

SUMMARY STATEMENT

Keller v. AmeriTel

Docket No. 45555

The Supreme Court affirmed the judgment of the Industrial Commission granting Megan Keller unemployment benefits. The Court declined to adopt a bright line rule that a one-day absence without notice is a voluntary quit under Idaho Code section 72-1366(5) and found that substantial and competent evidence supported the Commission's finding that Keller was discharged, but not for employment-related misconduct. Thus, it held that the Commission did not err in granting benefits to Keller. The Court declined to award attorney fees, but awarded costs on appeal to Keller and the Department of Labor.