

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JENNY L WHITE
Claimant

APPEAL 21A-UI-04231-LJ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

CASCADE-AQUIN SCHOOL SYSTEM
Employer

OC: 04/05/20
Claimant: Respondent (6)

Iowa Code § 96.19(38) – Total, Partial, and Temporary Unemployment
Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Code § 96.7(2)a(2) – Employer Contributions and Reimbursements

STATEMENT OF THE CASE:

On January 29, 2021, the employer, Cascade—Aquin School System, appealed the unemployment insurance decision dated January 20, 2021 (reference 01) that allowed benefits effective April 5, 2020, based upon a determination that claimant was unemployed on a short-term layoff.

A hearing was scheduled for 9:00 a.m. on Tuesday, April 6, 2021. Prior to that hearing being held, the employer/appellant requested to withdraw its appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing. The administrative law judge received the employer/appellant's written request to withdraw the appeal on Monday, April 5, 2021.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 January 20, 2021 (reference 01) unemployment insurance decision is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

The hearing scheduled for 9:00 a.m. on Tuesday, April 6, 2021 is cancelled.



Elizabeth A. Johnson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Des Moines, Iowa 50319-0209
Fax (515)478-3528

April 7, 2021
Decision Dated and Mailed

lj/scn