

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

ERIN J DICKERSON
Claimant

APPEAL NO: 09A-UI-16839-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/24/07
Claimant: Appellant (4)**

Section 96.3-5-b – Training Extension Benefits

STATEMENT OF THE CASE:

The claimant appealed a representative's October 28, 2009 decision (reference 03) that denied her request for training extension benefits. A telephone hearing was held on December 8, 2009. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant eligible to receive training extension benefits?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of June 24, 2007, after her job at Maytag was eliminated. The claimant started going to school for a degree in business management/human resource manager in September 2007. The claimant exhausted her regular unemployment insurance benefits during the week ending March 29, 2008. The claimant received Emergency Unemployment Compensation benefits from July 6, 2008, through June 20, 2009, at which time these benefits were exhausted.

The claimant has received Department Approved Training status since she started going to school in September 2007. The claimant is seeking training in a job classified as a job that is in high demand. The claimant has made satisfactory progress in her training and expects to graduate in December 2009.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-5-b (1) provides that a person who has been separated from a declining occupation or who has been involuntarily separated from employment as a result of a permanent reduction of operations and who is in training with the approval of the director (DAT training) or in a job training program pursuant to the Workforce Investment Act of 1998, Pub. L. No. 105-220, (WIA training) at the time regular benefits are exhausted, may be eligible for training extension benefits.

The claimant established that she has met the preliminary requirements to be eligible for training extension benefits. She was laid off from work and started her Department Approved Training to become a business manager/human resource manager in September 2007. The claimant was in a training program at the time she exhausted his regular benefits during the week of March 29, 2008.

To be eligible for training extension benefits a claimant must also: establish the following criteria: The training must be for a high-demand occupation or high-technology occupation, a claimant must have exhausted all regular and emergency unemployment benefits, and the claimant must be enrolled and making satisfactory progress to complete the training. Iowa Code section 96.3-5-b(5).

The claimant established all the above criteria. Therefore, for the weeks ending June 27 through November 7, 2009, the claimant is eligible for training extension benefits. The claimant started receiving EUCU benefits again as of November 8, 2009, and is not eligible to receive training extension benefits as of November 8, 2009. As of November 8, 2009, she again received EUCU benefits.

DECISION:

The representative's October 28, 2009 decision (reference 03) is modified in the claimant's favor. The claimant is eligible to receive training extension benefits for the weeks ending June 27 through November 7, 2009. As of November 8, 2009, the claimant is not eligible to receive training extension benefits because she is again eligible to receive EUCU benefits.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs