

SUMMARY STATEMENT

Chesla A. Scott v. The Home Depot USA, Inc.

Docket No. 50660

Chesla A. Scott, like many others, was affected by the economic downturn caused by the COVID-19 pandemic. Her hours as a school bus driver were drastically reduced, leading her to request unemployment benefits. Despite finding a job at The Home Depot, she continued to receive these benefits. However, a routine audit by the Idaho Department of Labor years later revealed discrepancies in her reported earnings and the reason for her separation from The Home Depot. After Scott failed to respond to requests for clarification, the Department concluded that it had overpaid her, and she was temporarily ineligible for further assistance.

Upon receiving the determination notices, Scott, who was temporarily working out of state, claimed she did not receive them until after the appeal period had expired. Despite her claim, the Department's Appeals Examiner dismissed her appeal as untimely, a decision that the Idaho Industrial Commission later affirmed.

On appeal, Scott argued that the Department's service by mail requirement under Idaho Code section 72-1368(5) does not satisfy the "reasonableness under all the circumstances test" established in *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950). This test requires that the method of service be reasonably calculated to provide notice to the party affected. Scott contended that the Department's failure to comply violated her rights under the Fourteenth Amendment to the U.S. Constitution and Article I, section 13 of the Idaho Constitution.

The Idaho Supreme Court affirmed the Commission's decision. The Court concluded that the service by mail, in this case, was reasonable under all the circumstances to ensure that Scott was sufficiently informed of the unemployment determinations and was given a fair opportunity to file a timely written appeal.

***** *This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public.* *****