

**Board of Review
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**Paul T. Fitzgerald, Esq.
Chairman
Charlene A. Stawicki, Esq.
Member
Michael J. Albano
Member**

Issue ID: 0070 8195 00

Introduction and Procedural History of this Appeal

The claimant appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) to deny the claimant training benefits. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On July 3, 2021, the agency initially determined that the claimant was not entitled to training benefits from May 17, 2021, through August 6, 2021. The claimant appealed and attended the hearing. In a decision rendered on August 17, 2021, the review examiner affirmed the denial of training benefits, concluding that the claimant was not enrolled on a full-time basis and, thus, was disqualified under G.L. c. 151A, § 30(c). The Board accepted the claimant's application for review.

Ruling of the Board

After considering the recorded testimony and evidence from the hearing, the review examiner's decision, and the claimant's appeal, we conclude that the review examiner's decision is based on substantial evidence and is free from any error of law affecting substantive rights.

The review examiner's decision is affirmed. The claimant is not entitled to training benefits between May 17, 2021, and August 6, 2021.

N.B.: While the claimant failed here to establish that she attended her training program on a full-time basis during the Summer of 2021, we note that the claimant and her training provider uploaded to UI Online various documents (including a Training Opportunities Program Application signed by the provider on June 24, 2021, and various transcripts) between June 25 and June 29, 2021.

Because these documents pertain to the upcoming Fall 2021 semester, beginning on or about September 9, 2021, we ask that the claimant's eligibility for training benefits as of that date be investigated and adjudicated accordingly.



Charlene A. Stawicki, Esq.
Member

BOSTON, MASSACHUSETTS
DATE OF DECISION - September 7, 2021



Michael J. Albano
Member

Chairman Paul T. Fitzgerald, Esq. did not participate in this decision.

If this decision disqualifies the claimant from receiving regular unemployment benefits, the claimant may be eligible to apply for Pandemic Unemployment Benefits (PUA). The claimant may apply at: <https://ui-cares-act.mass.gov/PUA/>. The claimant may also call customer assistance at 877-626-6800 (select the number for your preferred language, then press # 2 for PUA).

**ANY FURTHER APPEAL WOULD BE TO A MASSACHUSETTS
STATE DISTRICT COURT
(See Section 42, Chapter 151A, General Laws, Enclosed)**

The last day to appeal this decision to a Massachusetts District Court is thirty days from the mail date on the first page of this decision. If that thirtieth day falls on a Saturday, Sunday, or legal holiday, the last day to appeal this decision is the business day next following the thirtieth day.

To locate the nearest Massachusetts District Court, see:
www.mass.gov/courts/court-info/courthouses

Please be advised that fees for services rendered by an attorney or agent to a claimant in connection with an appeal to the Board of Review are not payable unless submitted to the Board of Review for approval, under G.L. c. 151A, § 37.

JPCA/rh