

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION  
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM A.D., 2004

JOHN G. GIVENS,

\*\*

Appellant,

\*\*

vs.

\*\* CASE NO. 3D04-96

FLORIDA UNEMPLOYMENT APPEALS  
COMMISSION, and DUCT SHOP INC.,

\*\*

Appellees.

\*\* LOWER  
TRIBUNAL NO. 03-10608  
\*\*

Opinion filed December 8, 2004.

An Appeal from the Florida Unemployment Appeals Commission.

John G. Givens, in proper person.

Louis A. Gutierrez (Tallahassee), for Unemployment Appeals  
Commission.

Before SCHWARTZ, C.J., and COPE and GREEN, JJ.

PER CURIAM.

The appellant was denied unemployment compensation benefits  
on the basis of the finding below that he had been discharged  
for misconduct, section 443.036(29), Florida Statutes (2004),  
because he obdurately refused contrary to the direct orders of

his supervisor, to operate a forklift, which, was a part of his job assignment. We affirm. See *Citrus Central v. Detwiler*, 368 So. 2d 81, 83 (Fla. 4th DCA 1979) ("We rule that flagrant and intentional disobedience to a valid work order by a superior on the job should indeed be characterized as misconduct on the job . . . ."); *Boyd v. Ikon Office Solutions, Inc.*, 743 So. 2d 1152 (Fla. 3d DCA 1999); *Kraft, Inc. v. Unemployment Appeals Commission*, 478 So. 2d 1183 (Fla. 2d DCA 1985); *Hines v. Department of Labor and Employment Sec.*, 455 So. 2d 1104 (Fla. 3d DCA 1984).