

## ***Statistics on Appeals and Decisions -- 2013***

These statistics reflect case processing by LIRC in calendar year **2013**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

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### **2013 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

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#### UNEMPLOYMENT INSURANCE (2013)

(1) 2013 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	277	333	
February	255	473	
March	258	166	
April	254	229	
May	234	157	
June	191	165	
July	205	270	
August	184	188	
September	249	292	
October	246	260	
November	206	252	
December	181	148	
Year	2,740	2,933	426* cases pending at end of year
	228/mo.	244/mo.	

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

(2) 2013 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,302		
Reversed in Favor of Claimant-Appellant	230/2,302		10.0%
Total Employer Appeals	629		
Reversed in Favor of Employer-Appellant	82/629		13%
Total Department Appeals	2		
Reversed in Favor of Department-Appellant	1/2		50%

78% of LIRC appeals were by Claimants  
21% of LIRC appeals were by Employers  
less than 1% of LIRC appeals were by Dept. of Workforce Development

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LIRC RULINGS:

Affirmed	57%
Modified & Affirmed	17%
Affirmed in part/Reversed in part	1%
Reversed	10%
Remanded	7%
Dismissed	8%
Withdrawn	1%

**NOTE: Because percentages are rounded some totals may not equal 100%.**

### (3) 2013 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	333	84 - 25%	111 - 33%	222 - 67%
February	473	137 - 29%	311 - 66%	162 - 34%
March	166	43 - 26%	142 - 86%	24 - 14%
April	229	74 - 32%	207 - 90%	22 - 10%
May	157	18 - 11%	120 - 76%	37 - 24%
June	165	20 - 12%	85 - 52%	80 - 48%
July	270	11 - 4%	103 - 38%	167 - 62%
August	188	22 - 12%	74 - 39%	114 - 61%
September	292	23 - 8%	179 - 61%	113 - 39%
October	260	66 - 25%	192 - 74%	68 - 26%
November	252	47 - 19%	171 - 68%	81 - 32%
December	148	51 - 34%	114 - 77%	34 - 23%
Year	2,933	596 - 20%	1,809 - 62%	1,124 - 38%

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

### 2013 - UI CASE AGING STATISTICS

	Average age of pending cases	Median
January	53	45
February	36	28
March	36	29

April	41	34
May	47	41
June	51	48
July	47	41
August	47	43
September	40	34
October	41	36
November	37	32
December	43	39
Yearly Average	43	38

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## WORKERS COMPENSATION (2013)

(1) 2013 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued
January	15	17
February	15	14
March	15	18
April	15	17
May	14	9
June	10	21
July	13	17
August	16	11
September	10	16
October	17	6
November	15	22
December	21	9

Total	176	177	57 Pending at End of Year
	15/mo.	15/mo.	

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(2) 2013 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

TOTAL APPEALS	177		
Total Applicant Appeals	80	(45% of all appeals)	
Affirmed (includes modifications)	59/80	-	74%
Reversed	5/80	-	6%
Remand for Approval of Compromise	6/80	-	8%
Dismissed/late petition	1/80	-	1%
Remand for New Findings & Order	1/80	-	1%
Dismissed/no jurisdiction	5/80	-	6%
Petition withdrawn	3/80	-	4%
Total Respondent Appeals	92	(52% of all appeals)	
Affirmed (includes modifications)	52/92	-	57%
Affirmed in part/Reversed in part	5/92	-	5%
Reversed	10/92	-	11%
Remand for Approval of Compromise	19/92	-	21%
Petition Withdrawn	1/92	-	1%
Remand for New Findings & Order	5/92	-	5%
Applicant & Respondent Combined Appeals	5	(3% of all appeals)	
Affirmed (includes modifications)	1/5	-	20%
Affirmed in part/Reversed in part	2/5	-	40%
Remand for Approval of Compromise	2/5	-	40%

NOTE: Because percentages are rounded some totals may not equal 100%.

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## EQUAL RIGHTS (2013)

(1) 2013 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	3	6	
February	5	8	
March	3	8	
April	8	20	
May	9	12	
June	0	12	
July	15	10	
August	10	7	
September	3	3	
October	2	11	
November	3	7	Pending
December	2	7	End of Year
	63	111	58
	5/mo.	9/mo.	

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(2) 2013 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
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Affirmed	37	33%
Modified & Affirmed	49	44%
Reversed	5	5%
Remanded	6	5%
Dismissed (late petition; no juris.)	6	5%
Settled/Withdrawn	8	7%
Total	111	

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

### Results:

63% of all decisions issued found no discrimination  
 14% of all decisions issued found discrimination  
 23% of all decisions were settlements, withdrawals,  
 dismissals, or procedural decisions where no  
 determination of discrimination was made by the  
 commission.

### Issue:

#### EMPLOYMENT

Retaliation	35
Race	24
Handicap/Disability	25
Age	21
Arrest/Conviction	18
Sex	18
National Origin	6
Color	6
Sexual Orientation	3
Ancestry	3
Creed	1
Marital Status	1

Military Service	1
<u>PUBLIC ACCOMMODATION</u>	1

Some complaints involve more than one issue.)

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(3) 2013 - 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	6	1 - 17%	1 - 17%	1 - 17%	3 - 50%
February	8	3 - 38%	0 - 0%	1 - 13%	4 - 50%
March	8	0 - 0%	1 - 13%	1 - 13%	6 - 75%
April	20	2 - 10%	0 - 0%	1 - 5%	17 - 85%
May	12	1 - 8%	0 - 0%	2 - 17%	9 - 75%
June	12	1 - 8%	0 - 0%	1 - 8%	10 - 83%
July	10	0 - 0%	0 - 0%	2 - 20%	8 - 80%
August	7	1 - 14%	0 - 0%	2 - 29%	4 - 57%
September	3	0 - 0%	1 - 33%	0 - 0%	2 - 67%
October	11	2 - 18%	0 - 0%	2 - 18%	7 - 64%
November	7	0 - 0%	1 - 14%	0 - 0%	6 - 86%
December	7	0 - 0%	1 - 14%	4 - 57%	2 - 29%
	111	11 - 10%	5 - 5%	17 - 15%	78 - 70%

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**EMPLOYER TAX OR LIABILITY ("Status") CASES (2013)**

Appeals received	45
Decisions issued	33

#### DECISIONS ISSUED, BY RESULT

Affirmed*	4 - 12%
Modified & Affirmed*	13 - 39%
Reversed	6 - 18%
Aff'd in part/Rev'd in part	3 - 9%
Remand	4 - 12%
Dismissed	2 - 6%
Withdrawn	1 - 3%

\* May include commission affirmances of ALJ dismissals of late requests for hearing.

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#### COURT STATISTICS (2013)

##### 2013 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	140	
Circuit Court		130
Court of Appeals		10
Supreme Court		0
<u>Circuit Court Decisions</u>	130	
Affirmed LIRC	70	- 54%
Reversed LIRC	1	- 1%
Remand to LIRC	2	- 2%

Dismissed

57 - 44%

Court of Appeals Decisions 10

Affirmed Cir.Court, Affirmed LIRC 4 - 40%

Affirmed Cir.Court Dismissal 5 - 50%

Dismissed 1 - 10%

Supreme Court Decisions 0

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2013 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")  
COURT DECISIONS

Total Employer Tax or Liability Court Decisions 1

Circuit Court	1
Court of Appeals	0
Supreme Court	0

Circuit Court Decisions 1

Dismissed	1 - 100%
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Court of Appeals Decisions 0

Supreme Court Decisions 0

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## 2013 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	34	
Circuit Court		21
Court of Appeals		10
Supreme Court		3

### Circuit Court Decisions 21

Affirmed LIRC	17	-	81%
Affirmed in part/Reversed in part	1	-	5%
Reversed LIRC	1	-	5%
Remand	1	-	5%
Dismissal	1	-	5%

### Court of Appeals Decisions 10

Aff'd Cir.Court, Aff'd LIRC	10	-	100%
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### Supreme Court Decisions 3

Aff'd Ct.App., Aff'd Cir.Court, Reversed LIRC	1	-	33%
Petition Denied	2	-	67%

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## 2013 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	29	
Circuit Court		24
Court of Appeals		5

Supreme Court	0
<u>Circuit Court Decisions</u>	24
Affirmed LIRC	13 - 54%
Dismissed	6 - 25%
Stipulation/Voluntary Dismissal	4 - 17%
Remand	1 - 4%
<u>Court of Appeals Decisions</u>	5
Aff'd Cir.Court, Aff'd LIRC	3 - 60%
Stipulation or Voluntary Dismissal	1 - 20%
Dismissed	1 - 20%
<u>Supreme Court Decisions</u>	0

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**GENERAL (2013)**

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	22,875	2,740	12%
EMPLOYER TAX OR LIABILITY CASES	617	45	7%
WORKERS COMPENSATION	498	176	35%
EQUAL RIGHTS	204*	63	31%

\*Includes Fair Employment, Health Care Worker Protection and Public Accommodation cases.  
Housing and Family & Medical Leave cases are not appealable to LIRC.

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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%

2013            2,740                    2,933                    97                    3.3%

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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%
2013	45	33	3	9%

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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%
2013	176	177	31	18%

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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%
2013	63	111	18	16%

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