

## SUMMARY STATEMENT

*Shumway v. IDOL, Docket No. 50045*

This appeal stemmed from an Idaho Industrial Commission (“Commission”) decision that awarded unemployment benefits to Amy Shumway. Shumway’s employment was terminated by her employer, Appellant Evans Chiropractic, PA (“Evans Chiropractic”), for alleged misconduct. Shumway applied for unemployment benefits, and an Appeals Examiner with Respondent Idaho Department of Labor (“IDOL”) entered a determination finding Shumway eligible for benefits. Evans Chiropractic appealed to the Commission, which affirmed IDOL’s decision but on different grounds. Evans Chiropractic timely appealed to this Court. Evans Chiropractic argued that the Commission should have found Shumway ineligible for benefits because her employment was terminated for job-related misconduct. Evans Chiropractic asked this Court to reverse the Commission’s decision and hold that Shumway is not eligible to receive benefits as a matter of law. IDOL conceded that the Commission did not apply the correct legal standards, but it maintained that the proper procedure was to vacate the Commission’s award and remand the case. The Idaho Supreme Court reversed the Commission’s decision and held that Shumway was terminated for employment-related misconduct, and therefore she was ineligible for benefits as a matter of law under Idaho Code section 72-1366(5).

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