

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

FRANCES R NEIGHBORS
Claimant

APPEAL 21A-UI-10302-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE EASTER SEAL SOCIETY OF IA INC
Employer

OC: 05/17/20
Claimant: Appellant (6R)

Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Code § 96.19(38) – Total and Partial Unemployment
Iowa Admin. Code r. 871-24.23(26) – Same Hours and Wages
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Frances R Neighbors, the claimant/appellant filed an appeal from the April 9, 2021, (reference 02) unemployment insurance decision that denied REGULAR unemployment insurance benefits as February 28, 2021. The parties were properly notified about the hearing. A telephone hearing was held on June 29, 2021. Ms. Neighbors participated and testified. The employer participated through Michelle Van Oort, director, data management & compensation. Ms. Neighbors withdrew her appeal on the record.

ISSUE:

Should Ms. Neighbors' request to withdraw her appeal be granted?

FINDINGS OF FACT:

Ms. Neighbors requested to withdraw her appeal on the record during the hearing on June 29, 2021.

The Iowa Workforce Development decision, dated May 6, 2021, found that Ms. Neighbors is eligible for Pandemic Unemployment Assistance (PUA) benefits effective February 21, 2021. PUA benefits are federal pandemic-related unemployment benefits. Governor Reynolds decided that Iowa would end its participation in federal pandemic-related unemployment benefit programs, including the PUA program, effective June 12, 2021. Therefore, Ms. Neighbors' PUA eligibility ended on June 12, 2021.

Ms. Neighbors no longer works for this employer. Iowa Workforce Development has not issued a decision on the issue of Ms. Neighbors' separation from employment with this employer.

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, Ms. Neighbors' request to withdraw her appeal should be approved.

DECISION:

Ms. Neighbors' request to withdraw her appeal of the April 9, 2021 (reference 02) unemployment insurance decision that denied REGULAR unemployment insurance benefits as February 28, 2021 is approved. That decision shall stand and remain in full force and effect.

REMAND:

The issue of Ms. Neighbors' separation from employment with this employer is remanded to the Benefits Bureau of Iowa Workforce Development for investigation and a decision.



Daniel Zeno
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
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Des Moines, Iowa 50319-0209
Fax 515-478-3528

July 12, 2021
Decision Dated and Mailed

dz/ol