under this section, the trainee must be working in Wyoming for the eligible business entity applying for the training grant under this section at the time of training.

(d) Grant Funding Limits

The grant funding limits per state fiscal year shall be:

(i) For each state fiscal year, a business entity may only receive a total of one thousand dollars (\$1,000.00) for training, per trainee.

(ii) For each state fiscal year, a business entity in specific industries, as dictated by the Wyoming Workforce Development council, may only receive a total of one thousand five hundred dollars (\$1,500.00), for training, per trainee.

(iii) For each state fiscal year, a trainee may only receive a total of one thousand five hundred dollars (\$1,500.00), regardless of the number of business entities the trainee works for during a state fiscal year.

(iv) Each month, a business entity may only apply for and receive a total of ten thousand dollars (\$10,000) worth of training, regardless of number of trainees.

(v) For each state fiscal year, a business entity may only apply for and receive a total of fifty thousand dollars (\$50,000) worth of training, regardless of number of trainees.

(e) Allowable Training Expenses

The following training expenses shall be allowed:

(i) Direct training costs include, but are not limited to, tuition, registration, class fees and class materials directly related to the training;

(ii) Travel expenses to include transportation;

(iii) Instructor's fees, when a participant fee is not charged, and travel expenses where the instructor is brought in for the training by the business entity and is not an employee of the business entity; and

(iv) Where additional monetary contributions are received, the grant would cover the remaining balance, not to exceed the actual expenditures.

(f) Non-allowable Training Expenses

The following training expenses shall not be allowed:

(i) Trainee's wages and fringe benefits;

(ii) The business entity's administration expenses which include, but are not limited to, bookkeeping, reporting and record keeping;

- application;
 - (iii) The business entity's cost of preparing a Business Training Grant
 - (iv) Purchased, rented or leased equipment including software;
 - (v) Instructor's fees and travel expenses where the instructor is an employee of the business entity;
- training;
 - (vi) Assessments, testing and certification exams that are not included in the
 - (vii) Fees for licenses;
 - (viii) Membership fees; and
 - (ix) Capital construction of any kind; and
 - (x) Lodging and meals.

(g) Grant Application Process

Business entities applying for training grants under this section shall:

- (i) Complete the Business Training Grant application provided by DWS, and
- (ii) Submit a completed Business Training Grant application to DWS.

(A) Business Training Grant applications that are submitted more than one hundred ten (110) days before the scheduled first date of travel, if applicable, or the start date of training will not be accepted, and

(B) Business Training Grant applications that are submitted less than thirty (30) days before the scheduled first date of travel, if applicable, or the start date of training will not be accepted.

(h) Contract and Payment

(i) The Director of DWS may approve any training grant application that meets the requirements of Sections 3(a) through (h) of these rules.

(ii) If the training grant is approved and funds are available, DWS shall enter into a contract with the approved business entity.

(iii) Grant funds shall be paid directly to the business entity.

(i) Schedule for Payment of Funds

(i) Subject to Section 3(j)(i) through (iii) below, the amount of the reimbursement associated with each trainee shall be remitted to the business entity if the trainee:

(A) Has completed the training, and

(B) Has been retained in employment with the business entity for a ninety (90) day period after the date of completion of the training.

(ii) For each trainee who does not complete the training:

(A) The reimbursement relating to the trainee shall not be remitted to the business entity.

(iii) For each trainee who has completed the training but was not retained in employment with the business entity for ninety (90) days after completion of the training, the business entity shall not receive the reimbursement relating to that trainee.

(iv) A business entity may request for reimbursement when the employee, during the training, is:

(A) Terminated for cause;

(B) Activated for military service; or

(C) Deceased.

(j) Final report

The business entity shall submit a final report of the results of the training to DWS.

(i) The final report is due no earlier than ninety (90) days and no later than one hundred thirty-five (135) days after the training is completed.

(ii) The final report shall include:

(A) A summary report of the results of the training program;

(B) A copy of the agenda, manual or table of contents from the training;

(C) A payroll record listing the name(s), last four (4) digits of the employee(s) social security number(s) and hourly wages or salary of the employee(s) trained for a pay period ninety (90) days after the training has completed;

(D) Invoices and receipts or proofs of payment for allowable expenses, including travel and registration; and

(E) Reasonable assurances that the trainee(s) attended the training.

(iii) If a business entity does not submit a completed final report, within one hundred thirty five (135) days of the final contract date, reimbursement will not be granted.

Section 4. Prioritization of Grant Funds

(a) The WDTF shall work with the Wyoming Workforce Development Council to develop a model to distribute funds on a prioritized needs basis based on, at a minimum, the following:

- (i) Economic growth potential;
- (ii) Employment base;
- (iii) Wages, benefits and career opportunities;
- (iv) Importance of the industry sector or occupation to the state and regional economy; and
- (v) Workforce development needs.

(b) Preference will be given to businesses who are actively involved in one of the following:

(i) Local or regional Workforce Advisory Group formed by the Wyoming Workforce Development Council; or

(ii) Industry Partnership associated with the Wyoming Workforce Development Council; or

(iii) Local, Regional, or State designated workforce initiative associated with the Wyoming Workforce Development Council or Wyoming Governor.

(c) The WDTF shall work with the Wyoming Workforce Development Council to periodically evaluate the model for distributing funds as outlined in this section and determine the need for any modifications.

Section 5. Annual Report

The Director of the DWS shall report annually to the Governor and the Legislature on the expenditures made from the WDTF in the preceding fiscal year and the results of the activities funded by the WDTF.