

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MARIA D GONZALEZ
Claimant

SWIFT PORK COMPANY
Employer

APPEAL 21A-UI-16342-DZ-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/18/21
Claimant: Respondent (6)

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Admin. Code r. 871-26.8(1) – Withdrawals
PL116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

Swift Pork Company, the employer/appellant, filed an appeal from the July 15, 2021 (reference 01) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for September 15, 2021 at 2:00 p.m. Prior to the hearing date, the employer submitted a written request to withdraw its appeal.

ISSUE:

Should the employer's request to withdraw its appeal be granted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer requested to withdraw its appeal. The request was submitted in writing and sent via fax on August 31, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on August 31, 2021.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the employer's request to withdraw its appeal should be approved.

DECISION:

The employer's request to withdraw its appeal of the July 15, 2021 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for September 15, 2021 at 2:00 p.m. is cancelled.



Daniel Zeno
Administrative Law Judge
Iowa Workforce Development
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

September 08, 2021
Decision Dated and Mailed

dz/mn