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: 0082 7633 90

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 an extension of the claimant's unemployment benefits while she participated in a training program (training benefits) from March 18, 2024, through May 2, 2024, but awarding training benefits as of May 3, 2024, if otherwise eligible. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On June 7, 2024, the agency initially determined that the claimant was not entitled to training benefits. The claimant appealed and attended the hearing. In a decision rendered on July 23, 2024, the review examiner modified the agency determination, concluding that the claimant was ineligible for training benefits between March 18, 2024, through May 2, 2024, because she was not attending her program on a full-time basis but affirming training benefits as of May 3, 2024, if otherwise eligible, pursuant to G.L. c. 151A, § 30(c), and 430 CMR 9.00 *et seq*. 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 ineligible for training benefits from March 18, 2024, through May 2, 2024. The review examiner's decision to approve the claimant's Trainings Opportunity Program application as of May 3, 2024, is also affirmed. The Board refers this matter to the DUA's Special Programs Department to ensure that the claimant has remained in compliance with the terms of her approved Training Opportunities Program application.



BOSTON, MASSACHUSETTS
DATE OF DECISION - August 30, 2024

Paul T. Fitzgerald, Esq.
Chairman



Michael J. Albano
Member

Member Charlene A. Stawicki, Esq. 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

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