

BOISE, MONDAY, OCTOBER 7, 2024 AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

CHESLA A. SCOTT,)	
)	Docket No. 50660
Claimant-Appellant,)	
)	
v.)	
)	
HOME DEPOT USA, INC., Employer; G2)	
SECURE STAFF, L.L.C., Major Base)	
Employer; and IDAHO DEPARTMENT OF)	
LABOR,)	
)	
Defendants-Respondents.)	

Appeal from the Industrial Commission of the State of Idaho.

Idaho Legal Aid, Boise, and Birch, Hallam, Harstad & Johnson, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

This case concerns Chesla Scott’s due process challenge to the Idaho Department of Labor’s service of three determination notices in September 2022. The Department mailed these determination notices to Scott’s last known address in compliance with Idaho Code section 72-1368(5). Scott claims she was temporarily working out-of-state and did not receive the determination notices until after the fourteen-day appeals period had expired. When Scott sought to protest the determination notices, the Department’s appeals examiner dismissed her appeal as untimely. The Industrial Commission affirmed the appeals examiner’s decision.

On appeal, Scott argues that the Department’s service by mail under Idaho Code section 72-1368(5) does not satisfy the *Mullane* “reasonableness under the circumstances” test and, therefore, does not comply with the Fourteenth Amendment to the U.S. Constitution and Article I, section 13 of the Idaho Constitution.