

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

AMANDA R KABIR
Claimant

APPEAL NO. 17A-UI-03587-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE VILLAGE LTD
THE VILLAGE
Employer

OC: 05/22/16
Claimant: Appellant (6)

Iowa Code Section 96.5(1) – Voluntary Quit
871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Amanda Kabir filed a timely appeal from the March 23, 2017, reference 03, decision that disqualified her for benefits and that relieved the employer's account of liability for benefits, based on the claims deputy's conclusion that Ms. Kabir voluntarily quit on March 7, 2017 without good cause attributable to the employer. A hearing was scheduled for April 27, 2017 and the parties were appropriately notified of the hearing. At the time set for the hearing, Ms. Kabir requested to withdraw her appeal. The employer was available at the time of the hearing through Glenda Flaherty.

FINDINGS OF FACT:

Claimant Amanda Kabir is the appellant in this matter. The appeal hearing was set for 11:00 a.m. on April 27, 2017. Ms. Kabir and the employer each registered a telephone number for the hearing. When the administrative law judge contacted Ms. Kabir to begin the hearing, Ms. Kabir advised that she did not wish to proceed with the hearing and requested that her appeal be withdrawn. Ms. Kabir confirmed that her request to withdraw the appeal was wholly voluntary. The request to withdraw the appeal was submitted during a recorded conversation with the administrative law judge. The request was made 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 reviewed the administrative file prior to Ms. Kabir's request to withdraw the appeal and concludes that the request to withdraw the appeal should be granted.

DECISION:

The claimant's request to withdraw the appeal is approved. The March 23, 2017, reference 03, decision that disqualified the claimant for benefits and that relieved the employer's account of liability for benefits, based on the claims deputy's conclusion that the claimant voluntarily quit on March 7, 2017 without good cause attributable to the employer, remains in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs