

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JACKIE K JACKSON

Claimant

APPEAL NO. 17A-UI-04853-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EGS CUSTOMER CARE INC

Employer

OC: 03/26/17

Claimant: Respondent (6)

Iowa Code Section 96.5(2)(a) - Discharge
871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the April 28 2017, reference 01, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on the claims deputy's conclusion that the claimant was discharged on March 31, 2017 for no disqualifying reason. An appeal hearing is scheduled for June 16, 2017. Prior to the hearing being held, the employer/appellant requested that the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing is set for June 16, 2017. On June 12, 2017, the employer, through Equifax/Talx UCM Services, submitted a written request withdraw the appeal. The request to withdraw the appeal was filed prior to a decision being 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 has reviewed the appeal and the administrative file in this matter and concludes the employer's request to withdraw the appeal should be granted.

DECISION:

The employer's request to withdraw the appeal is approved. The April 28 2017, reference 01, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on the claims deputy's conclusion that the claimant was discharged on March 31, 2017 for no disqualifying reason, remains in effect. The appeal hearing set for June 16, 2017 is cancelled.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs