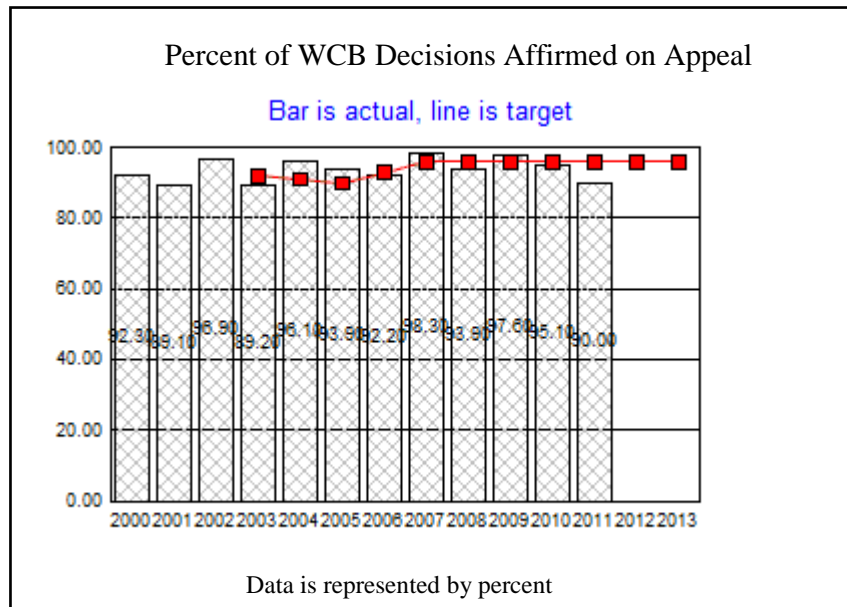


KPM #10	UPHELD WORKERS' COMPENSATION DECISIONS – Percent of Workers' Compensation Board decisions affirmed on appeal to the Judiciary.	2000
Goal	DCBS Goal #1: Protect consumers and workers in Oregon. DCBS Goal #3: Be accountable to the public we serve, with excellent service to our customers.	
Oregon Context	Oregon Benchmark #9: Oregon's national rank in the cost of doing business.	
Data Source	Data captured from Court of Appeals slip opinions.	
Owner	Abbie Herman, Chair, Workers' Compensation Board, 503-378-3308	



1. OUR STRATEGY

Achieve consistent and legally sound decisions by conducting an impartial review of the record and the parties' arguments in light of controlling statutes, applicable

administrative rules, and case precedent.

The Workers' Compensation Board, consisting of five members appointed by the Governor and confirmed by the Senate, provides timely and impartial resolution of disputes arising under the workers' compensation law. The Workers' Compensation Board decides or approves dispositions of approximately 600 to 700 cases per year. Of these cases, a relatively low number, typically 40 to 60, are appealed to the Court of Appeals. A board decision may be appealed to the Court of Appeals if one of the parties believes the decision is in error as a matter of law. Our goal is to achieve substantial justice by providing fair and impartial decisions that are legally sound.

2. ABOUT THE TARGETS

Our target of 96 percent represents a high level of performance by the board and minimal to no reversals of board decisions per year.

3. HOW WE ARE DOING

Of the 60 decisions issued by the Workers' Compensation Board in fiscal year 2011 and appealed to the Court of Appeals, there were only six reversals. The overall affirmation of 90 percent shows the board is serving Oregon's workers' compensation system well by consistently producing sound legal decisions.

4. HOW WE COMPARE

There is limited data available because every jurisdiction has slightly different systems for resolving disputes in its workers' compensation system.

5. FACTORS AFFECTING RESULTS

When WCB decisions are appealed, the Court of Appeals reviews the decision for errors of law and determines whether substantial evidence and reason supports WCB's factual findings and conclusions.

6. WHAT NEEDS TO BE DONE

Board members, with the support of their board review staff, will continue to apply the processes developed for appellate review to issue consistent and legally sound decisions in an efficient manner.

7. ABOUT THE DATA

Data is collected quarterly and reported for the Oregon fiscal year (July 1 – June 30). Data are gathered directly from court decisions and monitored in a monthly report.

To obtain the overall value, we divide the number of WCB rulings affirmed upon appeal to the Court of Appeals by the total number of WCB cases appealed to the Court of Appeals. A link to the court's decisions is available on WCB's website at <http://www.cbs.state.or.us/wcb/contents/coa.htm>.