



**Rules of
Department of Economic
Development**

**Division 195—Division of Workforce Development
Chapter 6—Show Me Heroes**

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 195—Division of Workforce
Development
Chapter 6—Show Me Heroes**

4 CSR 195-6.010 Purpose; Definitions

PURPOSE: The Department of Economic Development, Division of Workforce Development is responsible for administering the Show Me Heroes program through existing programs. This rule identifies the existing programs that shall support Show Me Heroes and defines terms used in program administration.

(1) The Department of Economic Development, Division of Workforce Development shall use funds allocated to support On the Job Training, as such term is defined in the Workforce Investment Act, section 101(31), to do the following:

(A) Assist the spouse of an active duty national guard or reserve component service member reservist and active duty United States military personnel to address immediate needs and employment in an attempt to keep the family from falling into poverty while the primary income earner is on active duty, and during the one- (1-) year period following discharge from deployment; and

(B) Assist returning national guard troops or reserve component service member reservists and recently separated United States military personnel with finding work in situations where an individual needs to rebuild business clientele or where an individual's job has been eliminated while such individual was deployed, or where the individual otherwise cannot return to his or her previous employment.

(2) "Recently separated United States military personnel" means a person who served in the active military, naval, or air service for a minimum of four (4) months and who was discharged or released therefrom under conditions other than dishonorable, during the one- (1-) year period beginning on the date of such person's discharge or release from active duty.

(3) "The division" means the Department of Economic Development, Division of Workforce Development.

(4) "Local Program" means the entity designated by the local workforce investment region's local plan to provide training services, as described in section 118 of the Workforce Investment Act.

(5) "Show Me Heroes Trainee" means a person who is eligible to receive on-the-job training through the Show Me Heroes program, as described in section 620.515, RSMo.

AUTHORITY: section 620.515, RSMo Supp. 2012. Original rule filed Dec. 4, 2012, effective June 30, 2013.*

**Original authority: 620.515, RSMo 2006, amended 2008, 2010, 2012.*

4 CSR 195-6.020 Eligibility Requirements

PURPOSE: This rule describes the eligibility requirements for Show Me Heroes Trainees and employers to receive assistance from the division under the Show Me Heroes program.

(1) A person shall meet the following requirements to be eligible for assistance from the division as a Show Me Heroes Trainee:

(A) The person is a dislocated worker who meets the eligibility requirements set forth in 20 CFR 663.310;

(B) The person is either—

1. The spouse of an active duty national guard or reserve component service member reservist or active duty United States military personnel; or

2. The person is a returning national guard troop or reserve component service member reservist or recently separated United States military personnel; and

(C) The person is from a family that is experiencing the following:

1. The primary income earner was called to active duty in defense of the United States for a period of more than four (4) months;

2. The family's primary income is no longer available;

3. The family is experiencing significant hardship due to financial burdens; and

4. The family has no outside resources available to assist with such hardships.

(2) Employers shall meet the following requirements to be eligible to provide occupational training to a Show Me Heroes Trainee:

(A) Any and all eligibility requirements set forth in 20 CFR 663.700, 663.260, and 663.268;

(B) If applicable, the employer shall have—

1. Recalled or attempted to recall all employees who entered active layoff from the employer within the past three hundred sixty-five (365) days; and

2. Not given notice of layoff to any employees in the position for which the

employer requests trainees or any substantially equivalent position;

(C) The employer shall have in place regulations that address employee safety and health;

(D) The employer shall be in compliance with section 285.530.1, RSMo; and

(E) The employer shall be financially stable.

(3) Eligible employers may employ Show Me Heroes Trainees for positions that meet the following requirements:

(A) Low turnover rate;

(B) Non-seasonal employment;

(C) No history of layoff;

(D) Earns wages and benefits that are the same or substantially similar to the wages and benefits of trainees or employees who are employed in similar positions by the same employer and possess similar training, experience, and skills. Such wages and benefits shall be in accordance with applicable law and shall, in no event, fall below the minimum wage required by 29 USC 206(a)(1) and section 290.502, RSMo;

(E) A full-time position, defined as a position for which the employee is scheduled to work thirty-two (32) or more hours each week;

(F) Not temporary or intermittent employment or employment in an occupation for a fee; and

(G) Does not require the trainee to participate in sectarian instruction or religious worship.

(4) A Show Me Heroes Trainee is not eligible to receive training from his or her former employer unless such arrangement is approved in advance by the division. If such approval is granted, the following conditions apply:

(A) The training position must represent a promotion from the position that the Show Me Heroes Trainee previously held with the employer; and

(B) The Show Me Heroes Trainee may not receive training for the position that he or she previously held with the employer.

AUTHORITY: section 620.515, RSMo Supp. 2012. Original rule filed Dec. 4, 2012, effective June 30, 2013.*

**Original authority: 620.515, RSMo 2006, amended 2008, 2010, 2012.*

4 CSR 195-6.030 Training Agreements

PURPOSE: This rule sets forth the requirements for training agreements entered into under the Show Me Heroes program.



(1) Employers that provide training services to a Show Me Heroes Trainee shall enter into an agreement with a Local Program and the trainee that provides occupational training in exchange for the reimbursement of up to fifty percent (50%) of the trainee's wage rate to compensate for the employer's extraordinary costs.

(2) Any agreement made under 4 CSR 195-6.030(1) shall conform to the requirements set forth in 20 CFR 663.700 and 663.705, be approved by the division, and include the following:

(A) The occupation(s) for which training is to be provided and each occupation's respective O*NET code;

(B) The amount of time required by a typical worker to learn the techniques and skills needed for average performance in the position for which training is to be provided. This information may be expressed in terms of the level of Specific Vocational Preparation (SVP) level required;

(C) The length of training shall not exceed twenty-six (26) weeks and shall correspond to the SVP level for the position for which training is required;

(D) The wage rate to be paid to the trainee;

(E) The percentage of reimbursement of trainee wages that the employer shall receive, which shall not exceed fifty percent (50%);

(F) A training outline that reflects the skills required for the position and addresses the gap in the trainee's skills that the training opportunity will bridge;

(G) The employer's agreement to maintain and make available to the Local Program time and attendance records, payroll, and other records to support any wages for which the employer seeks reimbursement under the training agreement;

(H) The employer's assurance that it will provide equal opportunity in all services, without regard to race, sex, color, religion, national origin, disability, citizenship, or participation in program activities, in full compliance with section 188 of the Workforce Investment Act and with the equal opportunity and nondiscrimination regulations found in 29 CFR Part 37;

(I) The employer's assurance that its drug testing policies are in full compliance with section 181(f) of the Workforce Investment Act; and

(J) The employer's assurance that it is in full compliance with the requirements set forth in section 285.530, RSMo, and that, in accordance with that section, it will by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with

respect to the employees working in connection with the training agreement.

(3) Prior to an employer's entering into an agreement under 4 CSR 195-6.030(1), the Local Program shall provide an orientation to the employer that includes discussion of—

(A) Training provisions, general assurances, training plans, including the attainment of skills, program monitoring, and invoicing procedures; and

(B) The Local Program's policies regarding employer disputes, nepotism, and contract modification requests.

AUTHORITY: section 620.515, RSMo Supp. 2012. Original rule filed Dec. 4, 2012, effective June 30, 2013.*

**Original authority: 620.515, RSMo 2006, amended 2008, 2010, 2012.*

4 CSR 195-6.040 Training Plans

PURPOSE: This rule sets forth the requirements for training plans developed under section 620.515, RSMo.

(1) Prior to commencement of training under the Show Me Heroes program, the employer shall develop a training plan that shall provide the Show Me Heroes Trainee with an orderly combination of instruction in work maturity skills, general employment competencies, and occupationally specific skills that will enable the trainee to work toward self-sufficiency.

(2) Any training plan developed pursuant to 4 CSR 195-6.040(1) shall be signed by the employer and the Show Me Heroes Trainee and shall include:

(A) The name and Toolbox applicant identification number or last four digits of the Social Security number of the Show Me Heroes Trainee;

(B) The occupation and corresponding O*NET code for the position the Show Me Heroes Trainee will hold;

(C) The starting and ending dates of training;

(D) The number of hours per week the Show Me Heroes Trainee is scheduled to work;

(E) The Show Me Heroes Trainee's initial wage rate and any scheduled increases, if applicable;

(F) The percentage of the Show Me Heroes Trainee's wages for which the division shall reimburse the employer;

(G) The maximum amount of wage reimbursements the employer may receive from

the division for the Show Me Heroes Trainee;

(H) The name, job title, and contact information of the person responsible for supervising the Show Me Heroes Trainee;

(I) A job description and training outline that clearly describes what the Show Me Heroes Trainee will learn during the training; and

(J) A list of specific skills or tasks the employer agrees to provide to the Show Me Heroes Trainee.

AUTHORITY: section 620.515, RSMo Supp. 2012. Original rule filed Dec. 4, 2012, effective June 30, 2013.*

**Original authority: 620.515, RSMo 2006, amended 2008, 2010, 2012.*

4 CSR 195-6.050 Invoicing, Monitoring, and Reporting

PURPOSE: This rule sets forth the requirements for invoicing, monitoring, and reporting under the Show Me Heroes program.

(1) Employers may be reimbursed for the extraordinary costs associated with training Show Me Heroes Trainees and in compensation for the costs associated with the lower productivity of those trainees. Employers are not required to document those costs, but must submit invoices documenting the number of hours that the Show Me Heroes Trainee worked each day and the rate of pay for the hours worked. Invoices must be signed by the employer and the Show Me Heroes Trainee, or only by the employer if accompanying documentation is signed by the trainee and accurately reconciled to the invoice. The employer must establish record-keeping and record retention procedures to assure that employer records support the submitted invoices.

(2) The Local Program shall monitor the employer's training, invoice, and reimbursement systems and verify and document that the employer and Show Me Heroes Trainee are following the training plan established pursuant to 4 CSR 195-6.040.

(3) An employer may become ineligible to train subsequent Show Me Heroes Trainees if it does not perform successfully. The Local Program shall monitor employer performance based upon the following criteria:

(A) Whether the employer has demonstrated a pattern of failing to retain Show Me Heroes Trainees upon completion of training;

(B) Whether the training received was adequate and complete;

(C) Whether the Show Me Heroes Trainee's



wages increased or decreased after training;
and

(D) Whether any Show Me Heroes Trainee filed a grievance against the employer regarding an event that occurred during the training period.

(4) The employer and the Local Program shall retain all records related to participation in the Show Me Heroes program, including, but not limited to, the Show Me Heroes Trainee's wage and attendance records, for a minimum of five (5) years from the date of the employer's most recent Show Me Heroes reimbursement. The employer and the Local Program shall make such records available to the division for examination at any reasonable time.

AUTHORITY: section 620.515, RSMo Supp. 2012. Original rule filed Dec. 4, 2012, effective June 30, 2013.*

**Original authority: 620.515, RSMo 2006, amended 2008, 2010, 2012.*