

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

FRANCES HARRINGTON

Claimant

APPEAL NO: 08A-UI-00901-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BOSTON WINDOW CLEANING INC

Employer

**OC: 12/23/07 R: 03
Claimant: Respondent (6)**

Section 96.4-3 – Ability to and Availability for Work
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

Boston Window Cleaning, Inc. (employer) appealed a representative's January 22, 2008 decision (reference 01) that concluded Frances Harrington (claimant) was eligible to receive unemployment insurance benefits because she was available to work during a short-term layoff. A hearing was scheduled on February 11, 2008. Prior to the hearing, the employer's representative, Personnel Planners, Inc., made a request to withdraw the employer's appeal. 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.

FINDINGS OF FACT:

The employer's representative, Personnel Planners, Inc., made a request to withdraw the employer's appeal from a representative's January 22, 2008 decision. The Appeals Section received the faxed withdrawal request on February 11, 2008.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 January 22, 2008 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains eligible to receive unemployment insurance benefits as of December 23, 2007, provided she meets all other eligibility requirements.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs