

Statistics on Appeals and Decisions -- 2003

These statistics reflect case processing by LIRC in calendar year **2003**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2003 LIRC STATISTICS

Unemployment Insurance

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Workers Compensation

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Equal Rights

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General - All Programs

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UNEMPLOYMENT INSURANCE (2003)

(1) 2003 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	334	185	
February	343	251	
March	333	270	
April	309	239	
May	264	267	
June	370	299	
July	291	248	
August	437	358	
September	391	291	
October	340	305	
November	250	280	
December	323	207	
	3,985	3,200	1,480 cases pending at end of year
	332/mo.	267/mo.	

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(2) 2003 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,161		
Reversed in Favor of Claimant-Appellant	239/2,161	11.1%	
Total Employer Appeals	1,021		
Reversed in Favor of Employer-Appellant	96/1,021	9.4%	
Total Department Appeals	18		
Reversed in Favor of Department-Appellant	9/18	50.0%	

68% of LIRC appeals were by Claimants
32% of LIRC appeals were by Employers
less than 1% of LIRC appeals were by Dept. of Workforce Development

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(3) 2003 - UI TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	185	24 - 13%	51 - 28%	134 - 72%
February	251	46 - 18%	68 - 27%	183 - 73%
March	270	70 - 26%	88 - 33%	182 - 67%
April	239	67 - 28%	81 - 34%	158 - 66%
May	267	56 - 21%	69 - 26%	198 - 74%
June	299	39 - 13%	49 - 16%	250 - 84%
July	248	29 - 12%	45 - 18%	203 - 82%
August	358	51 - 14%	87 - 24%	271 - 76%
September	291	61 - 21%	82 - 28%	209 - 72%
October	305	77 - 25%	86 - 28%	219 - 72%
November	280	55 - 20%	67 - 24%	213 - 76%

December	207	24 - 12%	30 - 14%	177 - 86%
	3,200	599 - 19%	803 - 25%	2,397 - 75%

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 (2003)

(1) 2003 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received*	Files Received at LIRC	Decisions Issued	Pending at End of Month**
January	29	32	27	170
February	22	17	22	170
March	43	40	25	188
April	13	22	41	160
May	23	21	21	162
June	41	22	26	177
July	29	52	29	177
August	36	30	26	187
September	24	31	36	175
October	28	20	27	176
November	31	30	29	178
December	27	37	28	177
Total	346	354	337	177
	29/mo.	30/mo.	28/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) 2003 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Applicant Appeals	144	(43% of all appeals)	
Affirmed (includes modifications)	98/144	-	68%
Affirmed in part/Reversed in part	6/144	-	6%
Reversed	14/144	-	10%
Remand for Approval of Compromise	4/144	-	3%
Remand for New Findings & Order	1/144	-	1%
Remand/Other	2/144	-	1%
Dismissed w/prejudice	5/144	-	3%
Dismissed/no jurisdiction	2/144	-	1%
Dismissed/late petition	7/144	-	5%
Petition withdrawn	5/144	-	3%
Total Respondent Appeals	177	(53% of all appeals)	
Affirmed (includes modifications)	108/177	-	61%
Affirmed in part/Reversed in part	22/177	-	12%
Reversed	12/177	-	7%
Remand for Approval of Compromise	19/177	-	11%
Remand for New Findings & Order	4/177	-	2%
Remand/Other	5/177	-	3%
Dismissed w/prejudice	1/177	-	1%
Dismissed/no jurisdiction	1/177	-	1%
Dismissed/late petition	1/177	-	1%
Petition withdrawn	4/177	-	2%
Applicant & Respondent Appeals	16	(5% of all appeals)	
Affirmed (includes modifications)	7/16	-	44%
Affirmed in part/Reversed in part	2/16	-	13%

Reversed	2/16	-	13%
Remand for Approval of Compromise	5/16	-	31%
Remand for New Findings & Order	0/16	-	0%
Remand/Other	0/16	-	0%
Dismissed w/prejudice	0/16	-	0%
Dismissed/no jurisdiction	0/16	-	0%
Dismissed/late petition	0/16	-	0%
Petition withdrawn	0/16	-	0%

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EQUAL RIGHTS (2003)

(1) 2003 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	Pending End of Month
January	3	11	58
February	11	14	55
March	13	4	64
April	6	5	65
May	9	5	69
June	13	11	71
July	10	10	71
August	5	15	61
September	15	8	68
October	13	12	69
November	13	6	76
December	9	7	78
	120	108	78
	10/mo.	9/mo.	

(2) 2003 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	75	69%
Reversed	3	3%
Dismissed	13	12%
Aff'd in part/Rev'd in part	1	1%
Affirmed and Remanded	1	1%
Reversed & Remanded	4	4%
Settled/Withdrawn	6	6%
Remanded	5	5%
Total	108	

Results:

45% of all decisions issued found no discrimination
10% of all decisions issued found discrimination
45% of all decisions were settlements, withdrawals,
dismissals, or procedural decisions where no
determination of discrimination was made by the
commission.

Issue:

EMPLOYMENT -

Handicap/Disability	31
Retaliation	27
Sex	27
Race	24
Arrest/Conviction	12
Age	10

Sexual Orientation	3
Ancestry	2
Color	1
Marital Status	1
National Origin	1
Creed	1
Religion	1
Relief	1
Licensing	1
Use of lawful product	1

PUBLIC ACCOMMODATIONS 5

Failure to State a Claim/
No Cause of Action 3

(Some complaints involve more than one issue.)

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(3) 2003 - 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%	1 - 9%	7 - 64%
February	14	3 - 21%	5 - 36%	6 - 43%
March	4	3 - 75%	0 - 0%	1 - 25%
April	5	0 - 0%	0 - 0%	5 - 100%
May	5	1 - 20%	0 - 0%	4 - 80%
June	11	3 - 27%	0 - 0%	8 - 73%
July	10	3 - 30%	1 - 10%	6 - 60%
August	15	2 - 13%	4 - 27%	9 - 60%
September	8	1 - 13%	0 - 0%	7 - 88%
October	12	3 - 25%	3 - 25%	6 - 50%

November	6	2 - 33%	2 - 33%	2 - 33%
December	7	1 - 14%	1 - 14%	5 - 71%
	108	25 - 23%	17 - 16%	66 - 61%

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2003)

Appeals received	17
Decisions issued	30

Of the 30 decisions issued, 12 (40%) were timeliness cases.

DECISIONS ISSUED, BY RESULT

Affirmed*	28 - 93%
Reversed	1 - 3%
Remanded	1 - 3%

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

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COURT STATISTICS (2003)

2003 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	58
Circuit Court	51
Court of Appeals	6

Supreme Court	1	
<u>Circuit Court Decisions</u>	51	
Affirmed LIRC	32	- 63%
Reversed LIRC	2	- 4%
(In favor of employee	2	- 100%)
Dismissed	17	- 33%
<u>Court of Appeals Decisions</u>	6	
Affirmed Cir.Court, Affirmed LIRC	4	- 67%
Dismissed	2	- 33%
<u>Supreme Court</u>	1	
Petition Denied	1	- 100%

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2003 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	1	
<u>Circuit Court Decisions</u>	1	
Affirmed LIRC	1	- 100%

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2003 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	48		
Circuit Court		29	
Court of Appeals		14	
Supreme Court(incl. Petitions denied)		5	
<u>Circuit Court Decisions</u>	29		
Affirmed LIRC		28	- 97%
Reversed LIRC		1	- 3%
(In favor of employee	1	- 100%)	
<u>Court of Appeals Decisions</u>	14		
Aff'd Cir.Court, Aff'd LIRC		9	- 64%
Aff'd Cir.Court, Rev'd LIRC		1	- 7%
Rev'd Cir.Court, Rev'd LIRC		3	- 21%
Dismissed		1	- 7%
<u>Supreme Court</u>	5		
Petition Denied		4	- 80%
Rev'd Ct. App, Aff'd Cir.Court, Aff'd LIRC		1	- 20%

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2003 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	22	
Circuit Court		15
Court of Appeals		4
Supreme Court		3

<u>Circuit Court Decisions</u>	15	
Affirmed LIRC	9	60%
Dismissed	4	27%
Stipulation to Dismiss	2	13%
<u>Court of Appeals Decisions</u>	4	
Aff'd Cir.Court, Aff'd LIRC	3	75%
Aff'd Cir.Court, Dismissed	1	25%
<u>Supreme Court</u>	3	
Petition denied	2	67%
Aff'd Ct. App, Aff'd Cir.Court, Aff'd LIRC	1	33%

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GENERAL (2003)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	34,024	3,985	12%
EMPLOYER TAX OR LIABILITY CASES	148	17	11%
WORKERS COMPENSATION	1,092	346	32%
EQUAL RIGHTS	374*	120	32%

*Includes Fair Employment 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	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%
2003	3985	3200	57	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%
2003	17	30	3	10%

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%

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%
2003	120	108	16	15%

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