

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**CHAD L PETERS**  
Claimant

**APPEAL NO. 18A-UI-11350-TN**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 06/03/18**  
**Claimant: Appellant (2)**

Iowa Code § 96.3(5)b - Training Extension Benefits  
871-24.40 - Training Extension Benefit Eligibility

**STATEMENT OF THE CASE:**

Chad L. Peters, the claimant, filed a timely appeal from a representative's unemployment insurance decision dated November 16, 2018, reference 06, denied the claimant's request for training extension benefits effective November 11, 2018, finding the claimant failed to meet the requirements for training extension benefits. After due notice was provided, an in-person hearing was held in Sioux City, Iowa on December 19, 2018. Mr. Peters appeared personally and testified on his own behalf. Exhibits D1 and Claimant's Exhibits A, B and C were admitted into the hearing record.

**ISSUE:**

The issue is whether the claimant is eligible to receive training extension benefits.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: The claimant was involuntarily separated from employment on June 1, 2018. Mr. Peters attended a reemployment services program on July 18, 2018. Based upon the information given to him by reemployment services, Mr. Peters entered into approved training to become a licensed electrician on August 19, 2018. The claimant continues to be enrolled in the training program at the time of hearing and has one semester of training left before he completes the training program and is able to enter the high demand field for electricians. Mr. Peters is taking a full credit hour load and his grades are high. In a decision dated August 15, 2018, reference 05, the department approved the claimant's request for department approved training effective August 19, 2018 due to the work opportunities for licensed electricians and lack of qualified applicants in the claimant's geographic area. Mr. Peters has continued his training to the expiration of his unemployment insurance benefits. The claimant expects to become a licensed electrician in approximately four months at the conclusion of the next semester.

## REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.40 provides:

Training extension benefits.

(1) The purpose of training extension benefits is to provide the individual with continued eligibility for benefits so that the individual may pursue a training program for entry into a high-demand or high-technology occupation. Training extension benefits are available to an individual who was laid off or voluntarily quit with good cause attributable to the individual's employer from full-time employment in a declining occupation or is involuntarily separated from full-time employment as a result of a permanent reduction of operations.

(2) The weekly benefit amount shall be pursuant to the same terms and conditions as regular unemployment benefits and the benefits shall be for a maximum of 26 times the weekly benefit amount of the claim which resulted in eligibility. Both contributory and reimbursable employers shall be relieved of charges for training extension benefits.

(3) The course or courses must be full-time enrollment 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 Web site and workforce centers.

a. 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 of Iowa.

b. A high-demand occupation means an occupation in a labor market area or the state of Iowa as a whole in which the department determines that work opportunities are available.

c. A declining occupation has a lack of sufficient current demand in the individual's labor market area or the state of Iowa for the occupational skills possessed by the individual, and the lack of employment opportunities is expected to continue for an extended period of time.

d. A declining occupation includes an occupation for which there is a seasonal variation in demand in the labor market or the state of Iowa, and the individual has no other skill for which there is a current demand.

e. A declining or high-demand occupation will be determined by using Iowa labor market information for each region in the state.

(4) The application for training benefits must be received 30 days after state or federal benefits are exhausted. The individual must be enrolled and making satisfactory progress to complete the training program in order to continue to be eligible for training extension benefits.

(5) Training benefits shall cease to be available if the training is completed; the individual quits the training course; the individual exhausts the training extension maximum benefit amount; or the individual fails to make satisfactory progress; and benefits shall cease no later than one calendar year following the end of the benefit year in which the individual became eligible for the benefits. Individuals must file and receive benefits under any federal or state unemployment insurance benefit program until the claim has expired or has been exhausted, in order to maintain eligibility for training extension benefits.

This rule is intended to implement 2009 Iowa Code Supplement section 96.3(5).

For an individual to be eligible to receive training extension benefits, the individual must be separated from employment in a declining occupation or involuntarily separated. The individual must be in approved training. The claimant in this case was involuntarily separated from employment and is in department approved training. That training must be for a high demand or technology occupation. The claimant's educational pursuits meet the qualification for a high demand occupation. The individual's claim must be expired or the individual must have exhausted benefits during training. The claimant exhausted his benefits during training. The individual must be enrolled and making satisfactory progress to complete the training. The claimant meets this requirement. Therefore, the claimant is eligible to receive training extension benefits beginning the week ending December 22, 2018, provided that he meets all other eligibility requirements of Iowa law. Benefits will extend for 26 weeks or until the claimant completes his training, whichever date occurs first.

**DECISION:**

The representative's November 16, 2018, reference 06, decision is reversed. The claimant is eligible to receive training extension benefits beginning the week ending December 22, 2018. Benefits shall extend for 26 weeks until the claimant completes his training or fails to meet any other eligibility requirements.

---

Terry P. Nice  
Administrative Law Judge

---

Decision Dated and Mailed

rvs/rvs