

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TAMMY L RYAN
Claimant

APPEAL NO. 12A-UI-07196-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/27/11
Claimant: Appellant (4)**

Section 96.3-5-b – Training Extension Benefits

STATEMENT OF THE CASE:

Tammy L. Ryan filed an appeal from an unemployment insurance decision dated June 4, 2012, reference 04, that denied training extension benefits to her effective December 4, 2011, upon a finding that she had not exhausted all emergency unemployment compensation benefits based on her March 29, 2009 claim. After due notice was issued, a telephone hearing was held July 17, 2012, on a consolidated record with 12A-UI-07197-AT. Ms. Ryan participated on her own behalf. The administrative law judge takes official notice of Agency benefit payment records.

ISSUE:

Is the claimant eligible for training extension benefits?

FINDINGS OF FACT:

Tammy L. Ryan filed a claim for unemployment insurance benefits effective March 29, 2009. She also filed a claim for unemployment insurance benefits effective March 27, 2011. She exhausted all state and federal benefits based on her 2011 benefit year on December 3, 2011. Although she still had ten weeks of emergency unemployment compensation benefits available to her on her 2009 claim, the Agency began paying her training extension benefits beginning December 4, 2011. The Agency then realized its error and used the ten weeks of emergency unemployment compensation benefits on the 2009 benefit year to offset weeks of training extension benefits that Ms. Ryan received. Had the training extension benefits begun when they should have begun, Ms. Ryan would be eligible for training extension benefits through the week ending August 11, 2012, provided she meets all other eligibility requirements.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-5-b creates the training extension benefit program. The statute and Agency rules found at Iowa Administrative Code section 871-24.40 establish eligibility requirements. The evidence in the record establishes that Ms. Ryan was not eligible for training extension benefits until February 12, 2012. The training extension benefit program allows benefits for up to 26 weeks. Based on this, Ms. Ryan is potentially eligible for training extension

benefits through August 11, 2012. She has been unable to receive benefits since the week ending June 2, 2012. She is eligible to receive unemployment insurance benefits through August 11, 2012, provided she meets other eligibility requirements.

DECISION:

The unemployment insurance decision dated June 4, 2012, reference 04, is modified. The claimant is ineligible for training extension benefits on her 2011 claim from December 4, 2011, through February 11, 2012. She is eligible to receive training extension benefits effective February 12, 2012, for up to 26 weeks, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw