

Statistics on Appeals and Decisions -- 2004

These statistics reflect case processing by LIRC in calendar year **2004**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2004 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 (2004)

(1) 2004 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	332	299	
February	332	496	
March	325	499	
April	322	388	
May	270	337	
June	277	350	
July	259	384	
August	362	337	
September	266	280	
October	275	288	
November	230	369	
December	223	300	
	3,473	4,327	546 cases pending at end of year
	289/mo.	361/mo.	

[[Table of Contents](#)] - [[LIRC Home Page](#)]

(2) 2004 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals 2,696

Reversed in Favor of Claimant-Appellant 297/2,696 11.0%

Total Employer Appeals 1,621

Reversed in Favor of Employer-Appellant 116/1,621 7.2%

Total Department Appeals 10

Reversed in Favor of Department-Appellant 6/10 60.0%

62% of LIRC appeals were by Claimants

37% of LIRC appeals were by Employers

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

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

(3) 2004 - UI TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	299	22 - 7%	54 - 18%	245 - 82%
February	496	83 - 17%	143 - 29%	353 - 71%
March	499	60 - 12%	103 - 21%	396 - 79%
April	388	66 - 17%	135 - 35%	253 - 65%
May	337	52 - 15%	75 - 22%	262 - 78%
June	350	33 - 9%	56 - 16%	294 - 84%
July	384	48 - 13%	138 - 36%	246 - 64%
August	337	54 - 16%	203 - 60%	134 - 40%
September	280	64 - 23%	205 - 73%	75 - 27%
October	288	81 - 28%	164 - 57%	124 - 43%
November	369	159 - 43%	258 - 70%	111 - 30%
December	300	153 - 51%	213 - 71%	87 - 29%
	4,327	875 - 20%	1,747 - 40%	2,580 - 60%

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. (Measurement period for issuing 80% of decisions in 75 days ended in March 2005 and is no longer a DOL desired level of achievement for unemployment insurance decisions.)

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

WORKERS COMPENSATION (2004)

(1) 2004 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	22	25	
February	25	27	
March	35	25	
April	54	29	
May	31	41	
June	29	27	
July	34	35	
August	25	33	
September	33	17	
October	16	23	
November	31	36	
December	26	14	
Total	361	332	275 Pending at End of Year
	30/mo.	28/mo.	

(2) 2004 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Applicant Appeals	143	(43% of all appeals)		
Affirmed (includes modifications)	94/143	-	66%	
Affirmed in part/Reversed in part	7/143	-	7%	
Reversed	14/143	-	17%	
Remand for Approval of Compromise	4/143	-	3%	
Remand/Other	3/143	-	2%	
Dismissed/no jurisdiction	6/143	-	4%	
Dismissed/late petition	4/143	-	3%	
Petition withdrawn	1/143	-	1%	
Total Respondent Appeals	170	(51% of all appeals)		
Affirmed (includes modifications)	94/170	-	55%	
Affirmed in part/Reversed in part	14/170	-	8%	
Reversed	16/170	-	9%	
Remand for Approval of Compromise	27/170	-	16%	
Remand for New Findings & Order	8/170	-	5%	
Remand/Other	3/170	-	2%	
Dismissed/no jurisdiction	2/170	-	1%	
Dismissed/late petition	1/170	-	1%	
Petition withdrawn	5/170	-	3%	
Applicant & Respondent Appeals	19	(6% of all appeals)		
Affirmed (includes modifications)	8/19	-	42%	
Affirmed in part/Reversed in part	1/19	-	5%	
Reversed	2/19	-	11%	
Remand for Approval of Compromise	7/19	-	37%	
Remand for New Findings & Order	0/19	-	0%	
Remand/Other	1/19	-	5%	

EQUAL RIGHTS (2004)

(1) 2004 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	5	11	
February	10	9	
March	7	7	
April	10	9	
May	6	12	
June	4	8	
July	5	6	
August	11	9	
September	14	10	
October	11	11	
November	6	5	Pending
December	8	4	End of Year
	97	101	88
	8/mo.	8/mo.	

(2) 2004 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	79	78%
Reversed	3	3%

Dismissed	7	7%
Reversed & Remanded	6	6%
Settled/Withdrawn	3	3%
Remanded	3	3%
Total	101	

Results:

45% of all decisions issued found no discrimination
 8% of all decisions issued found discrimination
 47% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT -

Handicap/Disability	30
Retaliation	27
Race	27
Sex	18
Age	15
Arrest/Conviction	13
Sexual Orientation	2
Ancestry	2
National Origin	2
Religion	2
Marital Status	1

PUBLIC ACCOMMODATIONS 2

(Some complaints involve more than one issue.)

[[Table of Contents](#)] - [[LIRC Home Page](#)]

(3) 2004 - 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	4	3 - 75%	0 - 0%	0 - 0%	1 - 25%
February	5	1 - 20%	0 - 0%	1 - 20%	3 - 60%
March	11	4 - 36%	2 - 18%	5 - 45%	0 - 0%
April	10	6 - 60%	0 - 0%	2 - 20%	2 - 20%
May	9	2 - 22%	1 - 11%	2 - 22%	4 - 44%
June	6	2 - 33%	0 - 0%	1 - 17%	3 - 50%
July	8	2 - 25%	2 - 25%	3 - 38%	1 - 13%
August	12	1 - 8%	4 - 33%	4 - 33%	3 - 25%
September	9	1 - 11%	2 - 22%	4 - 44%	2 - 22%
October	7	2 - 29%	1 - 14%	3 - 43%	1 - 14%
November	9	1 - 11%	3 - 33%	1 - 11%	4 - 44%
December	11	5 - 45%	2 - 18%	2 - 18%	2 - 18%
	101	30 - 30%	17 - 17%	28 - 28%	26 - 26%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

EMPLOYER TAX OR LIABILITY ("Status") CASES (2004)

Appeals received 22
 Decisions issued 19

Of the 19 decisions issued, 12 (42%) were timeliness cases.

DECISIONS ISSUED, BY RESULT

Affirmed* 16 - 84%

Reversed	1 - 5%
Affirmed/Reversed	1 - 5%
Dismissed	1 - 5%

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

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

COURT STATISTICS (2004)

2004 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	63	
Circuit Court	56	
Court of Appeals	7	
Supreme Court	0	
<u>Circuit Court Decisions</u>	56	
Affirmed LIRC	42 - 75%	
Reversed LIRC	1 - 2%	
(In favor of employer	1 - 100%)	
Dismissed	13 - 23%	
<u>Court of Appeals Decisions</u>	7	
Affirmed Cir.Court, Affirmed LIRC	4 - 57%	
Affirmed - Other	1 - 14%	
Reversed Cir.Court, Affirmed LIRC	1 - 14%	
Dismissed	1 - 14%	

[\[Table of Contents\]](#) - [\[LIRC Home Page\]](#)

2004 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions 3
Circuit Court 1
Court of Appeals 2
Supreme Court 0

Circuit Court Decisions 1

Dismissed 1 - 100%

Court of Appeals Decisions 2

Affirmed Cir.Court, Affirmed LIRC 2 - 100%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

2004 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions 48
Circuit Court 36
Court of Appeals 10
Supreme Court(incl. Petitions denied) 2

Circuit Court Decisions 36

Affirmed LIRC 25 - 69%
Reversed LIRC 2 - 6%
(In favor of employer 2 - 100%)
Affirm in part/Remand 1 - 3%
Remand 1 - 1%

Dismissed 7 - 19%

Court of Appeals Decisions 10

Aff'd Cir.Court, Aff'd LIRC 8 - 80%
Rev'd Cir.Court, Rev'd LIRC 1 - 10%
Dismissed 1 - 10%

Supreme Court 2

Aff'd Ct. App, Aff'd Cir.Court,
Rev'd LIRC 1 - 50%
Aff'd Ct. App, Rev'd Cir.Court,
Rev'd LIRC 1 - 50%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

2004 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions 25
Circuit Court 21
Court of Appeals 3
Supreme Court 1

Circuit Court Decisions 21

Affirmed LIRC 12 - 57%
Affirm in part/Reverse in part 1 - 5%
Dismissed 4 - 19%
Stipulation to Dismiss 4 - 19%

Court of Appeals Decisions 3

Aff'd Cir.Court, Aff'd LIRC 2 - 67%
 Aff'd Cir.Court, Dismissed 1 - 33%

Supreme Court 1

Aff'd Ct. App, Aff'd Cir.Court,
 Aff'd LIRC 1 - 100%

[[Table of Contents](#)] - [[LIRC Home Page](#)]

GENERAL (2004)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	25,086	3,473	14%
EMPLOYER TAX OR LIABILITY CASES	302	22	7%
WORKERS COMPENSATION	1,082	371	34%
EQUAL RIGHTS	335*	97	29%

*Includes Fair Employment and Public Accommodation cases.
 Housing and Family & Medical Leave cases are not appealable
 to LIRC.

[[Table of Contents](#)] - [[LIRC Home Page](#)]

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%
2002	3133	2806	65	2%
2003	3985	3200	57	2%
2004	3473	4327	58	1%

COMPARISONS BETWEEN YEARS AND PROGRAMS - STATUS

	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%

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%

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%

[[Table of Contents](#)] - [[LIRC Home Page](#)]