

## ***Statistics on Appeals and Decisions -- 2001***

These statistics reflect case processing by LIRC in calendar year **2001**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

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### **2001 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**

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#### **Court Cases**

[Unemployment Insurance](#)

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[Workers Compensation](#)

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## General - All Programs

### Appeals to LIRC as percentage of ALJ decisions issued Comparison Between Years

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#### UNEMPLOYMENT INSURANCE (2001)

(1) 2001 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	141	201	
February	165	181	
March	229	154	
April	269	207	
May	246	227	
June	200	211	
July	214	206	
August	215	213	
September	187	185	
October	194	211	
November	195	231	
December	207	156	
	2,462	2,383	368 cases pending at end of year
	205 /mo.	199/mo.	

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(2) 2001 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals            1,605

Reversed in Favor of Claimant-Appellant 52/1,605 3.2%

Total Employer Appeals 770

Reversed in Favor of Employer-Appellant 80/770 10.4%

Total Department Appeals 8

Reversed in Favor of Department-Appellant 5/8 62.5%

67% 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) 2001 - UI TIME LAPSE STATISTICS  
(TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	201	158 - 79%	178 - 89%	23 - 11%
February	181	137 - 76%	156 - 86%	25 - 14%
March	154	125 - 81%	137 - 89%	17 - 11%
April	207	163 - 79%	189 - 91%	18 - 9%
May	227	161 - 71%	208 - 92%	19 - 8%
June	211	149 - 71%	186 - 88%	25 - 12%
July	206	119 - 58%	173 - 84%	33 - 16%
August	213	119 - 56%	168 - 79%	45 - 21%
September	185	111 - 60%	167 - 90%	18 - 10%
October	211	131 - 62%	179 - 85%	32 - 15%
November	231	140 - 61%	178 - 77%	53 - 23%
December	156	86 - 55%	121 - 78%	35 - 22%
	2,383	1,599 - 67%	2,040 - 86%	343 - 14%

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 (2001)**

(1) 2001 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received*	Files Received at LIRC	Decisions Issued	Pending at End of Month**
January	22	44	34	133
February	32	23	33	132
March	27	38	31	128
April	35	21	28	135
May	37	38	35	137
June	33	39	30	140
July	39	29	37	142
August	47	52	48	141
September	39	38	29	151
October	33	34	17	167
November	20	37	33	154
December	24	24	44	134
Total	388	417	399	134
	32/mo.	35/mo.	33/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.

(2) 2001 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Appeals decided on the merits:

Applicant Appeals	133	(43% of appeals decided on the merits)		
Affirmed	115/133	-	86.5%	
Reversed	9/133	-	6.7%	
Modified*	9/133	-	6.7%	
Respondent Appeals	163	(52% of appeals decided on the merits)		
Affirmed	105/163	-	64.4%	
Reversed	26/163	-	15.9%	
Modified*	32/163	-	19.6%	
Applicant AND Respondent Appeal	15	(5% of appeals decided on the merits)		
Affirmed	7/15	-	46.6%	
Reversed	1/15	-	6.6%	
Modified*	7/15	-	46.6%	
Total decided on merits:	311			

Appeals remanded, dismissed, withdrawn:

Remanded for:				
Approval of Compromise	25	-	6% of all appeals	
New Findings & Order	9	-	2%	"
Other	22	-	6%	"
Dismissed with Prejudice	7	-	2%	"
Dismissed/No Jurisdiction	16	-	4%	"
Dismissed/Late Petition	5	-	1%	"
Petition Withdrawn	4	-	1%	"
Total other appeals:	88			

Total appeals:

Appeals decided on the merits: 311  
Appeals remanded, dismissed, withdrawn: 88  
Total: 399

\* Modified--New decisions with major changes in benefits received or changes in periods of disability.

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**EQUAL RIGHTS (2001)**

(1) 2001 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	Pending End of Month
January	9	13	62
February	2	14	50
March	13	6	57
April	3	12	48
May	12	7	53
June	12	8	57
July	11	8	60
August	4	14	50
September	7	8	49
October	4	8	45
November	7	7	45
December	5	7	43
	89	112	43
	7/mo.	9/mo.	

(2) 2001 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmance Decisions	92	82%
Reversal Decisions	4	4%
Dismissals	9	8%
Remand	4	4%
Settled/Withdrawn	3	3%
Total	112	

Results:

50% of all decisions issued found no discrimination

4% of all decisions issued found discrimination

46% of all decisions were settlements, withdrawals, dismissals, or procedural decisions where no determination of discrimination was made.

Issue:

EMPLOYMENT -

Race	31
Handicap/Disability	27
Retaliation	27
Age	22
Sex	16
Arrest/Conviction	13
National origin	4
Color	3
Sexual Orientation	2
Creed	2

Marital Status	1
Religion	1
Relief (Reinstatement, Backpay)	1
<u>PUBLIC ACCOMMODATIONS</u>	2
<u>Failure to State a Claim/ No Cause of Action</u>	3
<u>Complaint not covered by FEA/No jurisdiction</u>	1

(Some complaints involve more than one issue.)

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(3) 2001 - ER TIME LAPSE STATISTICS  
(TIME TAKEN TO ISSUE DECISIONS)

	Total Decisions Issued	Within 90 Days	Within 180 Days	Over 180 Days
January	13	8 - 62%	0 - 0%	5 - 38%
February	14	4 - 29%	1 - 7%	9 - 64%
March	6	0 - 0%	1 - 17%	5 - 83%
April	12	1 - 8%	3 - 25%	8 - 67%
May	7	2 - 29%	1 - 14%	4 - 57%
June	8	4 - 50%	0 - 0%	4 - 50%
July	8	2 - 25%	0 - 0%	6 - 75%
August	14	8 - 57%	1 - 7%	5 - 36%
September	8	2 - 25%	3 - 38%	3 - 38%
October	8	2 - 25%	2 - 25%	4 - 50%
November	7	4 - 57%	2 - 29%	1 - 14%
December	7	2 - 29%	1 - 14%	4 - 57%

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## EMPLOYER TAX OR LIABILITY ("Status") CASES (2001)

Appeals received	28
Decisions issued	35

Of the 35 decisions issued, 1 (3%) was a timeliness case.

### DECISIONS ISSUED, BY RESULT

Affirmed*	30 - 86%
Reversed	3 - 9%
Dismissed	1 - 3%
Withdrawn	1 - 3%

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

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## COURT STATISTICS (2001)

### 2001 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	49	
Circuit Court		37
Court of Appeals		8
Supreme Court		4

Circuit Court Decisions

37

Affirmed LIRC	19 - 51%
Reversed LIRC	1 - 3%
(In favor of employee 1 - 100%)	
Remanded to LIRC	3 - 8%
Dismissed	14 - 38%

Court of Appeals Decisions

8

Affirmed Cir.Court, Affirmed LIRC	6 - 75%
Reversed Cir.Court, Affirmed LIRC	1 - 13%
Remand to Circuit Court	1 - 13%

Supreme Court

4

Petition Denied	4 - 100%
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2001 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")  
COURT DECISIONS

Total Employer Tax or Liability ("Status") Court Decisions 0

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2001 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	77
Circuit Court	45
Court of Appeals	24

Supreme Court(incl. Petitions denied)	8	
<u>Circuit Court Decisions</u>	45	
Affirmed LIRC	33	- 73%
Reversed LIRC	3	- 7%
(In favor of employee	2	- 67%)
(In favor of employer	1	- 33%)
Remanded	1	- 2%
Dismissed	8	- 18%

<u>Court of Appeals Decisions</u>	24	
Aff'd Cir.Court, Aff'd LIRC	20	- 83%
Rev'd Cir.Court, Aff'd LIRC	2	- 8%
Aff'd Cir.Court, Rev'd LIRC	1	- 4%
Rev'd Cir.Court, Rev'd LIRC	1	- 4%

<u>Supreme Court</u>	8	
Petition Denied	6	- 75%
Aff'd Ct.App., Aff'd Cir.Ct., Aff'd LIRC	1	- 13%
Aff'd Cir.Ct., Aff'd LIRC, (No review by Ct.App.)	1	- 13%

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2001 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	22
Circuit Court	13
Court of Appeals	6
Supreme Court	3

Circuit Court Decisions

13

Affirmed LIRC	6 - 46%
Reversed LIRC	1 - 8%
(In favor of employee 1 - 100%)	
Reversed/Remanded	1 - 8%
Dismissed	5 - 38%

Court of Appeals Decisions

6

Aff'd Cir.Court, Aff'd LIRC	1 - 17%
Aff'd Cir.Court, Rev'd LIRC	1 - 17%
Aff'd/rev'd in part Cir.Court, Reinstated LIRC decision	1 - 17%
Dismissed - no jurisdiction	2 - 33%
Voluntary dismissal	1 - 17%

Supreme Court

3

Petition denied	3 - 100%
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**GENERAL (2001)**

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	23,448	2,462	10%
EMPLOYER TAX OR LIABILITY CASES	177	28	16%
WORKERS COMPENSATION	1,377	388	28%

\*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%

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COMPARISONS BETWEEN YEARS AND PROGRAMS - STATUS

	Appeals Received	Decisions Issued	Appeals to Court	%
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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%

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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%

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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%

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