

Statistics on Appeals and Decisions -- 1998

These statistics reflect case processing by LIRC in calendar year **1998**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

1998 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](#)

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Equal Rights

[Number of appeals and decisions issued](#)

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Employer Tax or Liability ("Status") Cases

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Court Cases

[Unemployment Insurance](#)

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General - All Programs

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

UNEMPLOYMENT INSURANCE (1998)

(1) 1998 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	173	181	
February	197	209	
March	209	212	
April	202	199	
May	195	246	
June	212	169	
July	211	190	
August	217	178	
September	197	184	
October	194	178	
November	172	191	
December	199	226	
	2,378	2,3636	692 cases pending at end of year
	198 /mo.	197/mo.	

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(2) 1998 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals 1,516

Reversed in Favor of Claimant-Appellant 98/1,516 6.5%

Total Employer Appeals 823

Reversed in Favor of Employer-Appellant 52/823 6.3%

Total Department Appeals 24

Reversed in Favor of Department-Appellant 8/24 33.3%

64% of LIRC appeals were by Claimants

35% of LIRC appeals were by Employers

1% of LIRC appeals were by Dept. of Workforce Development

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(3) 1998 - UI TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	45 Days	75 Days	Over 75 Days
January	181	67 - 37%	109 - 60%	72 - 40%
February	209	91 - 44%*	142 - 68%	67 - 32%
March	212	80 - 38%	136 - 64%	76 - 36%
April	199	86 - 43%*	154 - 77%	45 - 23%
May	246	134 - 54%*	202 - 82%*	44 - 18%
June	169	84 - 50%*	127 - 75%	42 - 25%
July	190	86 - 45%*	157 - 83%*	33 - 17%
August	178	88 - 49%*	145 - 81%*	33 - 19%
September	184	103 - 56%*	144 - 78%	40 - 22%
October	178	100 - 56%*	138 - 78%	40 - 22%
November	191	84 - 44%*	149 - 78%	42 - 22%
December	226	87 - 38%	140 - 62%	86 - 38%
	2,363	1,090 - 46%*	1,743 - 74%	620 - 26%

*MEETS DOL-ETA DESIRED LEVEL OF ACHIEVEMENT
(40% IN 45 DAYS, 80% IN 75 DAYS)

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WORKERS COMPENSATION (1998)

(1) 1998 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received*	Files Received at LIRC	Decisions Issued	Pending at End of Month**
January	45	44	47	214
February	39	35	59	194
March	26	38	49	171
April	55	28	48	178
May	21	35	47	152
June	55	55	40	167
July	46	72	34	179
August	35	19	37	177
September	30	21	32	175
October	44	35	39	180
November	44	30	38	186
December	51	66	25	212
Total	491	478	495	212
	41/mo.	40/mo.	41/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.

(2) 1998 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Appeals decided on the merits:

Applicant Appeals	238	(57% of appeals decided on the merits)		
Affirmed	192/238	-	80.7%	
Reversed	34/238	-	14.3%	
Modified*	12/238	-	5.0%	
Respondent Appeals	172	(41% of appeals decided on the merits)		
Affirmed	107/172	-	62.2%	
Reversed	33/172	-	19.2%	
Modified*	32/172	-	18.6%	
Applicant AND Respondent Appeal	10	(2% of appeals decided on the merits)		
Affirmed	6/10	-	60%	
Modified*	4/10	-	40%	
Total decided on merits:	420			

Appeals remanded, dismissed, withdrawn:

Remanded for:				
Approval of Compromise	24	-	5%	of all appeals
For New Findings & Order	17	-	3%	"
Other	5	-	1%	"
Dismissed with Prejudice	3	-	1%	"
Dismissed/No Jurisdiction	6	-	1%	"
Dismissed/Late Petition	12	-	2%	"
Petition Withdrawn	8	-	2%	"
Total other appeals:	75			

Total appeals:

Appeals decided on the merits: 420
 Appeals remanded, dismissed, withdrawn: 75
 Total: 495

* Modified--New decisions with major changes in benefits received or changes in periods of disability.

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EQUAL RIGHTS (1998)

(1) 1998 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	Pending End of Month
January	14	11	52
February	7	9	50
March	9	4	55
April	6	14	47
May	7	5	49
June	9	7	51
July	6	9	48
August	6	8	46
September	8	8	46
October	11	5	52
November	4	10	46
December	9	8	47
	96	98	47
	8/mo.	8/mo.	

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(2) 1998 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmance Decisions	72	73%
Dismissals	10	10%
Settled/Withdrawn	2	2%
Reversal Decisions	4	4%
Remand	4	4%
Reverse & Remand	5	5%
Split/affirm in part- reverse in part	1	1%
Total	98	

Results:

48% of all decisions found no discrimination
12% of all decisions found discrimination
40% of all decisions were settlements, withdrawals,
dismissals, or procedural decisions where no
determination of discrimination was made.

Issue:

EMPLOYMENT-

Race	30
Retaliation	28
Handicap/Disability	25
Sex	25
Age	17
Arrest/Conviction	9
Marital Status	4
Color	3
National Origin	2

Ancestry	2
PUBLIC ACCOMMODATIONS	2
No cause of action	2

(Some complaints involve more than one issue.)

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(3) 1998 - ER TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Total Decisions Issued	Within 90 Days	Within 180 Days	Over 180 Days
January	11	3 - 27%	4 - 36%	4 - 36%
February	9	3 - 33%	4 - 44%	2 - 22%
March	4	2 - 50%	1 - 25%	1 - 25%
April	14	5 - 36%	4 - 29%	5 - 36%
May	5	3 - 60%	0 - 0%	2 - 40%
June	7	2 - 29%	1 - 14%	4 - 57%
July	9	3 - 33%	0 - 0%	6 - 67%
August	8	3 - 38%	0 - 0%	5 - 63%
September	8	1 - 13%	1 - 13%	6 - 75%
October	5	1 - 20%	0 - 0%	4 - 80%
November	10	3 - 30%	1 - 10%	6 - 60%
December	8	1 - 13%	2 - 25%	5 - 63%
	98	30 - 31%	18 - 18%	50 - 51%

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EMPLOYER TAX OR LIABILITY ("Status") CASES (1998)

Appeals received	24
Decisions issued	27
Case pending at end of year	5

DECISIONS ISSUED, BY TYPE

Affirmed*	20 - 74%
Reversed	2 - 7%
Remand	2 - 7%
Split: Affirmed in part/ reversed in part	1 - 4%
Dismissed	1 - 4%
Withdrawn	1 - 4%

Of the 27 decisions issued, 7 (26%) were timeliness cases.

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

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COURT STATISTICS (1998)

1998 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	53	
Circuit Court		50
Court of Appeals		3
Supreme Court		0
Circuit Court Decisions	50	
Affirmed LIRC		34 - 68%
Reversed LIRC		2 - 4%

(In favor of employee	1 - 50%)	
(In favor of employer	1 - 50%)	
Remand to LIRC		1 - 2%
Dismissals		12 - 24%
Withdrawn		1 - 2%

Court of Appeals Decisions	3	
Affirmed Cir.Court, Affirmed LIRC	1 - 33%	
Reversed Cir.Court, Affirmed LIRC	1 - 33%	
Affirmed Other	1 - 33%	

Supreme Court 0

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1998 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Status Court Decisions	2	
Circuit Court	0	
Court of Appeals	2	
Supreme Court	0	
Circuit Court Decisions	0	
Court of Appeals Decisions	2	
Affirmed Cir.Court, Affirmed LIRC	2 - 100%	

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1998 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	98		
Circuit Court		73	
Court of Appeals		20	
Supreme Court(incl. Petitions denied)		5	
Circuit Court Decisions	73		
Affirmed LIRC		54	- 74%
Reversed LIRC		5	- 7%
(In favor of employee 3 - 60%)			
(In favor of employer 2 - 40%)			
Split Finding*		1	- 1%
Remands		2	- 3%
Dismissals		11	- 15%

* Affirmed in part/reversed in part

Court of Appeals Decisions	20		
Aff'd Cir.Court, Aff'd LIRC		18	- 90%
Aff'd Cir.Court, Dism'd		1	- 5%
Dismissed		1	- 5%

Aff'd Ct.App., Cir.Ct., LIRC	1 - 20%
Petition Denied	4 - 807%

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1998 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	26	
Circuit Court	16	
Court of Appeals	6	
Supreme Court	4	
Circuit Court Decisions	16	
Affirmed LIRC	10	- 63%
Reversed LIRC	3	- 19%
(In favor of employee 2	2	- 67%)
(In favor of employer 1	1	- 33%)
Voluntary Dismissal	2	- 13%
Dismissal	1	- 6%
Court of Appeals Decisions	6	
Affirmed Cir.Court, Affirmed LIRC	4	- 67%
Reverse Cir.Court, Affirm LIRC	1	- 17%
Voluntary Dismissal	1	- 17%
Supreme Court	2	
Aff'd Ct.App., Cir.Ct., LIRC	1	- 25%

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GENERAL (1998)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	18,797	2,378	13%
EMPLOYER TAX OR LIABILITY CASES	300	24	8%
WORKERS COMPENSATION	1,177	491	42%
EQUAL RIGHTS	286*	96	34%

*Approximate number of Equal Rights decisions appealable to LIRC. Decisions appealable include employment and public accommodation cases finding discrimination, no discrimination, no probable cause, and decisions which are administratively closed by the department (i.e., dismissal for failure to appear at hearing, failure to respond to department correspondence, dismissal for lack of jurisdiction, etc.) Fair Housing cases in which discrimination is alleged to have occurred after 9/92 and Family & Medical Leave decisions are not appealable to the Commission.

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COMPARISONS BETWEEN YEARS AND PROGRAMS -

UNEMPLOYMENT INSURANCE

	Appeals Received	Decisions Issued	Appeals to Court	%
1988	1686	1692	75	4%
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%

COMPARISONS BETWEEN YEARS AND PROGRAMS - STATUS

	Appeals Received	Decisions Issued	Appeals to Court	%
1988	116	156	21	13%
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%

COMPARISONS BETWEEN YEARS AND PROGRAMS -
WORKERS COMPENSATION

	Appeals Received	Decisions Issued	Appeals to Court	%
1988	468	389	86	22%
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%

COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

	Appeals Received	Decisions Issued	Appeals to Court	%
1988	79	95	20	21%
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%

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