STATE OF FLORIDA
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

In the matter of:

Claimant/Appellee

R.A.A.C. Order No. 16-02324

vs.

Referee Decision No. 0028329824-04U

Employer/Appellant

ORDER OF REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

This case comes before the Commission for disposition of the employer's appeal pursuant to Section 443.151(4)(c), Florida Statutes, of a referee's decision which held the claimant not disqualified from receipt of benefits and charged the employer's account.

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. The Commission's review is generally limited to the evidence and issues before the referee and contained in the official record.

The issue before the Commission is whether the claimant voluntarily left work without good cause or was discharged by the employer for misconduct connected with work within the meaning of Section 443.101(1), Florida Statutes.

The referee made the following findings of fact:

> The claimant worked as a guest services associate for the employer, a food service retail company, from July 15, 2014 until March 31, 2016. The employer has an alcohol and drug use policy which states, in part, that "team members must report for work without any detectable amount of prohibited drugs, alcoholic beverages, intoxicants, narcotics, or any illegal substance in their system, or their person, or in their possession." The list of prohibited substances includes marijuana. One of the claimant's supervisors observed the claimant's demeanor and determined that the claimant could be intoxicated. The supervisor then asked the claimant if he was under the influence of any illegal

> substances, and the claimant admitted to smoking marijuana regularly before going to sleep. The claimant never went to work high on marijuana, he only used it before going to sleep. The employer discharged the claimant in violation of their alcohol and drug use policy.

Based on these findings, the referee held the claimant was discharged for reasons other than misconduct connected with work. Upon review of the record and the arguments on appeal, the Commission concludes that while the referee's findings are supported by the evidence, the referee erroneously evaluated the legal significance of the facts and erred in applying the law; accordingly, it is reversed.

In the conclusions of law, the referee resolved conflicts in evidence in favor of the claimant and stated, in part:

> The record and evidence indicate that the claimant was discharged by the employer for allegedly violating the employer's alcohol and drug use policy. The elements of intent and conscious disregard cannot be met in this case, so the elements of subsection (a) above are not applicable. Although employers certainly do not expect their employees to be under the influence of illegal drugs at work, the claimant did not intend or consciously disregard the employer's interests in the present case because the claimant never went to work high on marijuana. The claimant intentionally used marijuana as a sleep aide. The elements of subsection (b) above have not been satisfied because the claimant was not negligent to a degree that manifests culpability.
>
> The employer has failed to show how the claimant violated the employer's alcohol and drug use policy so subsection (e) is not applicable. The employer's policy is vague because it states that "team members must report for work without any **detectable** amount of prohibited drugs, alcoholic beverages, intoxicants, narcotics, or any illegal substance in their system, or their person, or in their possession.' It is unclear based on both parties' testimony whether the claimant had any detectable amount of marijuana in his system while at work. The policy simply does not specify what "detectable" means. It is clear and unrebutted that the claimant smoked marijuana regularly before going to sleep; however, the employer failed to show that the claimant had detectible amounts of marijuana in his system while on the clock. For example, a simple drug test, whether it be by blood or by other

> means, could objectively determine if the claimant had any detectible amounts of marijuana in his system while at work. The employer is simply assuming that since the claimant smoked marijuana while not at work, the claimant must have had detectible amounts of marijuana in his system while on the clock. The employer thus did not meet their burden. Accordingly, it is held, the claimant was discharged for reasons other than misconduct connected with work (emphasis in original).

In so concluding, the referee erred both in construing the policy too narrowly and, more significantly, in failing to recognize that the employer's assumption that the claimant had detectable amounts of marijuana metabolites in his system during employment was scientifically valid to a reasonable degree of scientific certainty.

The HR Supervisor who conducted the initial investigation testified that the claimant admitted to using marijuana the night before his scheduled shift. The operations manager testified she was present when the claimant admitted using marijuana for his neck problem to help him sleep. She testified that during the interview the claimant was asked if he used marijuana right before his shift such that he would be under the influence when he got up in the morning, and the claimant responded "yes." The claimant denied that allegation. The claimant testified he had scoliosis and used marijuana as a sleep aid at home. He testified he would smoke it several hours before going to sleep and would go to work the next day but not be under the influence. He testified that when he woke up in the morning, he did not feel the effects of marijuana usage at all. He also testified that for the two weeks after and the week before the investigation, he did not smoke marijuana. Even though the referee resolved conflicts in evidence in favor of the claimant, the claimant's admissions during his testimony establish misconduct. The claimant's testimony that he would smoke marijuana the night before his scheduled shift and go to work the next day established a violation of the employer's alcohol and drug use policy, which provides "team members must report for work *without any detectable amount of prohibited drugs, alcoholic beverages, intoxicants, narcotics, or any illegal substance in their system*, or their person, or in their possession" (emphasis added). Based on the claimant's admission, a drug test was not required.

First, read in context, the employer's policy is clearly intended to be compliant with the drug-free workplace provisions of the workers' compensation law. Florida workers' compensation law provides:

> It is the intent of the Legislature to promote drug-free workplaces in order that employers in the state be afforded the opportunity to maximize their levels of productivity, enhance their competitive positions in the marketplace, and reach their desired levels of success without experiencing the costs, delays, and tragedies associated with work-related accidents resulting from drug abuse by employees. It is further the intent of the Legislature that drug abuse be discouraged and that employees who choose to engage in drug abuse face the risk of unemployment and the forfeiture of workers' compensation benefits.

§440.101(1), Fla. Stat. The reemployment assistance law coordinates with this provision. *See* §443.101(11), Fla. Stat. The employer's policy must be read in light of the legislative intent and the employer's desire to implement such a policy.

Although the employer's policy does not broadly prohibit use of illegal drugs, it is implicit that such use during employment is prohibited. Instead, the policy defines its prohibitions in terms of its operationalization of the prohibition. That is, since the policy is enforced by drug testing, it functionally defines a violation by the condition necessary for a positive test, which is for employees to have detectable amounts of a substance in their bodily systems. That does not necessarily mean that the policy can only be violated when a positive drug test is administered. While not a model of clarity or comprehensiveness, the policy cannot reasonably be interpreted to require the employer to undergo the formality and expense of a drug test where the claimant's own admissions, as well as the employer's observations, establish recent use of a substance covered by the policy.

Second, even if we accept the narrow construction of the policy applied by the referee, the claimant's admissions establish a violation of the policy during his employment to a reasonable degree of scientific certainty.

The amount of time that marijuana usage is detectable in the body by modern scientific methods depends on a number of factors, including the frequency the user smokes, the amount consumed, the testing thresholds and methodologies, and the user's metabolism.[1] The active ingredient in marijuana is Δ-9-Tetrahydrocannabinol (THC), the chemical responsible for the "high." However, urine tests detect THC-COOH, an organic ester that is a principal metabolite of THC.[2] It is produced when the liver breaks down THC and stays in the body for much longer. *Id*. Someone who smokes occasionally — or for the first time — will likely test positive for 1-3 days afterward depending on testing thresholds, according to a review of relevant literature.[3] The review also found that studies suggest someone who regularly smokes marijuana can expect to test positive for around a week to ten days following last use.[4] Some individuals may test positive for a significantly longer period of time.

Forensic research has established the accuracy of these figures for the testing procedures authorized under Florida law. Initial testing in certified laboratories is generally conducted using an immunoassay procedure such as EMIT with a positive detection threshold of 50 ng/mL. Fla. Admin. Code R. 59A-24.006(4)(e). Confirmation testing is typically performed using gas chromatography-mass spectrometry with a positive detection threshold of 15 ng/mL. Fla. Admin. Code R. 59A-24.006(4)(f). Two studies using testing levels consistent with Florida law and subjects with usage history comparable to the claimant's confirm that the claimant would have tested positive to a reasonable certainty. Huestis et al (1995)[5] tested six regular users after a low dose and high dose of marijuana via smoking. Five of the six subjects tested positive after more than eight hours post-usage using enzyme immunoassay with a low dose, and all six tested positive more than eight hours later

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[1] Paul L. Cary, "The Marijuana Detection Window: Determining the Length of Time Cannabinoids Will Remain Detectable in Urine Following Smoking," *National Drug Court Institute,* April 2006 at p. 4. Available at http://www.ndci.org/wp-content/uploads/THC_Detection_Window_0.pdf (last visited December 28, 2016). The National Drug Court Institute is a non-profit organization established by the National Association of Drug Court Professionals and receives funding or other support from numerous government agencies, including the U.S. Department of Justice, the National Institute on Drug Abuse, and the U.S. Substance Abuse and Mental Health Services Administration ("SAMHSA").

[2] Marilyn A. Huestis, "Human Cannabinoid Pharmacokinetics," *Chemistry and Biodiversity*. 2007 Aug; 4(8): 1770–1804, available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2689518/ (last visited December 28, 2016).

[3] Cary (2006) at 7.

[4] *Id*. at 9.

[5] Marilyn A. Huestis, John M. Mitchell, and Edward J. Cone, "Detection Times of Marijuana Metabolites in Urine by Immunoassay and GC-MS," *Journal of Analytical Toxicology*, Vol. 19(10), Oct. 1995, pp. 443-449. Available at http://jat.oxfordjournals.org/content/19/6/443.full.pdf+html.

with a high dose.[6] Niedbala et al (2001)[7] tested ten subjects in a study, five of whom were chronic users. All of the chronic users tested positive either eight or sixteen hours after usage; all but of one of them tested positive at *both* intervals. The significance of the eight and sixteen-hour testing intervals is that, based on the claimant's admissions, much of his working day would have been between eight to sixteen hours after usage. Given this scientific evidence, there is a reasonable degree of scientific certainty that the claimant would have reported to work regularly during his employment with detectable levels of THC metabolites in his system.[8] The employer's assumption that the claimant's admissions would establish a violation of their policy is clearly borne out by the scientific evidence.

The claimant contends that he never reported to work under the influence of marijuana. This may or may not be true.[9] However, even if it is, Florida law has never required proof of actual impairment to establish violations of drug-free workplace programs for illegally used substances. Moreover, there is no testing regimen currently approved by SAMHSA and the Florida Agency for Health Care Administration that tests for THC rather than its metabolites.[10]

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[6] Table III at p. 446. The one individual not testing positive at low dosage more than eight hours later had a positive cutoff of 6.4 hours. At high dosage, the lowest detection window was 27.3 hours.

[7] R. Sam Niedbala, Keith W. Kardos, Dean F. Fritch, Stephanie Kardos, Tiffany Fries, and Joe Waga, "Detection of Marijuana Use by Oral Fluid and Urine Analysis Following Single-Dose Administration of Smoked and Oral Marijuana," *Journal of Analytical Toxicology*, Vol. 25(7), Jul/Aug. 2001, pp. 289-303.

[8] Our research revealed no published studies utilizing similar parameters with findings contrary to these.

[9] The employer testified that the claimant was confronted because he appeared to be impaired. Such observations are sufficient by themselves in some instance to establish a policy violation. *Florida Mining & Materials Corp. v. Unemployment Appeals Commission*, 530 So. 2d 426 (Fla. 1st DCA 1988).
Although the referee found that the employer believed the claimant was under the influence due to its observations of him, the referee did not find that the claimant was impaired.

[10] *See* R.A.A.C. Order No. 14-02971 (January 27, 2015), available at http://www.floridajobs.org/finalorders/raac_finalorders/14-02971.pdf.

The decision of the appeals referee is reversed. The claimant is disqualified from receipt of benefits for the week ending April 2, 2016, the five succeeding weeks, and until he becomes reemployed and earns $2839. As a result of this decision of the Commission, benefits received by the claimant for which the claimant is not entitled may be considered an overpayment subject to recovery, with the specific amount of the overpayment to be calculated by the Department and set forth in a separate overpayment determination.

It is so ordered.

REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

Frank E. Brown, Chairman
Thomas D. Epsky, Member
Joseph D. Finnegan, Member

This is to certify that on 12/30/2016, 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: Kady Ross
Deputy Clerk

DEPARTMENT OF ECONOMIC OPPORTUNITY
REEMPLOYMENT ASSISTANCE PROGRAM
PO BOX 5250
TALLAHASSEE, FL 32314 5250

*53744475 *

Docket No.0028 3298 24-04 Jurisdiction: §443.151(4)(a)&(b) Florida Statutes

CLAIMANT/Appellee ***EMPLOYER/Appellant***

APPEARANCES Claimant

Employer

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), (13); 443.036(29), Florida Statutes; Rule 73B-11.020, Florida Administrative Code.

CHARGES TO EMPLOYER'S EMPLOYMENT RECORD: Whether benefit payments made to the claimant will 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 charges are not at issue on the current claim, the hearing may determine charges on a subsequent claim.)

Findings of Fact: The claimant worked as a guest services associate for the employer, a food service retail company, from July 15, 2014 until March 31, 2016. The employer has an alcohol and drug use policy which states, in part, that "team members must report for work without any detectable amount of prohibited drugs, alcoholic beverages, intoxicants, narcotics, or any illegal substance in their system, or their person, or in their possession." The list of prohibited substances includes marijuana. One of the claimant's supervisors observed the claimant's demeanor and determined that the claimant could be intoxicated. The supervisor then asked the claimant if he was under the influence of any illegal substances, and the claimant admitted to smoking marijuana regularly before going to sleep. The claimant never went to work high on marijuana, he only used it before going to sleep. The employer discharged the claimant in violation of their alcohol and drug use policy.

Conclusions of Law: As of May 17, 2013, 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. Such conduct may include, but is not limited to, willful damage to an employer's property that results in damage of more than $50; theft of employer property or property of a customer or invitee of the employer.

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. 1. A violation of an employer's rule, unless the claimant can demonstrate that:

a. He or she did not know, and could not reasonably know, of the rule's requirements;

b The rule is not lawful or not reasonably related to the job environment and performance; or

c. The rule is not fairly or consistently enforced.

2. Such conduct may include, but is not limited to, committing criminal assault or battery on another employee, or on a customer or invitee of the employer; or committing abuse or neglect of a patient, resident, disabled person, elderly person, or child in her or his professional care.

The record and evidence indicate that the claimant was discharged by the employer for allegedly violating the employer's alcohol and drug use policy. The elements of intent and conscious disregard cannot be met in this case, so the elements of subsection (a) above are not applicable. Although employers certainly do not expect their employees to be under the influence of illegal drugs at work, the claimant did not intend or consciously disregard the employer's interests in the present case because the claimant never went to work high on marijuana. The claimant intentionally used marijuana as a sleep aide. The elements of subsection (b) above have not been satisfied because the claimant was not negligent to a degree that manifests culpability.

The employer has failed to show how the claimant violated the employer's alcohol and drug use policy so subsection (e) is not applicable. The employer's policy is vague because it states that "team members must report for work without any **detectable** amount of prohibited drugs, alcoholic beverages, intoxicants, narcotics, or any illegal substance in their system, or their person, or in their possession." It is unclear based on both parties' testimony whether the claimant had any detectable amount of marijuana in his system while at work. The policy simply does not specify what "detectible" means. It is clear and unrebutted that the claimant smoked marijuana regularly before going to sleep; however, the employer failed to

show that the claimant had detectible amounts of marijuana in his system while on the clock. For example, a simple drug test, whether it be by blood or by other means, could objectively determine if the claimant had any detectible amounts of marijuana in his system while at work. The employer is simply assuming that since the claimant smoked marijuana while not at work, the claimant must have had detectible amounts of marijuana in his system while on the clock. The employer thus did not meet their burden. Accordingly, it is held, the claimant was discharged for reasons other than misconduct connected with work.

The hearing officer was presented with conflicting testimony regarding material issues of fact and is charged with resolving these conflicts. The Reemployment Assistance Appeals Commission has set forth factors to be considered in resolving credibility questions. These factors include the witness' opportunity and capacity to observe the event or act in question; any prior inconsistent statement by the witness; witness bias or lack of bias; the contradiction of the witness' version of events by other evidence or its consistency with other evidence; the inherent improbability of the witness' version of events; and the witness' demeanor. Upon considering these factors, the hearing officer finds the testimony of the claimant to be more credible. Therefore, material conflicts in the evidence are resolved in favor of the claimant.

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 was discharged for misconduct connected with the work.

Pursuant to this decision, the employer's account will be charged should benefits be paid on this claim.

Decision: The determination of the claims adjudicator dated May 4, 2016, holding that the claimant was discharged for reasons other than misconduct connected with work, and holding that the claimant was eligible, is **AFFIRMED.** The claimant is not subject to disqualification. The issue start date is **MODIFIED** to reflect an issue start date of March 27, 2016. The employer's account will be charged.

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 distributed/mailed to the last known address of each interested party on July 14, 2016.

H. Freedman
Appeals Referee

By: D. Hillegas

DAVID HILLEGAS, 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 distribution/mailed 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 connect.myflorida.com or by writing to the address at the top of this decision. The date of the confirmation page will be the filing date of a request for reopening on the Department's 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 the last five digits of the 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.

There is no cost to have a case reviewed by the Commission, nor is a party required to be represented by an attorney or other representative to have a case reviewed. The Reemployment Assistance Appeals Commission has not been fully integrated into the Department's CONNECT system. While correspondence can be mailed or faxed to the Commission, no correspondence can be submitted to the Commission via the CONNECT system. All parties to an appeal before the Commission must maintain a current mailing address with the Commission. A party who changes his/her mailing address in the CONNECT system must also provide the updated address to the Commission, in writing. All correspondence sent by the Commission, including its final order, will be mailed to the parties at their mailing address on record with the Commission.

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 distribución/fecha de envìo 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 connect.myflorida.com o escribiendo a la dirección en la parte superior de esta decisión. La fecha de la página de confirmación será la fecha de presentación de una solicitud de reapertura en la página de Internet del Departamento.

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 los últimos cinco dígitos del 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.

No hay ningún costo para tener un caso revisado por la Comisión, ni es requerido que una parte sea representado por un abogado u otro representante para poder tener un caso revisado. La Comisión de Apelación de Asistencia de Reempleo no ha sido plenamente integrado en el sistema CONNECT del Departamento. Mientras que la correspondencia puede ser enviada por correo o por fax a la Comisión, ninguna correspondencia puede ser sometida a la Comisión a través del sistema CONNECT. Todas las partes en una apelación ante la Comisión deben mantener una dirección de correo actual con la Comisión. La parte que cambie su dirección de correo en el sistema CONNECT también debe proporcionar la dirección actualizada a la Comisión, por escrito. Toda la correspondencia enviada por la Comisión, incluida su orden final, será enviada a las partes en su dirección de correo en el registro con la Comisión.

ENPÒTAN - DWA DAPÈL: Desizyon sa a ap definitif sòf si ou depoze yon apèl nan yon delè 20 jou apre dat distribisyon/postaj. Si 20yèm 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, connect.myflorida.com oswa alekri nan adrès ki mansyone okomansman desizyon sa a. Dat cofimasyon page sa pral jou ou ranpli deman pou reouvewti dan web sit depatman.

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 senk dènye chif nimewo sekirite sosyal demandè a 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.

Pa gen okenn kou pou Komisyon an revize yon ka, ni ke yon pati dwe reprezante pa yon avoka oubyen lòt reprezantan pou ke la li a revize. Komisyon Apèl Asistans Reyanbochaj pa te entegre antyèman nan sistèm CONNECT Depatman an. Byenke korespondans kapab fakse oubyen pòste bay Komisyon an, okenn korespondans pa kapab soumèt bay Komisyon an atravè sistèm CONNECT. Tout pati ki nan yon apèl devan Komisyon an dwe mentni yon adrès postal ki ajou avèk Komisyon an. Yon pati ki chanje adrès postal li nan sistèm CONNECT la dwe bay Komisyon an adrès ki mete ajou a tou. Tout korespondans ke Komisyon an voye, sa enkli manda final li, pral pòste voye bay pati yo nan adrès postal yo genyen nan achiv Komisyon an.
