

11hr_SC-LPSUA_sb0207_pt07



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Labor, Public Safety, and Urban
Affairs (SC-LPSUA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (July/2012)



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Statistics on Appeals and Decisions -- 2007

These statistics reflect case processing by LIRC in calendar year 2007. Persons with questions about the statistics in any of these categories are encouraged to contact LIRC.

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2007 LIRC STATISTICS

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UNEMPLOYMENT INSURANCE (2007)

(1) 2007 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Filed | Decisions Issued | |
|-----------|------------------|---------------------|--|
| January | 162 | 162 | |
| February | 155 | 177 | |
| March | 234 | 221 | |
| April | 204 | 172 | |
| May | 225 | 181 | |
| June | 199 | 154 | |
| July | 177 | 175 | |
| August | 178 | 226 | |
| September | 182 | 174 | |
| October | 233 | 222 | |
| November | 174 | 231 | |
| December | 190 | 156 | |
| | 2,313 | 2,251 | 358 cases pending at end of year |
| | 192/mo. | 187/mo. | |

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(2) 2007 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|---|-----------|--|-------|
| Total Claimant Appeals | 1,574 | | |
| Reversed in Favor of Claimant-Appellant | 165/1,574 | | 10.5% |
| Total Employer Appeals | 673 | | |
| Reversed in Favor of Employer-Appellant | 62/673 | | 9.2% |
| Total Department Appeals | 4 | | |
| Reversed in Favor of Department-Appellant | 2/4 | | 50.0% |

70% of LIRC appeals were by Claimants
 30% of LIRC appeals were by Employers
 Less than 1% of LIRC appeals were by Dept. of Workforce Development

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(3) 2007 - UI TIME LAPSE STATISTICS
(TIME TAKEN TO ISSUE DECISIONS)

| | Decisions Issued | within 45 Days | within 75 Days | Over 75 Days |
|-----------|---------------------|-------------------|-------------------|-----------------|
| January | 162 | 104 - 64% | 143 - 88% | 19 - 12% |
| February | 177 | 94 - 53% | 148 - 84% | 29 - 16% |
| March | 221 | 128 - 58% | 180 - 81% | 41 - 19% |
| April | 172 | 121 - 70% | 156 - 91% | 16 - 9% |
| May | 181 | 102 - 56% | 166 - 92% | 15 - 8% |
| June | 154 | 74 - 48% | 123 - 80% | 31 - 20% |
| July | 175 | 44 - 25% | 105 - 60% | 70 - 40% |
| August | 226 | 30 - 13% | 142 - 63% | 84 - 37% |
| September | 174 | 56 - 32% | 136 - 78% | 38 - 22% |
| October | 222 | 82 - 37% | 156 - 70% | 66 - 30% |
| November | 231 | 134 - 58% | 201 - 87% | 30 - 13% |
| December | 156 | 88 - 56% | 127 - 81% | 29 - 19% |
| | 2,251 | 1,057 - 47% | 1,783 - 79% | 468 - 21% |

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

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WORKERS COMPENSATION (2007)

(1) 2007 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued | |
|-----------|---------------------|---------------------|-------------------------------|
| January | 39 | 20 | |
| February | 21 | 30 | |
| March | 29 | 22 | |
| April | 20 | 18 | |
| May | 26 | 25 | |
| June | 32 | 15 | |
| July | 25 | 32 | |
| August | 32 | 15 | |
| September | 23 | 24 | |
| October | 27 | 18 | |
| November | 17 | 27 | |
| December | 13 | 17 | |
| Total | 304 | 263 | 117 Pending at End of Year |
| | 25/mo. | 22/mo. | |

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(2) 2007 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|-----------------------------------|--------|----------------------|-----|
| TOTAL APPEALS | 263 | | |
| | | | |
| Total Applicant Appeals | 121 | (46% of all appeals) | |
| Affirmed (includes modifications) | 79/121 | - | 65% |
| Affirmed in part/Reversed in part | 6/121 | - | 5% |
| Reversed | 16/121 | - | 13% |
| Remand for Approval of Compromise | 13/121 | - | 11% |
| Remand for New Findings & Order | 2/121 | - | 2% |
| Dismissed/no jurisdiction | 2/121 | - | 2% |
| Petition withdrawn | 3/121 | - | 2% |
| | | | |
| Total Respondent Appeals | 125 | (48% of all appeals) | |
| Affirmed (includes modifications) | 75/125 | - | 60% |
| Affirmed in part/Reversed in part | 12/125 | - | 10% |
| Reversed | 4/125 | - | 3% |
| Remand for Approval of Compromise | 26/125 | - | 21% |
| Remand for New Findings & Order | 4/125 | - | 3% |
| Remand/Other | 3/125 | - | 2% |
| Dismissed/late petition | 1/125 | - | 1% |
| | | | |
| Applicant & Respondent Appeals | 17 | (6% of all appeals) | |
| Affirmed (includes modifications) | 6/17 | - | 35% |
| Affirmed in part/Reversed in part | 5/17 | - | 29% |
| Reversed | 3/17 | - | 18% |
| Remand for Approval of Compromise | 2/17 | - | 12% |
| Dismissed w/prejudice | 1/17 | - | 6% |

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EQUAL RIGHTS (2007)

(1) 2007 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued |
|-----------|---------------------|---------------------|
| January | 6 | 8 |
| February | 8 | 8 |
| March | 15 | 7 |
| April | 7 | 10 |
| May | 10 | 8 |
| June | 3 | 5 |
| July | 13 | 12 |
| August | 8 | 5 |
| September | 8 | 6 |

| | | | |
|----------|-------|-------|-------------|
| October | 8 | 5 | |
| November | 4 | 5 | Pending |
| December | 11 | 6 | End of Year |
| | 101 | 85 | 69 |
| | 8/mo. | 7/mo. | |

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(2) 2007 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

| Type of Decision | Number | (%) |
|-----------------------------|--------|-----|
| Affirmed | 56 | 66% |
| Reversed | 2 | 2% |
| Aff'd in part/Rev'd in part | 1 | 1% |
| Reversed & Remanded | 6 | 7% |
| Remanded | 7 | 8% |
| Dismissed (late petition) | 7 | 8% |
| Dismissed (other) | 1 | 1% |
| Settled/Withdrawn | 5 | 6% |
| Total | 85 | |

Results:

53% of all decisions issued found no discrimination
 5% of all decisions issued found discrimination
 42% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT-

| | |
|---------------------|----|
| Retaliation | 30 |
| Age | 24 |
| Race | 21 |
| Sex | 20 |
| Handicap/Disability | 14 |
| Arrest/Conviction | 9 |
| Color | 6 |
| National Origin | 3 |
| Marital Status | 2 |
| Sexual Orientation | 1 |
| Creed | 1 |

PUBLIC ACCOMMODATIONS 4

(Some complaints involve more than one issue.)

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(3) 2007 - 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 | 8 | 2 - 25% | 4 - 50% | 2 - 25% | 0 - 0% |
| February | 8 | 3 - 38% | 1 - 13% | 3 - 38% | 1 - 13% |
| March | 7 | 3 - 43% | 2 - 29% | 2 - 29% | 0 - 0% |
| April | 10 | 7 - 70% | 0 - 0% | 3 - 30% | 0 - 0% |
| May | 8 | 3 - 38% | 2 - 25% | 3 - 38% | 0 - 0% |
| June | 5 | 2 - 40% | 0 - 0% | 3 - 60% | 0 - 0% |
| July | 12 | 1 - 8% | 3 - 25% | 6 - 50% | 2 - 17% |
| August | 5 | 2 - 40% | 0 - 0% | 1 - 20% | 2 - 40% |
| September | 6 | 1 - 17% | 2 - 33% | 3 - 50% | 0 - 0% |
| October | 5 | 2 - 40% | 1 - 20% | 2 - 40% | 0 - 0% |
| November | 5 | 0 - 0% | 0 - 0% | 5 - 100% | 0 - 0% |
| December | 6 | 1 - 17% | 2 - 33% | 2 - 33% | 1 - 17% |
| | 85 | 27 - 32% | 17 - 20% | 35 - 41% | 6 - 7% |

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2007)

| | |
|------------------|----|
| Appeals received | 36 |
| Decisions issued | 30 |

DECISIONS ISSUED, BY RESULT

| | |
|-----------------------------|----------|
| Affirmed* | 21 - 70% |
| Aff'd in part/Rev'd in part | 1 - 3% |
| Withdrawn | 2 - 7% |
| Remand | 2 - 7% |
| Dismissed | 4 - 13% |

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

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COURT STATISTICS (2007)
2007 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

| | | |
|-------------------------------------|----|-------|
| Total UI Court Decisions | 54 | |
| Circuit Court | | 49 |
| Court of Appeals | | 5 |
| | | |
| <u>Circuit Court Decisions</u> | 49 | |
| Affirmed LIRC | 33 | - 67% |
| Reversed LIRC | 1 | - 2% |
| (In favor of employer 1 - 100%) | | |
| Remanded to LIRC | 4 | - 8% |
| Dismissed | 11 | - 22% |
| | | |
| <u>Court of Appeals Decisions</u> | 5 | |
| Affirmed Cir.Court, Affirmed LIRC | 3 | - 60% |
| Rev'd Cir.Court | 1 | - 20% |
| (Cir. Ct. remanded to LIRC) | | |
| Rev'd Cir.Court | 1 | - 20% |
| (Cir. Ct. rev'd in pt, aff'd in pt) | | |

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2007 -- UI EMPLOYER TAX OR LIABILITY ("STATUS") COURT DECISIONS

| | | |
|---|---|-------|
| Total Employer Tax or Liability Court Decisions | 3 | |
| Circuit Court | | 3 |
| | | |
| <u>Circuit Court Decisions</u> | 3 | |
| Affirmed LIRC | 2 | - 67% |
| Remanded to LIRC | 1 | - 33% |

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2007 -- WORKERS COMPENSATION COURT DECISIONS

| | | |
|--------------------------|----|----|
| Total WC Court Decisions | 50 | |
| Circuit Court | | 35 |
| Court of Appeals | | 12 |

| | | |
|-----------------------------------|----|-------|
| Supreme Court | 3 | |
| <u>Circuit Court Decisions</u> | 35 | |
| Affirmed LIRC | 34 | - 97% |
| Dismissed | 1 | - 3% |
| <u>Court of Appeals Decisions</u> | 12 | |
| Aff'd Cir.Court, Aff'd LIRC | 10 | - 83% |
| Rev'd Cir.Court, Aff'd LIRC | 1 | - 8% |
| Dismissed | 1 | - 8% |
| <u>Supreme Court Decisions</u> | 3 | |
| Aff'd Cir.Court, Aff'd LIRC* | 1 | - 33% |
| Petition Denied | 2 | - 67% |

* Court of Appeals certified case to Supreme Court

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2007 -- EQUAL RIGHTS COURT DECISIONS

| | | |
|---|----|-------|
| Total ER Court Decisions | 29 | |
| Circuit Court | 14 | |
| Court of Appeals | 8 | |
| Supreme Court | 7 | |
| <u>Circuit Court Decisions</u> | 14 | |
| Affirmed LIRC | 6 | - 43% |
| Reversed LIRC | 1 | - 7% |
| Dismissed | 6 | - 43% |
| Voluntary Dismissal | 1 | - 7% |
| <u>Court of Appeals Decisions</u> | 8 | |
| Aff'd Cir.Court, Aff'd LIRC | 3 | - 38% |
| Aff'd Cir.Court, Rev'd LIRC | 1 | - 13% |
| Aff'd Cir.Court dismissal | 2 | - 25% |
| Dismissed | 2 | - 25% |
| <u>Supreme Court</u> | 7 | |
| Aff'd Ct. App., Cir.Ct, LIRC | 1 | - 14% |
| Modf'd/aff'd Ct.App, Rev'd Cir.Ct. in part, rev'd LIRC | 1 | - 14% |
| Petition Denied | 5 | - 71% |

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GENERAL (2007)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

| Program | ALJ Decisions Issued | Appeals to LIRC | (%) |
|---------------------------------|-------------------------|--------------------|-----|
| UNEMPLOYMENT INSURANCE | 19,859 | 2,313 | 12% |
| EMPLOYER TAX OR LIABILITY CASES | 292 | 36 | 12% |
| WORKERS COMPENSATION | 903 | 263 | 29% |
| EQUAL RIGHTS | 369* | 101 | 27% |

*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% |
| 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% |

 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% |
| 2007 | 36 | 30 | 5 | 17% |

 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% |

COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

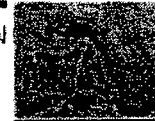
| | Appeals Received | Decisions Issued | Appeals to Court | % |
|------|---------------------|---------------------|---------------------|-----|
| 1989 | 78 | 71 | 19 | 27% |
| 1990 | 128 | 92 | 14 | 15% |
| 1991 | 121 | 119 | 18 | 15% |
| 1992 | 103 | 113 | 22 | 19% |
| 1993 | 116 | 115 | 28 | 24% |
| 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% |

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LABOR AND INDUSTRY REVIEW COMMISSION



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State of Wisconsin

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Statistics on Appeals and Decisions -- 2008

These statistics reflect case processing by LIRC in calendar year 2008. Persons with questions about the statistics in any of these categories are encouraged to [contact LIRC](#).

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2008 LIRC STATISTICS

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Workers Compensation

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UNEMPLOYMENT INSURANCE (2008)

(1) 2008 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Filed | Decisions Issued | |
|-----------|------------------|---------------------|--|
| January | 164 | 225 | |
| February | 196 | 182 | |
| March | 220 | 239 | |
| April | 242 | 173 | |
| May | 209 | 217 | |
| June | 172 | 162 | |
| July | 214 | 165 | |
| August | 233 | 198 | |
| September | 207 | 196 | |
| October | 240 | 236 | |
| November | 166 | 288 | |
| December | 212 | 192 | |
| Year | 2,475 | 2,473 | 332 cases pending at end of year |
| | 206/mo. | 206/mo. | |

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(2) 2008 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|---|-----------|--|-------|
| Total Claimant Appeals | 1,670 | | |
| Reversed in Favor of Claimant-Appellant | 159/1,670 | | 9.5% |
| | | | |
| Total Employer Appeals | 777 | | |
| Reversed in Favor of Employer-Appellant | 61/777 | | 7.8% |
| | | | |
| Total Department Appeals | 26 | | |
| Reversed in Favor of Department-Appellant | 16/26 | | 61.5% |

68% of LIRC appeals were by Claimants
 31% of LIRC appeals were by Employers
 1% of LIRC appeals were by Dept. of Workforce Development

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(3) 2008 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

| | Decisions Issued | within 45 Days | within 75 Days | Over 75 Days |
|----------|---------------------|-------------------|-------------------|-----------------|
| January | 225 | 139 - 62% | 185 - 82% | 40 - 18% |
| February | 182 | 120 - 66% | 153 - 84% | 29 - 16% |
| March | 239 | 136 - 57% | 175 - 73% | 64 - 27% |
| April | 173 | 137 - 79% | 169 - 98% | 4 - 2% |
| May | 217 | 115 - 53% | 198 - 91% | 19 - 9% |
| June | 162 | 84 - 52% | 144 - 89% | 18 - 11% |

| | | | | |
|-----------|-------|-------------|-------------|-----------|
| July | 165 | 76 - 46% | 124 - 75% | 41 - 25% |
| August | 198 | 41 - 21% | 128 - 65% | 70 - 35% |
| September | 196 | 94 - 48% | 146 - 74% | 50 - 26% |
| October | 236 | 91 - 39% | 177 - 75% | 59 - 25% |
| November | 288 | 78 - 27% | 217 - 75% | 71 - 25% |
| December | 192 | 71 - 37% | 172 - 90% | 20 - 10% |
| Year | 2,473 | 1,182 - 48% | 1,988 - 80% | 485 - 20% |

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

2008 - UI CASE AGING STATISTICS

| | Average age of pending cases | Median |
|----------------|---------------------------------|--------|
| January | 42 | 36 |
| February | 42 | 24 |
| March | 27 | 20 |
| April | 30 | 23 |
| May | 31 | 26 |
| June | 39 | 33 |
| July | 38 | 31 |
| August | 35 | 30 |
| September | 38 | 34 |
| October | 40 | 32 |
| November | 37 | 31 |
| December | 39 | 29 |
| Yearly Average | 37 | 29 |

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WORKERS COMPENSATION (2008)

(1) 2008 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued | |
|-----------|---------------------|---------------------|------------------------------|
| January | 35 | 29 | |
| February | 21 | 22 | |
| March | 23 | 26 | |
| April | 26 | 26 | |
| May | 20 | 31 | |
| June | 15 | 22 | |
| July | 17 | 20 | |
| August | 25 | 28 | |
| September | 34 | 24 | |
| October | 19 | 21 | |
| November | 21 | 26 | |
| December | 19 | 31 | |
| Total | 275 | 306 | 86 Pending at End of Year |

23/mo.

26/mo.

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(2) 2008 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|---|--------|---|-----|
| TOTAL APPEALS | 306 | | |
| Total Applicant Appeals 146 (48% of all appeals) | | | |
| Affirmed (includes modifications) | 84/146 | - | 58% |
| Affirmed in part/Reversed in part | 13/146 | - | 9% |
| Reversed | 19/146 | - | 13% |
| Remand for Approval of Compromise | 15/146 | - | 10% |
| Dismissed/late petition | 5/146 | - | 3% |
| Remand for New Findings & Order | 4/146 | - | 3% |
| Dismissed/no jurisdiction | 4/146 | - | 3% |
| Remand/Other | 1/146 | - | 1% |
| Petition withdrawn | 1/146 | - | 1% |
| Total Respondent Appeals 145 (47% of all appeals) | | | |
| Affirmed (includes modifications) | 98/145 | - | 68% |
| Affirmed in part/Reversed in part | 12/145 | - | 8% |
| Reversed | 11/145 | - | 8% |
| Remand for Approval of Compromise | 19/145 | - | 13% |
| Remand for New Findings & Order | 2/145 | - | 1% |
| Remand/Other | 1/145 | - | 1% |
| Dismissed/late petition | 1/145 | - | 1% |
| Petition Withdrawn | 1/145 | - | 1% |
| Applicant & Respondent Appeals 15 (5% of all appeals) | | | |
| Affirmed (includes modifications) | 7/15 | - | 47% |
| Affirmed in part/Reversed in part | 4/15 | - | 27% |
| Reversed | 2/15 | - | 13% |
| Remand for Approval of Compromise | 2/15 | - | 13% |

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EQUAL RIGHTS (2008)

(1) 2008 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued |
|-----------|---------------------|---------------------|
| January | 6 | 2 |
| February | 6 | 16 |
| March | 10 | 8 |
| April | 8 | 9 |
| May | 5 | 13 |
| June | 7 | 7 |
| July | 11 | 8 |
| August | 11 | 9 |
| September | 8 | 9 |

| | | | |
|----------|-------|-------|-------------|
| October | 5 | 9 | |
| November | 10 | 4 | Pending |
| December | 9 | 7 | End of Year |
| | 96 | 101 | 64 |
| | 8/mo. | 8/mo. | |

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(2) 2008 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

| Type of Decision | Number | (%) |
|------------------------------------|--------|-----|
| Affirmed | 71 | 70% |
| Reversed | 2 | 2% |
| Aff'd in part/Rev'd in part | 1 | 1% |
| Reversed & Remanded | 8 | 8% |
| Remanded | 6 | 6% |
| Dismissed (late petition) | 6 | 6% |
| Settled/Withdrawn | 6 | 6% |
| Other (Relief only - new decision) | 1 | 1% |
| Total | 101 | |

Results:

45% of all decisions issued found no discrimination
 4% of all decisions issued found discrimination
 51% of all decisions were settlements, withdrawals,
 dismissals, or procedural decisions where no
 determination of discrimination was made by the
 commission.

Issue:

EMPLOYMENT-

| | |
|------------------------|----|
| Retaliation | 37 |
| Handicap/Disability | 31 |
| Race | 26 |
| Sex | 20 |
| Age | 19 |
| Arrest/Conviction | 17 |
| Color | 6 |
| National Origin | 5 |
| Creed | 5 |
| Sexual Orientation | 3 |
| Ancestry | 2 |
| Marital Status | 1 |
| Religion | 1 |
| Relief only | 1 |
| Use of lawful products | 1 |
| Color of Child | 1 |

(Some complaints involve more than one issue.)

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(3) 2008 - 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 | 2 | 1 - 50% | 0 - 0% | 1 - 50% | 0 - 0% |
| February | 16 | 8 - 50% | 1 - 6% | 6 - 38% | 1 - 6% |
| March | 8 | 1 - 13% | 0 - 0% | 5 - 63% | 2 - 25% |
| April | 9 | 4 - 44% | 1 - 11% | 3 - 33% | 1 - 11% |
| May | 13 | 3 - 23% | 1 - 8% | 8 - 62% | 1 - 8% |
| June | 7 | 2 - 29% | 1 - 14% | 2 - 29% | 2 - 29% |
| July | 8 | 4 - 50% | 2 - 25% | 1 - 13% | 1 - 13% |
| August | 9 | 2 - 22% | 0 - 0% | 5 - 56% | 2 - 22% |
| September | 9 | 5 - 56% | 0 - 0% | 3 - 33% | 1 - 11% |
| October | 9 | 1 - 11% | 1 - 11% | 3 - 33% | 4 - 44% |
| November | 4 | 0 - 0% | 0 - 0% | 3 - 75% | 1 - 25% |
| December | 7 | 2 - 29% | 0 - 0% | 2 - 29% | 3 - 43% |
| | 101 | 33 - 33% | 7 - 7% | 42 - 42% | 19 - 19% |

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2008)

| | |
|------------------|----|
| Appeals received | 18 |
| Decisions issued | 31 |

DECISIONS ISSUED, BY RESULT

| | |
|-----------------------------|----------|
| Affirmed* | 19 - 61% |
| Reversed | 4 - 13% |
| Aff'd in part/Rev'd in part | 1 - 3% |
| Remand | 6 - 19% |
| Dismissed | 1 - 3% |

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

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COURT STATISTICS (2008)

2008 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

| | |
|--------------------------------|----|
| Total UI Court Decisions | 59 |
| Circuit Court | 55 |
| Court of Appeals | 4 |
| <u>Circuit Court Decisions</u> | 55 |

| | |
|---------------|----------|
| Affirmed LIRC | 30 - 55% |
| Dismissed | 25 - 45% |

Court of Appeals Decisions 4

| | |
|-----------------------------------|---------|
| Affirmed Cir.Court, Affirmed LIRC | 2 - 50% |
| Dismissed | 2 - 50% |

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2008 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

| | | |
|---|---|---|
| Total Employer Tax or Liability Court Decisions | 5 | |
| Circuit Court | | 5 |

Circuit Court Decisions 5

| | |
|------------------|---------|
| Affirmed LIRC | 1 - 20% |
| Reversed LIRC | 1 - 20% |
| Remanded to LIRC | 2 - 40% |
| Dismissed | 1 - 20% |

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2008 -- WORKERS COMPENSATION COURT DECISIONS

| | | |
|--------------------------|----|----|
| Total WC Court Decisions | 41 | |
| Circuit Court | | 33 |
| Court of Appeals | | 6 |
| Supreme Court | | 2 |

Circuit Court Decisions 33

| | |
|---------------|----------|
| Affirmed LIRC | 31 - 94% |
| Reversed | 1 - 3% |
| Dismissed | 1 - 3% |

Court of Appeals Decisions 6

| | |
|-----------------------------|---------|
| Aff'd Cir.Court, Aff'd LIRC | 5 - 83% |
| Rev'd Cir.Court, Rev'd LIRC | 1 - 17% |

Supreme Court Decisions 2

| | |
|-----------------|----------|
| Petition Denied | 2 - 100% |
|-----------------|----------|

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2008 -- EQUAL RIGHTS COURT DECISIONS

| | | | |
|-----------------------------------|----|----|------|
| Total ER Court Decisions | 24 | | |
| Circuit Court | | 13 | |
| Court of Appeals | | 9 | |
| Supreme Court | | 2 | |
| | | | |
| <u>Circuit Court Decisions</u> | | 13 | |
| Affirmed LIRC | | 9 | 69% |
| Dismissed | | 2 | 15% |
| Settled | | 1 | 8% |
| Voluntary Dismissal | | 1 | 8% |
| | | | |
| <u>Court of Appeals Decisions</u> | | 9 | |
| Aff'd Cir.Court, Aff'd LIRC | | 5 | 56% |
| Aff'd Cir.Court, Rev'd LIRC | | 1 | 11% |
| Rev'd Cir.Court, Rev'd LIRC | | 1 | 11% |
| Aff'd Cir.Court dismissal | | 1 | 11% |
| Voluntary dismissal | | 1 | 11% |
| | | | |
| <u>Supreme Court</u> | | 2 | |
| Petition Denied | | 2 | 100% |

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GENERAL (2008)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

| Program | ALJ Decisions Issued | Appeals to LIRC | (%) |
|---------------------------------|-------------------------|--------------------|-----|
| UNEMPLOYMENT INSURANCE | 19,676 | 2,475 | 13% |
| EMPLOYER TAX OR LIABILITY CASES | 245 | 18 | 7% |
| WORKERS COMPENSATION | 856 | 275 | 32% |
| EQUAL RIGHTS | 368* | 96 | 26% |

*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% |
| 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% |

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

| | 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% |
| 2007 | 36 | 30 | 5 | 17% |
| 2008 | 18 | 31 | 4 | 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% |

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% |

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State of Wisconsin

LABOR and INDUSTRY REVIEW COMMISSION

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Statistics on Appeals and Decisions -- 2009

These statistics reflect case processing by LIRC in calendar year 2009. Persons with questions about the statistics in any of these categories are encouraged to [contact LIRC](#).

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[\[2005 Statistics\]](#) - [\[2006 Statistics\]](#) - [\[2007 Statistics\]](#) - [\[2008 Statistics\]](#) - [\[2010 Statistics\]](#)

UNEMPLOYMENT INSURANCE (2009)

(1) 2009 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Filed | Decisions Issued | |
|-----------|------------------|---------------------|---|
| January | 182 | 246 | |
| February | 229 | 185 | |
| March | 285 | 242 | |
| April | 312 | 237 | |
| May | 285 | 228 | |
| June | 338 | 186 | |
| July | 285 | 281 | |
| August | 240 | 196 | |
| September | 204 | 215 | |
| October | 238 | 235 | |
| November | 243 | 198 | |
| December | 294 | 231 | |
| Year | 3,135 | 2,680 | 786* cases pending at end of year |
| | 261/mo. | 223/mo. | |

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

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(2) 2009 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|---|-----------|-------|--|
| Total Claimant Appeals | 1,918 | | |
| Reversed in Favor of Claimant-Appellant | 162/1,918 | 8.5% | |
| Total Employer Appeals | 755 | | |
| Reversed in Favor of Employer-Appellant | 59/755 | 7.8% | |
| Total Department Appeals | 7 | | |
| Reversed in Favor of Department-Appellant | 5/7 | 71.5% | |

72% of LIRC appeals were by Claimants
 28% of LIRC appeals were by Employers
 less than 1% of LIRC appeals were by Dept. of Workforce Development

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(3) 2009 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

| | Decisions Issued | within 45 Days | within 75 Days | Over 75 Days |
|-----------|---------------------|-------------------|-------------------|-----------------|
| January | 246 | 79 - 32% | 207 - 84% | 39 - 16% |
| February | 185 | 104 - 56% | 168 - 91% | 17 - 9% |
| March | 242 | 194 - 80% | 226 - 93% | 16 - 7% |
| April | 237 | 192 - 81% | 221 - 93% | 16 - 7% |
| May | 228 | 97 - 43% | 215 - 94% | 13 - 6% |
| June | 186 | 73 - 39% | 158 - 85% | 28 - 15% |
| July | 281 | 94 - 33% | 193 - 69% | 88 - 31% |
| August | 196 | 36 - 18% | 76 - 39% | 120 - 61% |
| September | 215 | 36 - 17% | 53 - 25% | 162 - 75% |
| October | 235 | 27 - 11% | 42 - 18% | 193 - 82% |
| November | 198 | 23 - 12% | 33 - 17% | 165 - 83% |

| | | | | |
|----------|-------|-----------|-------------|-------------|
| December | 231 | 27 - 12% | 59 - 26% | 172 - 74% |
| Year | 2,680 | 982 - 37% | 1,651 - 62% | 1,029 - 38% |

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

2009 - UI CASE AGING STATISTICS

| | Average age of pending cases | Median |
|----------------|------------------------------|--------|
| January | 36 | 29 |
| February | 30 | 19 |
| March | 29 | 22 |
| April | 28 | 23 |
| May | 33 | 31 |
| June | 39 | 34 |
| July | 44 | 38 |
| August | 50 | 47 |
| September | 56 | 56 |
| October | 56 | 53 |
| November | 56 | 48 |
| December | 56 | 49 |
| Yearly Average | 43 | 37 |

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WORKERS COMPENSATION (2009)

(1) 2009 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued | |
|-----------|------------------|------------------|---------------------------|
| January | 30 | 26 | |
| February | 23 | 19 | |
| March | 17 | 24 | |
| April | 23 | 19 | |
| May | 8 | 22 | |
| June | 19 | 22 | |
| July | 28 | 24 | |
| August | 27 | 13 | |
| September | 27 | 37 | |
| October | 12 | 12 | |
| November | 16 | 17 | |
| December | 21 | 18 | |
| Total | 251 | 253 | 84 Pending at End of Year |
| | 21/mo. | 21/mo. | |

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(2) 2009 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

| | | | |
|-----------------------------------|--------|----------------------|-----|
| TOTAL APPEALS | 253 | | |
| Total Applicant Appeals | 113 | (45% of all appeals) | |
| Affirmed (includes modifications) | 69/113 | - | 61% |
| Affirmed in part/Reversed in part | 9/113 | - | 8% |
| Reversed | 14/113 | - | 12% |
| Remand for Approval of Compromise | 4/113 | - | 4% |
| Dismissed/late petition | 2/113 | - | 2% |
| Remand for New Findings & Order | 2/113 | - | 2% |
| Dismissed/no jurisdiction | 8/113 | - | 7% |
| Remand/Other | 1/113 | - | 1% |
| Petition withdrawn | 3/113 | - | 3% |
| Dismissed with prejudice | 1/113 | - | 1% |
| Total Respondent Appeals | 126 | (50% of all appeals) | |
| Affirmed (includes modifications) | 88/126 | - | 70% |
| Affirmed in part/Reversed in part | 4/126 | - | 3% |
| Reversed | 7/126 | - | 6% |
| Remand for Approval of Compromise | 20/126 | - | 16% |
| Remand/Other | 2/126 | - | 2% |
| Petition Withdrawn | 5/126 | - | 4% |
| Applicant & Respondent Appeals | 14 | (6% of all appeals) | |
| Affirmed (includes modifications) | 6/14 | - | 43% |
| Affirmed in part/Reversed in part | 5/14 | - | 36% |
| Reversed | 1/14 | - | 7% |
| Remand for Approval of Compromise | 2/14 | - | 14% |

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

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EQUAL RIGHTS (2009)

(1) 2009 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

| | Appeals Received | Decisions Issued | |
|-----------|---------------------|---------------------|-------------|
| January | 6 | 14 | |
| February | 12 | 7 | |
| March | 7 | 6 | |
| April | 8 | 6 | |
| May | 10 | 8 | |
| June | 7 | 4 | |
| July | 13 | 4 | |
| August | 10 | 8 | |
| September | 10 | 10 | |
| October | 17 | 4 | |
| November | 7 | 7 | Pending |
| December | 11 | 10 | End of Year |
| | 118 | 88 | 94 |
| | 10/mo. | 7/mo. | |

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(2) 2009 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

| Type of Decision | Number | (%) |
|------------------------------|--------|-----|
| Affirmed | 57 | 65% |
| Reversed | 3 | 3% |
| Aff'd in part/Rev'd in part | 1 | 1% |
| Aff'd in part/Remand in part | 1 | 1% |
| Reversed & Remanded | 2 | 2% |
| Remanded | 6 | 7% |
| Dismissed (late petition) | 7 | 8% |
| Settled/Withdrawn | 11 | 13% |
| Total | 88 | |

Results:

42% of all decisions issued found no discrimination
 9% 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 | 31 |
| Race | 22 |
| Sex | 22 |
| Handicap/Disability | 21 |
| Age | 14 |
| Arrest/Conviction | 12 |
| Color | 6 |
| National Origin | 3 |
| Sexual Orientation | 2 |
| Creed | 1 |
| Ancestry | 1 |
| Marital Status | 1 |
| Religion | 1 |
| Use of lawful products | 1 |
| Color of Child | 1 |

PUBLIC ACCOMMODATION 4

(Some complaints involve more than one issue.)

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(3) 2009 - 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 | 14 | 1 - 7% | 6 - 43% | 6 - 43% | 1 - 7% |
| February | 7 | 1 - 14% | 3 - 43% | 2 - 29% | 1 - 14% |
| March | 6 | 2 - 33% | 2 - 33% | 2 - 33% | 0 - 0% |
| April | 6 | 1 - 17% | 0 - 0% | 5 - 83% | 0 - 0% |
| May | 8 | 2 - 25% | 5 - 63% | 0 - 0% | 1 - 13% |
| June | 4 | 3 - 75% | 0 - 0% | 1 - 25% | 0 - 0% |
| July | 4 | 1 - 25% | 1 - 25% | 2 - 50% | 0 - 0% |

| | | | | | |
|-----------|----|----------|----------|----------|----------|
| August | 8 | 3 - 38% | 1 - 13% | 1 - 13% | 3 - 38% |
| September | 10 | 4 - 40% | 2 - 20% | 2 - 20% | 2 - 20% |
| October | 4 | 1 - 25% | 0 - 0% | 2 - 50% | 1 - 25% |
| November | 7 | 3 - 43% | 2 - 29% | 1 - 14% | 1 - 14% |
| December | 10 | 3 - 30% | 0 - 0% | 4 - 40% | 3 - 30% |
| | 88 | 25 - 28% | 22 - 25% | 28 - 32% | 13 - 15% |

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EMPLOYER TAX OR LIABILITY ("Status") CASES (2009)

| | |
|------------------|----|
| Appeals received | 17 |
| Decisions issued | 17 |

DECISIONS ISSUED, BY RESULT

| | |
|-----------|----------|
| Affirmed* | 13 - 76% |
| Reversed | 3 - 18% |
| Remand | 1 - 6% |

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

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COURT STATISTICS (2009)

2009 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

| | | |
|-----------------------------------|----------|--|
| Total UI Court Decisions | 89 | |
| Circuit Court | 83 | |
| Court of Appeals | 5 | |
| Supreme Court | 1 | |
| <u>Circuit Court Decisions</u> | 83 | |
| Affirmed LIRC | 41 - 49% | |
| Reversed LIRC | 2 - 2% | |
| Remand to LIRC | 3 - 3% | |
| Dismissed | 37 - 45% | |
| <u>Court of Appeals Decisions</u> | 5 | |
| Affirmed Cir.Court, Affirmed LIRC | 3 - 60% | |
| Dismissed | 2 - 40% | |
| <u>Supreme Court Decisions</u> | 1 | |
| Petition denied | 1 - 100% | |

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2009 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")
COURT DECISIONS

Total Employer Tax or Liability Court Decisions 5
Circuit Court 5

Circuit Court Decisions 5

| | |
|------------------|---------|
| Affirmed LIRC | 2 - 40% |
| Remanded to LIRC | 1 - 20% |
| Dismissed | 2 - 40% |

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2009 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions 48
Circuit Court 36
Court of Appeals 10
Supreme Court 2

Circuit Court Decisions 36

| | |
|-----------------------------|----------|
| Affirmed LIRC | 27 - 75% |
| Reversed | 2 - 6% |
| Aff'd in part/Rev'd in part | 1 - 3% |
| Remand | 3 - 8% |
| Dismissed | 3 - 8% |

Court of Appeals Decisions 10

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

Supreme Court Decisions 2

| | |
|-----------------|----------|
| Petition Denied | 2 - 100% |
|-----------------|----------|

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2009 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions 16
Circuit Court 14
Court of Appeals 1
Supreme Court 1

Circuit Court Decisions 14

| | |
|-------------------|---------|
| Affirmed LIRC | 9 - 64% |
| Dismissed | 3 - 21% |
| Reversed/Remanded | 1 - 7% |
| Settled | 1 - 7% |

| | |
|-----------------------------------|----------|
| <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 (2009)

APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

| Program | ALJ Decisions Issued | Appeals to LIRC | (%) |
|---------------------------------|----------------------|-----------------|-----|
| UNEMPLOYMENT INSURANCE | 23,978 | 3,135 | 13% |
| EMPLOYER TAX OR LIABILITY CASES | 239 | 17 | 7% |
| WORKERS COMPENSATION | 631 | 251 | 40% |
| EQUAL RIGHTS | 330* | 118 | 36% |

*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% |

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

| | 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% |
| 2007 | 36 | 30 | 5 | 17% |
| 2008 | 18 | 31 | 4 | 13% |
| 2009 | 17 | 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% |
| 2007 | 304 | 263 | 38 | 14% |
| 2008 | 275 | 306 | 60 | 20% |
| 2009 | 251 | 253 | 42 | 17% |

COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

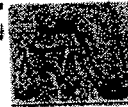
| | Appeals Received | Decisions Issued | Appeals to Court | % |
|------|---------------------|---------------------|---------------------|-----|
| 1989 | 78 | 71 | 19 | 27% |
| 1990 | 128 | 92 | 14 | 15% |
| 1991 | 121 | 119 | 18 | 15% |
| 1992 | 103 | 113 | 22 | 19% |
| 1993 | 116 | 115 | 28 | 24% |
| 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% |
| 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% |

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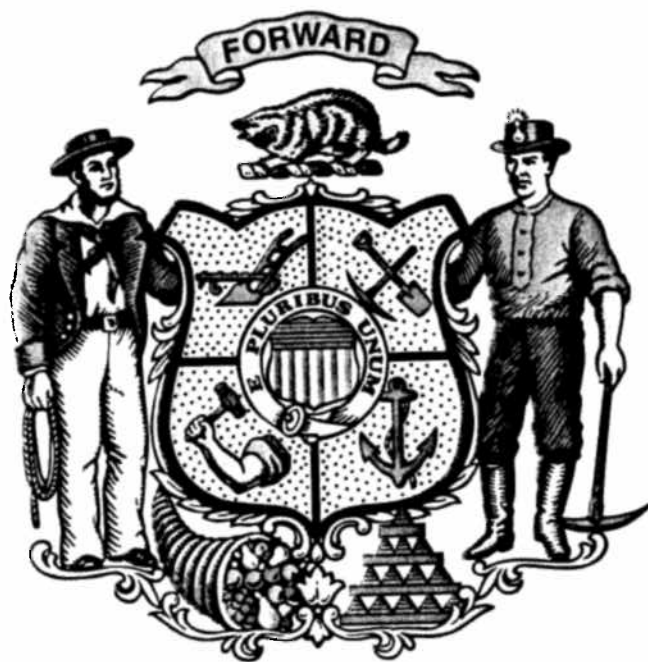
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LABOR AND INDUSTRY REVIEW COMMISSION



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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](#).

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2010 LIRC STATISTICS

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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

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(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

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(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 Received | Decisions 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 | 10 | 12 | End of Year |
| | 122 | 88 | 131 |
| | 10/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% |
| Withdrawn | 2 - 13% |

* 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 |
| <u>Circuit Court Decisions</u> | 27 | |
| Affirmed LIRC | 25 | 93% |
| Reversed LIRC | 2 | 7% |
| <u>Court of Appeals Decisions</u> | 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% |
| <u>Supreme Court Decisions</u> | 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 | |
| | | | |
| <u>Circuit Court Decisions</u> | 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 | % |
|------|---------------------|---------------------|---------------------|-----|
| 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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