

# Mass Workforce Issuance

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**Workforce Issuance No. 09-75**

Policy  Information

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**To:** Chief Elected Officials  
Workforce Investment Board Chairs  
Workforce Investment Board Directors  
Title I Administrators  
Career Center Directors  
Title I Fiscal Officers  
DCS Regional Managers

**cc:** WIA State Partners

**From:** Michael Taylor, Director  
Department of Workforce Development

**Date:** November 6, 2009

**Subject:** **Section 30 Enrollment in Training Clarification**

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**Purpose:** To provide clarification with regard to recent changes to Massachusetts law and regulations regarding enrollment in approved training.

**Background:** Massachusetts' law (M.G.L. 151A §30) and regulations (430 CMR 9.02) were recently amended in accordance with federal encouragement that states expand the scope of individuals eligible for training benefits. The Commonwealth posted MassWorkforce Issuance No. 09-66, [Section 30 Law Changes](#) (10/14/2009) to notify Local Workforce Investment Boards, One-Stop career Center Operators and other local workforce investment partners of the changes.

On October 30, 2009, the Department of Workforce Development, Division of Unemployment Assistance (DUA) issued a memorandum (Attachment A) to clarify two elements of the recent amendments:

The first clarification concerned whether or not "enrollment in training" satisfied the regulatory requirement that a claimant must "commence or begin training prior to the expiration" of his/her benefit year [430CMR 9.04(2)(d), 9.07(1)]. This is pertinent to those situations when an individual has enrolled in a training program at or near the end of his/her benefit year as allowed by the regulations, but the classes may not begin until after the individual's benefit year has expired.

The memorandum clarifies that as official "enrollment" is the "first formal step in beginning the training process" claimants who have completed that step have met the regulatory requirement "as long as the enrollment...has occurred prior to the

benefit year expiration date” and that “claimants may maintain their eligibility for training benefits when their classes begin after the benefit year expiration date.”

The second related clarification regards the added exemption to the 15-week application period. Whether or not an extended benefit program is in effect in the Commonwealth, in accordance with 430 CMR 9.06(3)(g), if a claimant has been separated from a declining occupation, or if the claimant has been involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations and the claimant “is training for a high-demand occupation, the 15-week application period shall be extended until the end of the claimant’s benefit year.”

As with the “enrollment” clarification above, as long as said claimant is enrolled in training for a high-demand occupation by the end of his/her benefit year, the claimant will satisfy the requirement to “commence or begin training prior to the expiration” of his/her benefit year [430CMR 9.04(2)(d), 9.07(1)].

These changes were effective as of October 4, 2009.

**Required:** Please assure that all appropriate staff are informed of the contents of this issuance.

**Inquiries:** Direct all inquiries to the Section 30 Unit at 617-626-5375.