



ILLINOIS SUPREME COURT REJECTS CITY OF PEORIA'S ATTEMPTS TO LIMIT BENEFITS TO FIRST RESPONDERS UNDER PSEBA STATUTE

On January 21, 2022, the Illinois Supreme Court decided *International Association of Fire Fighters, Local 50 v. City of Peoria*, 2022 IL 127040. In a victory for first responders, a unanimous Court held that the City's home rule power did not allow it to narrow the criteria to qualify for Public Safety Employee Benefits Act ("PSEBA") benefits in a City ordinance.

PSEBA provides benefits if a municipal employee suffers a "catastrophic injury" that is also an "injury." PSEBA's text does not define "catastrophic injury," but the Court defined that term as an injury resulting in the award of a line of duty disability pension in the 2003 *Krohe* decision, and that definition stands unchallenged. PSEBA's text defines "injury" solely with reference to how an employee is acting at the time of injury. PSEBA limits home rule power by disallowing home rule units from "provid[ing] benefits ... inconsistent with the requirements of" its provisions. But in 2018, the City passed an ordinance that defined "catastrophic injury" and "injury" in a far more restrictive manner than PSEBA. The Union sued to nullify these definitions.

The Court first noted that judicial definitions of PSEBA terms are part of PSEBA. The Court then held that PSEBA's definitions of "catastrophic injury" and "injury," including judicial definitions, constitute the "requirements of" PSEBA. The Court found that the Ordinance's definitions were "inconsistent with" those requirements. The Ordinance defined "catastrophic injury" to require direct and proximate causation and a near-total inability to work, which is inconsistent with PSEBA's requirement of a line of duty pension. The Ordinance defined "injury" to require a physical trauma and to disqualify those with stress or strain injuries, conditions which

are both inconsistent with PSEBA's definition. Since the Ordinance's definitions were inconsistent with these requirements of PSEBA, the Court found that they exceeded the City's home rule powers and affirmed the lower court's ruling rendering them invalid, null, and void.

This *Local 50* decision is an important, welcome development for public labor unions. Municipal employers have long bristled against their PSEBA obligations. State-level legislation to narrow PSEBA has been repeatedly introduced over the last twenty years, but such legislation has failed each time due to lack of support. The City's Ordinance was the first attempt by a municipal employer to narrow PSEBA at the local level. The Court's ruling completely closes the door on all attempts to make changes at a level other than the General Assembly. Municipal employers must still award PSEBA benefits under the statewide definitions of "catastrophic injury" and "injury" as established in that statute and in judicial decisions, which have generally been employee-friendly. This decision will be an important tool in preventing the erosion of these important statutory rights.

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