

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KATRINA M COZAD
Claimant

APPEAL NO: 06A-UI-07844-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NURSEFINDERS OF DES MOINES
Employer

**OC: 06/18/06 R: 02
Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

Nursefinders of Des Moines (employer) appealed a representative's July 27, 2006 decision (reference 01) that concluded Katrina M. Cozad (claimant) was eligible to receive benefits as of June 18, 2006, even though she declined some work because she had a previous obligation. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled on September 6, 2006. Prior to the hearing, the employer's representative contacted the Appeals Section and withdrew the employer's appeal. Based on the employer's withdrawal request and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

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

FINDINGS OF FACT:

Prior to the scheduled September 6 hearing, the employer's representative, TALX, contacted the Appeals Section and withdrew the employer's appeal from the July 27, 2006 decision. The employer's withdrawal request was tape-recorded and the employer faxed a written withdrawal request on September 6, 2006.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The employer's request to withdraw its appeal is approved.

DECISION:

The representative's July 27, 2006 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of June 18, 2006, provided she meets all other eligibility requirements. The employer's account may be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw