

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KENNETH MILLER
Claimant

AEROTEK INC
Employer

APPEAL 20A-UI-15400-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/30/20
Claimant: Respondent (6)

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Code § 96.5(j) – Voluntary Quit – Temporary employment firm
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Aerotek Inc, the employer/appellant filed an appeal from the November 10, 2020 (reference 02) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for January 25, 2021, at 3:00 p.m. Prior to the hearing date, Aerotek Inc submitted a written request to withdraw the appeal.

ISSUE:

Whether Aerotek's request to withdraw its appeal should be granted

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Aerotek Inc requested to withdraw its appeal. The request was submitted in writing and sent via fax on January 20, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on January 20, 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). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, Aerotek Inc's request to withdraw its appeal should be approved.

DECISION:

Aerotek Inc's request to withdraw its appeal of the November 10, 2020 (reference 02) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for January 25, 2021, at 3:00 p.m. is cancelled.



Daniel Zeno
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

February 8, 2021
Decision Dated and Mailed

dz/mh