

CHAPTER 27-03-08 TRAINING

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27-03-08-01. Application of chapter.

This chapter governs the administration of the North Dakota Unemployment Compensation Law as it relates to payment of benefits to persons in approved training.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-06-01, 52-06-02(6)

27-03-08-02. Definition.

An otherwise eligible individual, for the purposes of this chapter, is a person who meets the requirements set forth in North Dakota Century Code section 52-06-01, except for the requirements of subdivision a of subsection 3 of North Dakota Century Code section 52-06-01 relating to availability and active search for work.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-06-01, 52-06-02(6)

27-03-08-03. Application for approval of a training or retraining program.

An otherwise eligible unemployed individual who has filed or files a claim for benefits may make written application to the bureau for approval of a training or retraining program which the individual proposes to attend or to which the individual has been referred by the bureau. The application shall be made on forms prescribed by the bureau and shall include the following information:

1. The individual's most recent employer and employment.
2. The proposed training or retraining course.
3. The educational institution at which the individual would receive training and retraining.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-06-01, 52-06-02(6)

27-03-08-04. Approval of training or retraining programs.

An individual's application for enrollment in a training or retraining program, unless other relevant factors dictate otherwise, must be approved by the bureau for an otherwise eligible unemployed individual if the bureau finds that the training or retraining program meets all of the following requirements:

1. Reasonable and suitable work opportunities for which the individual is fitted by training, experience, and physical capabilities do not exist in the individual's locality.
2. The training course is commensurate with the individual's abilities and is designed to prepare the individual for available employment.

3. The training is conducted by an agency, educational institution, or employing unit which has been approved for such training by the bureau in consultation with the state department of vocational education, when necessary, to conduct training programs.
4. The training is vocational in nature or short-term academic training vocationally directed to an occupation or skill for which there are, or are expected to be, reasonable work opportunities available to the individual.

History: Amended effective December 1, 1988.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-06-01, 52-06-02(6)

27-03-08-05. Availability of trainee.

An otherwise eligible unemployed individual whose written application for approval of training or retraining has been approved by the bureau may be paid benefits for any week during a period of training or retraining if the bureau finds that all of the following have been met:

1. The individual has filed a claim on forms prescribed by the bureau.
2. A duly designated person connected with the training has certified each week that the individual has been maintaining satisfactory progress and attendance in the course.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-06-01, 52-06-02(6)