

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**ANDREA A CLOUD**  
Claimant

**MERCY HEALTH SERVICES-IOWA CORP**  
Employer

**APPEAL 20A-UI-11850-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/10/20**  
**Claimant: Appellant (6R)**

---

Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

**STATEMENT OF THE CASE:**

On September 22, 2020, Andrea Cloud (claimant/appellant) filed a timely appeal from the Iowa Workforce Development decision dated September 14, 2020 (reference 02) that denied benefits based on a finding claimant voluntarily quit work on November 18, 2019 for reasons not caused by employer.

A telephone hearing was set for December 18, 2020. The parties were properly notified of the hearing. The claimant was represented by Attorney Ernest Kersten. Mercy Health Services-Iowa Corp (employer/respondent) participated by Sr. Colleague Relations Partner Heidi Willrett and was represented by Employer's Agent, Jennifer Pierce. Lab Technical Manager Shara Klesath participated as a witness for employer.

**ISSUE:**

Whether the request to withdraw the appeal should be granted.

**FINDINGS OF FACT:**

Claimant was not available at the time of hearing and Mr. Kersten requested to participate on behalf of claimant. Mr. Kersten stipulated to claimant having voluntarily quit employment with employer and that she was not eligible for benefits with regard to employer. Mr. Kersten indicated claimant was subsequently employed elsewhere and so may have requalified for benefits based on that subsequent employment. Mr. Kersten also indicated claimant's current unemployment may be related to the pandemic. After discussion, Mr. Kersten agreed an evidentiary hearing was not necessary and requested to withdraw the appeal.

The administrative record reflects claimant did work for AHS Staffing, LLC subsequent to the separation from employer. The administrative record shows claimant earned insured wages in the amount of \$4,136.00 from that employer during the first and second quarters of 2020. No wages were reported for the third quarter of 2020. Claimant's weekly benefit amount is \$481.00. As such, it does not appear that claimant has earned sufficient insured wages to requalify for benefits. See Iowa Code 96.5(1)g.

Nonetheless, the issue of whether claimant has requalified for benefits subsequent to the separation from employer is REMANDED to the Benefits Bureau for a determination. If the wages reflected above are incorrect, claimant may wish to contact the department to provide record of wages earned subsequent to her separation from employer.

It does not appear that claimant has filed an application for Pandemic Unemployment Assistance (PUA).

**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). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

**The administrative law judge notes that while the underlying decision denied regular, state unemployment benefits, claimant may be eligible for federal Pandemic Unemployment Assistance (PUA). Further information on PUA, including how to apply, is set forth below.**

**DECISION:**

The appealing party's request to withdraw the appeal of the decision dated September 14, 2020 (reference 02) that denied benefits based on a finding claimant voluntarily quit work on November 18, 2019 for reasons not caused by employer is APPROVED. That decision shall stand and remain in full force and effect.

**REMAND:**

The issue of whether claimant has requalified for benefits subsequent to the separation from employer is REMANDED to the Benefits Bureau for a determination.



---

Andrew B. Duffelmeyer  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

December 30, 2020  
Decision Dated and Mailed

abd/scn

***Note to Claimant:***

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.