

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KENNETH DUVAL
Claimant

JELD-WEN INC.
Employer

APPEAL 20A-UI-13191-ED-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 4/19/20
Claimant: Appellant (6)

Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the October 6, 2020, (reference 01) unemployment insurance decision that denied benefits based upon discharge for excessive absenteeism. A telephone hearing was scheduled for December 22, 2020 at 2:00 PM. Prior to the scheduled hearing date, the appellant submitted a written request to withdraw his appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: The appealing party requested to withdraw the appeal. The request was submitted in writing and was verified by the appellant.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(1) provides:

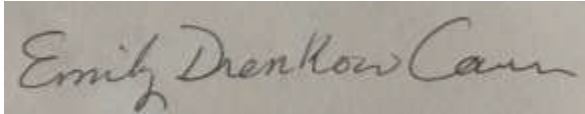
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated October 6, 2020 (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on December 22, 2020, at 2:00 PM. is canceled.

A rectangular box containing a handwritten signature in cursive script that reads "Emily Drenkow Carr".

Emily Drenkow Carr
Chief Administrative Law Judge

December 10, 2020
Decision Dated and Mailed

ed/rr