

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

LAURA J SARAZIN
Claimant

APPEAL NO. 14A-UI-02359-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

BOSTON WINDOW CLEANING INC
Employer

OC: 04/28/13
Claimant: Appellant (6)

Section 96.23 – Substitution of Wages
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed an appeal from the representative's decision dated February 20, 2014, reference 04, which held that the claimant was ineligible for substitution of workers' compensation benefits in the claimant's base period in lieu of wages. A telephone hearing was scheduled for March 25, 2014. At the time of the hearing, the claimant withdrew her appeal.

ISSUE:

Whether the claimant should be permitted to withdraw her appeal.

FINDINGS OF FACT:

The administrative law judge, having reviewed the record, makes the following findings of fact: On March 25, 2014, the claimant made an oral request to withdraw her appeal filed on March 3, 2014. The request was tape recorded by Clear2there.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 26.8(1) provides:

- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved

DECISION:

The request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated February 20, 2014, reference 04, shall stand and remain in full force and effect.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/css