**R357. Governor, Economic Opportunity.**

**R357-22. Rural Employment Expansion Program.**

**R357-22-101. Title.**

This rule is known as the "Rural Employment Expansion Program Rule."

**R357-22-102. Definitions.**

In addition to the terms defined in Section 63N-4-402, the following terms are defined:

(1) "Contract termination date" means 90 days after the expiration of the eligible employment period.

(2) "Eligible employment period" means the eligible hiring period and the following 12 months of continual employment for new, full-time employee positions.

(3) "Eligible hiring period" means the six months starting the date the REDI application was submitted.

(4) "Baseline period" means 12 months leading up to the date the REDI application was submitted.

(5) "Employee report" means a list of employees in a format approved by the office that includes:

(a) time-period of report; and

(b) employee:

(i) names or ID numbers;

(ii) position titles;

(iii) hire dates;

(iv) termination dates;

(v) hours paid;

(vi) wages paid; and

(vii) benefits paid, if applicable.

(6)(a) "New, full-time employee position" means a position that:

(i) is newly created in addition to the number of baseline jobs as defined in Subsection 63N-1a-102(1);

(ii) the annual gross wage or annualized wage of the employment position, not including health care or other paid or unpaid benefits, is at least 100% of the average wage of the county in which the employment position exists;

(iii) is filled:

(A) by a full-time employee as defined in Subsection 63N-1a-102(6); and

(B) within the eligible hiring period; and

(iv) is primarily located within a:

(A) county of the third, fourth, fifth, or sixth class; or

(B) municipality that has a population of 10,000 or less located in a county of the second class.

(b) "New, full-time employee position" does not include independent contractor, commission based, or seasonal positions.

(7) "REDI," Rural Employment Development Incentives, means the same as the Rural Employment Expansion Program.

(8) "Business entity" means the same as the term is defined under Subsection 63N-4-402(1).

**R357-22-103. Authority.**

This rule is adopted by the office under the authority of Subsection 63N-4-403(3)(c).

**R357-22-104. Form and Content of Application for Rural Employment Expansion Program Participation.**

(1) The content of the application for a rural employment expansion grant shall, at minimum, include the business entity's:

(a) name;

(b) physical operating address;

(c) telephone number;

(d) email address;

(e) Federal EIN number;

(f) primary NAICS code;

(g) vendor number, if the applicant is a registered vendor with the state;

(h) requested rural employment expansion grant amount; and

(i) forecasted:

(i) number of new, full-time employee positions; and

(ii) wage of new, full-time employee positions.

(2) The following documents shall, at minimum, be included in each application for participation in the program:

(a) a copy of a current, signed W-9 form;

(b) evidence of the business entity's employees during the baseline period such as:

(i) the four most recent Form 33H - Utah Employer Quarterly Wage List and Contribution Reports;

(ii) a copy of an executed professional employee agreement for each employee, as defined in Subsection 31A-40-102(15); or

(iii) an equivalent form of documentation; and

(c) an employee report covering the 12 months leading up to application submission.

**R357-22-105. Documentation Required to Demonstrate the Creation of New, Full-Time Employee Positions.**

(1) The following information and documentation shall, at minimum, be included when a business entity demonstrates the creation of new, full-time employee positions after the position has been filled for 12 months:

(a) number of new, full-time employee positions created;

(b) address of work location if different from the address provided in the business entity's application for REDI Participation;

(c) an employee report for the 12 months leading up to the grant funds disbursement request submission; and

(d)(i) the two most recent Form 33H - Utah Employer Quarterly Wage List and Contribution Reports;

(ii) a copy of an executed professional employee agreement for each employee, as defined in Subsection 31A-40-102(15); or

(iii) similar documentation to Form 33H showing the number of employees employed during the preceding 12 months.

(2) A business entity may apply for grant funds after the new, full-time employee positions have been filled for a minimum of six months and the annualized wage is at least 100% of the county's average wage by submitting:

(a) number of new, full-time employee positions created;

(b) address of work location if different from the address provided in the business entity's application for REDI Participation;

(c) an employee report covering the 12 months leading up to the grant disbursement request submission;

(d)(i) two most recent Form 33H - Utah Employer Quarterly Wage List and Contribution Reports;

(ii) a copy of an executed professional employee agreement, as defined in Subsection 31A-40-102(15); or

(iii) similar documentation to Form 33H showing the number of employees employed during the preceding 12 months; and

(e) pay stubs for each new, full-time employee position at the second, fourth, and sixth month of employment.

(3) The office may request additional information to verify the creation and wage of new, full-time employee positions.

**R357-22-106. Documentation Required to Demonstrate the Creation of New Full-Time Positions -- Appeal Process.**

(1) If the office denies the request for a rural employment expansion grant, the business entity may appeal the denial to the office, in writing, within 20 business days of the denial notice date.

(2) The office shall review and make a final determination of any appeal of a rural employment expansion grant denial within ten business days.

**R357-22-107. Administration of the Rural Employment Expansion Grant.**

(1) From the date of entering a written agreement, as described in Subsection 63N-4-404(3), the business entity shall have six months to hire an employee to fill any new, full-time employee positions.

(2) The business entity shall provide the documentation required to demonstrate the creation of new, full-time employee positions within 90 days of the completion of all eligible employment periods for the new, full-time employee positions.

(3) The administrator may cause the written agreement to be amended if:

(a) the baseline number of jobs has materially changed; or

(b) the number of new, full-time employee positions is less than the number projected in the original written agreement.

(4) The written agreement, as described in Subsection 63N-4-404(3), will establish the average county wage terms and requirements.

(5) New, full-time employee positions that qualify for a Rural Employment Expansion Grant are not eligible to be considered as new, full-time employee positions for other grant or incentive programs administered by the office.

(6) Business entities that would like to apply for or receive another grant or incentive administered by the office must submit a separate application for each grant or incentive program.

**KEY: rural employment expansion, economic development**

**Date of Last Change: June 27, 2024**

**Notice of Continuation: October 6, 2023**

**Authorizing, and Implemented or Interpreted Law: 63N-4-403(3)(c)**