

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARILYN O MEDINA
Claimant

APPEAL NO. 11A-UI-04718-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

STREAM INTERNATIONAL INC
Employer

OC: 01/31/10
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's March 30, 2011 determination (reference 03) that held the claimant voluntarily quit her part-time job without good cause, but was eligible to receive benefits because she was monetarily eligible to receive benefits based on wages she earned from other employers in her base period. A hearing was scheduled on May 5, 2011. The claimant appeared for the hearing. Monica Blume-Ensminger appeared on the employer's behalf. Before the hearing started, the employer withdrew its appeal in this matter. 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.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

FINDINGS OF FACT:

The employer withdrew its appeal from a representative's March 30, 2010 determination. The employer's May 5, 2011 withdrawal request was tape-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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 tape-recorded by the presiding officer.

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

DECISION:

The representative's March 30, 2011 determination (reference 03) is affirmed. The employer's request to withdraw its appeal is approved. Even though the claimant voluntarily quit her part-time employment without good cause, she is eligible to receive benefits because wages she earned from her base period employers make her monetarily eligible to receive benefits. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw