

Wyoming Administrative Rules

**Workforce Services, Department of**

Workforce Development Training Fund

Chapter 2: Pre-Hire Training Grants

**Effective Date:** 06/29/2018 to Current

**Rule Type:** Current Rules & Regulations

**Reference Number:** 053.0017.2.06292018

## Chapter 2

### Pre-Hire Training Grants

#### Section 1. Authority

The Department of Workforce Services (DWS) is authorized under the DWS Act Wyoming Statute (W.S.) § 9-2- 2601 (c), W.S. § 9-2-2602 (b) (ii), 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

Pre-Hire Training Grants are available to develop an industry specific workforce for a business, businesses or industry when there is a shortage of skilled workers.

#### Section 3. Pre-Hire Economic Development Grants

##### (a) Training Entity Eligibility

(i) The following Wyoming-based training entities are eligible to apply for training grants under this section:

##### (ii)

- (A) Industry associations;
- (B) Trade unions;
- (C) Private training entities;
- (D) Community Colleges; and
- (E) University of Wyoming.

(iii) An eligible training entity may subcontract work with an out-of-state training entity

##### (b) Training Entity and Business or Businesses Compliance Requirements

Training entities and the business or businesses participating in the application shall meet the following requirements to be eligible to receive training grants under this section. The training entity and the business or businesses shall be:

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

(c) Training Eligibility

In order for the training to be approved under this section, the training entity shall demonstrate, to the satisfaction of DWS, that the training shall:

- (i) Provide trained workers for a new or expanding business, businesses or industry in Wyoming;
- (ii) Provide trainees, upon completion, with:
  - (A) A license or certificate, or
  - (B) Skills required for employment, or
  - (C) Skills to receive an increase in wages;
- (iii) Operate in conjunction with the local or regional economic development needs;
- (iv) Show a net increase in the number of trained workers, based on the business, businesses or industry need;
- (v) Be provided in the length of time appropriate to the business, businesses or industry need;

(vi) Assure there is a probability of success for trainees to earn the projected wage for the occupation/industry in the county or state if the training is a statewide program; and

(vii) Train no more than the greater of ten percent (10%) or two (2) more trainees than the number of workers required by the business, businesses or industry.

(d) Trainee Eligibility

In order for a trainee to be eligible to participate in training under this section, the trainee shall:

(i) Meet the eligibility requirements of the:

(A) Business, businesses or industry, and

(B) Training program screening and selection plan.

(ii) Reside in Wyoming or have a “letter of commitment to interview” upon completion of training from a Wyoming business at the start of the training.

(e) Business, Businesses or Industry Requirements

(i) All government entities, except Wyoming county hospitals, are not eligible to participate in Pre-Hire Economic Development Grants.

(ii) The business, businesses or industry shall be involved in the:

(A) Grant application process;

(B) Design of the training program; and

(C) Trainee selection process.

(iii) The business, businesses or industry shall agree to interview and strongly consider hiring trainees of the program.

(f) Allowable Training Expenses

The following training expenses may 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, lodging and meals directly related to the training;
- (iii) Instructor wages and fringe benefits;
- (iv) Fees for licenses and certifications that may be obtained during the training;
- (v) Administration not to exceed five percent (5%) of the direct training costs;
- (vi) Human resource screening services based on the business, businesses or industry needs, which may include, but not be limited to basic qualification screening;
- (vii) Drug and aptitude screening to ensure the trainees will meet the business, businesses or industry basic qualifications;
- (viii) Curriculum development if a pre-employment curriculum does not exist that fits the needs of the business, businesses or industry; and
- (ix) The costs associated with recruitment and marketing the program.
- (x) Where additional monetary contributions are received, the grant would cover the remaining balance not to exceed the actual expenditures.

(g) Non-allowable Training Expenses

Purchased, rented or leased equipment shall not be allowed.

(h) Grant Application Process

- (i) Training entities applying for grants under this section shall complete the Pre-Hire Economic Development Grant application provided by DWS, to include detailed information about the following:

- (A) The business, businesses or industry need for workers with documentation demonstrating a shortage of skilled workers;
- (B) The specific skills required by workers and a training plan describing how the training will meet the skill development need;
- (c) of these rules;
  - (C) How the training meets the training eligibility requirements of Section 3
  - (D) The training entity's ability to provide the training and qualifications of staff involved;
  - (E) The training entity's ability to provide an appropriate assessment of the outcomes of the training;
  - (F) Confirmation from the business, businesses or industry that the training plan will meet the specific need;
  - (G) A recruitment plan that is coordinated between the local DWS Workforce Center and the business, businesses or industry;
  - (H) The trainee selection process including how the business, businesses or industry will be involved;
  - (I) A post-training job placement process that coordinates with the business, businesses or industry and DWS;
  - (J) Any partnerships that support the project or other resource enhancements or contributions to the project;
  - (K) The number of trainees to be trained and the expected wage of trainees upon completion of training;
  - (L) A cost proposal and budget sheet; and
  - (M) The projected economic impact on the community.
- (ii) Training entities shall prepare the application jointly with the local DWS

Workforce Center, economic development entity and the business, businesses or industry in need.

(iii) The completed Pre-Hire Economic Development Grant application shall be submitted to DWS.

(iv) Past performance of the training entity shall be considered regarding future grant awards.

(i) Grant Approval Process

(i) DWS will screen Pre-Hire Economic Development Grant applications for compliance with the requirements of Sections 3 (a) through (h) above.

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

(B) Applications that meet the requirements will be submitted to a subcommittee of the Wyoming Workforce Development Council (WWDC) for consideration.

(ii) The WWDC subcommittee may require the training entity, along with the DWS Workforce Center, economic development entity and the business, businesses or industry to make a presentation supporting their application.

(iii) The WWDC subcommittee shall consider the application and make a recommendation to the Director of DWS regarding whether or not to award the grant.

(iv) After the WWDC subcommittee recommendation, the DWS Director shall make the final decision.

(j) Contract and Payment

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

(ii) Grant funds shall be paid directly to the training entity.

(iii) Training programs must be operated on a cost reimbursement basis with the training entity billing the WDTF once per month.

(k) Reporting Requirements

(i) The training entity shall submit reports to DWS outlining the:

(A) Number of trainees served;

(B) Trainee identifying information;

(C) Date services began and ended for each trainee; and

(D) Post-training employment information.

(ii) The Training entity shall submit a final report of the results of the training to DWS.

(l) Performance Standards

Eighty percent (80%) of the trainees who complete the training shall enter employment in Wyoming within ninety (90) days after completion of the training program within the industry in which they were trained.

#### **Section 4. Pre-Hire Skill Training Grants**

(a) Pre-Hire Skill Training Grants shall be awarded through the Request for Proposal (RFP) process, which shall be at the discretion of the Director of DWS.

(b) Training Entity Eligibility

(i) The following Wyoming-based training entities are eligible to apply for training grants under this section:

(A) Industry associations;

(B) Trade unions;

(C) Private training entities;



(D) Community Colleges; and

(E) University of Wyoming.

(ii) An eligible training entity may subcontract work with an out-of-state training entity.

(c) Training Entity and Business or Businesses Compliance Requirements

Training entities and the business or businesses participating in the application shall meet the following requirements to be eligible to receive training grants under this section. The training entity and the business or businesses shall be:

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

(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) Training Eligibility

In order for the training to be approved under this section, the training entity shall demonstrate, to the satisfaction of DWS, that the training shall:

(i) Provide trainees, upon completion, with:

(A) A license or certificate, or

(B) Skills required for employment, or

(C) Skills to receive an increase in wages;

(ii) Operate in conjunction with the local or regional economic development needs;

(iii) Show a net increase in the number of trained workers, based on the business, businesses or industry need;

(iv) Be provided in the length of time appropriate to the business, businesses or industry need;

(v) Assure there is a probability of success for trainees to earn the projected wage for the occupation/industry in the county or state if the training is a statewide program; and

(vi) Train no more than the greater of ten percent (10%) or two (2) more trainees than the number of workers required by the business, businesses or industry.

(e) Trainee Eligibility

In order for a trainee to be eligible to participate in training under this section, the trainee shall:

(i) Meet the eligibility requirements of:

(A) Business, businesses or industry, and

(B) The training program screening and selection plan.

(ii) Reside in Wyoming or have a “letter of commitment to interview” upon completion of training from a Wyoming business at the start of the training.

(f) Business, Businesses or Industry Requirements

(i) All government entities, except Wyoming county hospitals, are not eligible to participate in Pre-Hire Skill Training Grants.

(ii) The business, businesses or industry shall be involved in the:

(A) Grant application process;

(B) Design of the training program; and

(C) Trainee selection process.

(g) Allowable Training Expenses

The following training expenses may 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, lodging and meals directly related to the training;
- (iii) Instructor wages and fringe benefits;
- (iv) Fees for licenses and certifications that may be obtained during the training;
- (v) Administration not to exceed five percent (5%) of the direct training costs;
- (vi) Human resource screening services based on the business, businesses or industry needs;
- (vii) Drug and aptitude screening to ensure the trainees will meet the business, businesses or industry basic qualifications;
- (viii) Curriculum development if a pre-employment curriculum does not exist that fits the needs of the business, businesses or industry; and
- (ix) The costs associated with recruitment and marketing the program.
- (x) Where additional monetary contributions are received, the grant would cover the remaining balance not to exceed the actual expenditures.

(h) Non-allowable Training Expenses

Purchased, rented or leased equipment shall not be allowed.

(i) Wage Requirement

The wage at completion of the training shall exceed the mean hourly wage by county or the mean hourly wage in the state if the proposal is for a statewide program.

(j) RFP Process

(i) DWS shall issue an RFP.

(ii) The RFP shall request specific and detailed information including, but not limited to, the following:

(A) The business, businesses or industry need for workers with documentation demonstrating a shortage of skilled workers;

(B) The specific skills required by workers and a training plan of how it will meet the skill development need;

(C) How the training meets the training eligibility requirements of Section 4 of these rules;

(D) The training entity's ability to provide the training and resumes of staff involved;

(E) The training entity's ability to provide an appropriate assessment of the outcomes of the training;

(F) Confirmation from the business, businesses or industry that the training plan will meet the specific need;

(G) A recruitment plan that is coordinated between the local DWS Workforce Center and the business, businesses or industry;

(H) The trainee selection process including how the business, businesses or industry will be involved;

(I) A post-training job placement process that coordinates with the business, businesses or industry and DWS;

(J) Any partnerships that support the project or other resource enhancements or contributions to the project;

(K) The number of trainees to be trained and the expected wage of trainees upon completion of training;

(L) A cost proposal and budget sheet; and

(M) The projected economic impact on the community.

(iii) A review committee will consider the proposals and make a recommendation to the Director of DWS regarding whether or not to award the proposal.

(iv) Past performance of the training entity shall be considered regarding future grant awards.

(v) Based on the recommendation of the review committee, the Director of DWS shall make the final decision on whether or not to award the proposal.

(k) Contract and Payment—

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

(ii) Grant funds shall be paid directly to the training entity.

(iii) Training programs must be operated on a cost reimbursement basis with the training entity billing the WDTF once per month. Final reimbursement will be processed upon receipt and approval of the Final Report.

(l) Reporting Requirements

(i) The training entity shall submit reports to DWS outlining the:

(A) Number of trainees served;

(B) Trainee identifying information;

(C) Date services began and ended for each trainee; and

(D) Post-training employment information.

(ii) The training entity shall submit a final report of the results of the training to DWS.

(m) Performance Standards

Eighty percent (80%) of the trainees who complete the training shall enter employment in Wyoming within ninety (90) days after completion of the training program within the industry in which they were trained.

**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.