

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

STACIA LUMBUS

Claimant

APPEAL 21A-UI-11428-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OELWEIN COMMUNITY SCHOOL
DISTRICT**

Employer

OC: 04/26/20

Claimant: Respondent (6)

Iowa Code § 96.1A(37) – 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 § 96.4(5) – Reasonable Assurance

Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Employer filed an appeal from the April 13, 2021 (reference 01) unemployment insurance decision that found claimant is eligible for benefits and no charges would be made against employer's account. The parties were properly notified of the hearing. A telephone hearing was held on July 9, 2021, at 3:00 p.m. Claimant did not participate. Employer participated through Michael Rueber, Business Manager. 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 during the hearing on July 9, 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). 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 April 13, 2021 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



Adrienne C. Williamson
Administrative Law Judge
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Iowa Workforce Development
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July 21, 2021
Decision Dated and Mailed

acw/kmj