

## SUMMARY STATEMENT

*Hartman v. Canyon County*

Docket No. 48731-2021

The Idaho Supreme Court reversed the district court's grant of summary judgment against Hartman for failing to exhaust administrative remedies prior to filing suit against his employer, Canyon County. In early 2017, Hartman reported to Canyon County's Human Resources Office that a female co-worker was being sexually harassed. Soon thereafter, Hartman informed his supervisors that he was taking narcotics prescribed to him for chronic pain. In response, Canyon County requested that Hartman provide medical documentation, by a specific date, confirming his prescription and verifying that his use of narcotics would not impact his ability to safely operate equipment. Hartman stated he was attempting to obtain documentation but failed to do so by Canyon County's deadline. Following these events, Hartman received a "Notice of Intent to Terminate," informing him that his employment with Canyon County would be terminated. The notice provided that, pursuant to Rule 11.04 of the Canyon County Personnel Manual ("Personnel Manual") and Idaho statute, Hartman could request a good faith hearing concerning the termination within two days of receiving the letter. The notice also explained that failing to request a good faith hearing "constitutes a failure to exhaust your remedies under the Personnel Rules." Hartman did not request a good faith hearing. Following his termination, Hartman sued Canyon County, asserting discrimination and retaliation claims arising under federal law. Canyon County moved for summary judgment, arguing in part that Hartman failed to exhaust his administrative remedies because he did not request a good faith hearing. The district court granted summary judgment on that basis, reasoning that Hartman had failed to exhaust his administrative remedies by not requesting a good faith hearing pursuant to the Personnel Manual. The Supreme Court reversed the district court's grant of summary judgment, concluding that the exhaustion doctrine did not bar Hartman's suit because the Personnel Manual's good faith hearing requirement was not created by statute.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*