

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STACI ADAMS, Appellant,) No. ED95820
)
vs.) Appeal from the Labor and Industrial
) Relations Commission
DIVISION OF EMPLOYMENT SECURITY,)
Respondent.) Filed: November 22, 2011

Staci Adams (Claimant) appeals from the decision of the Labor and Industrial Relations Commission denying payment of a trade readjustment allowance (TRA) under the Trade Act of 1974 on the grounds that she failed to file a timely request for a training waiver. Claimant contends that the Commission erred in refusing to apply the doctrine of equitable tolling to extend the relevant statutory deadlines.

REVERSED AND REMANDED.

Division Four Holds: In light of the United States Department of Labor's apparent reversal, or, at the very least, clarification, of its position on equitable tolling in the context of the Trade Act deadlines at issue in this case, we remand this case to the Commission for further findings of fact and conclusions of law on the issue of the propriety of the application of equitable tolling to Claimant's failure to request a training waiver by the statutory deadline.

Opinion by: Patricia L. Cohen, P.J.
Robert M. Clayton III, J., and George W. Draper III, Sp.J., concur.

Attorney for Appellant: John J. Ammann

Attorney for Respondent: Shelly A. Kintzel

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.