

SUMMARY STATEMENT

Blasch v. HP, Inc., Docket No. 50703

This matter came to the Idaho Supreme Court as a certified question of law from the U.S. District Court for the District of Idaho, seeking to clarify the point of accrual for wage discrimination claims arising under the Idaho Human Rights Act (“IHRA”) and the Idaho Equal Pay Act (“IEPA”). The case began when Plaintiff Lori Blasch filed a complaint against Defendant HP, Inc. alleging retaliation and violations under the IHRA and wage discrimination and retaliation under the IEPA.

Claims under the IHRA are time barred unless brought within one year of the discriminatory act, but the language of the IEPA does not include a specific limitations period. The U.S. District Court order certifying the question to this Court relied on the Idaho Human Rights Commission’s administrative rules to conclude that wage discrimination claims arising under the IEPA are subject to the same one-year limitations period as the IHRA. However, that remained an open question that the Court resolved in this case.

Citing the United States Supreme Court’s decision in *Ledbetter v. Goodyear Tire & Rubber Co.*, HP argued that Blasch’s claims were time-barred because she did not file within one year of HP’s alleged discriminatory pay setting decision. 550 U.S. 618 (2007). Blasch countered that her claim was timely because it was filed within one year of her last paycheck. Blasch argued that her last paycheck is the appropriate accrual point for a wage discrimination claim under the Commission’s administrative rules because each paycheck was part of a “continuing violation.” In the alternative, Blasch contended that her last paycheck is the appropriate accrual point under the “paycheck rule” of the Lilly Ledbetter Fair Pay Act of 2009. The U.S. District Court found no controlling Idaho law on point and issued an order certifying the question of law to this Court for resolution.

This Court reframed the U.S. District Court’s certified question into two questions and held that: (1) the point of accrual for wage discrimination claims under the IHRA is when the pay setting decision is made and communicated to the employee; and (2) the statute of limitations for the IEPA is four years as stated in Idaho Code section 5-224, and the appropriate point of accrual for IEPA wage discrimination claims is when the employee receives each discriminatory paycheck.

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