STATE OF FLORIDA
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

In the matter of:

Claimant/Appellee

R.A.A.C. Order No. 13-07369

vs.

Referee Decision No. 13-66224U

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. 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 worked as a meals clerk for a retail grocery store from October 28, 2006, through June 13, 2013. The employer had a policy which allowed for termination after two "no call, no shows." The claimant was aware of the policy. In April 2011, the claimant's husband went online on behalf of the claimant to view her work schedule. The claimant's husband informed her she did not have to work on April 21, 2011. The claimant was scheduled to work on April 21, 2011. On April 29, 2011, the claimant was issued a written warning for performing a "no call, no show." From June 2011, through June 2013, the claimant worked an alternating schedule which consisted of Sunday through

> Wednesday for two weeks, followed by Monday through Wednesday for two weeks. The claimant typically checked her schedule on Wednesdays. According to the alternating rotation of the claimant's schedule, the claimant was due to be scheduled from Sunday, June 9, 2013, through Wednesday, June 12, 2013. The claimant was scheduled to work Saturday, June 8, 2013. The claimant was unaware she was scheduled to work as she forgot to check the schedule prior to leaving work on Wednesday, June 5, 2013, due to an illness. On June 9, the claimant printed her schedule while at home and noticed she was scheduled to work that morning and had already missed the shift. The claimant called the assistant store manager and was told to come to work on Monday, June 10, 2013, while a determination on how to proceed would be made. On June 13, 2013, the store manager informed the claimant her employment was terminated due to violation of the company's attendance policy.

Based on these findings, the referee held the claimant was not discharged for misconduct connected with work. Upon review of the record and the arguments on appeal, the Commission concludes the case must be remanded for the referee to further address the applicability of section 443.036(30), Florida Statutes, particularly subparagraph (e).

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.

In his conclusions of law, the referee referenced the above statute and stated, in part:

> The record reflects the claimant was discharged. The burden of proving misconduct is on the employer. Lewis v. Unemployment Appeals Commission, 498 So. 2d 608 (Fla. 5th DCA 1986). The proof must be by a preponderance of competent substantial evidence. De Groot v. Sheffield, 95 So. 2d 912 (Fla. 1957); Tallahassee Housing Authority v. Unemployment Appeals Commission, 483 So. 2d 413 (Fla. 1986). The testimony of the claimant and the employer's witness, the store manager, established the claimant performed two no call, no shows. The claimant's testimony established she was aware of the employer's policy relating to attendance, specifically "no call, no shows." However, the evidence shows each no call no show was unintentional and happened as the result of a mistake or oversight. These mistakes do not demonstrate negligence or carelessness to a degree or recurrence which would manifest culpability. The claimant had two attendance infractions over a six-year course of employment. Additionally, the two no call, no shows were separated by a period of over two years. In cases involving absenteeism and/or tardiness, the employer must establish both the absenteeism and/or tardiness was "chronic" as well as a "deliberate violation of a known policy." Although not stated in the statute, the courts have consistently taken the position, in cases where the claimant was discharged for a pattern of attendance issues, the proximity of the last incidents to the

> earlier incidents should be considered. Mason v. Load King Mfg. Co., 758 So. 2d 649 (Fla. 2000) ("in absenteeism cases, the more attenuated the precipitating acts leading to the employer's termination are from the established pattern of absenteeism, the harder it becomes for the employer to prove misconduct"). The proximity of the last incident to the earlier incident is not a sufficient nexus to establish misconduct, as that term is used in the unemployment compensation law. The claimant's actions do not amount to misconduct as defined in the statute. Accordingly, the claimant is qualified for the receipt of benefits.

Although the referee did not specifically address the applicability of each relevant subparagraph of Section 443.036(30), Florida Statutes, there appears on the record sufficient competent, substantial evidence for the referee to reach the conclusion that the claimant's conduct did not constitute disqualifying misconduct under subparagraphs (a) through (d). The employer did not establish misconduct pursuant to subparagraph (a) because it did not show a *conscious* disregard for the employer's interest and a *deliberate* disregard of the reasonable standards of behavior. Here, the evidence shows the no calls/no shows were based on two oversights in over six years and were not conscious or deliberate actions. Subparagraph (b) is likewise not applicable because there was no showing of 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 the employee's duties. The first prong of subparagraph (c) is not applicable because there was no showing that the absences were "chronic" or "deliberate." The second prong of subparagraph (c) is not applicable because there was no showing of a written warning for *more than one* unapproved absence followed by another unapproved absence. Subparagraph (d) is not applicable because this case did not involve a violation of a state regulation. The only remaining issue then is whether the claimant's second no call no show in about a two-year period violated the employer's rules and constitutes misconduct under subparagraph (e).

Under subparagraph (e), misconduct includes:

> 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.

This provision "expresses the legislative intent that a claimant may be disqualified from benefits where it is established he or she committed a 'violation of an employer's rule.'" *Crespo v. Florida Reemployment Assistance Appeals Commission*, --- So. 2d ---, 37 Fla. L. Weekly D 2771 (Fla. 3rd DCA 12/5/2012). Once the employer has shown a violation, the claimant bears the burden to establish one of the three defenses. *Crespo*, *supra*.

The employer's rules provide, in pertinent part:

> No Call/No Show Rules for All Associates:
>
> 1. 1st occurrence – Associate Counseling Statement, read and sign the policy, one week suspension, and notification that the next occurrence will result in discharge.
>
> 2. 2nd occurrence – Discharge*
>
> Management must verify that the associate did not make a manager aware that he/she would not be at work.
>
> **The DM must be consulted before an associate is discharged for violation of this policy.*

In this case, the claimant admitted to having a no call/no show on April 21, 2011, acknowledged receiving a suspension and a warning that another no call/no show would result in termination, and admitted to having another no call/no show on June 8, 2013, a little over two years after the first one. The employer's rule has no time frame for the period in which the two no call/no shows occur. Thus, the claimant's testimony constitutes an admission of a rule violation. The issue therefore becomes whether the claimant met any of the affirmative defenses under subparagraph (e).

The claimant admitted knowing the rule so the first affirmative defense does not apply. The claimant also did not establish that the rule is unlawful or not reasonably related to the job environment and performance. The claimant did, however, contend the rule is not fairly enforced.

The case therefore is remanded for the referee to address whether the claimant under the facts of this case met the affirmative defense under Section 443.036(30)(e)3., Florida Statutes, that the rule was not fairly enforced. In considering whether the employer's rule is fairly enforced, in cases involving unintentional or negligent violations, the referee must weigh the culpability of the claimant, on the one hand, with the nature and purpose of the rule on the other. *See* R.A.A.C. Order No. 13-04567.

Here, the claimant indicated both of the no call/no shows were the result of oversight. The first time, her husband checked the schedule and misinformed the claimant that she was off. The claimant did not check her schedule herself, and the second time, the claimant assumed she knew the rotation schedule and did not check her schedule until after her shift was over. She indicated it was supposed to be her second week to do Sunday through Wednesday rotation, and indicated the assistant manager told her he did not put it in the system that she had been away and needed to restart the rotation so the computer automatically scheduled her otherwise. The claimant acknowledged it was her duty to check her schedule; however, she contends she is a good worker and that two no call/no shows in over a six-year period of employment with the two no call/no shows being over two years apart is not so egregious as to constitute disqualifying misconduct.

The Commission notes that in his decision, the referee relied upon *Mason v. Load King Mfg. Co.*, 758 So. 2d 649 (Fla. 2000) for the proposition that "in absenteeism cases, the more attenuated the precipitating acts leading to the employer's termination are from the established pattern of absenteeism, the harder it becomes for the employer to prove misconduct." Although *Mason v. Load King Mfg. Co.*, *supra*, was issued prior to the statute's amendment to include rule violations as misconduct and therefore the referee still has to address whether there was a rule violation and/or affirmative defenses, the referee can still consider the absence of a time frame in the rule and whether there was a sufficient nexus in addressing the affirmative defense that the policy is "fairly" enforced.

The employer, on the other hand, contends the rule put the claimant on notice that two no call/no shows will result in termination. The rule is in the handbook, and the claimant signed an acknowledgment of the receipt of the handbook. She was made aware of the rule in orientation and was counseled on it. She was given a counseling statement which suspended her for one week for a no call/no show in accordance with the attendance policy and warned another no call/no show would result in termination. In addition, the claimant acknowledged she was aware of the rule. Nevertheless, she had a second no call/no show. The employer contends the claimant was at fault both days for failing to check the schedule and admitted that, on the second no call/no show, she did not check her schedule until five days after it

was posted. The employer contends no call/no shows place a heavy burden on the store, and the workers who report for their scheduled shifts. The employer contends no call/no shows hinder the employer from being able to find a substitute to cover the employee's shift prior to the beginning of the shift, can hinder the employer from providing services and operating at the level they expect, and can result in losses to the store.

In determining whether the claimant met the burden of demonstrating the employer's rule was not fairly and consistently enforced, the referee must address the evidence entered as well as other evidence developed in any supplemental hearing and balance the culpability of the claimant with the nature and purpose of the rule on the other. The referee should consider, in addition to the points cited above, such issues as to the methods by which the claimant could have checked her schedule, and the ease of doing so; other factors that the claimant gives to explain why she made the mistake, and the context thereof; the employer's testimony as to the impact on their operations for no call/no show absences generally, and specifically, how this claimant's absences impacted store operations or claimant's coworkers. The referee should consider other evidence that appears to bear on these issues. The referee should then make appropriate findings, and reach a conclusion as to where the balance falls on these specific facts.

The decision of the appeals referee is vacated and the case is remanded for the referee to address the applicability of subparagraph (e) and the affirmative defenses therein.

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
11/6/2013 ,
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: Kimberley Pena
Deputy Clerk

DEPARTMENT OF ECONOMIC OPPORTUNITY
Reemployment Assistance Appeals
MSC 344 CALDWELL BUILDING
107 EAST MADISON STREET
TALLAHASSEE FL 32399-4143

IMPORTANT:	For free translation assistance, you may call 1-800-204-24 18. 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. **2013-66224U** Jurisdiction: §443.151(4)(a)&(b) Florida Statutes

CLAIMANT/Appellant **EMPLOYER/Appellee**

APPEARANCES: CLAIMANT & EMPLOYER LOCAL OFFICE #: 3628-0

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 Facts: The claimant worked as a meals clerk for a retail grocery store from October 28, 2006, through June 13, 2013. The employer had a policy which allowed for termination after two "no call, no shows." The claimant was aware of the policy. In April 2011, the claimant's husband went online on behalf of the claimant to view her work schedule. The claimant's husband informed her she did not have to work on April 21, 2011. The claimant was scheduled to work on April 21, 2011. On April 29, 2011, the claimant was issued a written warning for

performing a "no call, no show." From June 2011, through June 2013, the claimant worked an alternating schedule which consisted of Sunday through Wednesday for two weeks, followed by Monday through Wednesday for two weeks. The claimant typically checked her schedule on Wednesdays. According to the alternating rotation of the claimant's schedule, the claimant was due to be scheduled from Sunday, June 9, 2013, through Wednesday, June 12, 2013. The claimant was scheduled to work Saturday, June 8, 2013. The claimant was unaware she was scheduled to work as she forgot to check the schedule prior to leaving work on Wednesday, June 5, 2013, due to an illness. On June 9, the claimant printed her schedule while at home and noticed she was scheduled to work that morning and had already missed the shift. The claimant called the assistant store manager and was told to come to work on Monday, June 10, 2013, while a determination on how to proceed would be made. On June 13, 2013, the store manager informed the claimant her employment was terminated due to violation of the company's attendance policy.

Conclusion of Law: 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 record reflects the claimant was discharged. The burden of proving misconduct is on the employer. Lewis v. Unemployment Appeals Commission, 498 So.2d 608 (Fla. 5th DCA 1986). The proof must be by a preponderance of competent substantial evidence. De Groot v. Sheffield, 95 So.2d 912 (Fla. 1957); Tallahassee Housing Authority v. Unemployment Appeals Commission, 483 So.2d 413 (Fla. 1986). The testimony of the claimant and the employer's witness, the store manager, established the claimant performed two no call, no shows. The claimant's testimony established she was aware of the employer's policy relating to attendance, specifically "no call, no shows." However, the evidence shows each no call no show was unintentional and happened as the result of a mistake or oversight. These mistakes do not demonstrate negligence or carelessness to a degree or recurrence which would manifest culpability. The claimant had two attendance infractions over a six-year course of employment. Additionally, the two no call, no shows were separated by a period of over two years. In cases involving absenteeism and/or tardiness, the employer must establish both the absenteeism and/or tardiness was "chronic" as well as a "deliberate violation of a known policy." Although not stated in the statute, the courts have consistently taken the position, in cases where the claimant was discharged for a pattern of attendance issues, the proximity of the last incidents to the earlier incidents should be considered. Mason v. Load King Mfg. Co., 758

So.2d 649 (Fla. 2000) ("in absenteeism cases, the more attenuated the precipitating acts leading to the employer's termination are from the established pattern of absenteeism, the harder it becomes for the employer to prove misconduct"). The proximity of the last incident to the earlier incident is not a sufficient nexus to establish misconduct, as that term is used in the unemployment compensation law. The claimant's actions do not amount to misconduct as defined in the statute. Accordingly, the claimant is qualified for the receipt of benefits.

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. Since the claimant was discharged for reasons other than misconduct, the employer's account will be charged in connection with this claim.

Decision: The determination dated July 5, 2013, is REVERSED. The claimant is qualified for the receipt of benefits. The employer's account will be charged 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 August 14, 2013.

MATTHEW YAGER
Appeals Referee

By: Connie P. Rudd
CONNIE P. RUDD, 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 below 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 https://iap.floridajobs.org/ 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 https://iap.floridajobs.org/ 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 Desempleo; 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, https://iap.floridajobs.org/ 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 seyans la epi ki pat satisfè desizyon yo te pran an gen dwa mande yon revizyon nan men Reemployment Assistance Appeals Commission, Suite 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151; (Fax: 850-488-2123); **https://raaciap.floridajobs.org/.** Si ou voye l pa lapòs, dat ki sou tenb la ap dat ou depoze apèl la. Si ou depoze apèl la sou yon sitwèb, ou fakse li, bay li men nan lamen, oswa voye li pa yon sèvis mesajri ki pa Sèvis Lapòs Lèzetazini (*United States Postal Service*), oswa voye li pa Entènèt, dat ki sou resi a se va dat depo a. Pou evite reta, mete nimewo rejis la (*docket number*) avèk nimewo sekirite sosyal moun k ap fè demann lan. Yon pati k ap mande revizyon dwe presize nenpòt ki alegasyon erè nan kad desizyon abit la, epi bay baz reyèl oubyen legal pou apiye alegasyon sa yo. Yo p ap pran an konsiderasyon alegasyon erè ki pa byen presize nan demann pou revizyon an.