

**MOSCOW, WEDNESDAY, APRIL 19, 2023 AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>MICHAEL WATKINS,</b>	)	
	)	
<b>Claimant/Appellant</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 49704</b>
	)	
<b>CITY OF PONDERAY, Employer,</b>	)	
<b>and IDAHO STATE INSURANCE</b>	)	
<b>FUND, Surety,</b>	)	
	)	
<b>Defendants/Respondents.</b>	)	
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Appeal from the Idaho Industrial Commission.

Goicoechea Law Offices, LLP, Boise, attorney for Appellant.

Bonner County Prosecutor’s Office, Sandpoint, attorney for Respondents.

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Michael Watkins appeals from an Idaho Industrial Commission decision he alleges was made in violation of the Peace Officer and Detention Officer Temporary Disability Act (the Act). Watkins, a police officer with the Ponderay Police Department, was injured while chasing a suspect. Watkins’ injury qualified him for full salary payments under the Act during the period of his temporary disability. However, instead of paying Watkins his full base salary, the City of Ponderay allowed Watkins to keep workers compensation benefits paid by the Idaho State Insurance Fund. Watkins later filed a complaint against the City seeking payment of his full salary. The Commission acknowledged the parties failed to follow the payment procedure outlined in the Act, but fashioned a remedy which required the City to pay Watkins his full base salary, but also ordered that amount be reduced by the workers compensation payments Watkins already received. Watkins appealed, arguing the Commission exceeded its authority by ordering the City receive a credit, and seeking payment of his full base salary for the time he recovered from his injury.