

Rule 6A-22.009 is amended to read:

6A-22.009 Employee Responsibilities.

(1) No change.

(2) An employee who refuses retraining and education after the recommendation of a vocational evaluator and approval by the Department, will forfeit his or her entitlement to further training and education benefits, as well as additional payment for lost wages under Chapter 440, Florida Statutes. The following shall not be deemed a refusal of training and education:

(a) Failure to participate in a recommended retraining program due to medical instability; or

(b) Failure to participate in a recommended retraining program due to an adverse change in the employee's medical status; or

(c) Failure to participate in a recommended retraining program due to the school's failure to offer the approved program; or
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(d) Failure to participate in a recommended retraining program due to a family medical emergency.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History-New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Amended 3-1-05,_____.