

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

CLAUDE J. GREENFIELD,

Appellant,

v.

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

CASE NO. 1D04-0592

FLORIDA UNEMPLOYMENT  
APPEALS COMMISSION,

Appellee.

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Opinion filed January 19, 2005.

An appeal from an order of the Florida Unemployment Appeals Commission.

Appellant, pro se.

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

PER CURIAM.

We reverse the decision of the Unemployment Appeals Commission, which adopted the conclusion of the appeals referee that appellant, Claude Greenfield, was disqualified from receiving benefits under sections 443.036(29) and 443.101(1)(a)2, Florida Statutes (2002). The record shows that claimant's failure to comply with an

employer directive involved a combination of misunderstanding and poor judgment, which may have justified the employer's termination of his employment, but did not amount to misconduct as to deny unemployment benefits. See Powell v. Fla. Unemployment Appeals Comm'n, 886 So. 2d 420 (Fla. 1st DCA 2004); McCarty v. Fla. Unemployment Appeals Comm'n, 878 So. 2d 432, 435 (Fla. 1st DCA 2004); Ash v. Fla. Unemployment Appeals Comm'n, 872 So. 2d 400 (Fla. 1st DCA 2004).

REVERSED.

ERVIN, PADOVANO and LEWIS, JJ., CONCUR.