

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TAYLOR M MONROE
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 21A-UI-03372-JC-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/12/20
Claimant: Appellant (1)

871 IAC 24.9(1)b – Timely Appeal of Monetary Determinations
Iowa Code § 96.3(4) – Monetary Determination
Iowa Code § 96.4(4) – Monetary Eligibility and Subsequent Benefit Year
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant/appellant, Taylor M. Monroe, filed an appeal from the April 20, 2020 monetary record that denied benefits. The parties were properly notified about the hearing. A telephone hearing was scheduled to be held on March 24, 2021, together with Appeal 21-A-UI-03371-JC-T. At the time of the hearing, the claimant appeared. The employer, Iowa State University, participated through Susan Chmelovsky, hearing representative for Talx/Equifax Workforce Solutions. Edward Holland also appeared. Before testimony was taken, claimant requested to withdraw her appeal. The request to withdraw her appeal was recorded with the Appeals Bureau conference call software.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been recorded and was made at the time of hearing by the claimant. The administrative law judge accepted the withdrawal after explaining the consequences of not conducting the scheduled hearing.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The unemployment insurance decision dated April 20, 2020, (reference 01) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect



Jennifer L. Beckman
Administrative Law Judge
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March 25, 2021
Decision Dated and Mailed

jlb/ol