STATE OF FLORIDA
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

In the matter of:

Claimant/Appellant

R.A.A.C. Order No. 13-01389

vs.

Referee Decision No. 13-641U

Employer/Appellee

ORDER OF REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

This case comes before the Commission for disposition of the claimant's appeal pursuant to Section 443.151(4)(c), Florida Statutes, of a referee's decision wherein the claimant was held disqualified from receipt of benefits and the employer's account was noncharged.

Pursuant to the appeal filed in this case, the Reemployment Assistance Appeals Commission has conducted a complete review of the evidentiary hearing record and decision of the appeals referee. *See* §443.151(4)(c), Fla. Stat. By law, the Commission's review is limited to those matters that were presented to the referee and are contained in the official record.

Procedural error requires this case to be remanded for further proceedings; accordingly, the Commission does not now address the issue of whether the claimant is eligible/qualified for benefits.

The referee's findings of fact state as follows:

> The claimant was employed as a floor display coordinator for a retail furniture store from February 10, 2011, until November 29, 2012. The claimant's job duties included moving and grouping furniture and accessories and making minor wall repairs. The claimant's immediate supervisor was the employer's regional director of west coast stores. On November 27, 2012, the claimant submitted a written resignation providing the employer with a two-week notice. The claimant resigned because she was asked by a store manager to dismantle a Tommy Bahama roof structure within the store and to make wall repairs located as high as 20 vertical feet from the floor. The claimant was concerned that she

> might suffer an injury in performing the work. The store manager who told the claimant the work needed to be done was not a supervisor of the claimant. The claimant did not contact her supervisor or the employer's corporate office concerning her objections. In the written resignation, the claimant stated that she had suffered a back injury the previous day. The employer maintains written policies requiring drug testing in the event of a job-related accident or injury. The claimant signed electronic forms acknowledging receipt of the policies. The claimant had taken a drug test previously in [connection] with an injury to her knees. The employer's supervisor told the claimant on November 28, 2012, to take a drug test because she had reported an injury. The claimant refused to submit to a drug test. The claimant was discharged on November 29, 2012.

Based on these findings, the referee held the claimant was discharged, prior to the effective date of her resignation, for misconduct connected with work. The referee further held that, as of the effective date of the resignation, the claimant voluntarily left work without good cause attributable to the employing unit. Upon review of the record and the arguments on appeal, the Commission concludes the record was not sufficiently developed; consequently, the case must be remanded.

The referee's conclusions of law state in pertinent part:

> The claimant submitted a resignation providing the employer with a two-week notice . . . . The claimant did not make a reasonable effort to preserve her employment. Therefore, it is concluded that the claimant voluntarily left the work without good cause and, accordingly, she is disqualified from receipt of benefits. The law provides that, when a claimant has provided notification to the employing unit of the claimant's intent to voluntarily leave work and the employing unit discharges the claimant for reasons other than misconduct prior to the date the voluntary quit was to take effect, the claimant, if otherwise entitled, will receive benefits from the date of the employer's discharge until the effective date of the claimant's resignation . . . . The claimant's refusal to take a drug test was a violation of the employer's policies. The claimant did not meet her burden of proving any of the exceptions under

> subparagraph (e) above. Thus, the referee finds that the claimant was discharged for misconduct connected with the work and, accordingly, the claimant is disqualified from receipt of benefits from the date of the discharge through the effective date of the resignation.

The referee concluded that, as a result of having been discharged on November 29, 2012, for misconduct connected with work, the claimant is disqualified from November 29 *through the effective date of the resignation*. Contrary to the referee's conclusion, the disqualification period for a claimant who is discharged for misconduct connected with work is not stopped by the effective date of a resignation. The referee seems to have considered *Porter v. Unemployment Appeals Commission*, 1 So. 3d 1101 (Fla. 1st DCA 2009), and Section 443.101(1)(a)3., Florida Statutes. In *Porter*, the court held that, where a claimant is discharged prior to an effective date of resignation, notwithstanding the offer to resign, the claimant has not voluntarily quit, but was discharged by the employer. Section 443.101(1)(a)3., Florida Statutes, states:

> When an individual has provided notification to the employing unit of his or her intent to voluntarily leave work and the employing unit discharges the individual for *reasons other than misconduct* prior to the date the voluntary quit was to take effect, the individual, if otherwise entitled, will receive benefits from the date of the employer's discharge until the effective date of his or her voluntary quit.

(emphasis added.) This statutory provision, however, does *not* dictate that an individual who has provided notification to the employing unit of his or her intent to voluntarily leave work and is discharged by the employer *for misconduct* prior to the date the voluntary quit was to take effect is entitled to receive benefits from the date of the employer's discharge until the effective date of his or her voluntary separation. Thus, if the claimant in this case was discharged on November 29 for misconduct connected with work, the basis for her offer to resign (i.e., whether she would have left work with good cause attributable to the employer) is irrelevant.

Section 443.036(30), Florida Statutes, states that misconduct connected with work, "irrespective of whether the misconduct occurs at the workplace or during working hours, includes, but is not limited to, the following, which may not be construed in pari materia with each other":

> (a) Conduct demonstrating a conscious disregard of an employer's interests and found to be a deliberate violation or disregard of the reasonable standards of behavior which the employer expects of his or her employee.
>
> (b) Carelessness or negligence to a degree or recurrence that manifests culpability or wrongful intent, or shows an intentional and substantial disregard of the employer's interests or of the employee's duties and obligations to his or her employer.
>
> (c) Chronic absenteeism or tardiness in deliberate violation of a known policy of the employer or one or more unapproved absences following a written reprimand or warning relating to more than one unapproved absence.
>
> (d) A willful and deliberate violation of a standard or regulation of this state by an employee of an employer licensed or certified by this state, which violation would cause the employer to be sanctioned or have its license or certification suspended by this state.
>
> (e) A violation of an employer's rule, unless the claimant can demonstrate that:
>
> 1. He or she did not know, and could not reasonably know, of the rule's requirements;
> 2. The rule is not lawful or not reasonably related to the job environment and performance; or
> 3. The rule is not fairly or consistently enforced.

The record was not developed sufficiently regarding whether the claimant was discharged for misconduct connected with work as a result of her refusal to submit to a drug test. In her written decision, the referee concluded the employer established the claimant violated the employer's drug testing policies. The referee further concluded the claimant did not demonstrate any of the three exceptions contained in Section 443.036(30)(e), Florida Statutes. At the hearing, the employer's regional director testified he instructed the claimant to submit to a drug test because her resignation letter stated, in part, "I sustained another injury yesterday, this time my

back." Both parties agreed the claimant declined to submit to a drug test. However, the claimant testified that, when the regional director spoke to her regarding the drug test, she informed him that she did not actually sustain a specific injury or accident and that her use of the word "injury" in her letter of resignation was an error. We note, however, that the claimant also testified, "When he pushed me, I did finally say something about a couch." Both parties also agree the claimant refused to complete a workers' compensation incident report. The claimant testified she was not aware that declining to take a drug test would result in termination, particularly since she was insisting an accident had not occurred. The employer's policies, which were entered into evidence, do not state that a refusal to submit to a drug test will result in termination.

On remand, the record must be developed further regarding the specific discussion that occurred between the claimant and the regional director on November 29. The record must also be developed further regarding whether, and, if so, how the employees were notified that a refusal to submit to a drug test would result in termination. Additionally, the record must be developed further regarding the employer's drug testing policy's applicability to an employee who insists that an accident/incident resulting in an injury on the job did not occur and, furthermore, declines to seek medical attention and/or file a workers' compensation medical report. The record must also be developed further regarding whether the claimant's clarified explanation to the employer regarding the circumstances surrounding the "soreness" of her back still would have exposed the employer to potential legal liability. Additionally, the referee is directed to develop the record regarding whether the workers' compensation law would have allowed the claimant, in lieu of submitting to a drug test, to sign a waiver of claim and/or acknowledgment that she was not injured on the job. While the employer's interest in limiting its legal liability for on-the-job injuries is understandable, the referee must consider whether a policy that requires an employee to submit to a drug test, even if the employee insists an on-the-job accident/incident resulting in an injury did not occur, is fairly enforced. Additionally, the referee must evaluate whether a policy that does not notify employees regarding the consequence(s) of a violation is fairly enforced. The record must also be developed further regarding whether the employer's drug testing procedure, which the claimant testified consisted of a urinalysis conducted in-house by the store manager, complied with the workers' compensation drug testing requirements. If not, the referee must consider whether a policy requiring such a drug test fails under any of the exceptions set forth in Section 443.036(30)(e), Florida Statutes.

Even if the employer is unable to establish the claimant was discharged for misconduct under subparagraph (e), it may be able to establish misconduct under subparagraph (a). On remand, the referee is directed to develop the record further to determine whether the claimant's refusal to submit to the drug test demonstrated a conscious disregard of the employer's interests and was a deliberate violation or disregard of the reasonable standards of behavior which the employer expects of its employee. Such record development should include, but not be limited to, adducing testimony regarding whether the claimant understood and/or was informed why the employer required the drug test in this specific incident.

In the event the employer does not establish the claimant was discharged on November 29 for misconduct connected with work, the record must be developed further in order to permit the Commission to properly determine whether the claimant left work with good cause attributable to the employer. The claimant testified she quit her employment because she was physically incapable of completing her job tasks. She testified the volume of furniture coming into the stores quadrupled, but the male assistants who helped her lift and move the heavy furniture were still only available to help her one day per week. She testified that, because of the increased volume of furniture, the male assistants had to spend their one day per week unloading the truck and were unable to help her lift and move the furniture inside the store for the rest of the week. She testified she complained to the corporate buyer on several occasions regarding the physical demands of the job and that the corporate buyer responded by sending smaller shipments of furniture on a few occasions. On remand, the referee is directed to develop the record further regarding the reason the claimant did not continue to request smaller shipments. Additionally, the claimant testified she was repeatedly told "to hang in there; it will get better." She also testified "But, as far as additional personnel, that wasn't going to happen, or any safety equipment wasn't going to happen." On remand, the referee is directed to develop the record further regarding who told her to "hang in there," whether anyone specifically told her that additional personnel and/or safety equipment were unavailable, and the approximate dates when these conversations occurred.

In order to address the issues raised above, the referee's decision is vacated and the case is remanded. On remand, the referee is directed to develop the record in greater detail and render a decision that contains accurate and specific findings of fact concerning the events that led to the claimant's separation from employment and a proper analysis of those facts. If the parties provide conflicting evidence

regarding material issues of fact during the supplemental hearing, the referee's decision must acknowledge the conflict and set forth the rationale by which that conflict is resolved. *See* Fla. Admin. Code R. 73B-20.025. Any hearing convened subsequent to this order shall be deemed supplemental, and all evidence currently in the record shall remain in the record.

The Reemployment Assistance Appeals Commission has received the request of the claimant's representative for the approval of a fee for work performed in conjunction with the appeal to the Commission, as required by Section 443.041(2)(a), Florida Statutes. In examining the reasonableness of the fee, the Commission is cognizant that: (1) in the event a claimant prevails at the Commission level, the law contains no provision for the award of a representative's fees to the claimant's representative, by either the opposing party or the State (i.e., a claimant must pay his or her own representative's fee); and (2) the amount of reemployment assistance secured by a claimant may be very small. The legislature specifically gave referees (with respect to the initial appeal) and the Commission (with respect to the higher level review) the power to review and approve a representative's fees due to a concern that claimants could end up spending more on fees than they could reasonably expect to receive in reemployment assistance.

Upon consideration of the complexity of the issues involved, the services actually rendered to the claimant, and the factors noted above, the Commission approves a fee of $650.

The decision of the appeals referee is vacated and the case is remanded for further proceedings.

It is so ordered.

REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

Thomas D. Epsky, Member
Joseph D. Finnegan, Member
Alan Orantes Forst, Chairman, Not Participating

This is to certify that on 3/27/2013, the above Order was filed in the office of the Clerk of the Reemployment Assistance Appeals Commission, and a copy mailed to the last known address of each interested party.

By: Mary Griffin
Deputy Clerk

DEPARTMENT OF ECONOMIC OPPORTUNITY
Reemployment Assistance Appeals
MSC 347 CALDWELL BUILDING
107 EAST MADISON STREET
TALLAHASSEE FL 32399-4143

IMPORTANT:	For free translation assistance, you may call 1-800-204-2418. Please do not delay, as there is a limited time to appeal.
IMPORTANTE:	Para recibir ayuda gratuita con traducciones, puede llamar al 1-800-204-2418. Por favor hágalo lo antes posible, ya que el tiempo para apelar es limitado.
ENPÒTAN:	Pou yon intèpret asisté ou gratis, nou gendwa rélé 1-800-204-2418. Sil vou plè pa pràn àmpil tàn, paské tàn limité pou ou ranpli apèl la.

Docket No. **2013-641U** Jurisdiction: §443.151(4)(a)&(b) Florida Statutes

CLAIMANT/Appellee **EMPLOYER/Appellant**

APPEARANCES: CLAIMANT & EMPLOYER LOCAL OFFICE #: 3643-0

DECISION OF APPEALS REFEREE

Important appeal rights are explained at the end of this decision.
Derechos de apelación importantes son explicados al final de esta decisión.
Yo eksplike kèk dwa dapèl enpòtan lan fen desizyon sa a.

Issues Involved:

SEPARATION: Whether the claimant was discharged for misconduct connected with work or voluntarily left work without good cause as defined in the statute, pursuant to Sections 443.101(1), (9), (10), (11); 443.036(30), Florida Statutes; Rule 73B-11.020, Florida Administrative Code.

CHARGES TO EMPLOYMENT RECORD: Whether benefit payments made to the claimant shall be charged to the employment record of the employer, pursuant to Sections 443.101(9); 443.131(3)(a), Florida Statutes; Rules 73B-10.026, 11.018, Florida Administrative Code. (If employer charges are not at issue on the current claim, the hearing may determine charges on a subsequent claim.)

Findings of Fact: The claimant was employed as a floor display coordinator for a retail furniture store from February 10, 2011, until November 29, 2012. The claimant's job duties included moving and grouping furniture and accessories and making minor wall repairs. The claimant's immediate supervisor was the employer's regional director of west coast stores. On November 27, 2012, the claimant submitted a written resignation providing the employer with a two-week notice. The claimant resigned because she was asked by a store manager to dismantle a Tommy Bahama roof structure within the store and to make wall repairs located as high as 20 vertical feet from the floor. The claimant was concerned that she might suffer an injury in performing the work. The

store manager who told the claimant the work needed to be done was not a supervisor of the claimant. The claimant did not contact her supervisor or the employer's corporate office concerning her objections. In the written resignation, the claimant stated that she had suffered a back injury the previous day. The employer maintains written policies requiring drug testing in the event of a job-related accident or injury. The claimant signed electronic forms acknowledging receipt of the policies. The claimant had taken a drug test previously in connected with an injury to her knees. The employer's supervisor told the claimant on November 28, 2012, to take a drug test because she had reported an injury. The claimant refused to submit to a drug test. The claimant was discharged on November 29, 2012.

Conclusions of Law: The law provides that an individual will be disqualified for benefits who voluntarily leaves work without good cause attributable to the employing unit. Good cause is such cause as "would reasonably impel the average able-bodied qualified worker to give up his or her employment." Uniweld Products, Inc. v. Industrial Relations Commission, 277 So.2d 827 (Fla. 4th DCA 1973). Moreover, an employee with good cause to leave employment may be disqualified if reasonable effort to preserve the employment was not expended. See Glenn v. Florida Unemployment Appeals Commission, 516 So.2d 88 (Fla. 3d DCA 1987). See also Lawnco Services, Inc. v. Unemployment Appeals Commission, 946 So.2d 586 (Fla. 4th DCA 2006); Tittsworth v. Unemployment Appeals Commission, 920 So.2d 139 (Fla. 4th DCA 2006).

The record reflects the claimant was the moving party in the separation. The claimant submitted a resignation providing the employer with a two-week notice. The written resignation was entered into evidence at the hearing. Although the resignation states that a doctor's note confirming physical restrictions is available, no doctor's note was submitted for the hearing. No competent evidence was presented that the claimant quit for health reasons. The written resignation and the claimant's testimony at the hearing demonstrate the claimant was concerned about possible future

injury due to the physical nature of the work. The claimant testified that she submitted her resignation because she was asked to perform a task by a store manager that she felt exposed her to a risk of injury. The store manager was not the claimant's supervisor. The claimant did not take her concerns to her immediate supervisor or to the employer's corporate office. The claimant's supervisor and the employer's human resources representative testified at the hearing that the work requested was outside the scope of the claimant's duties and she would not have been expected to perform the work. If the claimant had brought the issue up with her supervisor, it appears likely the issue would have been resolved in the claimant's favor, and she would have saved her job. The claimant did not make a reasonable effort to preserve her employment. Therefore, it is concluded that the claimant voluntarily left the work without good cause and, accordingly, she is disqualified from receipt of benefits.

The law provides that when a claimant has provided notification to the employing unit of the claimant's intent to voluntarily leave work and the employing unit discharges the claimant for reasons other than misconduct prior to the date the voluntary quit was to take effect, the claimant, if otherwise, entitled, will receive benefits from the date of the employer's discharge until the effective date of the claimant's resignation.

The record shows the claimant's resignation was to be effective December 8, 2012. The employer discharged the claimant on November 29, 2012, for refusing to take a drug test. As of June 27, 2011, the Reemployment Assistance Law of Florida defines misconduct connected with work as, but is not limited to, the following, which may not be construed in pari materia with each other:

(a) Conduct demonstrating conscious disregard of an employer's interests and found to be a deliberate violation or disregard of the reasonable standards of behavior which the employer expects of his or her employee.

(b) Carelessness or negligence to a degree or recurrence that manifests culpability, or wrongful intent, or shows an intentional and substantial disregard of the employer's interest or of the employee's duties and obligations to his or her employer.

(c) Chronic absenteeism or tardiness in deliberate violation of a known policy of the employer or one or more unapproved absences following a written reprimand or warning relating to more than one unapproved absence.

(d) A willful and deliberate violation of a standard or regulation of this state by an employee of an employer licensed or certified by this state, which violation would cause the employer to be sanctioned or have its license or certification suspended by this state.

(e) A violation of an employer's rule, unless the claimant can demonstrate that:

1. He or she did not know, and could not reasonably know, of the rules requirements;
2. The rule is not lawful or not reasonably related to the job environment and performance; or
3. The rule is not fairly or consistently enforced.

The claimant reported having sustained a back injury the day prior to submitting her resignation. The employer's written policies require a drug test in the event of an on the job injury. The claimant signed acknowledgments of receipt of the employee handbook and the worker's compensation policy. The policies and acknowledgments were admitted into evidence. The claimant had taken a drug test in connection with a prior knee injury. The claimant knew or should have known that a drug test was required after reporting an injury. The claimant's refusal to take a drug test was a violation of the employer's policies. The claimant did not meet her burden of proving any of the exceptions under subparagraph (e) above. Thus, the referee finds that the claimant was discharged for

misconduct connected with the work and, accordingly, the claimant is disqualified from receipt of benefits from the date of the discharge through the effective date of the resignation.

The law provides that benefits will not be charged to the employment record of a contributing employer who furnishes required notice to the Department when the claimant left the work without good cause attributable to the employer.

As the claimant left the work without good cause attributable to the employer, the employer's account should be relieved of charges.

Decision: The determination dated December 28, 2012, is REVERSED. The claimant is disqualified from receipt of benefits from November 25, 2012, and until she earns $4,675. The employment record of the employer (0597395) shall not be charged with any benefits paid in connection with this claim.

If this decision disqualifies and/or holds the claimant ineligible for benefits already received, the claimant will be required to repay those benefits. The specific amount of any overpayment will be calculated by the department and set forth in a separate overpayment determination, unless specified in this decision. However, the time to request review of this decision is as shown above and is not stopped, delayed or extended by any other determination, decision or order.

This is to certify that a copy of the above decision was mailed to the last known address of each interested party on January 28, 2013.

SUSAN WILLIAMS
Appeals Referee

By: Shanedra Y. Barnes
SHANEDRA Y. BARNES, Deputy Clerk

IMPORTANT - APPEAL RIGHTS: This decision will become final unless a written request for review or reopening is filed within 20 calendar days after the mailing date shown. If the 20th day is a Saturday, Sunday or holiday defined in F.A.C. 73B-21.004, filing may be made on the next day that is not a Saturday, Sunday or holiday. If this decision disqualifies and/or holds the claimant ineligible for benefits already received, the claimant will be required to repay those benefits. The specific amount of any overpayment will be calculated by the Department and set forth in a separate overpayment determination. However, the time to request review of this decision is as shown above and is not stopped, delayed or extended by any other determination, decision or order.

A party who did not attend the hearing for good cause may request reopening, including the reason for not attending, at www.fluidnow.com/appeals or by writing to the address at the top of this decision. The date the confirmation number is generated will be the filing date of a request for reopening on the Appeals Web Site.

A party who attended the hearing and received an adverse decision may file a request for review to the Reemployment Assistance Appeals Commission, Suite 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151; (Fax: 850-488-2123); **https://raaciap.floridajobs.org.** If mailed, the postmark date will be the filing date. If faxed, hand-delivered, delivered by courier service other than the United States Postal Service, or submitted via the Internet, the date of receipt will be the filing date. To avoid delay, include the docket number and claimant's social security number. A party requesting review should specify any and all allegations of error with respect to the referee's decision, and provide factual and/or legal support for these challenges. Allegations of error not specifically set forth in the request for review may be considered waived.

IMPORTANTE - DERECHOS DE APELACIÓN: Esta decisión pasará a ser final a menos que una solicitud por escrito para revisión o reapertura se registre dentro de 20 días de calendario después de la fecha marcada en que la decisión fue remitida por correo. Si el vigésimo (20) día es un sábado, un domingo o un feriado definidos en F.A.C. 73B-21.004, el registro de la solicitud se puede realizar en el día siguiente que no sea un sábado, un domingo o un feriado. Si esta decisión descalifica y/o declara al reclamante como inelegible para recibir beneficios que ya fueron recibidos por el reclamante, se le requerirá al reclamante rembolsar esos beneficios. La cantidad específica de cualquier sobrepago [*pago excesivo de beneficios*] será calculada por la Agencia y establecida en una determinación de pago excesivo de beneficios que será emitida por separado. Sin embargo, el límite de tiempo para solicitar la revisión de esta decisión es como se establece anteriormente y dicho límite no es detenido, demorado o extendido por ninguna otra determinación, decisión u orden.

Una parte que no asistió a la audiencia por una buena causa puede solicitar una reapertura, incluyendo la razón por no haber comparecido en la audiencia, en www.fluidnow.com/appeals o escribiendo a la dirección en la parte superior de esta decisión. La fecha en que se genera el número de confirmación será la fecha de registro de una solicitud de reapertura realizada en el Sitio Web de la Oficina de Apelaciones.

Una parte que asistió a la audiencia y recibió una decisión adversa puede registrar una solicitud de revisión con la Comisión de Apelaciones de Servicios de Reempleo; Reemployment Assistance Appeals Commission, Suite 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151; (Fax: 850-488-2123); **https://raaciap.floridajobs.org.** Si la solicitud es enviada por correo, la fecha del sello de la oficina de correos será la fecha de registro de la solicitud. Si es enviada por telefax, entregada a mano, entregada por servicio de mensajería, con la excepción del Servicio Postal de Estados Unidos, o realizada vía el Internet, la fecha en la que se recibe la solicitud será la fecha de registro. Para evitar demora, incluya el número de expediente [*docket number*] y el número de seguro social del reclamante. Una parte que solicita una revisión debe especificar cualquiera y todos los alegatos de error con respecto a la decisión del árbitro, y proporcionar fundamentos reales y/o legales para substanciar éstos desafíos. Los alegatos de error que no se establezcan con especificidad en la solicitud de revisión pueden considerarse como renunciados.

ENPÒTAN – DWA DAPÈL: Desizyon sa a ap definitif sòf si ou depoze yon apèl nan yon delè 20 jou apre dat nou poste sa a ba ou. Si 20^{yèm} jou a se yon samdi, yon dimanch oswa yon jou konje, jan sa defini lan F.A.C. 73B-21.004, depo an kapab fèt jou aprè a, si se pa yon samdi, yon dimanch oswa yon jou konje. Si desizyon an diskalifye epi/oswa deklare moun k ap fè demann lan pa kalifye pou alokasyon li resevwa deja, moun k ap fè demann lan ap gen pou li remèt lajan li te resevwa a. Se Ajans lan k ap kalkile montan nenpòt ki peman anplis epi y ap detèmine sa lan yon desizyon separe. Sepandan, delè pou mande revizyon desizyon sa a se delè yo bay anwo a; Okenn lòt detèminasyon, desizyon oswa lòd pa ka rete, retade oubyen pwolonje dat sa a.

Yon pati ki te gen yon rezon valab pou li pat asiste seyans lan gen dwa mande pou yo ouvri ka a ankò; fòk yo bay rezon yo pat ka vini an epi fè demann nan sou sitwèb sa a, **www.fluidnow.com/appeals** oswa alekri nan adrès ki mansyone okomansman desizyon sa a. Dat yo pwodui nimewo konfimasyon an se va dat yo prezante demann nan pou reouvri kòz la sou Sitwèb Apèl la.

Yon pati ki te asiste odyans la epi li resevwa yon desizyon negatif kapab soumèt yon demann pou revizyon retounen travay Asistans Komisyon Apèl la, Suite 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151; (Faks: 850-488-2123); https://raaciap.floridajobs.org. Si poste a, dat tenm ap dat li ranpli aplikasyon. Si fakse, men yo-a delivre, lage pa sèvis mesaje lòt pase Etazini Sèvis nan Etazini Nimewo, oswa soumèt sou Entènèt la, dat yo te resevwa ap dat li ranpli aplikasyon. Pou evite reta, mete nimewo rejis la ak nimewo sosyal demandè a sekirite. Yon pati pou mande revizyon ta dwe presize nenpòt ak tout akizasyon nan erè ki gen rapò ak desizyon abit la, yo epi bay sipò reyèl ak / oswa legal pou defi sa yo. Alegasyon sou erè pa espesyalman tabli nan demann nan pou revizyon yo kapab konsidere yo egzante.