

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DIANE M DWYER**

Claimant

**HY-VEE INC**

Employer

**APPEAL 20A-UI-11987-AW-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/28/20**

**Claimant: Respondent (6)**

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Iowa Code § 96.5(1) – Voluntary Quitting

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment

Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview

PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation

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

**STATEMENT OF THE CASE:**

Employer filed an appeal from the September 18, 2020 (reference 01) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing was held on December 2, 2020, at 2:00 p.m. Claimant participated. Employer participated through Barbara Buss, Hearing Representative. 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 December 2, 2020.

**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 September 18, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

A handwritten signature in black ink, appearing to read 'Adrienne C. Williamson', is positioned above a horizontal line.

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Adrienne C. Williamson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
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1000 East Grand Avenue  
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Fax (515)478-3528

December 9, 2020  
Decision Dated and Mailed

acw/scn