

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JENNIFER M GRAVES**  
Claimant

**APPEAL NO: 13A-UI-01935-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CENTRAL IOWA HOSPITAL CORP**  
Employer

**OC: 11/25/12**  
**Claimant: Appellant (6-R)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed from an unemployment insurance decision dated January 30, 2013, reference 01, that concluded she voluntarily quit employment with Central Iowa Hospital without good cause attributable to the employer. A hearing was scheduled for March 15, 2013. During the hearing, the claimant indicated that the purpose of her appeal was to show that she had requalified by earning ten times her weekly benefit amount while working for H&R Block. She requested the appeal be withdrawn. Exhibit One consisting of the claimant's paystubs from November 10, 2012, through the February 1, 2013 from H&R Block.

**FINDINGS OF FACT:**

A request has been made by the appealing party to withdraw the appeal. The request was submitted orally and was recorded.

The claimant filed a new claim for unemployment insurance benefits effective November 25, 2012. Her weekly benefit amount was determined to be \$267.00.

Since her separation from employment from Central Iowa Hospital on October 8, 2012, the claimant has been paid \$2,837.99 from her employment with H&R Block from November 10, 2012, through February 1, 2013.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal should be approved.

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer until they have been paid wages for insured work equal to ten times their weekly benefit amount. Iowa Code § 96.5-1. The evidence establishes the claimant was eligible for benefits effective February 3, 2013. The matter of unlocking the claimant's claim for benefits is remanded to the Agency.

**DECISION:**

The unemployment insurance decision dated January 30, 2013, reference 01, is affirmed. The claimant was subject to disqualification, but the disqualification should be removed effective February 3, 2013. The matter of unlocking the claimant's claim for benefits is remanded to the Agency.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/tll