

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS
DIVISION OF ADMINISTRATIVE HEARINGS
Wallace State Office Building
DES MOINES IOWA 50319

Appeal Number: 12IWD009

Respondent (6)

DECISION OF THE ADMINISTRATIVE LAW JUDGE

ROBERT SMITH

**IOWA WORKFORCE DEVELOPMENT
SANDY VANDENBERG, EMP. LIAB. SPEC.
1000 EAST GRAND AVE.
DES MOINES, IA 50319-0209**

JOE WALSH, IWD
NICHOLAS OLIVENCIA, IWD
JOSEPH BERVID, IWD
SUSAN DAMERON, IWD
MATT MARDESEN, IWD
RYAN DOSTAL, IWD

This Decision Shall Become Final, as of the date of mailing stated below unless:

1. Either party files a WRITTEN application for a rehearing WITHIN TWENTY (20) DAYS AFTER the date below. The written application must state the specific reasons for the rehearing and the relief sought. If the request for a rehearing is denied or if the rehearing decision is not satisfactory, either party may petition the District Court WITHIN THIRTY (30) DAYS of either action;

OR

2. Either party may petition the District Court WITHIN THIRTY (30) DAYS after the date below.

YOU DO HAVE THE RIGHT TO HIRE A LAWYER at your own expense to represent you in these proceedings.

(Administrative Law Judge)

March 23, 2012

(Decision Dated & Mailed)

871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE

R.O.S. Express (the employer) filed a timely appeal from a Notice of Unemployment Insurance Contribution Rate dated July 8, 2011 which determined that an employer-employee relationship existed between R.O.S. Express and its workers performing services for the business from 2006-2011.

Prior to the hearing in this matter, the employer notified the undersigned administrative law judge that it had settled this matter with Iowa Workforce Development (the Department) and wished to withdraw its appeal.

The Department's regulations permit an appeal to be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer.¹

¹ 871 Iowa Administrative Code (IAC) 26.8(1).

DECISION

The employer's request to withdraw its appeal is approved and the appeal is deemed withdrawn.

jmp