

Statistics on Appeals and Decisions -- 2006

These statistics reflect case processing by LIRC in calendar year **2006**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2006 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](#)

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Employer Tax or Liability ("Status") Cases

[Number of appeals and decisions issued; results](#)

Court Cases

[Unemployment Insurance](#)

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[Workers Compensation](#)

Equal Rights

General - All Programs

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

UNEMPLOYMENT INSURANCE (2006)

(1) 2006 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	196	206	
February	211	180	
March	216	209	
April	198	180	
May	204	220	
June	206	175	
July	149	172	
August	225	216	
September	176	179	
October	171	174	
November	178	208	
December	175	184	
	2,305	2,303	300 cases pending at end of year
	192/mo.	192/mo.	

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(2) 2006 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	1,553		
Reversed in Favor of Claimant-Appellant	133/1,553		8.6%
Total Employer Appeals	742		
Reversed in Favor of Employer-Appellant	68/742		9.2%
Total Department Appeals	8		
Reversed in Favor of Department-Appellant	4/8		50.0%

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) 2006 - UI TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	206	118 - 57%	179 - 87%	27 - 13%
February	180	103 - 57%	149 - 83%	31 - 17%
March	209	136 - 65%	186 - 89%	23 - 11%
April	180	110 - 61%	161 - 89%	19 - 11%
May	220	111 - 50%	174 - 79%	46 - 21%
June	175	82 - 47%	147 - 84%	28 - 16%
July	172	64 - 37%	137 - 80%	35 - 20%
August	216	77 - 36%	166 - 77%	50 - 23%
September	179	98 - 55%	153 - 85%	25 - 14%
October	174	110 - 63%	154 - 89%	20 - 11%
November	208	95 - 46%	149 - 72%	59 - 28%
December	184	96 - 52%	150 - 82%	34 - 18%

2,303 1,200 - 52% 1,905 - 83% 397 - 17%

U.S. Dept. of Labor desired level of achievement for unemployment insurance is 50% of decisions issued in 45 days . (Proposed, revised DOL standard, to be effective April 1, 2008, is for average age of pending cases not to exceed 40 days.)

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WORKERS COMPENSATION (2006)

(1) 2006 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	27	25	
February	25	25	
March	31	40	
April	15	28	
May	22	24	
June	20	22	
July	14	18	
August	22	26	
September	15	16	
October	21	16	
November	16	18	
December	22	24	
Total	250	282	76 Pending at End of Year
	21/mo.	24/mo.	

(2) 2006 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Applicant Appeals	126	(45% of all appeals)		
Affirmed (includes modifications)	81/126	-	64%	
Affirmed in part/Reversed in part	9/126	-	7%	
Reversed	19/126	-	15%	
Remand for Approval of Compromise	7/126	-	6%	
Remand for New Findings & Order	2/126	-	2%	
Remand/Other	1/126	-	1%	
Dismissed/no jurisdiction	5/126	-	4%	
Dismissed/late petition	1/126	-	1%	
Petition withdrawn	1/126	-	1%	
Total Respondent Appeals	141	(50% of all appeals)		
Affirmed (includes modifications)	90/141	-	64%	
Affirmed in part/Reversed in part	6/141	-	4%	
Reversed	8/141	-	6%	
Remand for Approval of Compromise	25/141	-	18%	
Remand for New Findings & Order	5/141	-	4%	
Remand/Other	2/141	-	1%	
Petition withdrawn	5/141	-	4%	
Applicant & Respondent Appeals	15	(5% of all appeals)		
Affirmed (includes modifications)	5/15	-	33%	
Affirmed in part/Reversed in part	7/15	-	47%	
Reversed	1/15	-	7%	
Remand for Approval of Compromise	2/15	-	13%	

EQUAL RIGHTS (2006)

(1) 2006 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	6	12	
February	5	9	
March	7	8	
April	10	7	
May	4	5	
June	10	4	
July	9	4	
August	10	12	
September	13	7	
October	5	10	
November	6	6	Pending
December	11	7	End of Year
	96	91	53
	8/mo.	8/mo.	

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(2) 2006 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	62	68%
Aff'd in part/Rev'd in part	1	1%
Dismissed	11	12%

Reversed & Remanded	4	4%
Settled/Withdrawn	5	5%
Remanded	6	7%
Split - Aff'd in part, Rev/Remand in part	2	2%
Total	144	

Results:

53% of all decisions issued found no discrimination
 5% of all decisions issued found discrimination
 41% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT -

Retaliation	32
Sex	26
Handicap/Disability	25
Race	24
Age	17
Arrest/Conviction	7
Color	7
National Origin	5
Ancestry	4
Attorney Fees	2
Use of lawful products	2
Marital Status	1
Sexual Orientation	1
<u>PUBLIC ACCOMMODATIONS</u>	2

(Some complaints involve more than one issue.)

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(3) 2006 - 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	12	3 - 25%	3 - 25%	4 - 33%	2 - 17%
February	9	1 - 11%	4 - 44%	2 - 22%	2 - 22%
March	8	5 - 63%	1 - 13%	2 - 25%	0 - 0%
April	7	3 - 43%	1 - 14%	3 - 43%	0 - 0%
May	5	4 - 80%	0 - 0%	1 - 20%	0 - 0%
June	4	0 - 0%	0 - 0%	4 - 100%	0 - 0%
July	4	1 - 25%	1 - 25%	2 - 50%	0 - 0%
August	12	3 - 25%	3 - 25%	5 - 42%	1 - 8%
September	7	6 - 86%	1 - 14%	0 - 0%	0 - 0%
October	10	5 - 50%	1 - 10%	3 - 30%	1 - 10%
November	6	2 - 33%	2 - 33%	2 - 33%	0 - 0%
December	7	1 - 14%	2 - 29%	4 - 57%	0 - 0%
	91	34 - 37%	19 - 21%	32 - 35%	6 - 7%

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2006)

Appeals received	20
Decisions issued	17

DECISIONS ISSUED, BY RESULT

Affirmed*	12 - 71%
Aff'd in part/Rev'd in part	1 - 6%
Reversed	2 - 12%
Withdrawn	2 - 12%

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

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COURT STATISTICS (2006)

2006 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	81	
Circuit Court	53	
Court of Appeals	27	
Supreme Court	1	
<u>Circuit Court Decisions</u>	53	
Affirmed LIRC	27 - 51%	
Reversed LIRC	1 - 2%	
(In favor of employee	1 - 100%)	
Remanded to LIRC	3 - 6%	
Dismissed	22 - 42%	
<u>Court of Appeals Decisions</u>	27	*
Affirmed Cir.Court, Affirmed LIRC	2 - 7%	
Affirmed Cir.Court, Reversed LIRC	21 - 78%	*
Affirmed Other	1 - 4%	
Rev'd Cir.Court, Rev'd LIRC	1 - 4%	
Dismissed	2 - 7%	

* One court of appeals decision involved 21 individual claims

<u>Supreme Court Decisions</u>	1	
Petitions Denied		1 - 100%

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2006 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	2	
Circuit Court		2
<u>Circuit Court Decisions</u>	2	
Affirmed LIRC	1	50%
Dismissed	1	50%

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2006 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	56	
Circuit Court		48
Court of Appeals		8
<u>Circuit Court Decisions</u>	48	
Affirmed LIRC	43	90%
Reversed LIRC	2	4%

(In favor of employer 2 - 100%)
Dismissed 3 - 6%

Court of Appeals Decisions 8

Aff'd Cir.Court, Aff'd LIRC 7 - 88%
Rev'd Cir.Court, Rev'd LIRC 1 - 13%

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2006 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions 32
Circuit Court 23
Court of Appeals 7
Supreme Court 2

Circuit Court Decisions 23

Affirmed LIRC 13 - 57%
Remand 1 - 4%
Dismissed 4 - 17%
Stipulation to Dismiss 5 - 22%

Court of Appeals Decisions 7

Aff'd Cir.Court, Aff'd LIRC 3 - 43%
Aff'd/Rev'd in part Cir.Court;
Aff'd LIRC in entirety 1 - 14%
Reverse Cir.Court dismissal 2 - 29%
Dismissed 1 - 14%

Petitions Denied

2 - 100%

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GENERAL (2006)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	18,288	2,305	13%
EMPLOYER TAX OR LIABILITY CASES	238	20	8%
WORKERS COMPENSATION	706	304	43%
EQUAL RIGHTS	335*	96	29%

*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	%
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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%
2005	2613	2845	84	3%
2006	2305	2303	71	3%

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%
2005	17	29	4	14%
2006	20	17	5	29%

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%
2005	290	455	76	17%
2006	250	282	37	13%

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%
2005	104	144	23	16%
2006	96	91	17	19%

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