

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RANDALL L STIDHAM
Claimant

APPEAL NO: 10A-EUCU-00210-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 10/28/07
Claimant: Appellant (2)

Section 96.3-5-b – Training Extension Benefits

STATEMENT OF THE CASE:

The claimant appealed a representative's March 17, 2010 decision (reference 02) that denied his request for training extension benefits. A telephone hearing was held on May 19, 2010. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Should the claimant be eligible to receive training extension benefits?

FINDINGS OF FACT:

After he had been laid off from work at Maytag, the claimant established a claim for benefits during the week of October 28, 2007. The claimant exhausted his regular unemployment insurance benefits during the week ending July 12, 2008. He received Emergency Unemployment Compensation benefits and TRA benefits until the week ending March 20, 2010.

The claimant started going to school in early December 2007. The claimant received Department Approved Training to attend Marshalltown Community College. The claimant chose a program in tool and die training. The claimant initially had to take some general education courses before he could start the tool and die training classes the fall of 2008. The claimant completed and graduated from his course of training on May 7, 2010. There is a high demand for people trained for advanced manufacturing jobs.

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.

The claimant met the preliminary requirements to be eligible for training extension benefits. He was laid off from work and started his Department Approved Training at Marshalltown Community College January 2008. He was in a training program at the time he exhausted his regular benefits in July 2008. He received approval of the Department to attend the training.

The claimant also established that the training he received is for a high-demand or high-technology occupation. When the claimant applied for training extension benefits, he had exhausted all regular and emergency unemployment benefits. The claimant made satisfactory progress to complete the training by graduating on May 7, 2010. Iowa Code § 96.3-5-b(5). The claimant's request for training extension benefits through May 8, 2010, is granted.

DECISION:

The representative's March 17, 2010 decision (reference 02) is reversed. The claimant's request for training extension benefits through May 8, 2010, is granted.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css