

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

HENRY L WOOD
Claimant

APPEAL NO. 15A-UI-02338-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

UNITED PARCEL SERVICE
Employer

**OC: 01/25/15
Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the February 11, 2015, reference 01, decision that allowed benefits to the claimant effective January 25, 2015, provided he was otherwise eligible, based on an Agency conclusion that the claimant was on a short-term layoff and had met the work ability and availability requirement. A hearing was scheduled for March 25, 2015. Claimant Henry Wood appeared for the hearing. Sonia Fales, Business Manager, appeared on behalf of the employer. After the administrative law judge had provided the opening statement and before any evidence was presented, the employer requested to withdraw the appeal.

FINDINGS OF FACT:

The employer is the appellant in this matter. The hearing was set for March 25, 2015. At the time of the hearing, the employer requested to withdraw the appeal and advised that the employer was not contesting the claim for benefits. The request to withdraw the appeal was made on the record and before a decision had been entered in connection with 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

The administrative law judge has reviewed the records and files herein and concludes that the appealing party's request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The February 11, 2015, reference 01, decision that allowed benefits to the claimant effective January 25, 2015, provided he was otherwise eligible, based on conclusions that he was temporarily laid off and able and available for work, shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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