

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MONICA N FOUST
Claimant

APPEAL 20A-UI-12436-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

PINNACLE HEALTH FACILITIES XVII L
Employer

OC: 06/28/20
Claimant: Respondent (6)

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.3(7) – Overpayment of Benefits
Iowa Admin. Code r. 871-24.10 – Employer Participation Fact-Finding Interview
Public Law 116-136 § 2104(b) – Federal Pandemic Unemployment Compensation
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:

On October 9, 2020, Pinnacle Health Facilities XVII L (employer/appellant) filed an appeal from the unemployment insurance decision dated October 2, 2020, reference 02. A hearing was scheduled for December 8, 2020. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: The appealing party has requested, in writing, to withdraw the appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

After a review of the record, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated October 2, 2020, reference 02, is approved, and that decision shall stand and remain in full force and effect.

The hearing scheduled on December 8, 2020, at 2:00 p.m. is cancelled.



Stephanie R. Callahan
Administrative Law Judge

December 1, 2020
Decision Dated and Mailed

src/scn