

**Claimant who did not begin his training program by the appointed date in his TOP application – and had not begun his training program at all by the date of his hearing – was not entitled to training benefits under G.L. c. 151A, § 30(c), based on that TOP application.**

**Board of Review  
100 Cambridge Street, Suite 400  
Boston, MA 02114  
Phone: 617-626-6400  
Fax: 617-727-5874**

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

**Issue ID: 0081 0291 65**

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 September 1, 2023, the agency initially determined that the claimant was not entitled to receive up to 26 times his weekly benefit rate in training benefits while attending a full-time training program. The claimant appealed and attended the hearing. In a decision rendered on October 19, 2023, the review examiner affirmed the agency determination, concluding that the claimant was ineligible for training benefits, because he had not begun his training program on the date set forth in his application for said benefits, and because he had not, in fact, begun his training program at all 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 from September 18, 2023, through January 5, 2024.

**N.B.:** If the claimant has begun to attend a training program that has been approved for training benefits, he may reach out to the DUA's Special Programs Unit about submitting a new Training Opportunities Program (TOP) Application setting forth the actual date he began his program, the date he anticipates completing his program, and all of the other pertinent information sought in the TOP Application.

**BOSTON, MASSACHUSETTS**  
**DATE OF DECISION - November 14, 2023**



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