

**Board of Review  
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Chairman  
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Member  
Michael J. Albano  
Member**

**Issue ID: 0076 9503 98**

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's application for training benefits. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On June 13, 2022, the agency initially determined that the claimant was not entitled to up to 26 weeks of additional benefits while attending a full-time training program. The claimant appealed and attended the hearing. In a decision rendered on September 10, 2022, the review examiner affirmed the agency determination, concluding that the claimant was not enrolled full-time in an approved training program and, thus, was disqualified under G.L. c. 151A, § 30(c), and 430 CMR 9.04(2). 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.

We note that, while the claimant's appeal to the Board suggests that her program's approval had been renewed (and that while it appears the program's approval has been reinstated in the DUA's JobQuest electronic database), the claimant has not contended that she has begun training. Consequently, the claimant should submit a new application for training benefits to the DUA's TOP Unit for review if she still wishes to attend this program.

We further note that the initial disqualification on June 13, 2022, cited the claimant's failure to timely file a new claim for benefits as one of the reasons for her disqualification. The claimant should clarify her obligations regarding this task with the TOP Unit and DUA customer service if she wishes to submit a new application for training benefits.

The review examiner's decision is affirmed. The claimant is not entitled to receive up to 26 weeks of training benefits under G.L. c. 151A, 30(c).

Pursuant to 430 CMR 9.05(6)(b), the claimant may submit a new application for training benefits within two weeks of the date of this decision.

**BOSTON, MASSACHUSETTS**  
**DATE OF DECISION - October 27, 2022**



Paul T. Fitzgerald, Esq.  
Chairman



Charlene A. Stawicki, Esq.  
Member

Member Michael J. Albano did not participate in this decision.

**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](http://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