

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

PAMELA A PETERSON
Claimant

APPEAL 19A-UI-01168-EC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

FAREWAY STORES INC
Employer

OC: 01/20/19
Claimant: Respondent (6)

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

The employer, Fareway Stores Inc, filed an appeal from an unemployment insurance decision dated February 8, 2019, reference 02. A telephone hearing was scheduled for February 26, 2019, at 8:00 a.m. On February 21, 2019, before the hearing date, the employer/appellant submitted a written withdrawal of its appeal, via fax. The Appeals Bureau received the withdrawal on that date. The hearing was canceled due to this appeal withdrawal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The unemployment insurance decision issued on February 8, 2019, reference 02, determined that the claimant was eligible for benefits. On February 11, 2019, the employer appealed this decision using the online appeal form. A telephone hearing was scheduled for this appeal on February 26, 2019, at 8:00 a.m. On February 21, 2019, the employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing, via fax, by the employer's authorized representative. The Appeals Bureau received the withdrawal on that same date.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw his or her 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, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw its appeal of the unemployment insurance decision dated February 8, 2019, reference 02, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on February 26, 2019, at 8:00 a.m. is canceled.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/rvs