

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MELISSA K DELANEY-KOHN**  
Claimant

**APPEAL NO: 13A-UI-00769-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/12/12**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(5)b – Training Extension Benefits

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's January 15, 2013 determination (reference 03) that denied her request for training extension benefits as of December 16, 2012. The claimant participated in the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant's request for training extension benefits must be denied.

**ISSUE:**

Should the claimant's request for training extension benefits be granted or denied?

**FINDINGS OF FACT:**

The claimant started working for Riverview Chiropractic, Tiffany Christensen, on November 4, 2010. During her employment, the claimant worked an average of 30 hours or less a week. When the claimant worked for this employer, she scheduled, completed insurance forms, sent out bills and other office work. For financial reasons, the employer had to layoff the claimant in August 2012.

The claimant established a claim for benefits during the week of August 12, 2012. She enrolled in school to become a medical secretary. She anticipates she will graduate in May 2014. As of the date of hearing, the claimant had Emergency Unemployment Compensation benefits still available to her. The claimant requested training extension 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.

There are specific requirements before a claimant may qualify for training extension benefits: 1) The claimant must meet the minimum requirements for unemployment benefits; 2) the claimant's separation must have been from **full time** work in a declining occupation or the claimant must have been involuntarily separated from **full time** work due to a permanent reduction of operations; 3) the claimant must be in a job training program that has been approved by the Department; 4) the claimant must have exhausted all regular and emergency unemployment benefits; 5) the claimant must have been in the training program at the time regular benefits are exhausted; 6) the training must fall under one of the following three categories: a) it must be for a high demand or high technology occupation as defined by Iowa Workforce Development; b) it must be for a high-tech occupation or training approved under the Workforce Investment Act (WIA); c) it must be an approved program for a GED; and 7) the claimant must be enrolled and making satisfactory progress towards completing the training. Iowa Code § 96.3(5)b(5).

The evidence shows the claimant has only worked for Riverview Chiropractic since 2010. The claimant worked part time, not full time for this employer. Therefore, her request for training extension benefits must be denied because her separation was from part-time employment. One condition the law requires before a claimant can receive training extension benefits is that the claimant has been separated from full-time employment.

**DECISION:**

The representative's January 15, 2013 determination (reference 03) is affirmed. The claimant is not eligible to receive training extension benefits. Her request to receive training extension benefits is denied.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/tll