

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

JOHN WESTFALL,
Claimant/Respondent,
v.
SYMM’S FRUIT RANCH,
Employer,
and
MIDWEST FAMILY ADVANTAGE,
Surety,
Defendants/Petitioners.

IC 2025-008216

**ORDER DECLINING PETITION FOR
DECLARATORY RULING**

**FILED JANUARY 21, 2026
IDAHO INDUSTRIAL COMMISSION**

This matter is before the Idaho Industrial Commission upon Defendants/Petitioners Symm’s Fruit Ranch and Midwest Family Advantage (hereinafter “Petitioners”) *Petition for Declaratory Ruling*. Petitioners filed a Memorandum in Support and the Affidavit of Matthew Pappas. Petitioners request a ruling on the applicability of Idaho Code § 20-242A and Idaho Code § 20-413A and whether Idaho Code § 20-412 bars any recovery under Title 72 of the Idaho Code. *Pro se* Claimant John Westfall (hereinafter “Respondent” or “Claimant”) did not file a response. Respondent has a case currently pending before the Commission which has been stayed until May 1, 2026. (See IC No 2025-008216 *Notice of Intent to Rule*, p. 2, dated 10/18/25.) Based on the foregoing, the Commission declines to issue a declaratory ruling.

ISSUES

1. Whether the issues presented qualify for a declaratory ruling under JRP 15.
2. Whether Claimant is an employee of Petitioner.
3. Whether Petitioner is responsible for any worker’s compensation benefits related to the injury as alleged.

ARGUMENTS OF THE PARTIES

Petitioners request a declaratory ruling holding that no employee-employer relationship existed between Petitioner and Respondent, and that statute precludes Respondent from receiving worker's compensation benefits.

DISCUSSION

I. Standards for Declaratory Ruling

Idaho Code § 72-707 vests the Commission with exclusive jurisdiction over “[a]ll questions arising under” the worker's compensation law. *See: Idaho State Ins. Fund by and Through Forney v. Turner*, 130 Idaho 190, 191, 938 P.2d 1228, 1229 (1997). Pursuant to the Commission's *Judicial Rules of Practice and Procedure under the Idaho Workers' Compensation Law*, effective July 9, 2025, (“JRP”) Rule 1:

The Commission shall make such order, ruling or award as it determines is reasonable and just. However, where the Commission in an administrative rule or regulation adopts a procedure for adjudication of a specific type of dispute, these rules shall apply only to the extent expressly incorporated therein. Pursuant to Idaho Code § 72-708 the Commission will construe these rules liberally to secure the just, speedy, and economical determination of all issues.

Pursuant to JRP Rule 15, a party may request a declaratory judgment to resolve a dispute with a written petition when there is “an actual controversy over the construction, validity or applicability of a statute, rule, or order.” JRP 15(C). The following requirements must be met:

1. The petitioner must expressly seek a declaratory ruling and must identify the statute, rule, or order on which a ruling is requested and state the issue or issues to be decided;
2. The petitioner must allege that an actual controversy exists over the construction, validity or applicability of the statute, rule, or order and must state with specificity the nature of the controversy;
3. The petitioner must have an interest which is directly affected by the statute, rule, or

order in which a ruling is requested and must plainly state that interest in the petition;
and

4. The petition shall be accompanied by a memorandum setting forth all relevant facts and law in support thereof.

The Commission “may hold a hearing on the petition, issue a written ruling providing guidance on the controversy or decline to make a ruling when it determines that there is no controversy or that the issue at hand is better suited through resolution in some other venue, or by some other administrative means.” *Miller v. Yellowstone Plastics, Inc.*, IC 2019-024650 (Idaho Ind. Comm. October 7, 2022).

In *Ayala v. Robert J. Meyers Farms* the Idaho Supreme Court described the job of the Referee as being the “eyes and ears of the Commission”; an integral part of an established, laid-out process which provides “public confidence in a fair and impartial tribunal.” *Ayala v. Robert J. Meyers Farms, Inc.*, 165 Idaho 355, 445 P3.d 164 (2019). JRP 15 provides the Commission with guidelines for when it is appropriate to grant or decline a petition for declaratory ruling. Under JRP 15(F)(4)(f), the Commission may decline to make a ruling when there is “other good cause why a declaratory ruling should not be made”.

II. The determination of whether an employee/employer relationship exists between Symm’s Fruit Ranch and Claimant John Westfall is a factual question.

Petitioners’ request concerns whether an employee-employer relationship existed between the parties. As discussed in the *Petition for Declaratory Ruling*, Idaho Code § 20-242A states that: “No inmate compensated under this section shall be considered an employee of the state or the board of correction, nor shall any inmate be eligible for worker’s compensation under Title 72, Idaho Code, or be entitled to any benefits thereunder whether on behalf of himself or any other

person.” Idaho Code § 20-242A. Idaho Code § 20-413A authorizes the Idaho Board of Correction to contract with private agricultural employers for inmate labor as follows:

- (1) The board may establish training programs with certain private employers as authorized in this section. Authorized training programs shall include: (a) Contracts with private agricultural employers for the use of trainees in the production, harvesting, and processing of agricultural products.

Idaho Code § 20-412(2) states that: “. . . No trainee engaged in an Idaho correctional industries training program as authorized by this chapter shall be entitled to worker’s compensation benefits or unemployment compensation under this chapter or chapter 13, title 72, Idaho Code, whether on behalf of himself or any other person, except as may be required for training programs certified by the prison industry enhancement certification program.”

As described on their website, the Idaho Department of Corrections (IDOC) utilizes a number of programs to keep its inmates engaged while incarcerated, which includes the following:

1) Institutional Work Detail – also known as institutional labor detail (ILD)—This is usually an inmates-first position, and “workers” are normally not paid for their labor details maintaining prison grounds and parking areas; 2) Institutional Workers – This is where “employees” fill janitorial, food service and facility maintenance positions; 3) Vocational Work Projects – These crews leave the facility to work on projects such as wildland firefighting and conservation as required by state, city, county, and federal government agencies; 4) Correctional Industries (CI) – This program teaches residents job-keeping skills through meaningful work experiences, and is further divided into programs such as the Alliance Program which helps inmates build real work experience in agriculture; 5) Community Reentry Centers – This program allows minimum and community custody residents to obtain work release through employment by businesses in the community.¹

¹ www.idoc.idaho.gov/content/prisons/residents_at_work (November 17, 2025).

Idaho Code § 20-209(1) states that: “The board shall provide for the care and maintenance of all prisoners now or hereinafter committed to its custody. The board may also provide for employment of those prisoners housed at a correctional facility. Nothing in this section creates a right to any employment.” In *Crawford v. Dep't of Correction*, the Idaho Supreme Court examined an Industrial Commission declaratory ruling determining whether an inmate injured while performing work at a community work center was entitled to benefits. *Crawford v. Dep't of Correction*, 133 Idaho 633, 991 P.2d 358 (1999). In *Crawford*, the court held that the Industrial Commission correctly decided that the inmate was not a community service worker as defined by Idaho Code § 72-102(5) and was therefore not entitled to worker’s compensation benefits under Idaho Code § 72-205(7). The Idaho Supreme Court further clarified that “prisoners are not “employed” in the traditional sense because they are not “employed” by the state, nor are they treated as the equivalent of “employees” outside of the correctional setting.” *In Re Ord. Certifying Question to Idaho Supreme Ct.*, 167 Idaho 280, 284, 469 P.3d 608, 612 (2020).

In this case, Petitioners have presented evidence that Respondent was an inmate participating in a work program, and therefore precluded from receiving worker’s compensation benefits. The Commission finds that the issues posed by Petitioners are not appropriate for a declaratory ruling as there is no “actual controversy” as contemplated by JRP 15. The applicability of Idaho Code §§ 20-412 and 413A to the facts of the instant case is a factual determination and not a matter of statutory construction. For these reasons, the Commission declines to entertain the petition for declaratory ruling. IT IS SO ORDERED.

ORDER

Based on the foregoing the Commission hereby ORDERS as follows:

1. The Petition for Declaratory Ruling is declined under JRP 15(F)(4)(b).

2. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all matters adjudicated.

DATED this 21st day of January, 2026.



INDUSTRIAL COMMISSION

Claire Sharp

Claire Sharp, Chair

Aaron White

Aaron White, Commissioner

ATTEST:

Mary McMenomey
Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on 21st day of January, 2026 a true and correct copy of the foregoing **ORDER DECLINING PETITION FOR DECLARATORY RULING** was served by regular United States mail or email upon each of the following:

MATTHEW PAPPAS
mpappas@ajhlaw.com

John Westfall, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mary McMenomey