

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DANIELLE L THURMAN
Claimant

THE LAUNDRY PLACE LLC
Employer

APPEAL NO. 22A-UI-06498-JT-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 02/27/22
Claimant: Respondent (6)

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

STATEMENT OF THE CASE:

On March 15, 2022, the employer filed a timely appeal from the March 14, 2022 (reference 01) decision that allowed benefits to the claimant, provided the claimant was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion the claimant voluntarily quit on February 27, 2022 with good cause attributable to the employer. A hearing was scheduled for May 9, 2022. The employer did not personally appear, but appeared through counsel. At the scheduled start of the hearing, employer's counsel notified the administrative law judge that the employer/appellant had elected to withdraw the appeal. The claimant appeared for the hearing shortly after the administrative law judge dismissed employer's counsel. The administrative law judge notified the claimant of the employer's request to withdraw the appeal.

ISSUE:

Should the appellant's request to withdraw the appeal be granted?

FINDINGS OF FACT:

The employer is the appellant in this matter. At the time of the hearing set for May 9, 2022, the employer requested through counsel that the employer's appeal be withdrawn. The request was made before the administrative law judge entered a decision 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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.

The administrative law judge concludes that the employer's timely request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The March 14, 2022 (reference 01) decision that allowed benefits to the claimant, provided the claimant was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion the claimant voluntarily quit on February 27, 2022 with good cause attributable to the employer, remains in effect.

A handwritten signature in black ink that reads "James E. Timberland". The signature is written in a cursive, flowing style.

James E. Timberland
Administrative Law Judge

May 26, 2022
Decision Dated and Mailed

jet/kmj