

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RAMON D JOHNSON
Claimant

APPEAL NO: 15A-UI-02299-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRST VAN EXPEDITED INC
Employer

OC: 01/18/15
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's February 10, 2015 determination (reference 01) that held the claimant qualified to receive benefits and the employer's account potentially subject to charge if the claimant also worked as an employee. A hearing was scheduled on March 24, 2015. Kim Bateman appeared on the employer's behalf. The claimant did not respond to the hearing notice or participate at the hearing. Based on a determination, reference 02, the employer withdrew its appeal because this determination held the employer's account would be charged. Based on the employer's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

FINDINGS OF FACT:

On March 23, 2015, the employer withdrew its appeal from a representative's February 10, 2015 determination (reference 01) that held the claimant qualified to receive benefits. The employer withdrew its appeal because reference 02 held the employer's account exempt from charge. The employer's withdrawal request was recorded.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 recorded by the presiding officer.

The employer's request to withdraw its appeal is approved.

DECISION:

The representative's February 10, 2015 determination (reference 01) is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits and as a result of reference 02 the employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs