

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

KALEB A RANSTEAD
Claimant

APPEAL NO. 18A-UI-06385-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

RYDER INTEGRATED LOGISTICS INC
Employer

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

Iowa Code Section 96.5(a)(a) - Discharge
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the May 31, 2018, reference 06, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant was discharged on April 30, 2018 for no disqualifying reason. A hearing was scheduled for June 29, 2018. Claimant Kaleb Ranstead appeared for the hearing. The employer appeared through Susan Chmelovsky of Equifax. At the scheduled start of the hearing, the employer/appellant requested to withdraw the appeal.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing was set for June 29, 2018. At the scheduled start of the hearing, the employer representative, Susan Chmelovsky of Equifax, requested on the employer's behalf to withdraw the appeal. The request was made to the administrative law judge during a recorded conference call that included the claimant. The request to withdraw the appeal was made before a decision was entered 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 has reviewed the administrative file and 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 31, 2018, reference 06, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant was discharged on April 30, 2018 for no disqualifying reason, shall remain in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs