

STATE OF FLORIDA
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

In the matter of:

Claimant/Appellant

R.A.A.C. Docket No. 22-01137

vs.

Referee Decision No. 0094008528-04

Employer/-None

And

In the matter of:

Claimant/Appellant

R.A.A.C. Docket No. 22-01138

vs.

Referee Decision No. 0098659817-02

Employer/Appellee

ORDER OF REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

This consolidated matter comes before the Commission for consideration of appeals of two decisions of a reemployment assistance appeals referee. Referee Decision No. 0094008528-04U (July 7, 2022), being considered under R.A.A.C. Docket No. 22-01137, held the claimant did not earn three times her weekly benefit amount to requalify for regular state reemployment assistance benefits on her claim effective September 19, 2021. Referee Decision No. 0098659817-02 (July 7, 2022), being considered under R.A.A.C. Docket No. 22-01138, held the claimant ineligible for benefits for the two weeks ending April 2, 2022, and April 9, 2022, because she was not unemployed due to having earnings in excess of her weekly benefit amount each week.¹ The referee's decisions advised that a request for review should specify any and all contentions of error with respect to the referee's decision, and that contentions of error not specifically raised in the request for review may be considered waived. The Commission has jurisdiction pursuant to Section 443.151(4)(c), Florida Statutes.

¹ The referee's decision under review in R.A.A.C. Docket No. 22-01138 erroneously lists the issue of overpayment as an issue addressed at the hearing. That issue was not listed on the hearing notice sent to the parties and the determination under appeal contained no overpayment. Accordingly, the only issue before the referee in that case and addressed at the hearing regarding that case was whether the claimant was totally or partially unemployed pursuant to Sections 443.036(44) and 443.111(4), Florida Statutes.

On appeal to the Commission, evidence was submitted that was not previously presented to the referee. The parties were advised prior to the hearing that the hearing was their only opportunity to present all of their evidence in support of their case. Florida Administrative Code Rule 73B-21.011 provides that the Commission can consider newly discovered evidence only upon a showing that it is material to the outcome of the case *and* could not have been discovered prior to the hearing by an exercise of due diligence. The Commission did not consider the additional evidence because it does not meet the requirements of the rule. The Commission does not address the ability of the parties to use such evidence in any further evidentiary proceedings that may occur before the Office of Appeals; however, the parties are advised that evidence submitted to the Commission is not made part of the evidentiary record for such proceedings unless otherwise stated.

R.A.A.C. Docket No. 22-01137 (Referee Decision No. 0094008528-04)

The issue in R.A.A.C. Docket No. 22-01137 is whether the claimant has performed services and earned remuneration equal to three times her weekly benefit amount subsequent to the beginning of the preceding benefit year during which benefits were received as provided in Section 443.091(2), Florida Statutes.

The referee made the following findings of fact:

On December 9, 2021 a reemployment assistance adjudicator issued a determination which held the Claimant disqualified for reemployment assistance benefits. The Claimant initially applied for benefits on or about September 12th or 13th 2020 when she became unemployed. The Claimant had to reapply for standard benefits in September 2021. The Claimant has not earned any income from the time she previously applied for reemployment assistance in 2020 until her recent application. The Claimant's weekly benefit amount is \$187.00.

Based on these findings, the referee held the claimant ineligible for receipt of benefits on her claim effective September 19, 2021. Upon review of the record and the arguments on appeal, the Commission concludes the record was not developed sufficiently; consequently, the case must be remanded.

Section 443.091(2), Florida Statutes, provides:

An individual may not receive benefits in a benefit year unless, after the beginning of the next preceding benefit year during which she or he received benefits, she or he performed service, regardless of whether in employment as defined in s. 443.036, and earned remuneration for that service of at least 3 times her or his weekly benefit amount as determined for her or his current benefit year.

The record in R.A.A.C. Docket No. 22-01137 (Referee Decision No. 0094008528-04) reflects that, at the time the claimant filed her next year reemployment assistance claim in September 2021, she did not have earnings subsequent to the beginning of her September 13, 2020 claim year. The record also reflects that the claimant received and exhausted her regular state reemployment assistance benefits on the September 2020 claim. However, the referee failed to develop the record regarding the claimant's employment *subsequent* to the filing of her claim effective September 19, 2021, to determine specifically if or when the claimant satisfied the requalification requirement subsequent to filing. This is crucial because the statute does not limit an individual's ability to meet the requalification to the period prior to the next year claim filing. Thus, an individual may satisfy the requalification requirement during the subsequent claim year even if she has not done so at the start of it and may then be eligible for benefits subsequent to requalification.

The record reflects that, at a minimum, the claimant did have wages from her March 2022 employment with the employer in the companion case. Moreover, Department of Revenue records reflect the claimant had employment and earnings after filing her 2021 claim and prior to going to work in March 2022 for the employer in the companion case. Consequently, the claimant may have met the requalification requirements of law during that time and, thus, become eligible for receipt of regular state reemployment assistance benefits in connection with her claim effective September 19, 2021, for the weeks she reported and was unemployed.

On remand, the referee should develop the record regarding the earnings the claimant had since filing her claim effective September 2020 and through the date of the hearing, to determine whether the claimant had earnings to requalify for benefits on her second-year claim, and if so, by what date. Finally, the referee is directed to make specific findings about the receipt of benefits during the claimant's initial claim year effective September 13, 2020, in her written decision.

R.A.A.C. Docket No. 22-01138 (Referee Decision No. 0098659817-02)

As for R.A.A.C. Docket No. 22-01138, having considered all arguments raised on appeal and having reviewed the hearing record, the Commission concludes that the referee sufficiently followed the proper procedures and this case does not require reopening or remanding for further proceedings. The referee's material findings are supported by competent, substantial evidence. The referee also correctly applied the law in deciding this case.

To be eligible for benefits for a particular week after initial eligibility has been established, a claimant must show that he or she was either totally or partially unemployed within the meaning of Section 443.036(44)(a), Florida Statutes, which provides as follows:

An individual is "totally unemployed" in any week during which he or she does not perform any services and for which earned income is not payable to him or her. An individual is "partially unemployed" in any week of less than full-time work if the earned income payable to him or her for that week is less than his or her weekly benefit amount.

Under this definition, to be totally unemployed, the claimant must establish that he or she has neither earned income that week nor performed services. *See* R.A.A.C. Order No. 15-03796 at pg. 4 (February 25, 2016)² (*citing* R.A.A.C. Order No. 14-03313 (January 16, 2015)³).

The record in R.A.A.C. Docket No. 22-01138 reflects that the claimant was not totally or partially unemployed for the two weeks ending April 2, 2022, and April 9, 2022, because her weekly earnings exceeded her \$187 weekly benefit amount. Accordingly, the referee correctly analyzed and applied the law in affirming and modifying the determination to hold the claimant ineligible for benefits for the weeks ending April 2, 2022, and April 9, 2022.

² Available at http://www.floridajobs.org/finalorders/raac_finalorders/15-03796.pdf.

³ Available at http://www.floridajobs.org/finalorders/raac_finalorders/14-03313.pdf.

Other Issues

Although outside the issues presented in the underlying determinations and the appeals, during the hearing evidence was offered regarding the claimant being separated from her employment with the employer in R.A.A.C. Docket No. 22-01138 in April 2022. A review of Department records reveals the issue of the claimant's separation from this employer has not been adjudicated. Accordingly, unless already addressed, the issue of the claimant's separation from employment from the employer in R.A.A.C. Docket No. 22-01138 is directed to the Department for review.

Disposition

The referee's decision in R.A.A.C. Docket No. 22-01137 is vacated and the case is remanded for further proceedings. The referee decision in R.A.A.C. Docket No. 22-01138 is affirmed.

It is so ordered.

REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

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

This is to certify that on

8/22/2022

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: Alexis Levin
Deputy Clerk



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



*269695682 *

Docket No.0094 0085 28-04

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: REQUALIFICATION: Whether the claimant performed services and earned sufficient remuneration to requalify for Reemployment Assistance benefits, pursuant to Section 443.091(2), Florida Statutes.

FINDINGS OF FACT: On December 9, 2021 a reemployment assistance adjudicator issued a determination which held the Claimant disqualified for reemployment assistance benefits. The Claimant initially applied for benefits on or about September 12th or 13th 2020 when she became unemployed. The Claimant had to reapply for standard benefits in September 2021. The Claimant has not earned any income from the time she previously applied for reemployment assistance in 2020 until her recent application. The Claimant's weekly benefit amount is \$187.00.

CONCLUSIONS OF LAW: The law provides that a claimant may not receive benefits in a benefit year unless, after the beginning of the next preceding benefit year during which benefits were received, the claimant performed service and

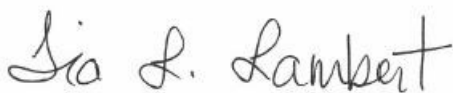
earned remuneration of at least 3 times the weekly benefit amount as determined for the current benefit year. The Claimant would have to earn \$561.00 to requalify for benefits. As the Claimant has not earned any income from her prior application of benefits until her recent application September 20, 2021, she is not qualified to receive benefits.

DECISION: The determination dated December 9, 2021 is AFFIRMED and the Claimant is disqualified from receiving reemployment assistance benefits from September 19, 2021.

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 7, 2022.

J. Ranart
Appeals Referee



By:

Tia Lambert, 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-21.003(4), 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, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301-2975; (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 envío 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-21.003(4), 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, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301-2975; (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 definitiv 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-21.003(4), 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, Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301-2975; (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 mesajè lèt 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.

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.



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



*269694124 *

Docket No.0098 6598 17-02

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:

REEMPLOYMENT ASSISTANCE: Whether the claimant was totally or partially unemployed,in accordance with the CARES Act of 2020, Public Law (pub. 1.) 116-136 and FL Statute 443.

OVERPAYMENT: Whether the claimant received benefits to which the claimant was not entitled, and if so, whether those benefits are subject to being recovered or recouped by the Department, in accordance the CARES Act of 2020, Public Law (pub. 1.) 116-136 and FL Statute 443.

FINDINGS OF FACT:The Claimant applied for reemployment assistance September 20, 2021. She subsequently returned to work for this Employer March 27, 2022-April 9 2022. The Claimant earned \$309.00 for each of the weeks she worked for this Employer. The Claimant did not work for this Employer or earn income from this Employer for the weeks of March 20,

2022-March 26, 2022 or from April 10, 2022-July 2, 2022. The Claimant's weekly benefit amount is \$187.00.

COUNCLUSION OF LAW:

Section 443.111(4), Florida Statutes provides in relevant part:

WEEKLY BENEFIT FOR UNEMPLOYMENT.--

- (a) *Total*.--Each eligible individual who is totally unemployed in any week is paid for the week a benefit equal to her or his weekly benefit amount.
- (b) *Partial*.--Each eligible individual who is partially unemployed in any week is paid for the week a benefit equal to her or his weekly benefit less that part of the earned income, if any, payable to her or him for the week which is in excess of 8 times the federal hourly minimum wage. These benefits, if not a multiple of \$1, are rounded downward to the nearest full dollar amount.

The Federal minimum wage was \$5.15 per hour through July 23, 2007, rose to \$5.85 per hour, effective July 24, 2007, with increases to \$6.55 per hour effective July 24, 2008, and \$7.25 effective July 24, 2009. Therefore, the allowed weekly earnings for which no deduction is made is \$46.80 through July 23, 2008, then \$52.40 through July 23, 2009, and \$58 after that.

The Claimant applied for reemployment assistance September 20, 2021. She subsequently returned to work for this Employer March 27, 2022-April 9 2022. The Claimant earned \$309.00 for each of the weeks she worked for this Employer. As the Claimant's weekly benefit amount is \$187.00 she was fully employed March 27, 2022-April 9, 2022 and ineligible for reemployment assistance. The Claimant did not work for this Employer or earn income from this Employer for the weeks of March 20, 2022-March 26, 2022 or from April 10, 2022-July 2, 2022. As the Claimant did not earn any income or work for this Employer from March 20, 2022-March 26, 2022 or April 10, 2022-July 2, 2022 she was totally unemployed and eligible for reemployment assistance from March 20, 2022-March 26, 2022 and April 10, 2022-July 2, 2022, if otherwise eligible/qualified.

DECISION: The determination dated May 26, 2022 is modified to reflect that the Claimant is ineligible for reemployment assistance from March 27, 2022-April 9, 2022 and eligible for her full reemployment assistance amount of \$187.00 per week from March 20, 2022-March 26, 2022 and April 10, 2022-July 2, 2022, if otherwise eligible/qualified.

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 7, 2022.

J. Ranart
Appeals Referee



By:

Tia Lambert, 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-21.003(4), 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.

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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 envío 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-21.003(4), 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, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301-2975; (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-21.003(4), depo an kapab fèt jou aprè a, si se pa yon samdi, yon dimanch oswa yon jou konje. Si desizyon an diskalfiye 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, Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301-2975; (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 mesajè lèt 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.

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.