

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

GEVITY HR,

Appellant,

v.

CASE NO. 1D03-4165

FLORIDA UNEMPLOYMENT
APPEALS COMMISSION,

Appellee.

_____ /

Opinion filed January 11, 2005.

An appeal from an order of the Unemployment Appeals Commission.
Alan Orantes Forst, Chairman.

James C. Polkinghorn and Kacy M. Marshall, of Fisher & Phillips LLP, Ft.
Lauderdale, for appellant.

John D. Maher, Deputy General Counsel, Unemployment Appeals Commission,
Tallahassee, for appellee.

PER CURIAM.

Appellant asserts that the Unemployment Appeals Commission (UAC) erred
in overturning the decision of the appeals referee disqualifying the claimant from
receiving unemployment benefits. The UAC wrongfully rejected findings of the

appeals referee which were based on competent substantial evidence. See Walz v. Reggie's Seafood & BBQ House, Inc., 718 So. 2d 861 (Fla. 1st DCA 1998).

Accordingly, we reverse the order of the UAC and direct the UAC to enter an order consistent with the decision of the appeals referee.

WOLF, C.J., WEBSTER and HAWKES, JJ., CONCUR.