STATE OF FLORIDA
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

In the matter of:

Claimant/Appellee

R.A.A.C. Order No. 14-01026

vs.

Referee Decision No. 0010253782-03U

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.

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, incomplete development of the record and incomplete analysis of the evidence requires this case to be remanded for further proceedings; accordingly, the Commission does not now address the issue of whether the claimant is disqualified from receipt of benefits.

The referee's findings of fact state as follows:

> The claimant worked for the employer as a food service hostess from December 3, 2012, until September 23, 2013. On November 28, 2012, the claimant completed a personal health history document as part of her pre-employment [hiring process]. The employer did not provide instruction to the claimant on how to complete the personal health history on November 28, 2012. The claimant did not report any history of past injuries on this document. On August 27, 2013, the claimant fell at work and filed a [workers'] compensation claim. In September 2013, the [workers'] compensation claims [adjuster] notified the employer of the claimant's personal auto accident history. The claimant's

> accident history assumed injury for the claimant based on summary statements of the incidents. The summary statements were back and neck and shoulder on October 11, 2001, back, shoulder, hip on November 15, 1999 and all over, neck, back pain on March 11, 1997. The personal auto accident history did not include medical documentation of any injuries. The employer questioned the claimant about the information on the personal auto accident history in relation to the personal health history. The claimant did not indicate that she was injured during the incidents or in the past. The claimant completed the personal health history with the belief that the employer wanted only recent events. On September 23, 2013, the employer discharged the claimant for falsification of the personal health history document based on the claimant's accident history.

Based on these findings, the referee held that 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 the record was not developed sufficiently and material conflicts in evidence were not resolved properly. Additionally, the referee did not permit inquiry into other events that may have motivated the employer; consequently, the case must be remanded.

In this discharge case, the issue was whether the employer established, by a preponderance of the evidence, that the claimant was discharged for misconduct within the meaning of the reemployment assistance law. As of the time of the claimant's separation, misconduct was defined as follows:

> (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, or 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 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)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.

§443.036(30), Fla. Stat. (2013).

Our review of the record reveals that the relevant provision here is subparagraph (a). Thus, the employer must prove that the claimant's inaccurate statements on the personal health history form were made in conscious disregard of the employer's interests and were a deliberate violation or disregard of the standards the employer may expect. It is not necessary for the employer to prove that the claimant intended to defraud the employer, but the employer must demonstrate that the claimant's actions were dishonest, and either consciously or purposefully so.

The claimant began working for the employer on December 3, 2012. On November 28, 2012, prior to starting work, she was instructed to complete a personal health history form which asked her to disclose prior conditions or injuries. Specifically, the form asked the claimant the following (among other things) to which she answered in the negative:

HAVE YOU EVER HAD ANY OF THE FOLLOWING? *(If yes, please explain in the space provided.)*	NO	YES
Back problems (injury, strain or herniated disc)?	☐	☐
Have you ever had an injury or illness which prevented you from performing work?	☐	☐
Head/Neck injury or whiplash?	☐	☐

The claimant testified that, when completing the form, she understood it to be requesting information regarding recent injuries. Based on that testimony, the referee concluded that the claimant completed the form "with the belief that the employer only wanted recent events." Further, based on that finding, the referee concluded the employer had not proven misconduct by the claimant.

While the referee's finding regarding the claimant's mental state is consistent with her testimony, the referee failed to adequately develop the record regarding the claimant's response to certain testimony given by the employer which, if believed, could have led to an inference that the claimant was dishonest when completing the form. This evidence also raises the question of whether the claimant made a sufficient effort to preserve her employment in the face of allegations of misconduct when provided the opportunity to do so. Because it appears the referee did not give adequate consideration to relevant portions of the employer's testimony, did not examine the claimant regarding that testimony, and did not include a credibility determination, the case must be remanded for additional record development and findings, and, if necessary, a credibility determination.

The employer's director of occupational health testified that she advised the claimant, when the personal health history was being completed, that the claimant needed to fill out the form in full and that the employer needed the information to be very accurate. She testified that the claimant completed the form without any questions.

According to the employer's evidence, on August 27, 2013, the claimant suffered a slip and fall injury at work, injuring her back and knees. During the process of investigating her workers' compensation claim, the employer's workers' compensation carrier/administrator conducted a routine claim search and discovered three prior injuries reported for the claimant dating from 1997 to 2001 that had not

been disclosed on the personal health history. At some unspecified time thereafter, both the director of occupational health and director of human resources asked the claimant about the discrepancies between the personal health history form and the injury report. They indicated that she did not dispute any of the injuries reported. The director of occupational health testified that, when she asked the claimant why she had not disclosed the injuries previously, the claimant stated "basically, that it was none of our business." The human resources director testified that, when he asked the claimant, she got angry and got up and left. The human resource director also testified that the claimant had filled out another personal health history form at another time.[1] Both witnesses testified that the claimant did not provide any explanation despite being asked.

In cases where a party's mental state is the ultimate factual issue, the opposing party will rarely have direct evidence to dispute the party's own testimony. Accordingly, the referee must consider circumstantial evidence in order to weigh the veracity of the party's testimony. *See Lake County Sheriff's Department v. Unemployment Appeals Commission*, 478 So. 2d 880, 881 (Fla. 5th DCA 1985); *see generally Mosley v. State*, 46 So. 3d 510, 526 n.14 (Fla. 2009). In this case, the testimony regarding the claimant's reactions when asked about the discrepancies could properly lead to an inference that she was untruthful at the time she completed the form. If the employer confronted the claimant regarding these issues and the claimant failed to offer the same explanation at that time that she offered at the hearing, this fact should be considered by the referee in evaluating the claimant's credibility regarding her truthfulness at the time she completed the personal health history form. In addition, this fact should be considered in determining whether the claimant expended reasonable efforts to preserve her employment, as required in *Glenn v. Florida Unemployment Appeals Commission*, 516 So. 2d 88, 89 (Fla. 3d DCA 1987).

The record reflects that the referee failed to ask the claimant how she responded when the employer asked her about the discrepancies between her personal health history form and her personal auto accident history. Moreover, the referee failed to ask the claimant whether she had provided the explanation to the employer that she provided at the hearing, and if not, why not. In cases where the ultimate determination turns on the honesty of a party, the referee must use careful and thorough questioning of the parties to provide a sufficient basis for making that determination. Accordingly, the case must be remanded for further inquiry and fact finding.

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[1] The witness also testified that another form was filled out on December 15, 2011, although it was not clarified whether that was the correct date and, if so, what relation that 2011 form had to the claimant's employment with the employer.

Because the case is being remanded, we address two additional issues. First, the claimant's representative attempted to offer evidence that the claimant had been discharged in retaliation for filing a complaint of discrimination. The referee precluded inquiry into these issues, concluding that it was not relevant to the issue of discharge before the referee. The relevant statutory provision, Section 443.101(1)(a), Florida Statutes (2013), provides that an individual will be disqualified for benefits when he or she "has been discharged by the employing unit *for misconduct* connected with his or her work . . . ." The statute requires proof of causation between the alleged misconduct and the discharge. For example, in *Berry v. Scotty's, Inc.*, 711 So. 2d 575, 577 (Fla. 2d DCA 1998), the district court reversed an order of the Unemployment Appeals Commission, holding that the Commission cannot disqualify a claimant for reasons that were not those upon which the employer relied to discharge the employee.

On the other hand, discrimination and retaliation cases relying on circumstantial evidence often require proof of discrimination by extensive comparative evidence, and may take several days to try in court. It is not administratively feasible to fully develop the record and make fully detailed findings on such claims in reemployment assistance cases.

To address both of these concerns, the Commission has previously held:

> A hearing before a reemployment assistance appeals referee is not the forum to litigate a Title VII or other lawsuit. However, the statute's wording "discharged for misconduct" explicitly incorporates causation; consequently, a claimant has a right to present at least a modicum of evidence (including corroborating evidence from a witness) to try to establish that an employer had an ulterior motive and that the cause of her discharge was something other than the claimed misconduct.

R.A.A.C. Order No. 13-06047 (November 19, 2013).

For this reason, the referee erred in excluding all evidence or consideration of the issue of potential retaliation against the claimant. On remand, the claimant should be permitted to introduce *limited* evidence supporting her contention that she was discharged for retaliation. This would include showing that she filed a charge of

discrimination[2] and that the employer was notified of the charge prior to the time of her discharge. The appropriate evidence to be introduced on these points are a copy of the charge and a copy of the notice provided to the employer. If the discharge occurred in close temporal proximity to the employer's receipt of notice of the charge, an inference of retaliation may arise. *Gupta v. Florida Bd. Of Regents*, 212 F.3d 571, 590 (11th Cir. 2000). However, since the employer has offered competent documentary and testimonial evidence of another motivation for the discharge, the falsification of the personal health history, the claimant would be required to prove "pretext," that is, that the employer is lying about their motivation. *McCann v. Tillman*, 526 F.3d 1370, 1375 (11th Cir. 2008). An employee can do so by showing "such weaknesses, impossibilities, inconsistencies, incoherencies, or contradictions in the proffered reasons that a reasonable factfinder could find them unworthy of credence." *Combs v. Plantation Patterns*, 106 F.3d 1519, 1538 (11th Cir. 1997).

To provide a factual basis for consideration of this contention, the referee should develop the chronology for the relevant events: the date of the charge of discrimination, the date of the notice of the charge to the employer, the date the relevant employer witnesses became aware of the charge, the date of the slip and fall accident, the date the employer learned of the claimant's at-work accident, the date the employer became aware of the prior injury history, the date(s) the employer interviewed the claimant regarding her failure to disclose these injuries, and the date of the termination decision. Comparison of these events in chronological context will indicate the relative strength of any inference of retaliation. Finally, the referee should also inquire as to whether the employer, at least during the tenure of the current directors of occupational health and human resources, has routinely terminated individuals who failed to disclose prior injuries and, if not, why other individuals were not terminated. We note, however, in drawing inferences from differences in discipline, the circumstances of the individuals involved need to be "nearly identical." *Brooks v. CSX Transp., Inc.*, 555 Fed. Appx. 878, 883 (11th Cir. 2014), *citing Maniccia v. Brown*, 171 F.3d 1364, 1369 (11th Cir. 1999).

Finally, we address one other matter disclosed by our review. When the referee refused to allow the claimant to introduce evidence regarding the allegation of retaliation, the claimant's representative engaged in argumentative and, at times, disrespectful behavior, to the point the referee was forced to mute the representative's line. While the representative's contention that she should be permitted to introduce such evidence was correct, her behavior in interrupting the

[2] We note that the charge of discrimination is solely relevant to support a claim for retaliation. The referee need not, and should not, delve into the specifics of the discrimination claim, except potentially to see whether the individuals accused of discrimination were also those who made the decision to terminate her.

referee and talking over her are not acceptable behavior for a representative. If a representative believes that the referee's decisions are erroneous, the proper step is to preserve the issue as best as is feasible, then appeal to the Commission. Argumentative or confrontational behavior is no more appropriate in a reemployment assistance hearing than it would be in a court of law. We note that the referee is authorized to exclude *any* individual from a hearing if the individual's conduct is disruptive to the orderly conduct of the hearing.

The case is remanded to address the foregoing issues. On remand, the referee shall convene a supplemental hearing to develop the record regarding the claimant's response and reactions to the employer's questions to her regarding discrepancies between her personal health history and the injury history, and to permit the claimant to make a limited showing regarding possible retaliatory motivation, provided the claimant properly serves and introduces the relevant documentary evidence regarding her charge of discrimination.

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
9/23/2014 ,
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 PROGRAM
PO BOX 5250
TALLAHASSEE, FL 32314 5250

*24187263 *

Docket No.0010 2537 82-03 Jurisdiction: §443.151(4)(a)&(b) Florida Statutes

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

APPEARANCES Claimant

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.

Findings of Fact: The claimant worked for the employer as a food service hostess from December 3, 2012, until September 23, 2013. On November 28, 2012, the claimant completed a personal health history document as part of her pre-employment. The employer did not provide instruction to the claimant on how to complete the personal health history on November 28, 2012. The claimant did not report any history of past injuries on this document. On August 27, 2013, the claimant fell at work and filed a worker's compensation claim. In September 2013, the worker's compensation claim's

adjustor notified the employer of the claimant's personal auto accident history. The claimant's accident history assumed injury for the claimant based on summary statements of the incidents. The summary statements were "back and neck and shoulder" on October 11, 2001, "back, shoulder, hip" on November 15, 1999 and "all over, neck, back pain" on March 11, 1997. The personal auto accident history did not include medical documentation of any injuries. The employer questioned the claimant about the information on the personal auto accident history in relation to the personal health history. The claimant did not indicate that she was injured during the incidents or in the past. The claimant completed the personal health history with the belief that the employer wanted only recent events. On September 23, 2013, the employer discharged the claimant for falsification of the personal health history document based on the claimant's accident history.

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 reflects that the claimant was discharged for falsification of her personal health history. Under Florida Statutes 443.036(30)(a)(b)(e) misconduct has not been demonstrated. In this case the claimant did not consciously disregard the employer's interests. The claimant was unaware that the personal health history was not completed properly until informed by the employer at discharge. The claimant's actions indicate that she completed the personal health history to the best of her ability and understanding. Further, the employer did not provide instruction on how to complete the form. The employer assumed past injuries but did not have medical documentation or affirmation of injury from the claimant; therefore, the claimant is qualified for benefits beginning September 22, 2013.

Subsequent to the hearing conducted on February 25, 2014, the claimant's representative requested a fee for services in the amount of $350. In consideration of the time and effort expended by the representative and the agreement between the parties, a fee of $350 is approved by the appeals referee, to be paid by the claimant.

Decision: The determination dated January 9, 2014, is REVERSED. The claimant is qualified for benefits beginning September 22, 2013, if otherwise eligible.

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 to the last known address of each interested party on March 4, 2014

Kelci Kemmerer
Appeals Referee

By: 

ANTONIA SPIVEY (WATSON), 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 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 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 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 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 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 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.
