

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**HILLARY S MCCUEN**  
Claimant

**APPEAL 20A-UI-14861-DZ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AEROTEK INC**  
Employer

**OC: 09/06/20  
Claimant: Respondent (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quit  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-24.10 – Employer Participation in Fact-Finding  
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

**STATEMENT OF THE CASE:**

Aerotek, Inc., the employer/appellant, filed an appeal from the November 6, 2020, (reference 01) unemployment insurance decision that allowed benefits. The parties were properly notified about the hearing. A telephone hearing is scheduled January 19, 2021 at 11:00 a.m. Prior to the hearing, the employer submitted a written request to withdraw the appeal.

**ISSUES:**

Should the employer's request to withdraw its appeal be granted?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer requested to withdraw its appeal. The request was submitted in writing and sent via fax on January 15, 2020. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on January 15, 2021.

**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). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the employer's request to withdraw the appeal should be approved.

**DECISION:**

The appealing party's request to withdraw the appeal of the November 6, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for January 19, 2021, at 11:00 a.m. is cancelled.



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Daniel Zeno  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
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Fax 515-478-3528

February 2, 2021  
Decision Dated and Mailed

dz/scn