

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TRACY M SCALES

Claimant

APPEAL 20A-UI-14805-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

RUAN TRANSPORT CORP

Employer

OC: 08/02/20

Claimant: Respondent (6)

Iowa Code §96.5(2)a – Discharge for Misconduct

Iowa Code §96.5(1) – Voluntary Quit

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

Iowa Admin. Code r. 871-24.10 – Employer Participation in Fact-Finding Interview

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

STATEMENT OF THE CASE:

Ruan Transport Corp, the employer/appellant, filed an appeal from the November 4, 2020 (reference 02) unemployment insurance decision that concluded Ms. Scales was eligible for unemployment insurance benefits. A telephone hearing was scheduled on January 15, 2021 at 2:00 p.m. The parties were properly notified of the hearing. Prior to the hearing, the appellant submitted an oral request to withdraw its appeal.

ISSUE:

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

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer requested to withdraw its appeal. The request was submitted in orally and tape-recorded on January 15, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the oral withdrawal of appeal on January 15, 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). 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 employer's request to withdraw its appeal should be approved.

DECISION:

The employer's request to withdraw its appeal of the November 4, 2020 (reference 02) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



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 2, 2021
Decision Dated and Mailed

dz/mh