

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DAWN E EICKERT
Claimant

ARCHER-DANIELS-MIDLAND CO
Employer

APPEAL 17A-UI-03411-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 02/26/17
Claimant: Respondent (6)

Iowa Code §96.5(2)(a) – Discharge for Misconduct
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from an unemployment insurance decision dated March 15, 2017, reference 01. A telephone hearing was scheduled for April 21, 2017, at 3:00 p.m. On March 28, 2017, before the hearing date, the employer/appellant submitted a written withdrawal of its appeal. The Appeals Bureau received the withdrawal on March 31, 2017. The hearing was canceled.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The unemployment insurance decision issued on March 15, 2017, reference 01, determined that the claimant was eligible for benefits. On March 27, 2017, the employer appealed this decision. A telephone hearing was scheduled for this appeal on April 21, 2017, at 3:00 p.m. On March 28, 2017, the employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing, via regular mail, by the employer's representative. The Appeals Bureau received the withdrawal on March 31, 2017.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1).

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.

DECISION:

The appealing party's request to withdraw its appeal of the unemployment insurance decision dated March 15, 2017, reference 01, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on April 21, 2017, at 3:00 p.m. is canceled.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

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