

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILLARD J ALLISON**  
Claimant

**APPEAL NO. 11A-UI-13807-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/04/11**  
**Claimant: Appellant (1)**

Section 96.3-5-b – Training Extension Benefits

**STATEMENT OF THE CASE:**

Willard Allison (claimant) appealed a representative's October 12, 2011 decision (reference 02) that concluded he was not eligible for training extension benefits. After hearing notices were mailed to the claimant's last-known address of record, a telephone hearing was scheduled for October 27, 2011. The claimant participated personally.

**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 that: The claimant was separated from Nu-Life Cabinets and filed his claim for benefits on September 5, 2010. The claimant became a full-time student in November 2010. He reopened his claim for benefits on September 4, 2011. The claimant applied for and was granted Department Approved Training status from September 10, 2011, to September 1, 2012. He is currently receiving unemployment insurance benefits. The claimant filed for Training Extension Benefits and was denied effective September 4, 2011.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant qualifies for training extension benefits. For the reasons that follow the administrative law judge concludes the claimant is not eligible to receive training extension benefits.

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).

In the case herein, the claimant established he did not establish the above criteria. The claimant has not exhausted his regular unemployment benefits. The claimant does not qualify for training extension benefits.

**DECISION:**

The representative's October 12, 2011, decision (reference 02) is affirmed. The claimant is not eligible to receive training extension benefits.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs