

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MELISSA HART**  
Claimant

**APPEAL NO. 20A-UI-05023-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CATHOLIC HEALTH INITIATIVES – IOWA**  
Employer

**OC: 03/29/20**  
**Claimant: Respondent (6)**

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Iowa Code Section 96.4(3) – Able & Available  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from the May 22, 2020, reference 01, decision that allowed benefits effective March 29, 2020, provided the claimant was otherwise eligible, based on the deputy's conclusion that the claimant was able to work, available for work, but temporarily laid off. A hearing was scheduled for July 1, 2020. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The employer is the appellant in this matter. The hearing is for July 1, 2020. On June 30, 2020, employer's representative of record, Equifax/Talx, filed a written request to withdraw the appeal. The request submitted before the administrative law judge entered a decision 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 tape-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 concludes that the employer's request to withdraw the appeal should be approved.

**DECISION:**

The employer's request to withdraw the appeal is approved. The May 22, 2020, reference 01, decision that allowed benefits effective March 29, 2020, provided the claimant was otherwise eligible, based on the deputy's conclusion that the claimant was able to work, available for work, but temporarily laid off, remains in effect. The hearing set for July 1, 2020 is cancelled.



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James E. Timberland  
Administrative Law Judge

July 9, 2020  
Decision Dated and Mailed

jet/scn