

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

THOMAS D KLINE
Claimant

APPEAL NO. 17A-UI-08206-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JELD-WEN INC
Employer

OC: 07/06/17
Claimant: Appellant (6)

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

STATEMENT OF THE CASE:

Thomas Kline filed an appeal from the August 2, 2017, reference 01, decision that disqualified him for unemployment insurance benefits and that relieved the employer's account of liability for benefits, based on the claims deputy's conclusion that Mr. Kline voluntarily quit on July 17, 2017 without good cause attributable to the employer. A hearing was scheduled for August 30, 2017. Prior to the hearing being held, Mr. Kline requested the appeal be withdrawn.

FINDINGS OF FACT:

Claimant Thomas Kline is the appellant in this matter. The appeal hearing is set for August 30, 2017. On August 28, 2017, the Appeals Bureau received from Mr. Kline a written request to withdraw the appeal. The request was submitted before a decision was 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 appealing party's request to withdraw the appeal should be approved.

DECISION:

The claimant's request to withdraw the appeal is approved. The August 2, 2017, reference 01, decision that disqualified the claimant for unemployment insurance 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 July 17, 2017 without good cause attributable to the employer, shall remain in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs