

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**SHANNON E BLADT**  
Claimant

**APPEAL NO. 20A-UI-11327-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARROLL CO COUNCIL FOR THE  
PREVENTION OF CHILD ABUSE**  
Employer

**OC: 06/28/20**  
**Claimant: Respondent (6)**

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Iowa Code Section 96.4(3) – Able & Available  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed a late appeal from the August 17, 2020, reference 01, decision that allowed benefits effective June 28, 2020, provided the claimant was otherwise eligible, based on the deputy's conclusion that the claimant was able to work and available for work, but that the employer was not providing employment in the same pattern as existed during the base period. A hearing was scheduled for November 5, 2020. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The employer is the appellant in this matter. The appeal hearing is set for November 5, 2020. On October 19, 2020, the employer, through Talx/Equifax, filed a written request to withdraw the appeal. The request was submitted before the administrative law judge entered a decision in connection with the appeal.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The administrative law judge concludes that the appealing party's request to withdraw the appeal should be approved.

**DECISION:**

The employer's request to withdraw the appeal is approved. The August 17, 2020, reference 01, decision that allowed benefits effective June 28, 2020, provided the claimant was otherwise eligible, based on the deputy's conclusion that the claimant was able to work and available for work, but that the employer was not providing employment in the same pattern as existed during the base period, shall remain in effect. The hearing set for November 5, 2020 is cancelled.

A rectangular box containing a handwritten signature in cursive script that reads "James E. Timberland".

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James E. Timberland  
Administrative Law Judge

October 22, 2020  
Decision Dated and Mailed

jet/scn