

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ROBERT L CHAMBERS
Claimant

EXPRESS SERVICES INC
Employer

APPEAL 17A-UI-03080-TN-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 02/12/17
Claimant: Respondent (6)

Iowa Admin. Code r. 871-24.24(1)(a) – Refusal of Suitable Work
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 8, 2017, reference 02. A telephone hearing was scheduled for April 12, 2017, at 3:00 p.m. On April 6, 2017, before the hearing date, the employer/appellant submitted a written withdrawal of its appeal. The Appeals Bureau received the withdrawal on the same date. The hearing was canceled due to the employer/appellant's withdrawal of its appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The unemployment insurance decision issued on March 8, 2017, reference 02, determined that the claimant was eligible for benefits. On March 17, 2017, the employer appealed this decision. A telephone hearing was scheduled for this appeal on April 12, 2017, at 3:00 p.m. On April 6, 2017, the employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing, via fax, by the employer's representative. The Appeals Bureau received the withdrawal on that same date.

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 8, 2017, reference 02, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on April 12, 2017, at 3:00 p.m. was canceled.

Terence Nice
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

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