

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

NANCY R NELSON
Claimant

APPEAL NO. 14A-UI-03595-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

OC: 02/16/14
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the March 25, 2014, reference 01, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged based on an agency conclusion that the claimant's January 24, 2014 separation was for good cause attributable to the temporary employment firm. A hearing was scheduled for April 25, 2014. At the time set for the hearing, the employer/appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appealing party. The appeal hearing was set for April 25, 2014. At the time set for the hearing, the employer requested to withdraw the appeal. The request was submitted before a decision had been entered 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 appealing party's request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The claims deputy's March 25, 2014, reference 01, decision shall remain in effect. That decision allowed benefits to the claimant provided she was otherwise eligible and held the employer's account could be charged based on an agency conclusion that the claimant's January 24, 2014 separation was for good cause attributable to the temporary employment firm

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs