

Statistics on Appeals and Decisions -- 2012

These statistics reflect case processing by LIRC in calendar year **2012**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2012 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 (2012)

(1) 2012 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	291	504	
February	244	611	
March	263	337	
April	273	198	
May	283	241	
June	279	210	
July	266	206	
August	226	230	
September	222	203	
October	275	144	
November	224	375	
December	247	201	
Year	3,093	3,460	648* cases pending at end of year
	258/mo.	288/mo.	

*Includes all programs (UCFX, EB, EUC, etc.) but not multi-claimant cases

[[Table of Contents](#)] - [[LIRC Home Page](#)]

(2) 2012 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,702		
Reversed in Favor of Claimant-Appellant	270/2,702		10.0%
Total Employer Appeals	744		
Reversed in Favor of Employer-Appellant	62/744		8.3%
Total Department Appeals	14		
Reversed in Favor of Department-Appellant	9/15		64.3%

78% of LIRC appeals were by Claimants
22% of LIRC appeals were by Employers
less than 1% of LIRC appeals were by Dept. of Workforce Development

LIRC RULINGS:

Affirmed	61%
Modified & Affirmed	14%
Reversed	10%
Remanded	8%
Dismissed	6%
Withdrawn	1%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

(3) 2012 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
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January	504	22 - 4%	79 - 16%	425 - 84%
February	611	99 - 16%	204 - 33%	407 - 67%
March	337	57 - 17%	241 - 72%	96 - 28%
April	198	75 - 38%	178 - 90%	20 - 10%
May	241	39 - 16%	183 - 76%	58 - 24%
June	210	17 - 8%	173 - 82%	37 - 18%
July	206	14 - 7%	143 - 69%	63 - 31%
August	230	19 - 8%	159 - 69%	71 - 31%
September	203	14 - 7%	107 - 53%	96 - 47%
October	144	18 - 13%	39 - 27%	105 - 73%
November	375	53 - 14%	184 - 49%	191 - 51%
December	201	43 - 21%	74 - 37%	127 - 63%
Year	3,460	470 - 14%	1,764 - 51%	1,696 - 49%

U. S. Department of Labor "time lapse" standard, effective April 1, 2008, is for average age of pending cases not to exceed 40 days.

2012 - UI CASE AGING STATISTICS

	Average age of pending cases	Median
January	58	57
February	41	35
March	31	26
April	36	32
May	37	32
June	41	36
July	45	40

August	51	44
September	55	46
October	56	47
November	56	46
December	57	48
Yearly Average	47	41

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

WORKERS COMPENSATION (2012)

(1) 2012 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	22	9	
February	18	20	
March	13	25	
April	16	10	
May	21	28	
June	15	14	
July	19	21	
August	14	22	
September	14	15	
October	15	18	
November	22	18	
December	11	4	
Total	200	204	58 Pending at End of Year
	17/mo.	17/mo.	

(2) 2012 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

TOTAL APPEALS	204		
Total Applicant Appeals	114	(56% of all appeals)	
Affirmed (includes modifications)	75/114	-	66%
Affirmed in part/Reversed in part	4/114	-	4%
Reversed	9/114	-	8%
Dismissed w/prejudice	1/114	-	1%
Remand for Approval of Compromise	7/114	-	6%
Dismissed/late petition	0/114	-	0%
Remand for New Findings & Order	2/114	-	2%
Dismissed/no jurisdiction	9/114	-	8%
Remand/Other	1/114	-	1%
Petition withdrawn	6/114	-	5%
Total Respondent Appeals	82	(40% of all appeals)	
Affirmed (includes modifications)	51/82	-	62%
Affirmed in part/Reversed in part	5/82	-	6%
Reversed	7/82	-	9%
Remand for Approval of Compromise	17/82	-	21%
Petition Withdrawn	1/82	-	1%
Remand for New Findings & Order	1/82	-	1%
Applicant & Respondent Combined Appeals	8	(4% of all appeals)	
Affirmed (includes modifications)	1/8	-	13%
Affirmed in part/Reversed in part	2/8	-	25%
Remand for Approval of Compromise	4/8	-	50%
Remand/Other	1/8	-	13%

NOTE: Because percentages are rounded some totals may exceed 100%

EQUAL RIGHTS (2012)

(1) 2012 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	20	4	
February	7	6	
March	15	9	
April	6	12	
May	7	12	
June	4	11	
July	7	7	
August	9	4	
September	4	6	
October	8	12	
November	1	7	Pending
December	3	9	End of Year
	91	99	107
	8/mo.	8/mo.	

(2) 2012 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	34	34%
Modified	31	31%

Affirmed in part/Reversed in part	1	1%
Reversed	3	3%
Reversed and Remanded	1	1%
Remanded	8	8%
Dismissed (late petition; no juris.)	13	13%
Settled/Withdrawn	8	8%
Total	106	

(Note: Because percentages are rounded, total exceeds 100%)

Results:

41% of all decisions issued found no discrimination
 12% of all decisions issued found discrimination
 46% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT

Retaliation	34
Race	27
Handicap/Disability	25
Age	21
Arrest/Conviction	20
Sex	16
National Origin	8
Color	5
Sexual Orientation	1
Ancestry	1
Use of Lawful Products	1
Marital Status	1

Some complaints involve more than one issue.)

[[Table of Contents](#)] - [[LIRC Home Page](#)]

(3) 2012 - ER TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Total Decisions Issued	Within 90 Days	90-180 Days	180-365 Days	Over 365 days
January	4	1 - 25%	1 - 25%	1 - 25%	1 - 25%
February	6	3 - 50%	2 - 33%	0 - 0%	1 - 17%
March	9	5 - 56%	0 - 0%	0 - 0%	4 - 44%
April	12	2 - 17%	0 - 0%	1 - 8%	9 - 75%
May	12	1 - 8%	0 - 0%	1 - 8%	10 - 83%
June	11	2 - 18%	2 - 18%	1 - 9%	6 - 55%
July	7	3 - 43%	1 - 14%	3 - 43%	0 - 0%
August	4	2 - 50%	0 - 0%	0 - 0%	2 - 50%
September	6	2 - 33%	1 - 17%	0 - 0%	3 - 50%
October	12	6 - 50%	0 - 0%	1 - 8%	5 - 42%
November	7	2 - 29%	0 - 0%	0 - 0%	5 - 71%
December	9	2 - 22%	0 - 0%	0 - 0%	7 - 78%
	99	31 - 31%	7 - 7%	8 - 8%	53 - 54%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

EMPLOYER TAX OR LIABILITY ("Status") CASES (2012)

Appeals received	34
Decisions issued	34

DECISIONS ISSUED, BY RESULT

Affirmed*	24 - 71%
Reversed	0 - 0%
Aff'd in part/Rev'd in part	1 - 3%
Remand	5 - 15%
Dismissed	4 - 12%
Withdrawn	0 - 0%

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

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

COURT STATISTICS (2012)

2012 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	148	
Circuit Court		137
Court of Appeals		8
Supreme Court		3
<u>Circuit Court Decisions</u>	137	
Affirmed LIRC	76 - 55%	
Reversed LIRC	2 - 1%	
Aff'd in part/Rev'd in part	1 - 1%	
Remand to LIRC	1 - 1%	
Dismissed	57 - 42%	

<u>Court of Appeals Decisions</u>	8		
Affirmed Cir.Court, Affirmed LIRC	5	-	63%
Affirmed Cir.Court, Reversed LIRC	1	-	13%
Reversed Cir.Court, Affirmed LIRC	2	-	25%

<u>Supreme Court Decisions</u>	3		
Petitions denied	2	-	67%
Dismissed	1	-	33%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

2012 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	2		
Circuit Court			2
Court of Appeals			0
Supreme Court			0
<u>Circuit Court Decisions</u>	2		
Dismissed	2	-	100%
<u>Court of Appeals Decisions</u>	0		
<u>Supreme Court Decisions</u>	0		

[[Table of Contents](#)] - [[LIRC Home Page](#)]

2012 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	33		
Circuit Court		18	
Court of Appeals		11	
Supreme Court		4	
<u>Circuit Court Decisions</u>	18		
Affirmed LIRC		16 - 89%	
Dismissal		2 - 11%	
<u>Court of Appeals Decisions</u>	11		
Aff'd Cir.Court, Aff'd LIRC		9 - 82%	
Rev'd Cir.Court, Rev'd LIRC		1 - 9%	
Rev'd Cir.Court, Aff'd LIRC		1 - 9%	
<u>Supreme Court Decisions</u>	4		
Aff'd Ct.App., Aff'd Cir.Court, Aff'd LIRC		1 - 100%	
Voluntary Dismissal		1 - 25%	
Petition Denied		2 - 50%	

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

2012 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	26		
Circuit Court		19	
Court of Appeals		6	

Supreme Court	1		
<u>Circuit Court Decisions</u>	19		
Affirmed LIRC	9	-	47%
Dismissed	5	-	26%
Stipulation/Voluntary Dismissal	4	-	21%
Remand to ALJ for hearing	1	-	5%
<u>Court of Appeals Decisions</u>	6		
Aff'd Cir.Court, Aff'd LIRC	1	-	17%
Aff'd Cir.Court Dismissal	2	-	33%
Dismissed	3	-	50%
<u>Supreme Court Decisions</u>	1		
Rev'd Ct.App., Aff'd Cir.Ct., Aff'd LIRC	2	-	100%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

GENERAL (2012)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	25,102	3,093	12%
EMPLOYER TAX OR LIABILITY CASES	452	34	8%
WORKERS COMPENSATION	528	200	38%

EQUAL RIGHTS

300*

91

30%

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

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

COMPARISONS BETWEEN YEARS AND PROGRAMS -
UNEMPLOYMENT INSURANCE

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	2,194	1,916	87	4.6%
1990	2,880	2,633	42	1.6%
1991	3,286	3,250	76	2.3%
1992	3,426	3,194	83	2.6%
1993	3,582	3,656	90	2.5%
1994	3,098	3,346	74	2.2%
1995	2,509	2,704	77	2.9%
1996	2,466	2,413	53	2.2%
1997	2,427	2,316	60	2.6%
1998	2,378	2,363	48	2.0%
1999	2,152	2,243	40	1.8%
2000	2,034	2,054	50	2.4%
2001	2,462	2,383	49	2.1%
2002	3,133	2,806	65	2.3%
2003	3,985	3,200	57	1.8%
2004	3,473	4,327	58	1.3%
2005	2,613	2,845	84	3.0%
2006	2,305	2,303	71	3.1%
2007	2,313	2,251	47	2.1%
2008	2,475	2,473	60	2.4%
2009	3,135	2,680	92	3.4%

2010	3,524	3,576	130	3.6%
2011	3,858	3,374	133	3.9%
2012	3,093	3,460	120	3.5%

COMPARISONS BETWEEN YEARS AND PROGRAMS -
STATUS (EMPLOYER TAX OR LIABILITY)

	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%
2003	17	30	3	10%
2004	22	19	3	16%
2005	17	29	4	14%
2006	20	17	5	29%
2007	36	30	5	17%
2008	18	31	4	13%
2009	17	17	5	29%
2010	15	16	2	13%
2011	8	10	1	10%
2012	34	34	2	6%

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%
2003	346	337	54	16%
2004	361	332	55	17%
2005	290	455	76	17%
2006	250	282	37	13%
2007	304	263	38	14%
2008	275	306	60	20%
2009	251	253	42	17%
2010	238	236	37	16%
2011	185	208	29	14%
2012	200	204	26	13%

COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

	Appeals Received	Decisions Issued	Appeals to Court	%
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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%
2003	120	108	16	15%
2004	97	101	24	24%
2005	104	144	23	16%
2006	96	91	17	19%
2007	101	85	12	14%
2008	96	101	16	16%
2009	118	88	10	11%
2010	122	88	15	17%
2011	91	106	21	20%
2012	91	99	16	16%

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)