

Wyoming Administrative Rules

**Workforce Services, Department of**

Workforce Development Training Fund

Chapter 5: Internship Grants

**Effective Date:** 02/20/2020 to Current

**Rule Type:** Current Rules & Regulations

**Reference Number:**

## Chapter 5

### Internship Grants

#### Section 1. Authority

The Department of Workforce Services (DWS) is authorized under the DWS Act Wyoming Statutes (W.S.) § 9-2-2601(d) and (g)(i)(ii) and (iv), W.S. § 9-2-2602(b)(vi), W.S. § 9-2-2604, W.S. § 27-3-209, W.S. § 27-3-211, 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

To provide Wyoming businesses the opportunity to offer structured work experiences to individuals through internships to enhance an individual's work skills, knowledge and abilities.

#### Section 3. Definitions

(a) "Applicant" means any business proprietor or business entity that applies for an Internship Grant through DWS.

(b) "Intern" is a student or trainee who works, on a limited basis, at a trade or occupation in order to gain work experience. This does not include entrepreneurship or self-employment.

(c) "Internship" means to provide real-world work experience that enables the intern to gain skills that can be applied to future jobs. Internship terms are twelve (12) months or less.

(d) "Preferred Industries" are focused workforce areas that have been selected by industry partnerships associated with the Wyoming Workforce Development Council. Specific industries can be found at:

<http://wyomingworkforce.org/businesses/wdtf/industries/>

(e) "Structured learning experience" (SLE) means experiential, supervised, in-depth learning experiences that are designed to offer interns the opportunity to more fully explore career interests.

(f) "Wyoming based business" means any business physically located in the state of Wyoming.

#### Section 4. Business Internship Grants

(a) Applicant Eligibility

- (i) Must be a Wyoming based business or non-profit organization;
- (ii) Cannot be a government entity, other than county hospitals; and,
- (iii) Internship grants will be limited by business size and per state fiscal

year.

(A) One (1) intern for businesses with 1-8 employees;

(B) Up to two (2) interns for businesses with 9-49 employees;

and,

(C) Up to three (3) interns for businesses with 50+ employees.

(b) Intern Eligibility Requirements.

(i) Interns that qualify for Workforce Investment and Opportunities Act (WIOA) services (Public Law §113-128; 128 Stat. 1425) or qualify for vocational rehabilitation services (Rehabilitation Act of 1973 as amended by Title IV and VI of the WIOA, Public Law §93-112; Title 34, C.F.R. 361.48) through DWS are deemed to be not eligible for the Internship Grants.

(ii) Fair Labor Standards Act (FLSA). The FLSA and the youth employment regulations are hereby incorporated as issued in 29 CFR, Part 570, establishing both hours and occupational standards for youth, including the hazardous occupations. The FLSA was last updated as published.

(A) The Department of Workforce Services has determined that incorporation of the full text of these rules would be cumbersome and inefficient given the length or nature of the rules;

(B) Any code, standard, rule or regulation incorporated by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in this section; and

(C) The incorporated code, standard, rule, or regulation is maintained at the Department of Workforce Services office at 5221 Yellowstone Road, Cheyenne, WY 82002, and, is available for public inspection and copying at cost at the same location. The FLSA rules can also be reviewed at:  
<https://www.dol.gov/whd/regs/compliance/whdfs43.pdf>

(c) Applicant Compliance Requirements. For Application consideration, the applicant must demonstrate and allow, to the satisfaction of the Department, the following requirements:

required;

- (i) In good standing with the Wyoming Unemployment Insurance program, if

- (ii) In good standing with the Wyoming Workers' Compensation program, if required;

- (iii) Registered and in good standing with the Wyoming Secretary of State's office, if required; and

- (iv) In good standing with the Workforce Development Training Fund (WDTF).

(d) Allowable Wage Reimbursement

- (i) Grants will reimburse up to a maximum of twelve dollars (\$12) per hour per intern.

- (ii) Internship grants will allow up to 1040 hours per internship.

- (iii) Internships can be up to forty (40) hours per week.

(e) Non-allowable Reimbursements. The following list is not included in any reimbursement from this program and will be the responsibility of the business:

- (i) fringe benefits – insurance coverage, payroll taxes

- (ii) bonuses;

- (iii) overtime wages;

- (iv) supplies and/or equipment; or

- (v) travel expenses.

(f) Grant Application Process. Applications will be reviewed on a quarterly basis, by a panel composed of Department staff.

- (i) Applicants shall complete the Internship Grant application provided by DWS, to include detailed information about the following:

- (A) Describe, in detail, the internship opportunity, and include the following:

- (I) Identify specific industry – preference will be given for preferred industries listed on: <http://wyomingworkforce.org/businesses/wdtf/industries/>

- (II) List job title and duties.
- (III) List skills, knowledge and abilities to be achieved.
- (IV) Provide a work schedule – to include hours to be worked,

start date, end date, etc.

(V) Define the structured learning experience including competencies and how these skills will be documented. If applicable, indicate any business partnerships with an educational institution.

(g) Grant Approval Process. Approval will be based on the following criteria:

(i) DWS will screen Internship Grant Applications for compliance with the requirements in Section 4(a) through (f) above.

(A) Applications that do not meet the requirements will be rejected.

(B) Preference will be given to Applicants who are in a preferred industry.

(h) Contract and Payment

(i) If the grant is approved and funds are available, DWS shall enter into a contract with the applicant.

(ii) Grant funds shall be paid directly to the contractor either on a monthly basis and at the end of the internship/contract. Payment schedules will be individualized per business requests on the application with the exception of the final payment. Final payments will be completed once the internship is completed and the final report is received.

(iii) Grant programs must be operated on a cost reimbursement basis with the contractor submitting paystub(s) and contact information to ensure payments may be made in conformance with their contract.

(i) Reporting Requirements. An applicant who receives funds from this program shall submit reports, in formats provided by the Department and include the following:

(i) The applicant in collaboration with the intern(s), shall submit a final report, within forty-five (45) days of completion, to DWS outlining the results of the internship:

(A) How the internship supported the business and improved efficiency or profitability of the business(es) or industry; and,

(B) Demonstrate and document how the structured learning experience

increased the skill level of the intern.

(I) At a minimum, evaluations of pre-internship skills, mid-internship skills and final internship skills will be completed with the intern(s).

(j) Performance Standards

(i) DWS will evaluate performance based on individual applicant's structured learning experience plans and final report.

(A) Intern exit interviews will be completed at the end of the scheduled internship to include a review of the initial plan and measuring employment skills.

## **Section 5. Annual Report**

The Director of 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.