

**LABOR AND INDUSTRY REVIEW COMMISSION  
2014  
UNEMPLOYMENT INSURANCE**

	Appeals Filed	Decisions Issued	
January	182	287	
February	187	271	
March	247	133	
April	225	146	
May	217	222	
June	210	135	
July	217	198	
August	222	196	
September	171	238	
October	178	267	
November	177	190	
December	191	215	
	2424	2498	Pending End of Year
	202 /mo.	208 /mo.	320

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

Decisions Issued by Type of Appellant:

Total Claimant Appeals	2016		
Reversed in Favor of Claimant	194	10%	
Total Employer Appeals	471		
Reversed in Favor of Employer	82	17%	
Total Department Appeals	11		
Reversed	1	9%	

81% of LIRC appeals were by Claimants  
 19% of LIRC appeals were by Employers  
 less than 1% of LIRC appeals were by Dept. of Workforce Development

<u>LIRC Rulings:</u>	Affirmed	50%
	Modified & Affirmed	18%
	Affirmed in part/Reversed in part	3%
	Reversed	8%
	Remanded	13%
	Dismissed	6%
	Withdrawn	1%

**NOTE: Due to rounding, total may not equal 100%.**

**2014  
UI TIME LAPSE STATISTICS**

	<u>Decisions Issued</u>	<u>Within 45 Days</u>	<u>Within 75 Days</u>	<u>Over 75 Days</u>
January	287	57 - 20%	197 - 69%	90 - 31%
February	271	122 - 45%	217 - 80%	54 - 20%
March	133	85 - 64%	125 - 94%	8 - 6%
April	146	77 - 53%	142 - 97%	4 - 3%
May	222	66 - 30%	198 - 89%	24 - 11%
June	135	19 - 14%	95 - 70%	40 - 30%
July	198	17 - 9%	134 - 68%	64 - 32%
August	196	47 - 24%	142 - 72%	54 - 28%
September	238	22 - 9%	98 - 41%	140 - 59%
October	267	44 - 16%	154 - 58%	113 - 42%
November	190	52 - 27%	145 - 76%	45 - 24%
December	215	42 - 20%	173 - 80%	42 - 20%
	2498	650 - 26%	1820 - 73%	678 - 27%

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

**UI CASE AGING STATISTICS**

	<u>Average</u>	<u>Median</u>
January	35	32
February	23	18
March	28	24
April	36	34
May	38	31
June	41	34
July	42	37
August	47	39
September	45	41
October	41	36
November	37	33
December	32	29
Yearly Average	37	32

**LABOR AND INDUSTRY REVIEW COMMISSION  
2014  
WORKERS COMPENSATION**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	15	22	
February	22	22	
March	12	30	
April	17	22	
May	7	19	
June	10	15	
July	23	9	
August	12	5	
September	12	11	
October	24	3	
November	11	12	
December	<u>26</u>	<u>11</u>	
	191	181	120 Pending at End of Year*
	16 /mo.	15 /mo.	

\* Adjustment made to reflect actual number of cases (appeals) by case number pending at LIRC. Pending counts in prior years reflected number of files pending at LIRC.

**LABOR AND INDUSTRY REVIEW COMMISSION  
2014  
WORKERS COMPENSATION**

**DECISIONS ISSUED BY TYPE OF APPELLANT**

<b>TOTAL DECISIONS - ALL APPELLANTS</b>	<b>181</b>	
<b>Total Applicant Appeals</b>	74	- 41% (of all appeals)
Affirmed (includes modifications)	52 /74	- 70%
Affirmed in part/Reversed in part	3 /74	- 4%
Reversed	1 /74	- 1%
Remand for Approval of Compromise	8 /74	- 11%
Remand for New Findings & Order	1 /74	- 1%
Dismissed/no jurisdiction	7 /74	- 9%
Petition withdrawn	1 /74	- 1%
Other	1 /74	- 1%
 <b>Total Respondent Appeals</b>	 100	 - 55% (of all appeals)
Affirmed (includes modifications)	38 /100	- 38%
Affirmed in part/Reversed in part	8 /100	- 8%
Reversed	20 /100	- 20%
Remand for Approval of Compromise	20 /100	- 20%
Petition withdrawn	3 /100	- 3%
Remand for New Findings & Order	6 /100	- 6%
Other	5 /100	- 5%
 <b>Total Applicant &amp; Respondent Combined Appeals</b>	 6	 - 3% (of all appeals)
Affirmed (includes modifications)	2 /6	- 33%
Affirmed in part/Reversed in part	3 /6	- 50%
Other	1 /6	- 17%
 <b>Appeal by Wis. Supplemental Benefit Fund</b>	 1	 - 1% (of all appeals)
Remand for further proceedings	1 /1	- 100%

**NOTE: Due to rounding, total may not equal 100%.**



**LABOR AND INDUSTRY REVIEW COMMISSION  
2014  
EQUAL RIGHTS**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	5	13	
February	6	11	
March	5	9	
April	6	12	
May	0	8	
June	19	11	
July	8	9	
August	3	6	
September	6	6	
October	4	7	
November	6	8	Pending
December	9	7	End of Year
	<hr/>	<hr/>	
	77	107	39*
	6 /mo.	9 /mo.	

\* Adjustment made to reflect number of cases by case number pending at LIRC.  
Pending counts for prior years reflected number of "files" pending at LIRC.

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Affirmed	37	-	35%
Modified & Affirmed	46	-	43%
Reversed	6	-	6%
Remanded	3	-	3%
Affirm in part/reverse in part	4	-	4%
Reverse in part/remand	4	-	4%
Modify in part/remand	1	-	1%
Dismissed (late petition; no juris.)	3	-	3%
Settled/Withdrawn	3	-	3%

**NOTE: Due to rounding, total may not equal 100%.**

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59% of all decisions issued found no discrimination.  
10% of all decisions issued found discrimination.  
34% of all decisions were settlements, withdrawals, dismissals, or procedural decisions where no determination of discrimination was made by the commission.

**EQUAL RIGHTS TIME LAPSE**

	<u>Total Decisions Issued</u>	<u>Within 90 Days</u>	<u>90-180 Days</u>	<u>180-365 Days</u>	<u>Over 365 Days</u>
January	13	5 - 38%	0 - 0%	1 - 8%	7 - 54%
February	11	2 - 18%	1 - 9%	2 - 18%	6 - 55%
March	9	1 - 11%	1 - 11%	2 - 22%	5 - 56%
April	12	2 - 17%	1 - 8%	0 - 0%	9 - 75%
May	8	1 - 13%	1 - 13%	3 - 38%	3 - 38%
June	11	3 - 27%	1 - 9%	3 - 27%	4 - 36%
July	9	2 - 22%	1 - 11%	1 - 11%	5 - 56%
August	6	1 - 17%	0 - 0%	4 - 67%	1 - 17%
September	6	1 - 17%	0 - 0%	5 - 83%	0 - 0%
October	7	0 - 0%	0 - 0%	6 - 86%	1 - 14%
November	8	1 - 13%	0 - 0%	7 - 88%	0 - 0%
December	7	2 - 29%	2 - 29%	2 - 29%	1 - 14%
	107	21 - 20%	8 - 7%	36 - 34%	42 - 39%

**EQUAL RIGHTS DECISIONS BY ISSUE**

EMPLOYMENT

Retaliation	42
Race	26
Handicap/Disability	25
Sex	24
Age	20
Arrest/Conviction	9
National Origin	7
Color	7
Creed	2
Marital Status	2
Relief only	2
Religion	1

PUBLIC ACCOMMODATION 3

(Some complaints involve more than one issue.)

**LABOR AND INDUSTRY REVIEW COMMISSION  
2014  
UNEMPLOYMENT INSURANCE EMPLOYER TAX OR LIABILITY CASES**

Appeals Received	56
Decisions Issued	58

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Affirmed*	7 - 12%
Modified & Affirmed*	30 - 52%
Reversed	4 - 7%
Affirmed in part/Reversed in part	2 - 3%
Remand	11 - 19%
Dismissed	3 - 5%
Withdrawn	1 - 2%

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

**NOTE: Due to rounding, total may not equal 100%.**



## 2014 COURT STATISTICS

### UNEMPLOYMENT INSURANCE

Total UI Court Decisions	120
Circuit Court	108
Court of Appeals	10
Supreme Court	2
<u>Circuit Court Decisions</u>	108
Affirmed LIRC	49 - 45%
Reversed in part/Affirmed in part	1 - 1%
Remand to LIRC	1 - 1%
Dismissed	57 - 53%
<u>Court of Appeals Decisions</u>	10
Affirmed Circuit Court, Affirmed LIRC	5 - 50%
Affirmed Other	1 - 10%
Reversed Circuit Court; Affirmed LIRC	1 - 10%
Reversed Circuit Court; Reversed LIRC	2 - 20%
Dismissed	1 - 10%
<u>Supreme Court Decisions</u>	2
Petitions Denied	2 - 100%

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### EMPLOYER TAX OR LIABILITY

Total Employer Tax or Liability Court Decisions	6
Circuit Court	6
Court of Appeals	0
Supreme Court	0
<u>Circuit Court Decisions</u>	6
Affirmed LIRC	3 - 50%
Reversed LIRC	1 - 17%
Dismissed	2 - 33%
<u>Court of Appeals Decisions</u>	0
<u>Supreme Court Decisions</u>	0

## 2014 COURT STATISTICS

### WORKERS COMPENSATION

Total WC Court Decisions	29	
Circuit Court	26	
Court of Appeals	3	
Supreme Court	0	
<u>Circuit Court Decisions</u>	26	
Affirmed LIRC	23 -	88%
Dismissed	3 -	12%
<u>Court of Appeals Decisions</u>	3	
Affirmed Circuit Court, Affirmed LIRC	2 -	67%
Reversed Circuit Court, Affirmed LIRC	1 -	33%
<u>Supreme Court Decisions</u>	0	



## 2014 COURT STATISTICS

### EQUAL RIGHTS

Total ER Court Decisions	19
Circuit Court	13
Court of Appeals	5
Supreme Court	1
<u>Circuit Court Decisions</u>	13
Affirmed LIRC	7 - 54%
Dismissed	5 - 38%
Attorney Fees only	1 - 8%
<u>Court of Appeals Decisions</u>	5
Affirmed Circuit Court, Affirmed LIRC	2 - 40%
Affirmed Circuit Court, Affirmed LIRC (Remand to Cir. Ct. decision on Atty. Fees)	1 - 20%
Dismissed	2 - 40%
<u>Supreme Court</u>	1
Affirm Ct. of Appeals; Affirm Cir. Ct.; Affirm LIRC	1 - 100%

**2014**

<u>Program</u>	<u>ALJ Decisions Issued</u>	<u>Appeals to LIRC</u>	<u>Percentage</u>
<b>UNEMPLOYMENT INSURANCE</b>	21,354	2,424	11%
<b>EMPLOYER TAX OR LIABILITY CASES</b>	475	56	12%
<b>WORKERS COMPENSATION</b>	487	191	39%
<b>EQUAL RIGHTS</b>	269 *	77	29%

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

## COMPARISONS BETWEEN YEARS AND PROGRAMS

### UNEMPLOYMENT INSURANCE

	<u>Appeals Received</u>	<u>Decisions Issued</u>	<u>Appeals to Court</u>	
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%
2004	3473	4327	58	1%
2005	2613	2845	84	3%
2006	2305	2303	71	3%
2007	2313	2251	47	2%
2008	2475	2473	60	2%
2009	3135	2680	92	3%
2010	3524	3576	130	4%
2011	3858	3374	133	4%
2012	3093	3460	120	3%
2013	2740	2933	97	3%
2014	2424	2498	95	4%

\*

\* Number of "cases" appealed to court; some cases include multiple hearing numbers.

### EMPLOYER TAX OR LIABILITY

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%
2014	56	58	7	12%

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\* Number of "cases" appealed to court; some cases include multiple hearing numbers.

## COMPARISONS BETWEEN YEARS AND PROGRAMS

### WORKERS COMPENSATION

	<u>Appeals Received</u>	<u>Decisions Issued</u>	<u>Appeals to Court</u>	
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%
2014	190	181	36	20%

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### EQUAL RIGHTS

	<u>Appeals Received</u>	<u>Decisions Issued</u>	<u>Appeals to Court</u>	
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%
2014	77	107	21	20%

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