

**LABOR AND INDUSTRY REVIEW COMMISSION
2022
UNEMPLOYMENT INSURANCE**

	Appeals Filed	Decisions Issued	
January	320	403	
February	299	341	
March	350	478	
April	258	166	
May	185	234	
June	149	231	
July	148	220	
August	179	350	
September	124	234	
October	126	366	
November	118	285	
December	121	245	
	2377	3553	Pending End of Year
	198 /mo.	296 /mo.	212

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

Decisions Issued by Type of Appellant:

Total Claimant Appeals	3161		
Reversed in Favor of Claimant	526	17%	
Total Employer Appeals	392		
Reversed in Favor of Employer	21	5%	
Total Department Appeals	0		

89% of LIRC appeals were by Claimants
11% of LIRC appeals were by Employers
0% of LIRC appeals were by Dept. of Workforce Development

<u>LIRC Rulings:</u>	Affirmed	45%
	Modified & Affirmed	9%
	Affirmed in part/Reversed in part	4%
	Reversed	11%
	Remanded	17%
	Dismissed	14%
	Withdrawn	1%

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

2022
UI TIME LAPSE STATISTICS

	<u>Decisions Issued</u>	<u>Within 45 Days</u>	<u>Within 75 Days</u>	<u>Over 75 Days</u>
January	403	12 - 3%	100 - 25%	303 - 75%
February	341	58 - 17%	137 - 40%	204 - 60%
March	478	22 - 5%	95 - 20%	383 - 80%
April	166	25 - 15%	60 - 36%	106 - 64%
May	234	3 - 1%	71 - 30%	163 - 70%
June	231	14 - 6%	75 - 32%	156 - 68%
July	220	5 - 2%	54 - 25%	166 - 75%
August	350	30 - 9%	62 - 18%	288 - 82%
September	234	22 - 9%	57 - 24%	177 - 76%
October	366	19 - 5%	60 - 16%	306 - 84%
November	285	37 - 13%	55 - 19%	230 - 81%
December	245	11 - 4%	54 - 22%	191 - 78%
	<u>3553</u>	<u>258</u> <u>7%</u>	<u>880</u> <u>25%</u>	<u>2673</u> <u>75%</u>

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	94	84
February	91	84
March	76	62
April	85	75
May	94	89
June	105	107
July	114	121
August	108	112
September	111	116
October	89	82
November	67	62
December	47	36
Yearly Average	90	86

**LABOR AND INDUSTRY REVIEW COMMISSION
2022
WORKERS COMPENSATION**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	5	6	
February	4	9	
March	8	7	
April	0	0	
May	10	10	
June	13	10	
July	4	3	
August	4	7	
September	4	4	
October	8	4	
November	5	10	
December	<u>9</u>	<u>10</u>	
	74	80	19 Pending at End of Year*
	6 /mo.	7 /mo.	

*Pending counts prior to 2015 reflected number of files pending at LIRC.

**LABOR AND INDUSTRY REVIEW COMMISSION
2022
WORKERS COMPENSATION**

DECISIONS ISSUED BY TYPE OF APPELLANT

TOTAL DECISIONS - ALL APPELLANTS	80	
Total Applicant Appeals	46	- 56% (of all appeals)
Affirmed (includes modifications)	11	- 24%
Affirmed in part/Reversed in part	4	- 9%
Reversed	8	- 17%
Remand for Approval of Compromise	1	- 2%
Remand for New Findings & Order	7	- 15%
Dismissed/no jurisdiction	8	- 17%
Petition withdrawn	1	- 2%
Dismissed with prejudice	1	2%
Late	3	- 7%
Remand (other)	2	4%
Total Respondent Appeals	32	- 40% (of all appeals)
Affirmed (includes modifications)	15	- 47%
Affirmed in part/Reversed in part	1	- 3%
Reversed	3	- 9%
Remand for Approval of Compromise	10	- 31%
Petition withdrawn	0	- 0%
Remand for New Findings & Order	2	- 6%
Dismissed/no jurisdiction	0	- 0%
Dismissed/prejudice	0	- 0%
Remand (other)	1	3%
Total Applicant & Respondent Combined Appeals	2	- 3% (of all appeals)
Reversed	0	- 0%
Affirmed in part/Reversed in part	2	100%
Affirmed (includes modiciations)	0	0%
Remand for Approval of Compromise	0	0%
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
2022
EQUAL RIGHTS**

	<u>Appeals Received</u>	<u>Decisions Issued</u>	
January	3	7	
February	6	4	
March	4	2	
April	6	4	
May	6	4	
June	5	0	
July	1	7	
August	3	3	
September	6	2	
October	6	8	
November	3	3	Pending
December	9	7	End of Year
	<hr style="width: 100%; border: 0.5px solid black;"/>	<hr style="width: 100%; border: 0.5px solid black;"/>	
	58	51	61
	5 /mo.	4 /mo.	

Affirmed	33	-	65%
Modified & Affirmed	1	-	2%
Reversed	0	-	0%
Remanded	2	-	4%
Affirm in part/reverse in part	0	-	0%
Reverse in part/remand	0	-	0%
Modify in part/remand	0	-	0%
Dismissed (late petition; no juris.)	12	-	24%
Settled/Withdrawn	3	-	6%

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

43% of all decisions issued found no discrimination.

0% of all decisions issued found discrimination.

57% of all decisions were settlements, withdrawals, dismissals, or procedural decisions where no determination of discrimination was made by the commission.

2022 EQUAL RIGHTS TIME LAPSE

	Total Decisions Issued	Within 90 Days	90-180 Days	180-365 Days	Over 365 Days
January	7	0 - 0%	2 - 29%	1 - 14%	4 - 57%
February	4	0 - 0%	2 - 50%	2 - 50%	0 - 0%
March	2	0 - 0%	1 - 50%	1 - 50%	0 - 0%
April	4	0 - 0%	0 - 0%	2 - 50%	2 - 50%
May	4	0 - 0%	1 - 25%	0 - 0%	3 - 75%
June	0	0 - 0%	0 - 0%	0 - 0%	0 - 0%
July	7	0 - 0%	3 - 43%	2 - 28%	2 - 28%
August	3	0 - 0%	1 - 33%	1 - 33%	1 - 33%
September	2	0 - 0%	1 - 50%	0 - 0%	1 - 50%
October	8	0 - 0%	1 - 13%	6 - 75%	1 - 13%
November	3	1 - 33%	1 - 33%	0 - 0%	1 - 33%
December	7	2 - 28%	1 - 14%	0 - 0%	4 - 57%
	51	3 - 6%	14 - 27%	15 - 29%	19 - 37%

EQUAL RIGHTS DECISIONS BY ISSUE

EMPLOYMENT

Retaliation	9
Handicap/Disability	5
Race	10
Age	4
Sex	3
Arrest/Conviction	1
National Origin	1
Pregnancy	1
Color	5
Religion	1
Marital Status	0
Genetic testing	0
Lawful Products	0
Military Status	0

PUBLIC ACCOMMODATION 6

(Some complaints involve more than one issue.)

**LABOR AND INDUSTRY REVIEW COMMISSION
2021
UNEMPLOYMENT INSURANCE EMPLOYER TAX OR LIABILITY CASES**

Appeals Received	31
Decisions Issued	14

Affirmed*	2 -	14%
Modified & Affirmed*	0 -	0%
Reversed	5 -	36%
Affirmed in part/Reversed in part	0 -	0%
Remand	3 -	21%
Dismissed	0 -	0%
Withdrawn	3 -	21%
Late PCR	1 -	7%

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

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

2021 COURT STATISTICS

UNEMPLOYMENT INSURANCE

Total UI Court Decisions	72	
Circuit Court	69	
Court of Appeals	3	
Supreme Court	0	
 <u>Circuit Court Decisions</u>	 69	
Affirmed LIRC	25	36%
Reversed LIRC	3	4%
Remand to LIRC	0	0%
Dismissed	41	59%
Withdrawn	0	0%
 <u>Court of Appeals Decisions</u>	 3	
Affirmed Circuit court, reversed LIRC and L	1	33%
Reversed Circuit Court and LIRC	0	0%
Dismissed	2	67%
Affirmed (pther)	0	0%
 <u>Supreme Court Decisions</u>	 0	
	0	0%

EMPLOYER TAX OR LIABILITY

Total Employer Tax or Liability Court Decisions	1	
Circuit Court	0	0%
Court of Appeals	0	0%
Supreme Court	1	100%
 <u>Circuit Court Decisions</u>	 1	
Affirmed LIRC	0	0%
Reversed LIRC	0	0%
Dismissed	0	0%
Withdrawn	0	0%
 <u>Court of Appeals Decisions</u>	 0	
Affirmed	0	0%
Dismissal	0	0%
 <u>Supreme Court Decisions</u>	 1	100%
Affirmed Appeals Court		

2022 COURT STATISTICS

WORKERS COMPENSATION

Total WC Court Decisions	11
Circuit Court	2
Court of Appeals	6
Supreme Court	3
<u>Circuit Court Decisions</u>	2
Affirmed LIRC	1 - 50%
Dismissed	0 - 0%
Remand to LIRC	1 - 50%
Reverse LIRC	0 - 0%
Affirm/Reverse LIRC	0 - 0%
<u>Court of Appeals Decisions</u>	6
Affirmed Circuit Court, Affirmed LIRC	4 - 67%
Reverse Circuit Court, Affirm LIRC	2 33%
Dismissed	0 0%
<u>Supreme Court Decisions</u>	3
Affirm Court of Appeals, Circuit Court and LIRC	1 33%
Petition Denied	1 33%
Remanded for Compromise consideration	1 33%

2022 COURT STATISTICS

EQUAL RIGHTS

Total ER Court Decisions	6	
Circuit Court	4	
Court of Appeals	1	
Supreme Court	1	
<u>Circuit Court Decisions</u>	4	
Affirmed LIRC	0	0%
Reverse	0	0%
Dismissed	4	100%
<u>Court of Appeals Decisions</u>	1	
Affirm Circuit Court and LIRC	1	100%
<u>Supreme Court</u>	1	
Reversed Circuit Court, reversed LIRC	1	100%

2022

<u>Program</u>	<u>ALJ Decisions Issued</u>	<u>Appeals to LIRC</u>	<u>Percentage</u>
UNEMPLOYMENT INSURANCE	35,442	2,377	7%
EMPLOYER TAX OR LIABILITY CASES	350	31	9%
WORKERS COMPENSATION	372	74	20%
EQUAL RIGHTS	186	58	31%

* 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%
2016	1420	1448	38	3%
2017	1055	993	24	2%*
2018	1021	1016	33	3%*
2019	843	977	31	3%*
2020	1254	1017	26	3%*
2021	3372	2102	41	2%*
2022	2377	3553	90	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%
2016	42	57	8	14%
2017	54	27	0	0%
2018	39	44	5	11%
2019	29	55	13	24%
2020	156	165	2	1%
2021	11	2	2	100%
2022	31	14	0	0%

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%
2016	202	199	29	15%
2017	181	160	30	19%
2018	125	175	24	14%
2019	133	155	24	15%
2020	79	117	20	17%
2021	60	52	4	8%
2022	74	80	7	8%

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%
2016	72	64	13	20%
2017	93	61	10	16%
2018	63	83	8	10%
2019	86	51	8	16%
2020	41	53	11	21%
2021	42	53	4	8%
2022	58	51	10	20%