

Statistics on Appeals and Decisions -- 2011

These statistics reflect case processing by LIRC in calendar year **2011**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2011 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 (2011)

(1) 2011 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	393	323	
February	347	447	
March	383	481	
April	333	152	
May	362	156	
June	337	249	
July	253	186	
August	297	301	
September	307	370	
October	317	234	
November	267	246	
December	262	229	
Year	3,858	3,374	1,084* cases pending at end of year
	321/mo.	281/mo.	

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

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(2) 2011 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,465		
Reversed in Favor of Claimant-Appellant	195/2,465		7.9%
Total Employer Appeals	904		
Reversed in Favor of Employer-Appellant	81/904		9.0%
Total Department Appeals	5		
Reversed in Favor of Department-Appellant	1/5		20%

73% of LIRC appeals were by Claimants

27% of LIRC appeals were by Employers

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

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(3) 2011 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	323	34 - 11%	220 - 68%	103 - 32%
February	447	145 - 32%	383 - 86%	64 - 14%
March	481	146 - 30%	374 - 78%	107 - 22%
April	152	94 - 62%	120 - 79%	32 - 21%
May	156	19 - 12%	52 - 33%	104 - 67%
June	249	17 - 7%	33 - 13%	216 - 87%
July	186	19 - 10%	30 - 16%	156 - 84%
August	301	24 - 8%	39 - 13%	262 - 87%
September	370	31 - 8%	70 - 19%	300 - 81%
October	234	17 - 7%	47 - 20%	187 - 80%

November	246	8 - 3%	13 - 5%	233 - 95%
December	229	11 - 5%	15 - 7%	214 - 93%
Year	3,374	565 - 17%	1,396 - 41%	1,978 - 59%

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

2011 - UI CASE AGING STATISTICS

	Average age of pending cases	Median
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January	36	33
February	36	32
March	30	24
April	40	37
May	48	43
June	54	51
July	66	66
August	70	65
September	68	59
October	69	60
November	68	61
December	69	68
Yearly Average	55	50

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WORKERS COMPENSATION (2011)

(1) 2011 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	13	19	
February	19	21	
March	13	33	
April	14	8	
May	10	22	
June	20	13	
July	15	10	
August	22	11	
September	18	22	
October	13	15	
November	16	20	
December	12	14	
Total	185	208	61 Pending at End of Year
	15/mo.	17/mo.	

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(2) 2011 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

TOTAL APPEALS	208	
Total Applicant Appeals	94 (45% of all appeals)	
Affirmed (includes modifications)	51/94	- 54%

Affirmed in part/Reversed in part	7/94	-	7%
Reversed	15/94	-	16%
Remand for Approval of Compromise	7/94	-	7%
Dismissed/late petition	2/94	-	2%
Remand for New Findings & Order	1/94	-	1%
Dismissed/no jurisdiction	10/94	-	11%
Remand/Other	1/94	-	1%
Total Respondent Appeals	98	(47% of all appeals)	
Affirmed (includes modifications)	66/98	-	67%
Affirmed in part/Reversed in part	6/98	-	6%
Reversed	4/98	-	4%
Remand for Approval of Compromise	13/98	-	13%
Remand/Other	2/98	-	2%
Petition Withdrawn	5/98	-	5%
Remand for New Findings & Order	2/98	-	2%
Applicant & Respondent Combined Appeals	16	(8% of all appeals)	
Affirmed (includes modifications)	5/16	-	31%
Affirmed in part/Reversed in part	5/16	-	31%
Remand for Approval of Compromise	5/16	-	31%
Petition Withdrawn	1/16	-	6%

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

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EQUAL RIGHTS (2011)

(1) 2011 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued
January	13	3
February	9	12

March	6	8	
April	3	8	
May	12	10	
June	1	14	
July	3	8	
August	7	13	
September	8	7	
October	12	11	
November	10	7	Pending
December	7	5	End of Year
	91	106	123
	8/mo.	9/mo.	

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(2) 2011 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	74	70%
Modified	5	5%
Reversed	10	9%
Remanded	5	5%
Dismissed (late petition)	7	7%
Settled/Withdrawn	5	5%
Total	106	

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

Results:

59% of all decisions issued found no discrimination
8% of all decisions issued found discrimination
33% of all decisions were settlements, withdrawals,

dismissals, or procedural decisions where no determination of discrimination was made by the commission.

Issue:

EMPLOYMENT

Retaliation	30
Race	25
Handicap/Disability	25
Sex	21
Age	19
Arrest/Conviction	14
Color	8
National Origin	4
Sexual Orientation	4
Religion	2
Creed	2
Ancestry	1
Marital Status	1

PUBLIC ACCOMMODATION 2

POST-SECONDARY EDUCATION 1

Failure to State a Claim 1

Some complaints involve more than one issue.)

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(3) 2011 - 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	3	1 - 33%	1 - 33%	0 - 0%	1 - 33%
February	12	4 - 33%	1 - 8%	0 - 0%	7 - 58%
March	8	5 - 63%	1 - 13%	0 - 0%	2 - 25%
April	8	2 - 25%	2 - 25%	0 - 0%	4 - 50%
May	10	0 - 0%	0 - 0%	2 - 20%	8 - 80%
June	14	1 - 7%	4 - 29%	1 - 7%	8 - 57%
July	8	2 - 25%	0 - 0%	0 - 0%	6 - 75%
August	13	2 - 15%	1 - 8%	2 - 15%	8 - 62%
September	7	0 - 0%	0 - 0%	2 - 29%	5 - 71%
October	11	0 - 0%	1 - 9%	2 - 18%	8 - 73%
November	7	2 - 29%	1 - 14%	0 - 0%	4 - 57%
December	5	0 - 0%	0 - 0%	1 - 20%	4 - 80%
	106	19 - 18%	12 - 11%	10 - 9%	65 - 61%

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2011)

Appeals received	8
Decisions issued	10

DECISIONS ISSUED, BY RESULT

Affirmed*	8 - 80%
Reversed	0 - 0%
Aff'd in part/Rev'd in part	0 - 0%
Remand	2 - 20%

Dismissed	0 - 0%
Withdrawn	0 - 0%

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

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COURT STATISTICS (2011)

2011 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	126		
Circuit Court		115	
Court of Appeals		9	
Supreme Court		2	
<u>Circuit Court Decisions</u>	115		
Affirmed LIRC	60	-	52%
Reversed LIRC	5	-	4%
Remand to LIRC	1	-	1%
Dismissed	49	-	43%
<u>Court of Appeals Decisions</u>	9		
Affirmed Cir.Court, Affirmed LIRC	2	-	22%
Affirmed/Other	2	-	22%
Dismissed	5	-	56%
<u>Supreme Court Decisions</u>	2		
Petition denied	2	-	100%

2011 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	2		
Circuit Court		1	
Court of Appeals		0	
Supreme Court		1	
<u>Circuit Court Decisions</u>	1		
Dismissed	1	-	100%
<u>Court of Appeals Decisions</u>	0		
<u>Supreme Court Decisions</u>	1		
Petition denied	1	-	100%

2011 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	39		
Circuit Court		27	
Court of Appeals		11	
Supreme Court		1	
<u>Circuit Court Decisions</u>	27		
Affirmed LIRC	23	-	85%
Reversed LIRC	1	-	4%

Set Aside and Remand	1 - 4%
Reversed LIRC	2 - 7%

Court of Appeals Decisions 11

Aff'd Cir.Court, Aff'd LIRC	9 - 82%
Rev'd Cir.Court, Rev'd LIRC	2 - 18%

Supreme Court Decisions 1

Aff'd Ct.App., Rev'd Cir.Court, Aff'd LIRC*	1 - 100%
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2011 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	19
Circuit Court	17
Court of Appeals	2
Supreme Court	0

Circuit Court Decisions 17

Affirmed LIRC	9 - 53%
Dismissed	5 - 29%
Stipulation/Voluntary Dismissal	3 - 18%

Court of Appeals Decisions 2

Rev'd Cir.Court, Aff'd LIRC	2 - 100%
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Supreme Court Decisions 0

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GENERAL (2011)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	28,400	3,858	14%
EMPLOYER TAX OR LIABILITY CASES	149	8	5%
WORKERS COMPENSATION	509	185	36%
EQUAL RIGHTS	341*	91	27%

*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	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%

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%

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%

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%
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%

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