

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KUR J CHOL
Claimant

APPEAL NO. 19A-UI-08538-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

HORMEL FOODS CORPORATION
Employer

OC: 09/29/19
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:

The employer filed an appeal from the October 21, 2019, reference 01, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant voluntarily quit on September 30, 2019 with good cause attributable to the employer. A hearing was scheduled for November 21, 2019. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing was set for November 21, 2019. On November 20, 2019, the employer filed a written request to withdraw the appeal. The request was filed 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The October 21, 2019, reference 01, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant voluntarily quit on September 30, 2019 with good cause attributable to the employer, remains in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/scn