

SUMMARY STATEMENT

Idaho Retired Firefighters Association et al. v. Public Employee Retirement Board
Docket No. 45769

The Idaho Supreme Court vacated the Idaho Industrial Commission's (Commission) order, finding the Commission lacked jurisdiction to review a petition for declaratory judgment under the Firemen's Retirement Fund (FRF). The case involved a dispute over how the Idaho Public Employee Retirement Board (the Board) calculates the annual cost of living adjustment (COLA) for retirees who are participants in the FRF. The Commission held that the definition of "paid firefighter" includes part-time firefighters, which results in a smaller annual COLA for retired firefighters. However, the Supreme Court held that the Commission's appellate jurisdiction under the FRF statutes to review "claims" did not include a review of a request for declaratory judgment. Given that the gravamen of the action was a petition for declaratory judgment, the Supreme Court vacated the Commission's order with instructions to dismiss the request for declaratory judgment.