

## **REGULATION #29**

### **DEPARTMENT OF WORKFORCE SERVICES TRAINING TRUST FUND PROGRAM**

The Department of Workforce Services (DWS) Training Trust Fund Program is hereby established pursuant to Act 551 of 2007, as enacted by the Arkansas General Assembly.

#### 1. Purpose:

- a. The purpose of the DWS Training Trust Fund Program is to provide for innovative training support opportunities for qualified Arkansas employers. Specifically, the DWS Training Trust Fund will primarily be used to support Arkansas employers in their respective efforts to provide training for prospective, new, and incumbent workers. The benefit of the DWS Training Trust Fund is that it can be used to help fill certain gaps in skills development training that may be otherwise unavailable.
- b. The DWS Training Trust Fund Program will be coordinated with both the Arkansas Existing Workforce Training Program (EWTP), which is administered by the Arkansas Economic Development Commission, and the Arkansas Incumbent Worker Training Program (IWTP), which is administered in accordance with the Federal Workforce Investment Act by the Arkansas Workforce Investment Board.

#### 2. Who may apply for the DWS Training Trust Funds?

- a. Any for profit or non-profit employer that has been in operation in Arkansas during the entire twelve-month period immediately preceding the date of application. Exceptions may be considered on an individual basis.
- b. Employers making application for training funds must be current on all tax obligations, and there must not currently exist any ongoing or pending litigation concerning the employer's tax liability, either federal or state.

#### 3. How to apply:

- a. Employers must submit an application to the director of the Arkansas Department of Workforce Services, # 2 Capitol Mall, PO Box 2981, Little Rock, AR 72203, a minimum of 30 days prior to commencement of training. Questions can be answered by calling 501-682-3142.
- b. Applications must include a clear description of proposed training to include the proposed training provider and projected cost.
- c. Exceptions may be considered on an individual basis.

4. What are the requirements for applicant employers to utilize these training funds?
  - a. The employer must specify a target group of individuals and the type of training to be conducted; and provide projected outcomes that are tangible and measurable.
  - b. Each trainee must be at least 18 years of age.
  - c. Each trainee must be a U.S. citizen or authorized to legally work in the U.S.
  - d. If the trainee is a male born after 12/31/1959, he must be in compliance with the selective service registration requirements.
  - e. Provide assurance that participants involved in the proposed training possess the prerequisite literacy skills.
  - f. The employer must clearly articulate the relationship of the proposed training to specific goals and performance objectives relative to correction, prevention or improvement (i.e., training on new equipment to increase production, reduce production cost and reduce waste by recycling).
  
5. Application priority will be given to employers:
  - a. Who can avoid layoffs by incumbent worker training.
  - b. Who can maintain and/or create new jobs by training prospective employees.
  - c. Who seek to upgrade employee skills and increase productivity.
  - d. Whose funding request is to provide training and employment opportunities to recipients of public assistance and other low-income individuals.
  - e. Who can certify expansion.
  - f. Who will replicate the training internally (Train the Trainer concept).
  
6. Allowable use of funds:
  - a. Training on use of cutting edge technology and equipment.
  - b. Training to meet employer or industry specific skill requirements.
  - c. Train the Trainer.
  - d. The purchase and/or development and production of training materials necessary to conduct the approved training.
  - e. To compensate state supported institutions of higher education (two/four year Arkansas Colleges/Universities, Technical Schools); the Arkansas Workforce Investment Board approved training providers, and approved consultants and contract instructors, as well as internal trainers for conducting prescribed training.
    - Employer must provide certification of consultants and other contract instructors.

- Training may be in a traditional classroom, on-the-job training, distance-learning lab, workshops, seminars, site based training or computer based training.
- f. Other training methods as approved by the director of the Department of Workforce Services.

7. Non-allowable use of funds:

- a. Cost incurred prior to the approved date of application.
- b. Construction or purchase of facilities or buildings.
- c. Relocation expenses.
- d. Employment or training in sectarian activities.
- e. Lobbying activities.
- f. Trainee wages.
- g. Exceptions may be considered on an individual basis.

8. Assurances:

- a. The applicant (employer) assures that records of expenditures of funds under this agreement shall be made available for inspection by DWS audit staff or state auditors, as required.
- b. The applicant (employer) assures that no person shall be excluded from training on the basis of race, color, national origin, age, religion, marital status, sex, or disability.
- c. The applicant (employer) assures that in the event of labor dispute or strike, the director of DWS may postpone or cancel the funding of training support.
- d. The applicant (employer) understands that this agreement may be canceled by the director of DWS by written notification at least 14 days prior to cancellation, or immediately, if funds are not available.
- e. The applicant (employer) agrees that the terms of this agreement may be changed by common consent.
- f. The applicant (employer) assures that provision will be made for submission of a final report, which will include a description of the funded program with quantifiable outcomes.

9. The review of applications will be coordinated with the following state agencies.

- a. Arkansas Economic Development Commission (AEDC)
- b. Arkansas Workforce Investment Board (AWIB)
- c. Arkansas Department of Workforce Services (DWS)

This Regulation shall take effect and be in full force on and after October 1, 2011.