

MEMORANDUM

To: UI Field Operations Director, Career Center Field Operations
Director, UITCC Directors, UITCC Managers, Area Directors and
Walk-in Center Managers

From: Chris Swenson, Director of Benefit Operations

Subject: Enrollment in Training

Date: October 30, 2009

BACKGROUND

M.G.L. c. 151A, § 30 (c) allows claimants to receive unemployment insurance (UI) benefits while enrolled in approved training. The purpose of the training benefits regulations at 430 CMR 9.00 is to establish procedures and interpret the standards for approval of training programs and the eligibility of claimants to participate in such programs. These regulations apply to any person who has an eligible claim for unemployment compensation benefits and is seeking benefits while enrolled in training (430 CMR 9.02). These regulations recently were amended to reflect changes in federal law encouraging states to expand the scope of those eligible for training benefits.

ENROLLMENT IN TRAINING

Recent amendments to M.G.L. c. 151A, § 30(c) authorize the Director of the Division of Unemployment Assistance to extend the time in which a training application must be filed. Under these regulations, which were effective October 4, 2009, claimants may apply for training benefits up to the end of their benefit year. Additionally, claimants must be enrolled in training by the end of their benefit year.

A question has arisen on whether “enrolled in training” satisfies the regulatory requirements that claimants must commence or begin training prior to the expiration of their benefit year. (See 430 CMR 9.04(2)(d), 9.07(1). This

question is especially pertinent to situations where claimants have enrolled in training at or near the end of their benefit year as allowed by the regulations. However, in those situations, classes may not begin until after the benefit year expiration date.

The term “enrolled in training” is not defined in the regulations. This term means registered for a training program. Specifically, individuals are “enrolled” or “registered” in training when they have applied for admission to the training program and have been accepted into the training program by the training provider. In essence, it is the first formal step in beginning the training process. As such, claimants who have completed this step can be considered to have commenced or begun training so as to satisfy the regulatory requirements. **Therefore, as long as the enrollment, as defined above, has occurred prior to the benefit year expiration date, claimants may maintain their eligibility for training benefits when their classes begin after the benefit year expiration date.**

ENROLLMENT IN TRAINING FOR HIGH DEMAND OCCUPATION

The recent amendments to the training benefits regulations added a new exemption to the 15-week application period. 430 CMR 9.06 (3)(g) provides:

“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.”

For the reasons specified above, as long as the claimant is enrolled in training for a high-demand occupation by the end of the benefit year, the claimant will satisfy the “claimant is training” requirements.

EFFECTIVE DATE: This memorandum is in effect immediately, and it has no expiration date.

INQUIRIES: Please contact the Section 30 Unit at 617-626-5375 with any questions you may have regarding this memorandum.