

SUPREME COURT OF UTAH

Waite v. Utah Labor Commission

Waite v. Utah Labor Comm'n, 2017 UT 86 (2017) · No. No. 20150384 · Decided December 1, 2017

SUMMARY

The Utah Supreme Court considers whether Utah Code section 34A-2-417(2)(a)(ii), which requires an injured worker to prove entitlement to workers’ compensation benefits within twelve years of the workplace accident, is a statute of repose. The court holds that the provision is a statute of repose but concludes that it does not violate the Utah Constitution’s Open Courts Clause. The opinion also addresses the applicable standard for reviewing the statute’s constitutionality and legislative judgments under the Berry framework.

CASE DETAILS

COURT	Supreme Court of Utah
WRITING FOR THE COURT	Chief Justice Durrant; Justice Durham; Justice Himonas; Associate Chief Justice Lee; Justice Pearce
JURISDICTION	Utah
DECIDED	December 1, 2017
DOCKET	No. 20150384
DISPOSITION	affirmed
PROCEDURAL POSTURE	Consolidated petition for review of Utah Labor Commission orders denying permanent total disability benefits as untimely under Utah Code section 34A-2-417(2)(a)(ii). The court of appeals consolidated the petitions and certified them to the Utah Supreme Court.
STANDARD OF REVIEW	The interpretation and constitutionality of a statute are questions of law reviewed for correctness. Under the Utah Administrative Procedures Act, the court reviews final agency action and may grant relief when the agency action or the statute on which it is based is unconstitutional or the agency erroneously interpreted or applied the law.
PRECEDENTIAL VALUE	Published Utah Supreme Court opinion; precedential.
PARTIES	James Waite, Luis A. Ortega v. Utah Labor Commission, Farr Better Premium Ice Cream, Sandy City, Workers Compensation Fund

TOPICS

workers compensation

judicial review of agency action

administrative law

constitutional law

statutory interpretation

PRACTICE AREAS

workers compensation

administrative law

constitutional law

statutory interpretation

appellate procedure

QUESTIONS PRESENTED

1. Whether Utah Code section 34A-2-417(2)(a)(ii) is a statute of limitation or a statute of repose.
2. Whether section 34A-2-417(2)(a)(ii), as a statute of repose, violates the Open Courts Clause of article I, section 11 of the Utah Constitution.
3. Whether section 34A-2-417(2)(a)(ii) is facially unconstitutional under the Utah Constitution's Uniform Operation of Laws Clause.

HOLDINGS

1. Section 34A-2-417(2)(a)(ii) is a statute of repose because its twelve-year period runs from the date of the workplace accident rather than from the accrual of the worker's right to claim additional benefits.
2. Section 34A-2-417(2)(a)(ii) is constitutional under the Open Courts Clause.
3. The court did not reach the Uniform Operation of Laws Clause challenge because the petitioners inadequately briefed it.

KEY QUOTATIONS

“We conclude that while section 34A-2-417(2)(a)(ii) is a statute of repose, it is nevertheless constitutional under the Open Courts Clause.” (¶ 1)

“Section 417(2)(a)(ii) cuts off a claimant’s right to file additional claims based on changed circumstances—even if those claims could not have been asserted prior to the expiration of the twelve-year period.” (¶ 15)

“Accordingly, section 34A-2-417(2)(a)(ii) is a reasonable and non-arbitrary means of achieving the valid legislative purposes discussed above and withstands Open Courts Clause scrutiny.” (¶ 30)

FACTUAL BACKGROUND

James Waite and Luis A. Ortega were injured in separate workplace accidents and each filed an application for compensation within six years of the accident. After initial determinations of compensation, each worker's condition worsened, and each sought additional permanent total disability benefits more than twelve years after the original accident. The claims were denied as untimely under Utah Code section 34A-2-417(2)(a)(ii).

PROCEDURAL HISTORY

Each petitioner was denied additional workers' compensation benefits by an administrative law judge because he had not met his burden of proving entitlement within twelve years of the workplace accident. The Utah Labor

Commission affirmed or declined to alter the denials, reasoning that it lacked authority to determine the statute's constitutionality. The court of appeals consolidated the petitions and certified the case to the Utah Supreme Court.

DISPOSITION

affirmed

CASES CITED

- *Avis v. Board of Review of Industrial Commission*, 837 P.2d 584 (Utah Ct. App. 1992)
- *State v. Thomas*, 961 P.2d 299, 305 (Utah 1998)
- *Petersen v. Labor Commission*, 2017 UT 87
- *Burgess v. Siaperas Sand & Gravel*, 965 P.2d 583 (Utah Ct. App. 1998)
- *Ortega v. Meadow Valley Construction*, 2000 UT 24, 996 P.2d 1039
- *Stoker v. Workers' Compensation Fund*, 889 P.2d 409 (Utah 1994)
- *Sun Valley Water Beds of Utah, Inc. v. Herm Hughes & Sons, Inc.*, 782 P.2d 188 (Utah 1989)
- *Berry ex rel. Berry v. Beech Aircraft Corp.*, 717 P.2d 670 (Utah 1985)
- *Judd v. Drezga*, 2004 UT 91, 103 P.3d 135
- *Craftsman Builder's Supply, Inc. v. Butler Manufacturing Co.*, 1999 UT 18, 974 P.2d 1194
- *Laney v. Fairview City*, 2002 UT 79, 57 P.3d 1007
- *Hirpa v. IHC Hospitals, Inc.*, 948 P.2d 785 (Utah 1997)
- *In re Adoption of B.Y.*, 2015 UT 67, 356 P.3d 1215
- *Eldridge v. Johndrow*, 2015 UT 21, 345 P.3d 553
- *Masich v. United States Smelting, Refining & Mining Co.*, 191 P.2d 612 (Utah 1948)
- *Marbury v. Madison*, 5 U.S. 137 (1803)