

Effective: 12/05/06

DEPARTMENT OF WORKFORCE SERVICES
BUSINESS TRAINING AND OUTREACH DIVISION

CHAPTER 3

PRE-OBLIGATION OF
WORKFORCE DEVELOPMENT TRAINING FUNDS

Section 1. Authority

The Department of Workforce Services (DWS) is authorized under the DWS Act 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

The Pre-Obligation program provides a means for Wyoming Economic Development Entities to request obligation of funding on behalf of businesses for Workforce Development Training Fund (WDTF) grants to attract business and industry to Wyoming. DWS may obligate funding under this chapter when the funding shall be used to attract a new business to Wyoming as part of an economic development initiative, or when an existing Wyoming business entity is planning an expansion of its workforce.

Section 3. Eligibility Requirements

(a) The following Wyoming Economic Development Entities are eligible to apply for Pre-Obligation of WDTF program funding under this section:

- (i) Local, regional, or state economic development organization;
- (ii) City or town council;
- (iii) County commission; and
- (iv) Tribal council.

(b) Applicants for Business Training Grants or Pre-Hire Economic Development Grants using funding provided through an approved Pre-Obligation application must meet the eligibility requirements of the WDTF program, as outlined in the appropriate sections of the WDTF Grant Programs rules.

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Section 4. Application and Approval Process

- (a) The application to obligate funding under this section shall be:
- (i) Completed by an eligible Wyoming Economic Development Entity listed in Section 3(a) using the official DWS application form.
 - (ii) Submitted to DWS.
- (b) DWS shall review Pre-Obligation applications under this section to determine the level of funding for which a business entity qualifies, approve or deny the application, and obligate the approved amount of funding.

Section 5. Limit on Funding

The total application amount shall not exceed an amount equivalent to Two Hundred (200) trainees multiplied by the maximum grant amount limit for Business Training Grants for New Positions in effect at the time of application approval.

Section 6. Obligation Period

- (a) If funding is available, DWS may obligate the funds for a six (6)-month period.
- (b) The obligation period may be extended for three (3) months upon the Department of Workforce Services' approval. Extensions shall be applied for by the Wyoming Economic Development Entity that submitted the original application, and shall include:
- (i) A favorable recommendation by the Wyoming Economic Development Entity supporting the extension; and
 - (ii) Documented proof of significant progress of the business' efforts to locate or expand in the state.
- (c) The obligation period may be extended twice for a total extension period of six (6) months with proper documentation.

Section 7. Funding Cycle

- (a) Applicants for Pre-Obligation must successfully complete an application for either a Business Training Grant for New Positions, a Pre-Hire Economic Development Grant, or a combination of both.
- (b) Access to funding under this program shall be used specifically for:

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(i) Payment under the terms of an executed contract for Business Training Grants for New Positions; or

(ii) Payment under the terms of an executed contract for a Pre-Hire Economic Development Grant; or

(iii) Payment under the terms of a combination of executed contracts for Business Training Grants for New Positions and Pre-Hire Economic Development Grants.

(c) No other method of payment shall be used to access or disburse funding from this program.

(d) If the period allowed for obligating funds expires or the business decides not to locate in Wyoming or expand, the funds shall be deobligated and remain in the Pre-Obligation account.

(e) Unused funding resulting from completed grant contracts funded through Pre-Obligation shall be returned to the Pre-Obligation fund for reallocation and potential use by another applicant.

Section 8. Annual Report

The Director of DWS shall report annually to the Governor and the Legislature on the applications and approvals made under this program in the preceding fiscal year and the results of the activities subsequently funded by the WDTF.