

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ZACHARY E MEDHAUG
Claimant

APPEAL 20A-UI-09949-AW-T
ADMINISTRATIVE LAW JUDGE
DECISION

TYSON FRESH MEATS INC
Employer

OC: 04/26/20
Claimant: Respondent (6)

Iowa Code § 96.19(38) – Definitions – Total, partial unemployment
Iowa Code § 96.4(3) – Eligibility – A&A – Able to, available for, work search
Iowa Code § 96.7(2)A(2) – Charges – Same base period employment
Iowa Admin. Code r. 871-24.23(26) – Eligibility – A&A – Part-time same hours, wages
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Employer filed an appeal from the July 14, 2020 (reference 01) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing was scheduled for October 7, 2020, at 8:00 a.m. Claimant participated. Employer participated through Vonshaly Smith-Shook, Equifax Representative. Before the hearing began, appellant withdrew its appeal on the record.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

The appellant requested to withdraw the appeal on the record on October 7, 2020.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

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 the appeal of the July 14, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



Adrienne C. Williamson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

October 8, 2020

Decision Dated and Mailed

acw/sam