

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MELISSA A HRDLICKA**  
Claimant

**APPEAL NO. 12A-UI-03336-LT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/25/11  
Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Claimant appealed the March 26, 2012 (reference 02) representative's decision that denied training extension benefits. After due notice was issued, a telephone hearing was held on April 18, 2012. The claimant participated.

**ISSUE:**

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

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was involuntarily separated from her employment as a home health aide at Girling Health in December 21, 2011 because of the closure of the office, but not the business, and filed a claim for benefits with an effective date of December 25, 2011. Claimant has not exhausted all benefit payments on regular and extension unemployment insurance benefits. The application for TEB was submitted in March 2012 before the end of the initial benefit year. In August 2011 the claimant started going to school at Kaplan University to receive an associate degree as a paralegal and expects to complete that training in November 2012. The claimant's area of study is for an occupation that is considered to be a state-wide high demand occupation (HDO) as defined by Iowa Workforce Development (IWD). She is making satisfactory progress.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant is not eligible to receive 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).

In the case herein, the claimant did not establish the above criteria because she was not separated from a declining occupation, a permanent reduction of operations, or a seasonal occupation. Therefore, she does not qualify for training extension benefits.

**DECISION:**

The March 26, 2012 (reference 02) representative's decision is affirmed. The claimant is not eligible to receive training extension benefits.

---

Dévon M. Lewis  
Administrative Law Judge

---

Decision Dated and Mailed

dml/pjs