

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SCOTT M KELLEY
Claimant

APPEAL NO: 10A-UI-12063-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/23/10
Claimant: Appellant (1)**

Section 96.3-5-b – Training Extension Benefits

STATEMENT OF THE CASE:

The claimant appealed an August 25, 2010 decision (reference 02) that denied his request to receive training extension benefits. A telephone hearing was held on September 18, 2010. 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:

Should the claimant be granted training extension benefits?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of May 23, 2010, after the assembly line that he worked full time at Kenco Logistics Services was transferred to Mexico. The claimant enrolled at Iowa Central Community College and began general classes on August 31, 2010. After the claimant obtains an A.A. degree at Iowa Central Community College, he plans to transfer to Buena Vista College and graduate with a B.A. in history. The claimant expects to graduate from Buena Vista College in August 2013. A history degree may be useful in business-related fields such as sales, human resource and public relation jobs, or in human service jobs.

The claimant has received Department Approved Training for his schooling. As of September 18, 2010, the claimant has not exhausted his regular benefits.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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 purpose of training extension benefits is to provide an individual with continued eligibility for benefits so he may pursue a training program for entry into a high-demand or high-technology occupation. 871 IAC 24.40 (1). The course or courses must be for a high-demand or high-technology occupation. The department will make available to serve as a guide a list of high-demand, high-technology, and declining occupations. The lists shall be available on the department's website and Workforce Centers. High-technology occupations include life sciences, advanced manufacturing, biotechnology, alternative fuels, insurance, environmental technology, and technologically advanced green jobs. A high-technology occupation is one which requires a high degree of training in the sciences, engineering, or other advanced learning area and has work opportunities available in the labor market area or the state 871 IAC 24.40(3)a.

The claimant's request for training extension benefits is denied. The claimant's goal to obtain a bachelor's degree in history is commendable. The history degree, itself, is not a high-demand occupation. Even though history majors may pursue jobs in sales, human resources, public relations or human services, obtaining a B.A. in history does not meet the definition of a high-demand occupation. Additionally, the claimant has not yet exhausted his regular unemployment insurance benefits. Finally, the claimant may be eligible for Trade Act benefits and should pursue this resource to help him successfully complete his education.

DECISION:

The representative's August 25, 2010 decision (reference 02) is affirmed. The claimant's request for training extension benefits is denied because the claimant's course of study is not a high-demand occupation.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css