

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ALISHA D JOHNSTON
Claimant

APPEAL NO. 17A-UI-01779-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JELD-WEN INC
Employer

OC: 01/08/17
Claimant: Respondent (6)

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

STATEMENT OF THE CASE:

The employer filed an appeal from the February 6, 2017, reference 01, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on the claims deputy's conclusion that the claimant had voluntarily quit on January 3, 2017 for good cause attributable to the employer. A hearing was scheduled for March 9, 2017. Prior to the hearing being held, the employer/appellant requested that the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing is set for March 9, 2017. On the afternoon of March 8, 2017, the employer's third-party representative, Thomas & Company, submitted a written request on behalf of the employer to withdraw the appeal. The request to withdraw the appeal was filed before a decision had 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

After reviewing the appeal, the request to withdraw the appeal and the administrative file, the administrative law judge concludes that employer's request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The February 6, 2017, reference 01, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on the claims deputy's conclusion that the claimant had voluntarily quit on January 3, 2017 for good cause attributable to the employer, remains in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs