

Statistics on Appeals and Decisions -- 2002

These statistics reflect case processing by LIRC in calendar year **2002**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2002 LIRC STATISTICS

Unemployment Insurance

[Number of appeals and decisions issued](#)

[Decisions issued by type of appellant](#)

[Time taken to issue decisions](#)

Workers Compensation

[Number of appeals and decisions issued](#)

[Decisions issued by type of appellant](#)

Equal Rights

[Number of appeals and decisions issued](#)

[Decisions issued by type, result and issue](#)

[Time taken to issue decisions](#)

Employer Tax or Liability ("Status") Cases

[Number of appeals and decisions issued; results](#)

Court Cases

[Unemployment Insurance](#)

[Employer Tax or Liability \("Status"\) Cases](#)

[Workers Compensation](#)

Equal Rights

General - All Programs

Appeals to LIRC as percentage of ALJ decisions issued Comparison Between Years

UNEMPLOYMENT INSURANCE (2002)

(1) 2002 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	290	247	
February	231	229	
March	283	247	
April	269	235	
May	286	293	
June	301	210	
July	223	242	
August	256	231	
September	244	231	
October	219	244	
November	276	164	
December	255	233	
	3,133	2,806	695 cases pending at end of year
	261 /mo.	234/mo.	

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(2) 2002 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals 2,016
 Reversed in Favor of Claimant-Appellant 55/2,016 2.7%

Total Employer Appeals 783
 Reversed in Favor of Employer-Appellant 160/783 20.4%

Total Department Appeals 7
 Reversed in Favor of Department-Appellant 3/7 42.8%

72% of LIRC appeals were by Claimants
 28% of LIRC appeals were by Employers
 less than 1% of LIRC appeals were by Dept. of Workforce Development

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(3) 2002 - UI TIME LAPSE STATISTICS
 (TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	247	149 - 60%	218 - 88%	29 - 12%
February	229	119 - 52%	201 - 88%	28 - 12%
March	247	141 - 57%	212 - 86%	35 - 14%
April	235	114 - 49%	192 - 82%	43 - 18%
May	293	155 - 53%	250 - 85%	43 - 15%
June	210	95 - 45%	167 - 80%	43 - 20%
July	242	59 - 24%	173 - 71%	69 - 29%
August	231	44 - 19%	171 - 74%	60 - 26%
September	231	41 - 18%	164 - 71%	67 - 29%
October	244	38 - 16%	160 - 66%	84 - 34%
November	164	20 - 12%	72 - 44%	92 - 56%
December	233	28 - 12%	132 - 57%	101 - 43%

2,806 1,003 - 36% 2,112 - 75% 694 - 25%

U.S. Dept. of Labor desired level of achievement for unemployment insurance is 50% of decisions issued in 45 days and 80% issued in 75 days.

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WORKERS COMPENSATION (2002)

(1) 2002 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received*	Files Received at LIRC	Decisions Issued	Pending at End of Month**
January	42	29	35	141
February	38	27	37	142
March	35	51	34	143
April	33	39	38	138
May	24	28	32	130
June	42	32	27	145
July	35	27	37	143
August	31	35	17	157
September	35	37	26	166
October	35	39	35	166
November	43	38	29	180
December	20	21	32	168
Total	413	403	379	168
	34/mo.	34/mo.	32/mo.	

* "Appeals Received" is number of new appeals filed.

** "Pending at End of Month" is number of new appeals filed plus number of files on hand at LIRC.

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(2) 2002 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Appeals decided on the merits:

Applicant Appeals	151	(49% of appeals decided on the merits)
Affirmed	129/151	- 85.4%
Modified & Affirmed	14/151	- 9.3%
Aff'd in part/Rev'd in part	1/151	- 0.7%
Reversed	7/151	- 4.6%

Respondent Appeals	144	(46% of appeals decided on the merits)
Affirmed	69/144	- 47.9%
Modified & Affirmed	15/144	- 10.4%
Aff'd in part/Rev'd in part	25/144	- 17.4%
Reversed	35/144	- 24.3%

Applicant & Respondent Appeal	15	(5% of appeals decided on the merits)
Affirmed	3/15	- 20.0%
Modified & Affirmed	3/15	- 20.0%
Aff'd in part/Rev'd in part	6/15	- 40.0%
Reversed	3/15	- 20.0%

Total decided on merits: 310

Appeals remanded, dismissed, withdrawn:

Remanded for:

Approval of Compromise	32	- 8% of all appeals
New Findings & Order	8	- 2% "
Other	8	- 2% "

Dismissed with Prejudice	1	- 0% "
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Dismissed/No Jurisdiction	7	-	2%	"
Dismissed/Late Petition	6	-	2%	"
Petition Withdrawn	7	-	2%	"
Total other appeals:	69			

Total appeals:

Appeals decided on the merits:	310
Appeals remanded, dismissed, withdrawn:	69
Total:	379

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EQUAL RIGHTS (2002)

(1) 2002 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	Pending End of Month
January	6	9	40
February	12	6	46
March	7	8	45
April	9	5	49
May	6	6	49
June	10	9	50
July	7	6	51
August	10	3	58
September	5	3	60
October	9	8	61
November	7	4	64
December	9	7	66

97

74

66

8/mo.

6/mo.

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(2) 2002 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	56	76%
Reversed	5	7%
Dismissed	5	7%
Aff'd in part/Rev'd in part	1	1%
Reversed & Remanded	1	1%
Settled/Withdrawn	5	7%
Remanded	1	1%
Total	74	

Results:

44% of all decisions issued found no discrimination
 7% of all decisions issued found discrimination
 49% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT -

Retaliation	21
Handicap/Disability	20
Race	15

Age	14
Sex	14
Arrest/Conviction	12
Sexual Orientation	2
Marital Status	1

PUBLIC ACCOMMODATIONS 3

Failure to State a Claim/
No Cause of Action 1

(Some complaints involve more than one issue.)

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(3) 2002 - ER TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Total Decisions Issued	Within 90 Days	Within 180 Days	Over 180 Days
January	9	4 - 44%	1 - 11%	4 - 44%
February	6	0 - 0%	0 - 0%	6 - 100%
March	8	3 - 38%	0 - 0%	5 - 63%
April	5	2 - 40%	2 - 40%	1 - 20%
May	6	0 - 0%	0 - 0%	6 - 100%
June	9	3 - 33%	4 - 44%	2 - 22%
July	6	3 - 50%	3 - 50%	0 - 0%
August	3	1 - 33%	0 - 0%	2 - 67%
September	3	0 - 0%	1 - 33%	2 - 67%
October	8	2 - 25%	1 - 13%	5 - 63%
November	4	3 - 75%	0 - 0%	1 - 25%
December	7	2 - 29%	1 - 14%	4 - 57%
	74	23 - 31%	13 - 18%	38 - 51%

EMPLOYER TAX OR LIABILITY ("Status") CASES (2002)

Appeals received	17
Decisions issued	17

Of the 17 decisions issued, 1 (6%) was a timeliness case.

DECISIONS ISSUED, BY RESULT

Affirmed*	13 - 76%
Reversed	1 - 6%
Dismissed	1 - 6%
Withdrawn	2 - 12%

* Affirmances may include commission affirmances of ALJ dismissals of late requests for hearing.

COURT STATISTICS (2002)

2002 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	86	
Circuit Court		78
Court of Appeals		8
Supreme Court		0
<u>Circuit Court Decisions</u>	78	

Affirmed LIRC	48 - 62%
Reversed LIRC	3 - 4%
(In favor of employee 3 - 100%)	
Dismissed	27 - 35%

Court of Appeals Decisions 8

Affirmed Cir.Court, Affirmed LIRC	4 - 50%
Reversed Cir.Court, Affirmed LIRC	2 - 25%
Remand to Circuit Court	1 - 13%
Dismissed	1 - 13%

Supreme Court 0

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2002 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions 3

Circuit Court Decisions 3

Affirmed LIRC	3 - 100%
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2002 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	71
Circuit Court	51
Court of Appeals	17

Supreme Court(incl. Petitions denied)	3	
<u>Circuit Court Decisions</u>	51	
Affirmed LIRC	38	- 75%
Reversed LIRC	2	- 4%
(In favor of employee	2	- 100%)
Aff'd in part/Rev'd in part	1	- 2%
Remanded	1	- 2%
Dismissed	9	- 18%
<u>Court of Appeals Decisions</u>	17	
Aff'd Cir.Court, Aff'd LIRC	11	- 65%
Rev'd Cir.Court, Aff'd LIRC	3	- 18%
Aff'd Cir.Court, Dismissed	1	- 6%
Aff'd in part/Rev'd in part	1	- 12%
<u>Supreme Court</u>	3	
Petition Denied	3	- 100%

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2002 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	20	
Circuit Court	13	
Court of Appeals	5	
Supreme Court	1	
<u>Circuit Court Decisions</u>	13	
Affirmed LIRC	5	- 38%
Reversed LIRC	2	- 15%

(In favor of employee 1 - 50%)

(In favor of employer 1 - 50%)

Dismissed 6 - 46%

Court of Appeals Decisions 5

Aff'd Cir.Court, Aff'd LIRC 1 - 20%

Aff'd Cir.Court, Rev'd LIRC 2 - 40%

Aff'd Cir.Court, Dismissed 1 - 20%

Dismissed 1 - 20%

Supreme Court 1

Petition denied 1 - 100%

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GENERAL (2002)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	26,930	3,133	12%
EMPLOYER TAX OR LIABILITY CASES	164	17	10%
WORKERS COMPENSATION	1,099	413	38%
EQUAL RIGHTS	324*	97	30%

*Includes Fair Employment and Public Accommodation cases.
Housing and Family & Medical Leave cases are not appealable
to LIRC.

COMPARISONS BETWEEN YEARS AND PROGRAMS -
UNEMPLOYMENT INSURANCE

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	2194	1916	87	5%
1990	2880	2633	42	2%
1991	3286	3250	76	2%
1992	3426	3194	83	3%
1993	3582	3656	90	2%
1994	3098	3346	74	2%
1995	2509	2704	77	3%
1996	2466	2413	53	2%
1997	2427	2316	60	3%
1998	2378	2363	48	2%
1999	2152	2243	40	2%
2000	2034	2054	50	2%
2001	2462	2383	49	2%
2002	3133	2806	65	2%

COMPARISONS BETWEEN YEARS AND PROGRAMS - STATUS

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	100	118	29	25%
1990	78	82	15	18%
1991	91	78	11	14%
1992	114	93	18	19%
1993	105	114	26	23%

1994	96	132	24	18%
1995	49	62	10	16%
1996	33	42	7	17%
1997	24	24	1	4%
1998	24	27	4	15%
1999	39	35	5	14%
2000	22	31	0	0%
2001	28	35	3	9%
2002	17	17	3	18%

COMPARISONS BETWEEN YEARS AND PROGRAMS -
WORKERS COMPENSATION

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	543	485	97	20%
1990	587	478	84	18%
1991	620	625	87	14%
1992	655	685	134	20%
1993	587	571	119	21%
1994	502	669	143	21%
1995	502	495	97	20%
1996	559	553	91	16%
1997	502	493	85	17%
1998	491	495	73	15%
1999	406	483	93	19%
2000	412	405	60	15%
2001	388	399	56	14%
2002	413	379	55	15%

COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	78	71	19	27%
1990	128	92	14	15%
1991	121	119	18	15%
1992	103	113	22	19%
1993	116	115	28	24%
1994	136	152	25	16%
1995	145	148	32	22%
1996	102	131	23	18%
1997	145	119	16	13%
1998	96	98	16	16%
1999	79	88	15	17%
2000	119	91	13	14%
2001	89	112	15	13%
2002	97	74	18	24%

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