

Statistics on Appeals and Decisions -- 2010

These statistics reflect case processing by LIRC in calendar year **2010**. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

2010 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 (2010)

(1) 2010 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	218	324	
February	256	271	
March	278	511	
April	298	195	
May	252	275	
June	306	264	
July	252	328	
August	289	366	
September	330	309	
October	353	269	
November	300	199	
December	392	265	
Year	3,524	3,576	686* cases pending at end of year
	294/mo.	298/mo.	

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

(2) 2010 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,634		
Reversed in Favor of Claimant-Appellant	208/2,634		7.9%
Total Employer Appeals	936		
Reversed in Favor of Employer-Appellant	62/936		6.6%
Total Department Appeals	6		
Reversed in Favor of Department-Appellant	3/6		50%

74% of LIRC appeals were by Claimants
26% of LIRC appeals were by Employers
less than 1% of LIRC appeals were by Dept. of Workforce Development

(3) 2010 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	324	96 - 30%	147 - 45%	177 - 55%
February	271	37 - 14%	66 - 24%	205 - 76%
March	511	78 - 15%	257 - 50%	254 - 50%
April	195	97 - 50%	167 - 86%	28 - 14%
May	275	107 - 39%	237 - 86%	38 - 14%
June	264	93 - 35%	206 - 78%	58 - 22%
July	328	48 - 15%	219 - 67%	109 - 33%

August	366	137 - 37%	326 - 89%	40 - 11%
September	309	215 - 70%	274 - 89%	35 - 11%
October	269	167 - 62%	247 - 92%	22 - 8%
November	199	115 - 58%	180 - 90%	19 - 10%
December	265	64 - 24%	209 - 79%	56 - 21%
Year	3,576	1,254 - 35%	2,535 - 71%	1,041 - 29%

U. S. Department of Labor "time lapse" standard, effective April 1, 2008, is for average age of pending cases not to exceed 40 days.

2010 - UI CASE AGING STATISTICS

	Average age of pending cases	Median
January	61	59
February	53	48
March	33	26
April	36	30
May	41	34
June	43	36
July	38	32
August	33	22
September	29	20
October	29	25
November	37	33
December	37	30
Yearly Average	39	33

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WORKERS COMPENSATION (2010)

(1) 2010 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	23	17	
February	17	17	
March	26	30	
April	20	18	
May	20	30	
June	15	23	
July	15	14	
August	27	17	
September	23	19	
October	12	17	
November	21	14	
December	19	20	
Total	238	236	86 Pending at End of Year
	20/mo.	20/mo.	

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(2) 2010 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

TOTAL APPEALS	236
Total Applicant Appeals	120 (51% of all appeals)

Affirmed (includes modifications)	75/120	-	63%
Affirmed in part/Reversed in part	5/120	-	4%
Reversed	11/120	-	9%
Remand for Approval of Compromise	6/120	-	5%
Dismissed/late petition	1/120	-	1%
Remand for New Findings & Order	3/120	-	3%
Dismissed/no jurisdiction	9/120	-	8%
Remand/Other	5/120	-	4%
Petition withdrawn	5/120	-	4%
Total Respondent Appeals	102	(43% of all appeals)	
Affirmed (includes modifications)	57/102	-	56%
Affirmed in part/Reversed in part	9/102	-	9%
Reversed	3/102	-	3%
Remand for Approval of Compromise	21/102	-	21%
Remand/Other	3/102	-	3%
Petition Withdrawn	5/102	-	5%
Remand for New Findings & Order	3/102	-	3%
Dismissed/Late Petition	1/102	-	1%
Applicant & Respondent Appeals	14	(6% of all appeals)	
Affirmed (includes modifications)	6/14	-	43%
Affirmed in part/Reversed in part	7/14	-	50%
Reversed	1/14	-	7%

NOTE: Because percentages are rounded some totals may exceed 100%

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EQUAL RIGHTS (2010)

(1) 2010 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

Appeals	Decisions
Received	Issued

January	5	3	
February	4	6	
March	20	8	
April	21	8	
May	5	8	
June	6	10	
July	9	8	
August	10	8	
September	14	8	
October	10	7	
November	8	2	Pending
December	17	12	End of Year
	129	88	138
	11/mo.	7/mo.	

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(2) 2010 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
Affirmed	66	75%
Reversed	2	2%
Aff'd in part/Rev'd & Remanded in part	1	1%
Reversed & Remanded	4	5%
Remanded	4	5%
Dismissed (late petition)	6	7%
Settled/Withdrawn	5	6%
Total	88	

(Note: Because percentages are rounded, total exceeds 100%)

Results:

51% of all decisions issued found no discrimination
0% of all decisions issued found discrimination
49% of all decisions were settlements, withdrawals,
dismissals, or procedural decisions where no
determination of discrimination was made by the
commission.

Issue:

EMPLOYMENT

Retaliation	29
Race	24
Sex	19
Handicap/Disability	19
Age	13
Arrest/Conviction	13
Color	6
National Origin	2
Sexual Orientation	2
Ancestry	1
Use of lawful products	1

PUBLIC ACCOMMODATION 6

POST-SECONDARY EDUCATION 1

Some complaints involve more than one issue.)

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(3) 2010 - 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	3	1 - 33%	0 - 0%	2 - 67%	0 - 0%
February	6	0 - 0%	3 - 50%	1 - 17%	2 - 33%
March	8	2 - 25%	0 - 0%	2 - 25%	4 - 50%
April	8	2 - 25%	0 - 0%	4 - 50%	2 - 25%
May	8	2 - 25%	1 - 13%	2 - 25%	3 - 38%
June	10	7 - 70%	1 - 10%	2 - 20%	0 - 0%
July	8	1 - 13%	1 - 13%	2 - 25%	4 - 50%
August	8	1 - 13%	0 - 0%	1 - 13%	6 - 75%
September	8	1 - 13%	1 - 13%	3 - 38%	3 - 38%
October	7	3 - 43%	0 - 0%	1 - 14%	3 - 43%
November	2	1 - 50%	0 - 0%	0 - 0%	1 - 50%
December	12	5 - 42%	0 - 0%	2 - 17%	5 - 42%
	88	26 - 30%	7 - 8%	22 - 25%	33 - 38%

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2010)

Appeals received	15
Decisions issued	15

DECISIONS ISSUED, BY RESULT

Affirmed*	9 - 56%
Reversed	1 - 6%
Aff'd in part/Rev'd in part	2 - 13%
Remand	1 - 6%
Dismissed	1 - 6%

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

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COURT STATISTICS (2010)

2010 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	113		
Circuit Court		104	
Court of Appeals		7	
Supreme Court		2	
<u>Circuit Court Decisions</u>	104		
Affirmed LIRC	59	-	57%
Reversed LIRC	3	-	3%
Remand to LIRC	5	-	5%
Dismissed	37	-	36%
<u>Court of Appeals Decisions</u>	7		
Affirmed Cir.Court, Affirmed LIRC	3	-	43%
Affirmed/Other	1	-	14%
Dismissed	3	-	43%
<u>Supreme Court Decisions</u>	2		
Petition denied	2	-	100%

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2010 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	5		
Circuit Court		2	
Court of Appeals		2	
Supreme Court		1	
<u>Circuit Court Decisions</u>	2		
Affirmed LIRC		1	50%
Dismissed		1	50%
<u>Court of Appeals Decisions</u>	2		
Aff'd Cir. Ct., Aff'd LIRC		1	50%
Rev'd Cir. Ct., Rev'd LIRC		1	50%
<u>Supreme Court Decisions</u>	1		
Dismissed		1	100%

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2010 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions	47		
Circuit Court		27	
Court of Appeals		17	
Supreme Court		3	

Circuit Court Decisions 27

Affirmed LIRC	25 - 93%
Reversed LIRC	2 - 7%

Court of Appeals Decisions 17

Aff'd Cir.Court, Aff'd LIRC	11 - 65%
Aff'd Cir.Court, Rev'd LIRC	1 - 6%
Rev'd Cir.Court, Aff'd LIRC	2 - 12%
Rev'd Cir.Court, Rev'd LIRC	2 - 12%
Aff'd in part/Rev'd in part (Circuit Court & LIRC)	1 - 6%

Supreme Court Decisions 3

Aff'd Cir.Court, Aff'd LIRC*	1 - 33%
Petition Denied	2 - 66%

*Case certified to Supreme Court by Court of Appeals,
no COURT of Appeals decision

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2010 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	9
Circuit Court	7
Court of Appeals	1
Supreme Court	1

Circuit Court Decisions 7

Affirmed LIRC	4 - 57%
Reversed LIRC	2 - 29%
Dismissed	1 - 14%

<u>Court of Appeals Decisions</u>	1	
Aff'd Cir.Court, Aff'd LIRC	1 - 100%	
<u>Supreme Court</u>	1	
Petition Denied	1 - 100%	

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GENERAL (2010)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	30,261	3,524	12%
EMPLOYER TAX OR LIABILITY CASES	260	15	6%
WORKERS COMPENSATION	658	238	36%
EQUAL RIGHTS	400*	122	31%

*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	2,194	1,916	87	4.6%
1990	2,880	2,633	42	1.6%
1991	3,286	3,250	76	2.3%
1992	3,426	3,194	83	2.6%
1993	3,582	3,656	90	2.5%
1994	3,098	3,346	74	2.2%
1995	2,509	2,704	77	2.9%
1996	2,466	2,413	53	2.2%
1997	2,427	2,316	60	2.6%
1998	2,378	2,363	48	2.0%
1999	2,152	2,243	40	1.8%
2000	2,034	2,054	50	2.4%
2001	2,462	2,383	49	2.1%
2002	3,133	2,806	65	2.3%
2003	3,985	3,200	57	1.8%
2004	3,473	4,327	58	1.3%
2005	2,613	2,845	84	3.0%
2006	2,305	2,303	71	3.1%
2007	2,313	2,251	47	2.1%
2008	2,475	2,473	60	2.4%
2009	3,135	2,680	92	3.4%
2010	3,524	3,576	130	3.6%

COMPARISONS BETWEEN YEARS AND PROGRAMS -
STATUS (EMPLOYER TAX OR LIABILITY)

	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%
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%

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%
2007	304	263	38	14%
2008	275	306	60	20%
2009	251	253	42	17%
2010	238	236	37	16%

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%
2007	101	85	12	14%
2008	96	101	16	16%
2009	118	88	10	11%
2010	122	88	15	17%

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