

**LABOR AND INDUSTRY REVIEW COMMISSION
2015
UNEMPLOYMENT INSURANCE**

	Appeals Filed	Decisions Issued	
January	171	212	
February	160	204	
March	163	169	
April	196	145	
May	102	109	
June	145	102	
July	140	147	
August	142	154	
September	132	134	
October	132	121	
November	126	131	
December	126	145	
	1735	1773	Pending End of Year
	144 /mo.	147 /mo.	260

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

Decisions Issued by Type of Appellant:

Total Claimant Appeals	1420		
Reversed in Favor of Claimant	125	9%	
Total Employer Appeals	343		
Reversed in Favor of Employer	41	12%	
Total Department Appeals	10		
Reversed	6	60%	

80% of LIRC appeals were by Claimants
19% of LIRC appeals were by Employers
1% of LIRC appeals were by Dept. of Workforce Development

<u>LIRC Rulings:</u>	Affirmed	50%
	Modified & Affirmed	17%
	Affirmed in part/Reversed in part	1%
	Reversed	7%
	Remanded	12%
	Dismissed	11%
	Withdrawn	1%

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

**2015
UI TIME LAPSE STATISTICS**

	<u>Decisions Issued</u>	<u>Within 45 Days</u>	<u>Within 75 Days</u>	<u>Over 75 Days</u>
January	212	64 - 30%	177 - 83%	35 - 17%
February	204	82 - 40%	190 - 93%	14 - 7%
March	169	96 - 57%	160 - 95%	9 - 5%
April	145	62 - 43%	134 - 92%	11 - 8%
May	109	21 - 19%	68 - 62%	41 - 38%
June	102	36 - 35%	76 - 75%	26 - 25%
July	147	29 - 20%	75 - 51%	72 - 49%
August	154	57 - 37%	86 - 56%	68 - 44%
September	134	47 - 35%	95 - 71%	39 - 29%
October	121	35 - 29%	69 - 57%	52 - 43%
November	131	51 - 39%	86 - 66%	45 - 34%
December	145	30 - 21%	70 - 48%	75 - 52%
	1773	610 - 34%	1286 - 73%	487 - 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	30	29
February	27	24
March	29	26
April	29	23
May	39	39
June	44	43
July	45	37
August	47	42
September	53	41
October	47	40
November	50	39
December	43	38
Yearly Average	40	38

**LABOR AND INDUSTRY REVIEW COMMISSION
2015
WORKERS COMPENSATION**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	12	17	
February	17	16	
March	25	17	
April	17	17	
May	25	17	
June	16	36	
July	17	25	
August	22	18	
September	15	24	
October	19	16	
November	19	13	
December	<u>10</u>	<u>14</u>	
	214	230	104 Pending at End of Year*
	18 /mo.	19 /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
2015
WORKERS COMPENSATION**

DECISIONS ISSUED BY TYPE OF APPELLANT

TOTAL DECISIONS - ALL APPELLANTS	230	
Total Applicant Appeals	95	- 40% (of all appeals)
Affirmed (includes modifications)	67 /95	- 71%
Affirmed in part/Reversed in part	5 /95	- 5%
Reversed	2 /95	- 2%
Remand for Approval of Compromise	8 /95	- 8%
Remand for New Findings & Order	0 /95	- 0%
Dismissed/no jurisdiction	8 /95	- 8%
Petition withdrawn	4 /95	- 4%
Other	1 /95	- 1%
Total Respondent Appeals	119	- 52% (of all appeals)
Affirmed (includes modifications)	44 /119	- 37%
Affirmed in part/Reversed in part	17 /119	- 14%
Reversed	31 /119	- 26%
Remand for Approval of Compromise	21 /119	- 18%
Petition withdrawn	4 /119	- 3%
Remand for New Findings & Order	2 /119	- 1%
Other	0 /119	- 0%
Total Applicant & Respondent Combined Appeals	11	- 5% (of all appeals)
Affirmed (includes modifications)	4 /11	- 36%
Affirmed in part/Reversed in part	3 /11	- 27%
Other	4 /11	- 36%
Appeal by Wis. Supplemental Benefit Fund	0	- 0% (of all appeals)

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

**LABOR AND INDUSTRY REVIEW COMMISSION
2015
EQUAL RIGHTS**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	5	10	
February	20	15	
March	3	9	
April	7	12	
May	7	8	
June	1	5	
July	11	9	
August	2	5	
September	4	5	
October	7	5	
November	4	6	Pending
December	<u>6</u>	<u>5</u>	End of Year
	77	94	22
	6 /mo.	14 /mo.	

Affirmed	34	-	36%
Modified & Affirmed	37	-	39%
Reversed	4	-	4%
Remanded	8	-	8%
Affirm in part/reverse in part	0	-	0%
Reverse in part/remand	1	-	1%
Modify in part/remand	0	-	0%
Dismissed (late petition; no juris.)	9	-	10%
Settled/Withdrawn	1	-	1%

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

57% of all decisions issued found no discrimination.

12% of all decisions issued found discrimination.

30% 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	10	4 - 40%	5 - 50%	1 - 10%	0 - 0%
February	15	7 - 47%	3 - 20%	5 - 33%	0 - 0%
March	9	5 - 56%	1 - 11%	3 - 33%	0 - 0%
April	12	1 - 8%	7 - 58%	4 - 33%	0 - 0%
May	8	1 - 12%	4 - 50%	3 - 38%	0 - 0%
June	5	1 - 20%	1 - 20%	3 - 60%	0 - 0%
July	9	1 - 11%	4 - 44%	4 - 44%	0 - 0%
August	5	2 - 40%	2 - 40%	1 - 20%	0 - 0%
September	5	1 - 20%	2 - 40%	2 - 40%	0 - 0%
October	5	3 - 60%	1 - 20%	1 - 20%	0 - 0%
November	6	2 - 33%	2 - 33%	2 - 33%	0 - 0%
December	5	2 - 40%	1 - 20%	2 - 40%	0 - 0%
	94	30 - 32%	33 - 35%	31 - 33%	0 - 0%

EQUAL RIGHTS DECISIONS BY ISSUE

EMPLOYMENT

Retaliation	28
Handicap/Disability	25
Race	24
Age	16
Sex	15
Arrest/Conviction	12
National Origin	7
Creed	6
Color	3
Religion	3
Marital Status	1
Relief only	0

PUBLIC ACCOMMODATION 5

(Some complaints involve more than one issue.)

**LABOR AND INDUSTRY REVIEW COMMISSION
2015
UNEMPLOYMENT INSURANCE EMPLOYER TAX OR LIABILITY CASES**

Appeals Received	59
Decisions Issued	46

Affirmed*	2 - 4%
Modified & Affirmed*	36 - 78%
Reversed	1 - 2%
Affirmed in part/Reversed in part	2 - 4%
Remand	3 - 7%
Dismissed	1 - 2%
Withdrawn	1 - 2%

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

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

2015 COURT STATISTICS

UNEMPLOYMENT INSURANCE

Total UI Court Decisions	123
Circuit Court	118
Court of Appeals	5
Supreme Court	0
<u>Circuit Court Decisions</u>	118
Affirmed LIRC	75 - 63%
Reversed LIRC	9 - 8%
In favor of employee (6)	
In favor of employer (2)	
Other (1)	
Reversed in part/Affirmed in part	1 - 1%
Remand to LIRC	2 - 2%
Dismissed	31 - 26%
<u>Court of Appeals Decisions</u>	5
Affirmed Circuit Court, Affirmed LIRC	1 - 20%
Affirmed Other	1 - 20%
Reversed other	1 - 20%
Dismissed	2 - 40%
<u>Supreme Court Decisions</u>	0

EMPLOYER TAX OR LIABILITY

Total Employer Tax or Liability Court Decisions	6
Circuit Court	5
Court of Appeals	1
Supreme Court	0
<u>Circuit Court Decisions</u>	5
Reversed LIRC	2 - 40%
Dismissed	3 - 60%
<u>Court of Appeals Decisions</u>	1
Affirmed Circuit Court, Affirmed LIRC	1 - 100%
<u>Supreme Court Decisions</u>	0

2015 COURT STATISTICS

WORKERS COMPENSATION

Total WC Court Decisions	37	
Circuit Court	27	
Court of Appeals	10	
Supreme Court	0	
<u>Circuit Court Decisions</u>	27	
Affirmed LIRC	15 -	55%
Dismissed	8 -	30%
Reverse in part/affirm in part	1	4%
Remand	3	11%
<u>Court of Appeals Decisions</u>	10	
Affirmed Circuit Court, Affirmed LIRC	6 -	60%
Reversed Circuit Court, Reverse LIRC	2 -	20%
Reversed Circuit Court, Affirm LIRC	1	10%
Dismissed	1	10%
<u>Supreme Court Decisions</u>	0	

2015 COURT STATISTICS

EQUAL RIGHTS

Total ER Court Decisions	28
Circuit Court	24
Court of Appeals	3
Supreme Court	1
<u>Circuit Court Decisions</u>	24
Affirmed LIRC	11 - 46%
Dismissed	12 - 50%
Reversed LIRC	1 - 4%
<u>Court of Appeals Decisions</u>	3
Affirmed Circuit Court, Affirmed LIRC	1 - 33%
Dismissed	2 - 67%
<u>Supreme Court</u>	1
Affirm LIRC in part, remand in part to circuit court for attorney fees	1 - 100%

2015

<u>Program</u>	<u>ALJ Decisions Issued</u>	<u>Appeals to LIRC</u>	<u>Percentage</u>
UNEMPLOYMENT INSURANCE	18,172	1,735	10%
EMPLOYER TAX OR LIABILITY CASES	397	59	15%
WORKERS COMPENSATION	422	214	51%
EQUAL RIGHTS	*239	77	32%

* 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%
2015	1735	1773	48	3%

* 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%
2015	59	46	3	7%

* 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%
2015	214	230	32	14%

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%
2015	77	94	19	20%
