

Wyoming Administrative Rules

Workforce Services, Department of

Workforce Development Training Fund

Chapter 1: Business Training Grants

Effective Date: 08/10/2022 to Current

Rule Type: Current Rules & Regulations

Reference Number: 053.0017.1.08102022

Chapter 1

Business Training Grants

Section 1. Authority

The Department of Workforce Services (DWS) is authorized under W.S. § 9-2-2601(d), 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.

Section 2. Purpose

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

Section 3. Definitions

(a) Emergency Medical Services Provider means any business or governmental entity whose primary role is planning for, providing response to, treatment of, or monitoring emergency medical care for those suffering illness or injury.

(b) Wyoming-based business means a business with a physical location in the state of Wyoming, and which employs Wyoming workers, provides goods or services within the state, or otherwise adds economic value to goods, services or resources within the state.

Section 4. Business Training Grants

(a) Business Entity Eligibility Requirements

(i) Must be a Wyoming based business or Wyoming non-profit organization.

(A) All business entities are physically located and operating in the state of Wyoming and have employees working in Wyoming;

(B) In business for at least 365 days or provide a Letter of Support from the local, regional or state economic development entity;

(C) Registered and in good standing with the Wyoming Unemployment Insurance program;

(D) Registered and in good standing with the Wyoming Workers' Compensation program;

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

(WDTF); (F) In good standing with the Workforce Development Training Fund

(G) Registered with DWS's management information system.

(ii) No governmental entity, as defined in W.S. § 1-39-103(a)(i) and (ii), or person employed by a governmental entity, is eligible for training grants except Wyoming county and memorial hospitals as defined in W.S. § 18-8-101(a)(i) and emergency medical services providers.

(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) 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

(iv) 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.

(v) Training fees are required.

(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. Due to the urgent need for DWS to provide focused re-employment efforts to address pandemic-related skill loss, the WDTF will provide the following increased funding limits so long as funding is available. The grant funding limits per state fiscal year shall be:

(i) A business entity may receive up to four thousand dollars (\$4,000.00) for training, per trainee.

(ii) A business entity in specific industries, as dictated by the Wyoming

Workforce Development Council, may receive up to five thousand dollars (\$5,000.00), for training, per trainee.

(iii) A trainee may only receive up to five thousand dollars (\$5,000.00), regardless of the number of business entities the trainee works for.

(iv) A business entity may only apply for and receive up to two-hundred thousand dollars (\$200,000) 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 directly related to the training;

(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;

(iii) The business entity's cost of preparing a Business Training Grant application;

(iv) Purchased, rented or leased equipment including computer hardware and/or software;

(v) Instructor's fees and travel expenses where the instructor is an employee of the business entity;

(vi) Assessments, testing, fees for license and certification exams unless they are included in the training;

(vii) License renewal and recertification fees;

(viii) Membership and subscription fees;

(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 4(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 4(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 forty-five (45) day period after the date of completion of the training.

(ii) For each trainee who does not complete the training, 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 forty-five (45) days after completion of the training, the reimbursement relating to the trainee shall not be remitted to the business entity.

(iv) A business entity may request reimbursement when the employee, during

the training through the forty-five (45) days immediately following 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 forty-five (45) 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 provider that confirms the dates of the requested training period;
- (C) A payroll record listing the name(s), last four (4) digits of the employee(s) social security number(s), if applicable, and hourly wages or salary of the employee(s) trained for a pay period forty-five (45) 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 5. 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) Industry Partnership associated with the Wyoming Workforce Development Council; or

(ii) 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 6. 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.