



Office of Administrative Law Judges

Quarterly Report on Case Inventory for 4th Quarter FY 2023

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Record Closed More Than 12 Months without a Decision

Figure 1. Total Record Closed More Than 12 Months without a Decision by Case Area (As of 30 September 2023)

	Total Record Closed As of 30 September 2022	Total Record Closed As of 30 September 2023
BLACK LUNG BENEFITS ACT	92	73
DEFENSE BASE ACT	38	68
LONGSHORE and HARBOR WORKERS COMPENSATION ACT	15	29
PERMANENT ALIEN LABOR CERTIFICATION	170	43
TEMPORARY ALIEN LABOR CERTIFICATION	0	0
TRADITIONAL	0	1
WHISTLEBLOWER	6	3
OALJ TOTAL	321	217

*** Note:**

For purposes of this reporting requirement, a record closes on the later of the date the hearing was concluded, the transcript was received, post-hearing evidence was due, closing briefs were to be filed, or the date the presiding ALJ issues an order formally closing the record. If a party waives a hearing, the record closes on the date the presiding judge sets for filing of all submissions. In other words, a record is closed when the case is "ready to write."

For detailed list of cases. (Accompanying document – OSEC Quarterly Reporting-FY23-QTR4-Appendices.pdf)

Figure 2. Total Record Closed More Than 12 Months without a Decision by Office (As of 30 September 2023)

	Total Record Closed As of 30 September 2022	Total Record Closed As of 30 September 2023
NATIONAL OFFICE	175	48
WASHINGTON, DC OFFICE	38	64
BOSTON OFFICE	4	2
CHERRY HILL OFFICE	3	0
CINCINNATI OFFICE	11	17
COVINGTON OFFICE	3	0
NEWPORT NEWS OFFICE	25	38
PITTSBURGH OFFICE	32	0
SAN FRANCISCO OFFICE	30	48
OALJ TOTAL	321	217

*** Note:**

For purposes of this reporting requirement, a record closes on the later of the date the hearing was concluded, the transcript was received, post-hearing evidence was due, closing briefs were to be filed, or the date the presiding ALJ issues an order formally closing the record. If a party waives a hearing, the record closes on the date the presiding judge sets for filing of all submissions. In other words, a record is closed when the case is “ready to write.”

For detailed list of cases. (Accompanying document – OSEC Quarterly Reporting-FY23-QTR4-Appendices.pdf)

Pending Cases

Figure 3. Pending Cases More Than 2 years and 3 Years from Date of Docket by Case Area (As of 30 September 2023)

Case Area	Total Pending Cases More Than 2 Years From the Date of Docket As of 30 September 2023	Total Pending Cases More Than 3 Years From the Date of Docket As of 30 September 2023
BLACK LUNG BENEFITS ACT	605	175
DEFENSE BASE ACT	741	81
LONGSHORE AND HARBOR WORKERS COMPENSATION ACT	113	45
PERMANENT ALIEN LABOR CERTIFICATION	7	1
TEMPORARY ALIEN LABOR CERTIFICATION	12	7
TRADITIONAL	25	9
WHISTLEBLOWER	64	37
OALJ TOTAL	1567	355

For detailed list of cases. (Accompanying document – OSEC Quarterly Reporting-FY23-QTR4-Appendices.pdf)

Figure 4. Pending Cases More Than 2 years and 3 Years from Date of Docket by Office (As of 30 September 2023)

	Total Pending Cases More Than 2 Years From the Date of Docket As of 30 September 2023	Total Pending Cases More Than 3 Years From the Date of Docket As of 30 September 2023
NATIONAL OFFICE	273	75
WASHINGTON, DC OFFICE	152	56
BOSTON OFFICE	63	4
CHERRY HILL OFFICE	114	18
CINCINNATI OFFICE	284	69
COVINGTON OFFICE	188	24
NEWPORT NEWS OFFICE	143	28
PITTSBURGH OFFICE	81	30
SAN FRANCISCO OFFICE	269	51
OALJ TOTAL	1567	355

For detailed list of cases. (Accompanying document – OSEC Quarterly Reporting-FY23-QTR4-Appendices.pdf)

Figure 5. Total Pending Cases by Case Area by FY (As of 30 September 2023)

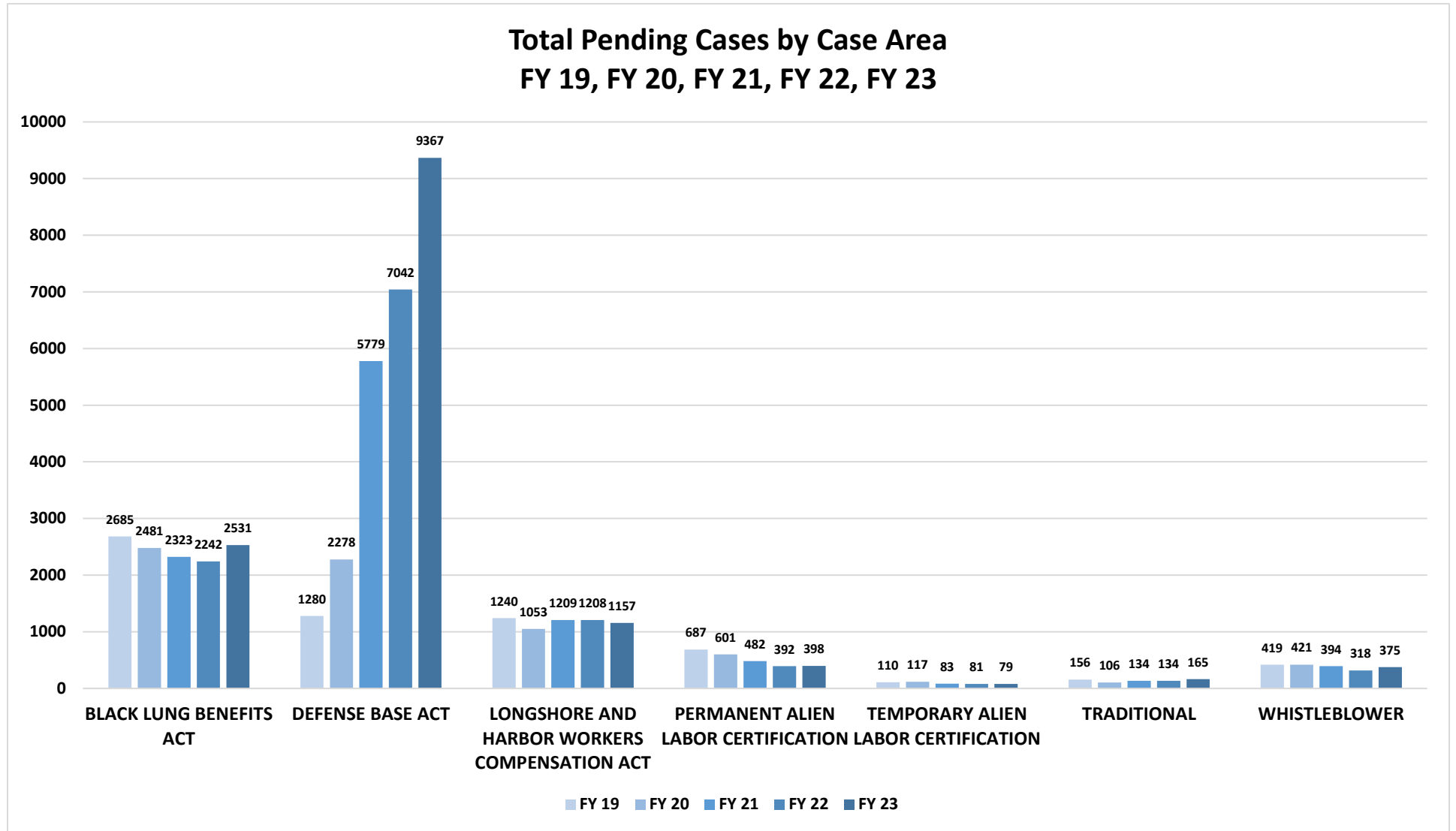
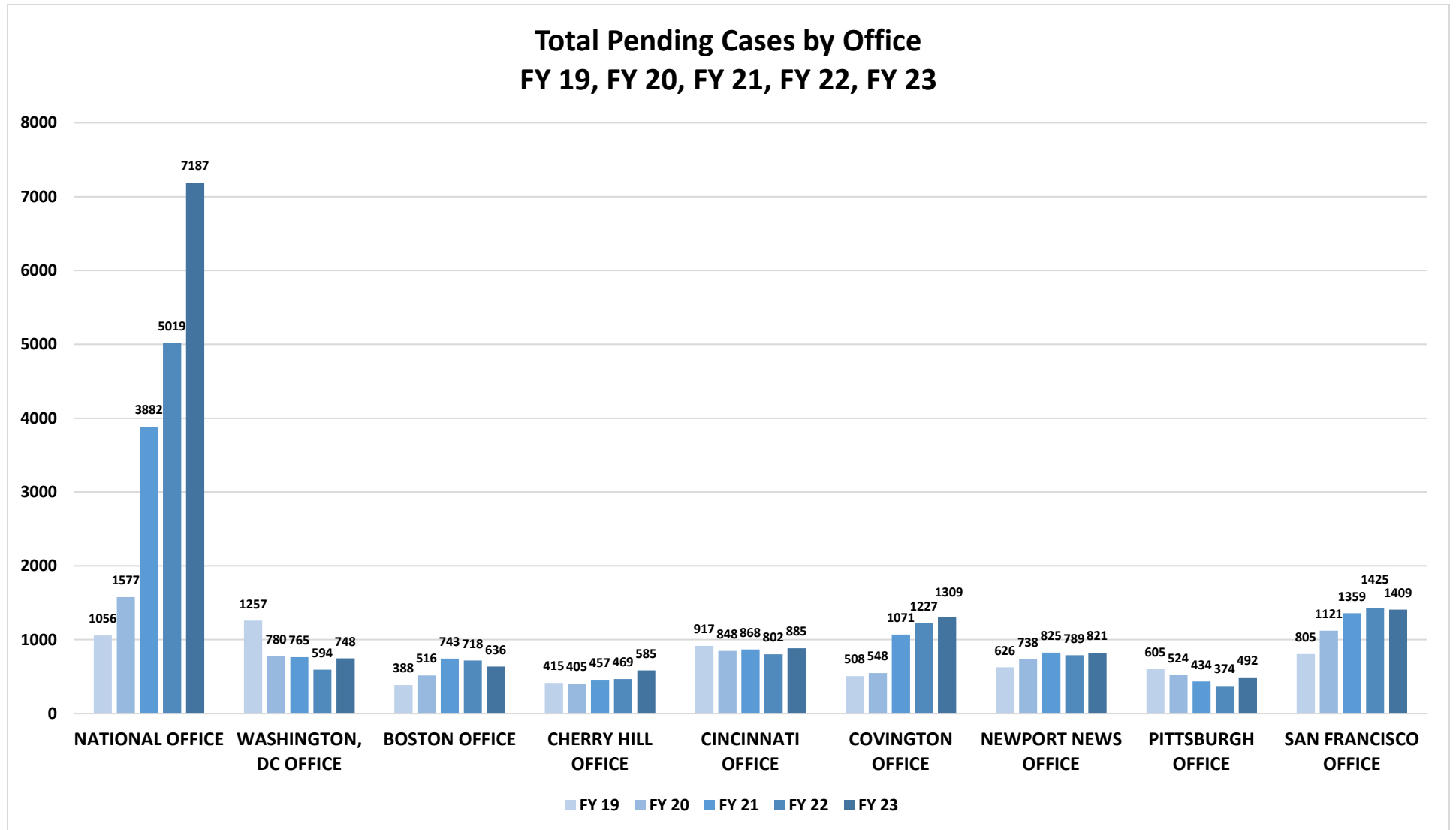


Figure 6. Total Pending Cases by Office by FY (As of 30 September 2023)



Pending Cases Trends

Figure 7. Pending Cases More Than 2 Years from Date of Docket by Agency Year over Year Differences (As of 30 September 2023)

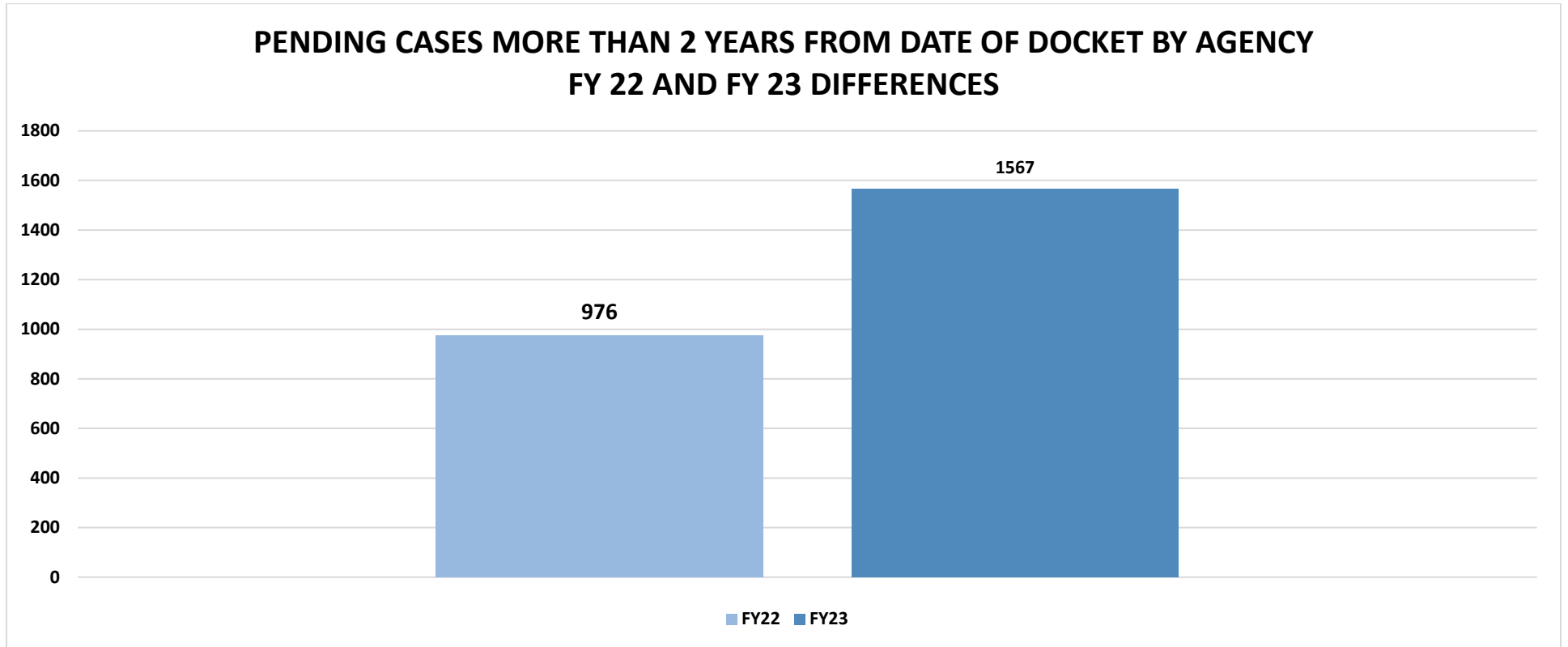


Figure 8. Pending Cases More Than 2 Years from Date of Docket by Office Year over Year Differences (As of 30 September 2023)

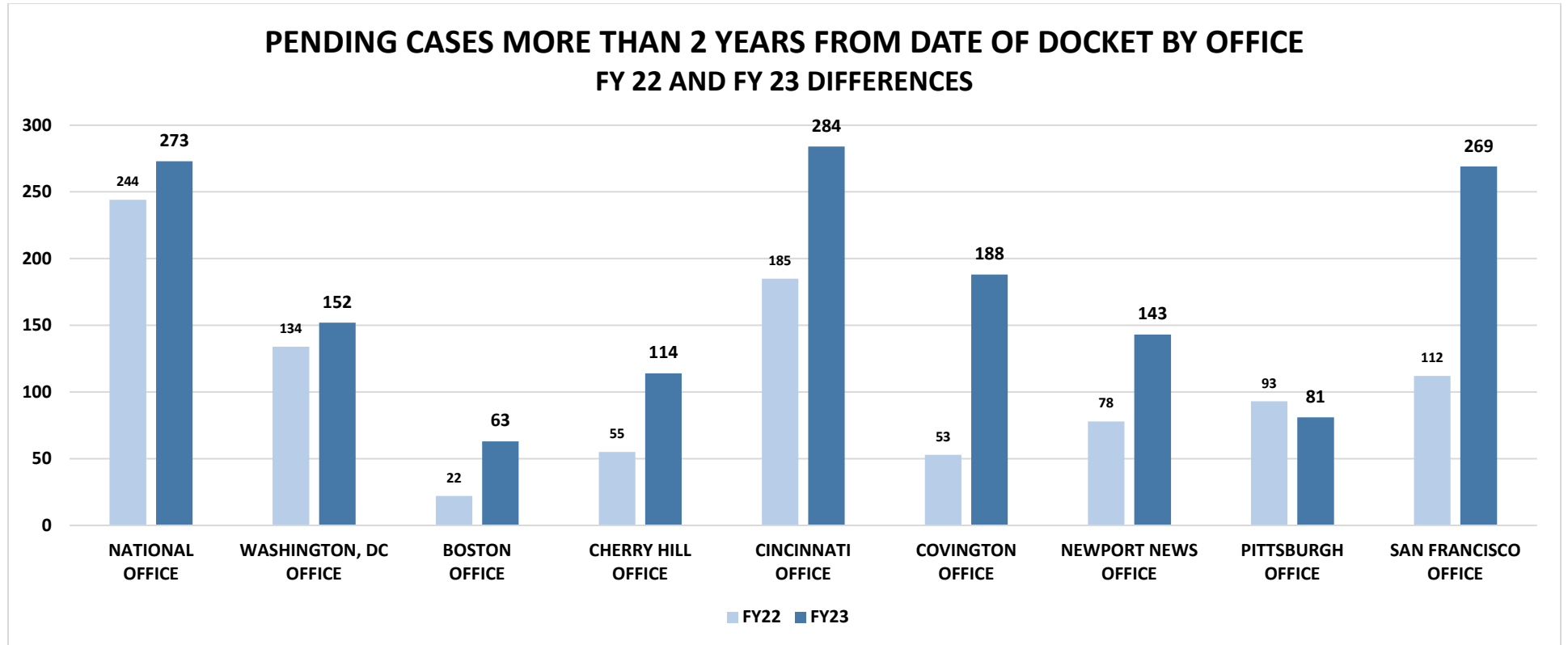


Figure 9. Pending Cases More Than 3 Years from Date of Docket by Agency Year over Year Differences (As of 30 September 2023)

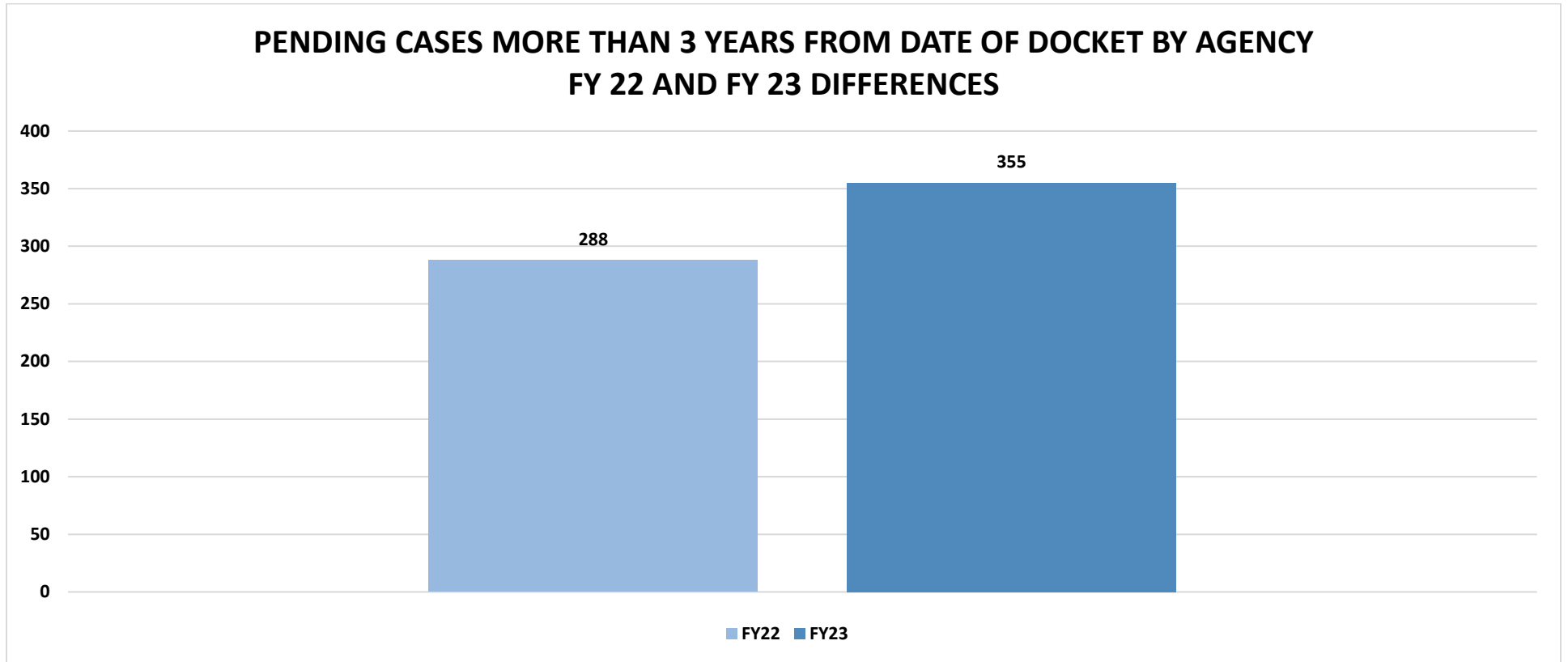
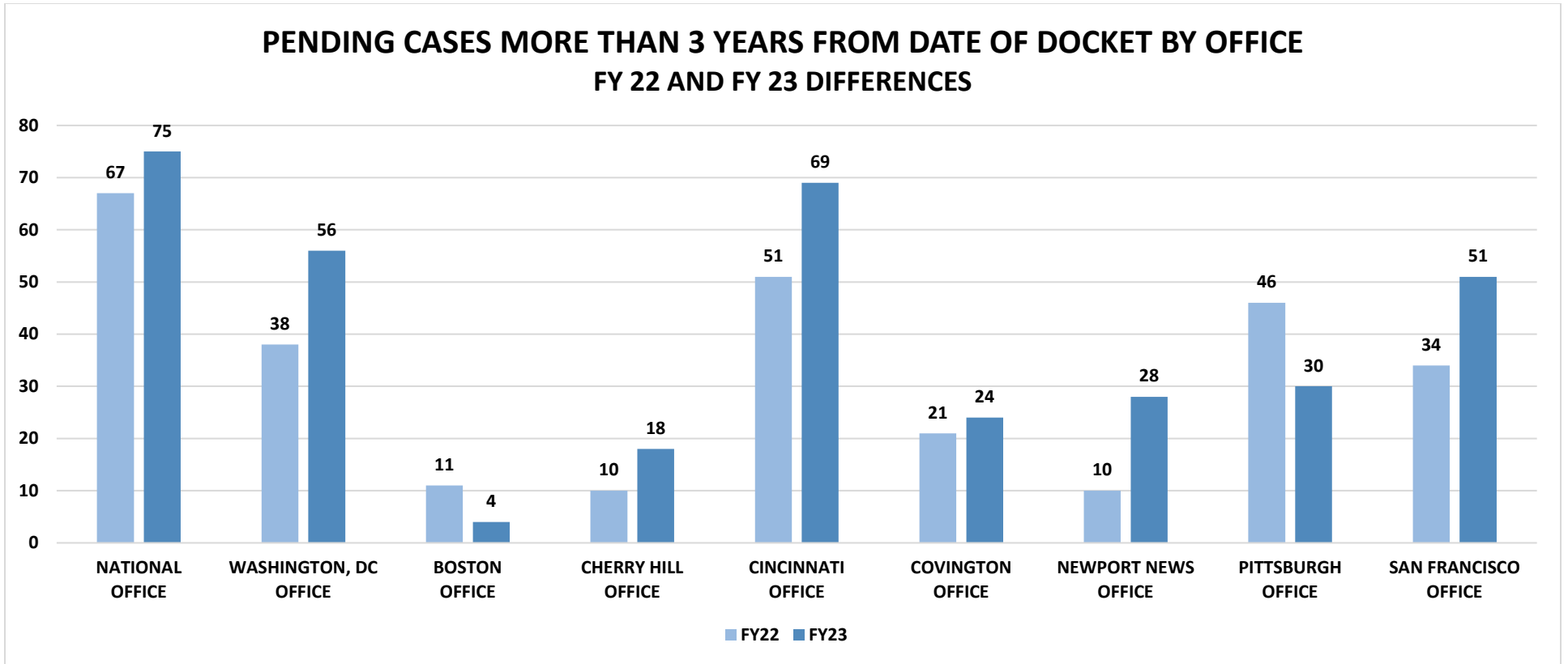


Figure 10. Pending Cases More Than 3 Years from Date of Docket by Office Year over Year Differences (As of 30 September 2023)



Docketed Cases

Figure 11. Total Cases Docketed FY 23 by Case Area (As of 30 September 2023)

Case Area	Total Docketed Cases FY 21	Total Docketed Cases FY 22	Total Docketed Cases FY 23 (As of 30 September 2023)
BLACK LUNG BENEFITS ACT	1204	1103	1394
DEFENSE BASE ACT	6025	5163	7261
LONGSHORE AND HARBOR WORKERS COMPENSATION ACT	1420	1342	1206
PERMANENT ALIEN LABOR CERTIFICATION	124	215	349
TEMPORARY ALIEN LABOR CERTIFICATION	521	382	306
TRADITIONAL	143	126	136
WHISTLEBLOWER	276	230	312
OALJ TOTAL	9713	8561	10964

Disposed Cases

Figure 12. Total Disposed Cases by Case Area by FY (As of 30 September 2023)

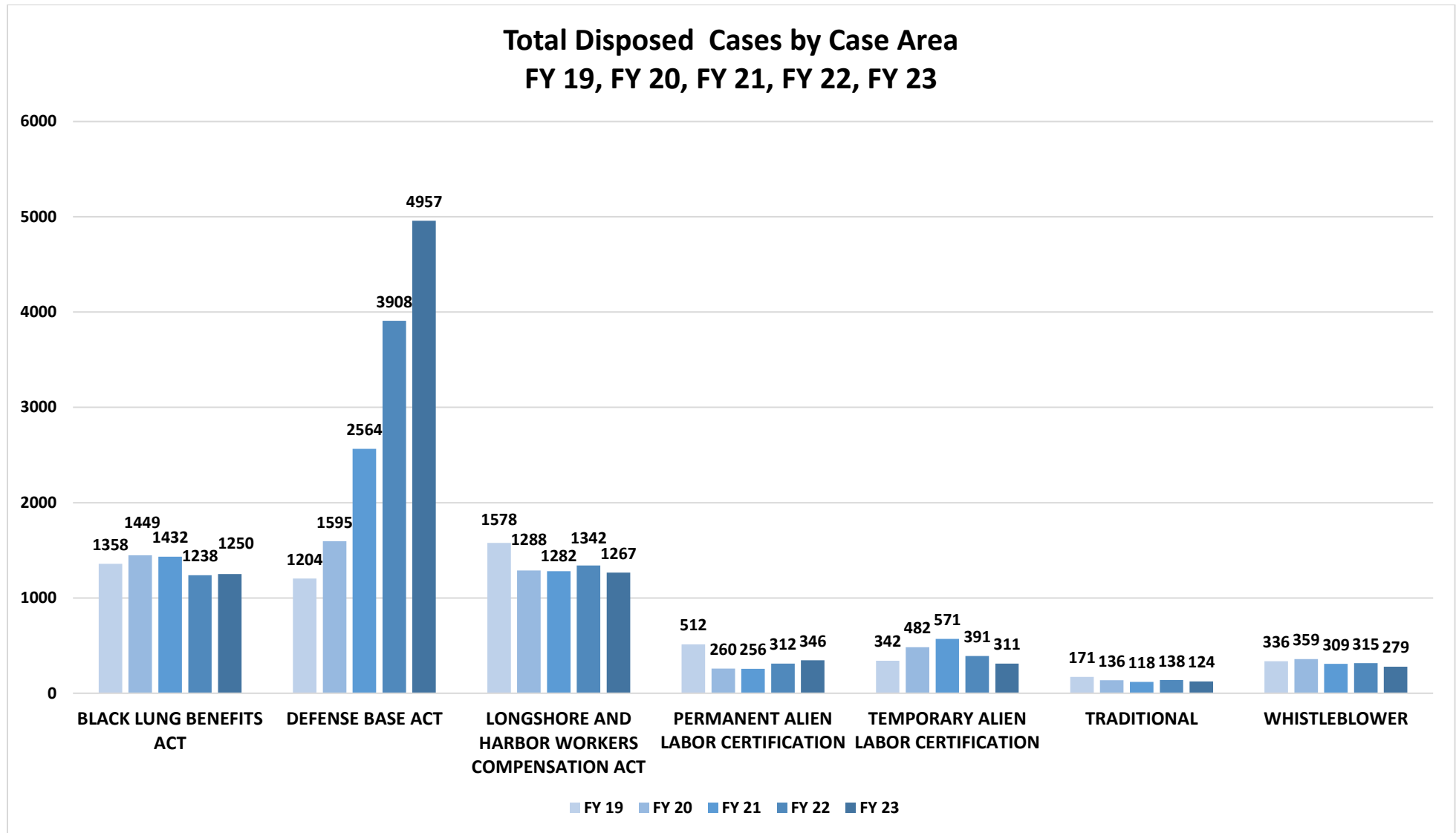


Figure 13. Total Disposed Cases by Office by FY (As of 30 September 2023)

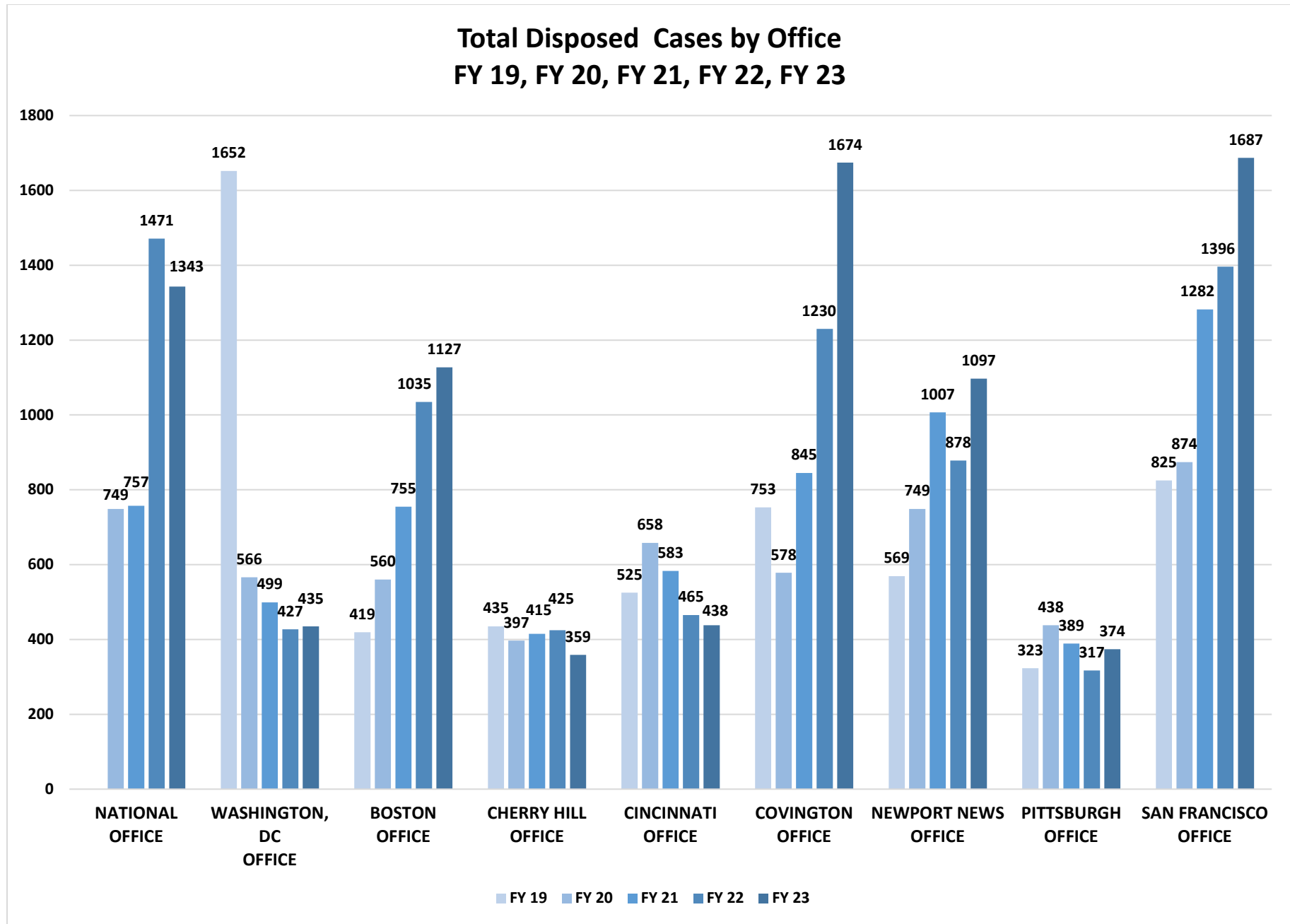


Figure 14. Total Disposed Cases FY 23 (1 October 2022 – 30 September 2023)

		District Office Disposed Cases											
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO		
Total Disposed Cases FY 23 (1 October 2022 - 30 September 2023)	By Case Area	BLACK LUNG BENEFITS ACT	1250	91	268	20	186	328	8	19	318	12	
		DEFENSE BASE ACT	4957	674	57	820	38	9	1374	786	0	1199	
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1267	55	38	238	85	21	215	226	0	389	
		PERMANENT ALIEN LABOR CERTIFICATION	346	343	0	0	0	1	2	0	0	0	
		TEMPORARY ALIEN LABOR CERTIFICATION	311	51	39	28	22	35	35	33	29	39	
		TRADITIONAL	124	88	12	3	4	2	3	2	3	7	
		WHISTLEBLOWER	279	41	21	18	24	42	37	31	24	41	
		OALJ Totals	8534	1343	435	1127	359	438	1674	1097	374	1687	
		By Decision Type	ADMINISTRATIVE CLOSURE	314	221	14	21	12	6	8	12	8	12
			AWARD OF BENEFITS	606	15	113	44	64	170	0	34	123	43
			CONSENT ORDER	64	29	12	8	2	3	0	8	1	1
			DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	508	230	50	33	23	20	85	22	8	37
			DENIAL OF BENEFITS	428	30	56	63	34	52	4	34	110	45
			DISMISSAL	395	196	20	13	17	37	31	22	20	39
		KICK-OUT TO FEDERAL COURT	2	1	0	0	0	0	0	0	0	1	
		RECOMMENDED DECISION & ORDER	17	0	0	9	0	1	1	0	0	6	
		REMAND	5405	562	110	794	130	106	1427	919	71	1286	
		SETTLEMENT	633	29	39	131	45	26	107	42	6	208	
		SUMMARY/DEFAULT JUDGMENT	41	2	3	10	5	0	9	3	1	8	
		WITHDRAWAL	121	28	18	1	27	17	2	1	26	1	
	OALJ Totals	8534	1343	435	1127	359	438	1674	1097	374	1687		

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 15. Total Disposed Cases FY 22 (1 October 2021 – 30 September 2022)

		District Office Disposed Cases											
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO		
Total Disposed Cases FY 22 (1 October 2021 - 30 September 2022)	By Case Area	BLACK LUNG BENEFITS ACT	1238	82	231	27	198	358	23	28	248	43	
		DEFENSE BASE ACT	3908	818	79	660	30	1	923	553	0	844	
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1342	72	29	273	115	5	205	239	0	404	
		PERMANENT ALIEN LABOR CERTIFICATION	312	308	1	1	1	0	1	0	0	0	
		TEMPORARY ALIEN LABOR CERTIFICATION	391	60	42	37	40	51	47	28	37	49	
		TRADITIONAL	138	89	16	3	13	4	3	4	1	5	
		WHISTLEBLOWER	315	42	29	34	28	46	28	26	31	51	
		OALJ Totals	7644	1471	427	1035	425	465	1230	878	317	1396	
		By Decision Type	ADMINISTRATIVE CLOSURE	229	128	3	22	12	7	29	11	1	16
			AWARD OF BENEFITS	687	29	90	49	80	168	7	42	126	96
			CONSENT ORDER	58	22	1	7	7	4	7	7	3	0
			DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	578	272	67	33	32	23	72	14	12	53
			DENIAL OF BENEFITS	405	21	67	31	58	78	8	24	84	34
		DISMISSAL	297	125	27	18	21	18	21	17	23	27	
		KICK-OUT TO FEDERAL COURT	5	2	0	0	0	0	2	0	0	1	
		RECOMMENDED DECISION & ORDER	23	0	8	12	0	1	2	0	0	0	
		REMAND	4544	805	123	671	142	119	984	712	42	946	
		SETTLEMENT	686	25	35	183	51	27	94	44	14	213	
		SUMMARY/DEFAULT JUDGMENT	46	4	4	8	4	7	2	6	2	9	
		WITHDRAWAL	86	38	2	1	18	13	2	1	10	1	
	OALJ Totals	7644	1471	427	1035	425	465	1230	878	317	1396		

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 16. Total Disposed Cases FY 21 (1 October 2020 – 30 September 2021)

		District Office Disposed Cases											
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO		
Total Disposed Cases FY 21 (1 October 2020 - 30 September 2021)	By Case Area	BLACK LUNG BENEFITS ACT	1432	26	241	82	184	387	25	92	304	91	
		DEFENSE BASE ACT	2564	290	120	424	29	34	506	536	9	616	
		LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1282	30	46	146	102	8	211	292	2	445	
		PERMANENT ALIEN LABOR CERTIFICATION	256	251	4	0	0	1	0	0	0	0	
		TEMPORARY ALIEN LABOR CERTIFICATION	571	45	59	58	52	96	61	58	59	83	
		TRADITIONAL	118	85	5	5	6	4	2	5	1	5	
		WHISTLEBLOWER	309	30	24	40	42	53	40	24	14	42	
		OALJ Totals	6532	757	499	755	415	583	845	1007	389	1282	
		By Decision Type	ADMINISTRATIVE CLOSURE	152	77	9	9	4	12	5	14	3	19
			AWARD OF BENEFITS	718	4	99	72	83	171	8	79	117	85
			CONSENT ORDER	65	22	4	8	7	3	6	5	6	4
			DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	602	231	75	28	41	26	77	33	26	65
			DENIAL OF BENEFITS	459	7	42	28	61	103	5	61	113	39
			DISMISSAL	307	89	27	26	32	39	27	22	18	27
		KICK-OUT TO FEDERAL COURT	6	3	0	1	2	0	0	0	0	0	
		RECOMMENDED DECISION & ORDER	12	0	1	8	0	1	1	1	0	0	
		REMAND	3385	271	197	468	125	166	599	745	80	734	
		SETTLEMENT	678	3	38	100	43	47	106	38	8	295	
		SUMMARY/DEFAULT JUDGMENT	38	3	0	5	3	5	4	7	3	8	
		WITHDRAWAL	110	47	7	2	14	10	7	2	15	6	
	OALJ Totals	6532	757	499	755	415	583	845	1007	389	1282		

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 17. Total Disposed Cases FY 20 (1 October 2019 - 30 September 2020)

		District Office Disposed Cases									
		Totals	NATIONAL OFFICE	WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO
Total Disposed Cases FY 20 (1 October 2019 - 30 September 2020)	By Case Area										
	BLACK LUNG BENEFITS ACT	1449	86	165	91	173	406	50	113	282	83
	DEFENSE BASE ACT	1595	250	269	204	21	82	199	293	3	274
	LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1288	24	58	181	108	29	213	260	5	410
	PERMANENT ALIEN LABOR CERTIFICATION	260	249	7	2	0	0	2	0	0	0
	TEMPORARY ALIEN LABOR CERTIFICATION	482	41	44	52	55	83	46	51	48	62
	TRADITIONAL	136	61	3	4	8	7	8	8	30	7
	WHISTLEBLOWER	359	38	20	26	32	51	60	24	70	38
	OALJ Totals	5569	749	566	560	397	658	578	749	438	874
	By Decision Type										
	ADMINISTRATIVE CLOSURE	42	7	5	2	1	4	4	6	1	12
	AWARD OF BENEFITS	748	35	69	98	75	165	20	78	137	71
	CONSENT ORDER	79	16	2	11	14	7	6	10	12	1
	DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	647	260	70	29	31	72	65	31	35	54
	DENIAL OF BENEFITS	424	30	32	29	66	88	17	44	89	29
	DISMISSAL	358	71	18	29	33	23	52	24	82	26
	KICK-OUT TO FEDERAL COURT	2	1	0	0	0	0	0	0	0	1
	RECOMMENDED DECISION & ORDER	19	1	0	7	0	3	0	7	0	1
	REMAND	2260	230	226	255	136	224	217	477	56	439
	SETTLEMENT	838	37	143	93	34	47	192	55	8	229
SUMMARY/DEFAULT JUDGMENT	45	6	1	7	0	4	2	16	1	8	
WITHDRAWAL	107	55	0	0	7	21	3	1	17	3	
OALJ Totals	5569	749	566	560	397	658	578	749	438	874	

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Figure 18. Total Disposed Cases FY 19 (1 October 2018 - 30 September 2019)

		Totals	District Office Disposed Cases							
			WASHINGTON, DC	BOSTON	CHERRY HILL	CINCINNATI	COVINGTON	NEWPORT NEWS	PITTSBURGH	SAN FRANCISCO
By Case Area	BLACK LUNG BENEFITS ACT	1358	247	65	187	367	121	82	226	63
	DEFENSE BASE ACT	1204	579	43	37	31	159	152	11	192
	LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT	1578	79	254	121	37	350	265	9	463
	PERMANENT ALIEN LABOR CERTIFICATION	512	511	1	0	0	0	0	0	0
	TEMPORARY ALIEN LABOR CERTIFICATION	342	82	33	37	38	43	32	31	46
	TRADITIONAL	171	86	7	9	8	8	10	28	15
	WHISTLEBLOWER	336	68	16	44	44	72	28	18	46
	OALJ Totals	5501	1652	419	435	525	753	569	323	825
By Decision Type	ADMINISTRATIVE CLOSURE	49	35	2	1	0	3	4	1	3
	AFFIRMING	7	0	2	0	2	0	2	0	1
	AWARD OF BENEFITS	674	92	136	34	169	46	48	85	64
	CONSENT DECREE	2	0	0	0	0	2	0	0	0
	CONSENT ORDER	93	28	4	7	4	6	4	30	10
	DECISION AND ORDER ON THE MERITS (OTHER THAN BENEFITS CASES)	1268	643	57	114	49	240	25	24	116
	DENIAL OF BENEFITS	324	36	13	24	97	31	44	48	31
	DISMISSAL	198	60	15	25	19	38	13	9	19
	FINAL ORDER	130	82	3	22	2	6	11	0	4
	KICK-OUT TO FEDERAL COURT	1	0	0	1	0	0	0	0	0
	ORDER OF DISMISSAL	92	29	2	7	27	12	3	3	9
	ORDER OF REMAND	575	107	33	60	41	69	127	24	114
	RECOMMENDED DECISION & ORDER	12	4	1	0	0	0	7	0	0
	REMAND	1269	270	118	108	74	166	231	64	238
	REVERSING	3	1	0	0	0	2	0	0	0
	SETTLEMENT	604	151	24	26	22	127	40	14	200
SUMMARY/DEFAULT JUDGMENT	32	4	5	0	4	2	4	0	13	
WITHDRAWAL	168	110	4	6	15	3	6	21	3	
OALJ Totals	5501	1652	419	435	525	753	569	323	825	

* Note:

Traditional: includes cases involving grants administration, federal contract disputes, child labor violations, workplace discrimination by government contractors, mine safety variances, minimum wage disputes, and recordkeeping required by ERISA.

Whistleblower: includes complaints involving corporate fraud and violations of transportation, environmental, and food safety statutes.

Case Completion Time Trend

Figure 19. Median Time from Date of Docket to Disposition by Case Area FY 19 – FY 23 (As of 30 September 2023)

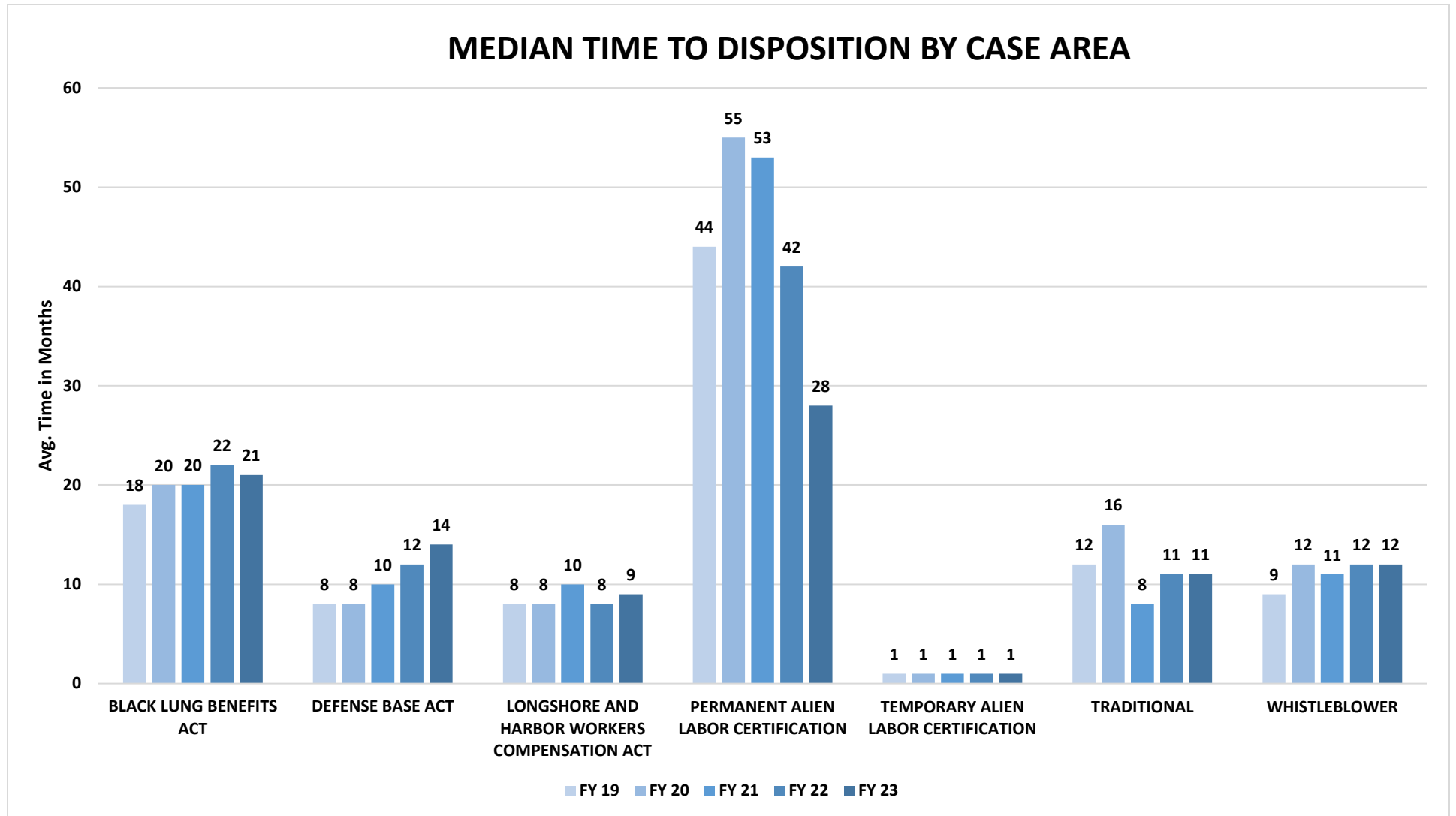


Figure 20. Mean Time from Date of Docket to Disposition by Case Area FY 19 – FY 23 (As of 30 September 2023)

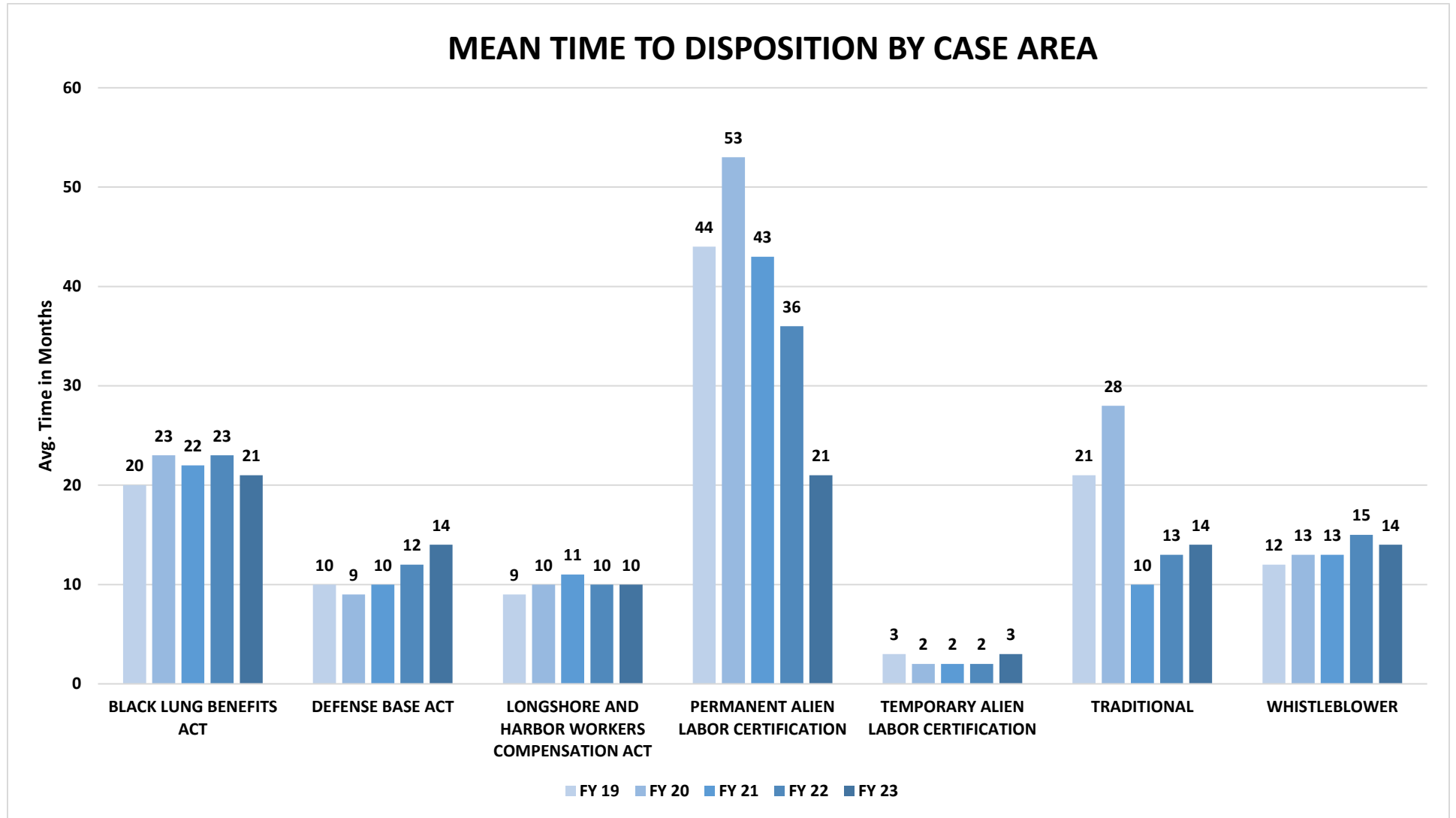


Figure 21. Median Time from Date of Judge Assignment to Disposition by Case Area FY 19 – FY 23 (As of 30 September 2023)

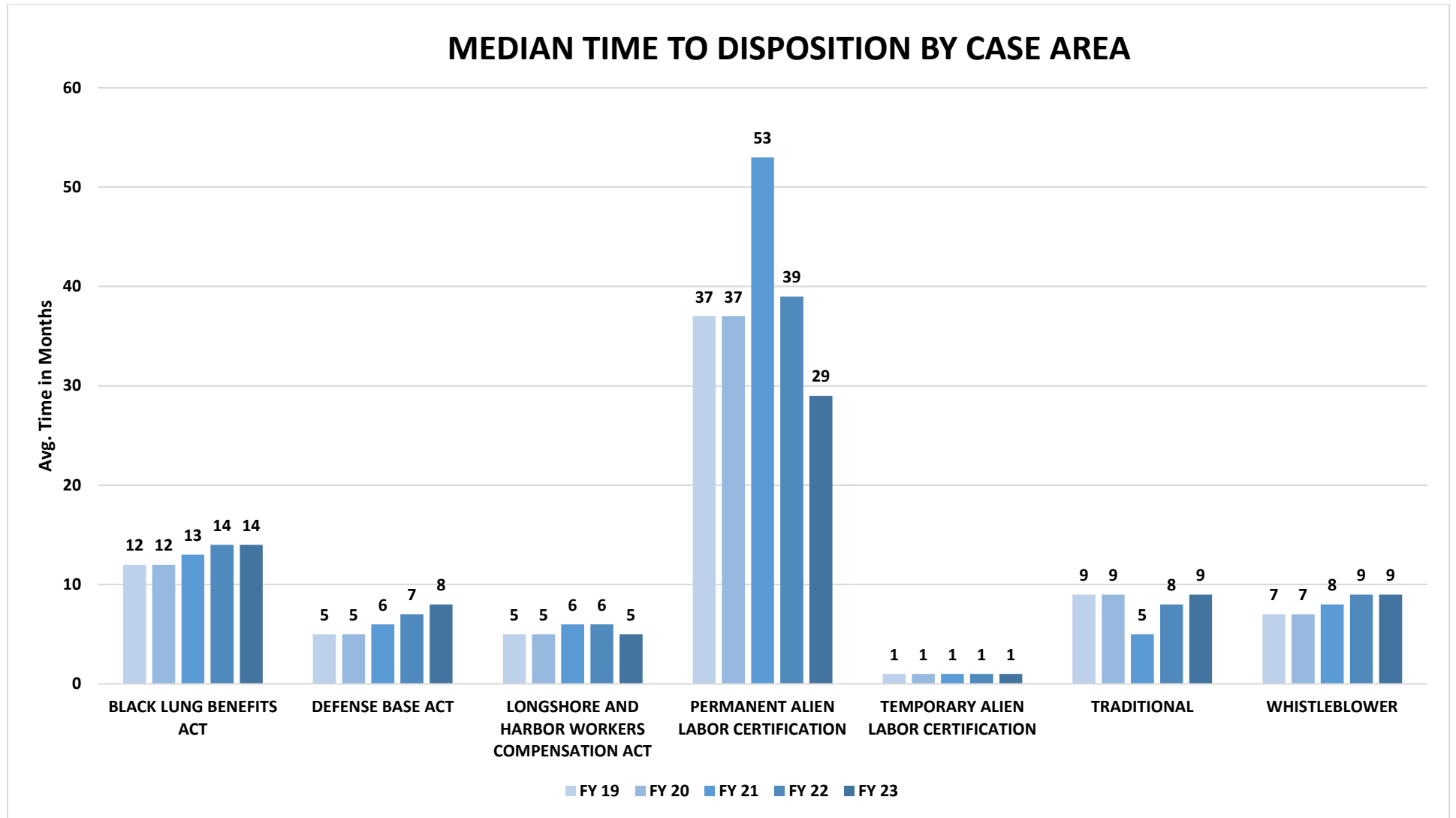
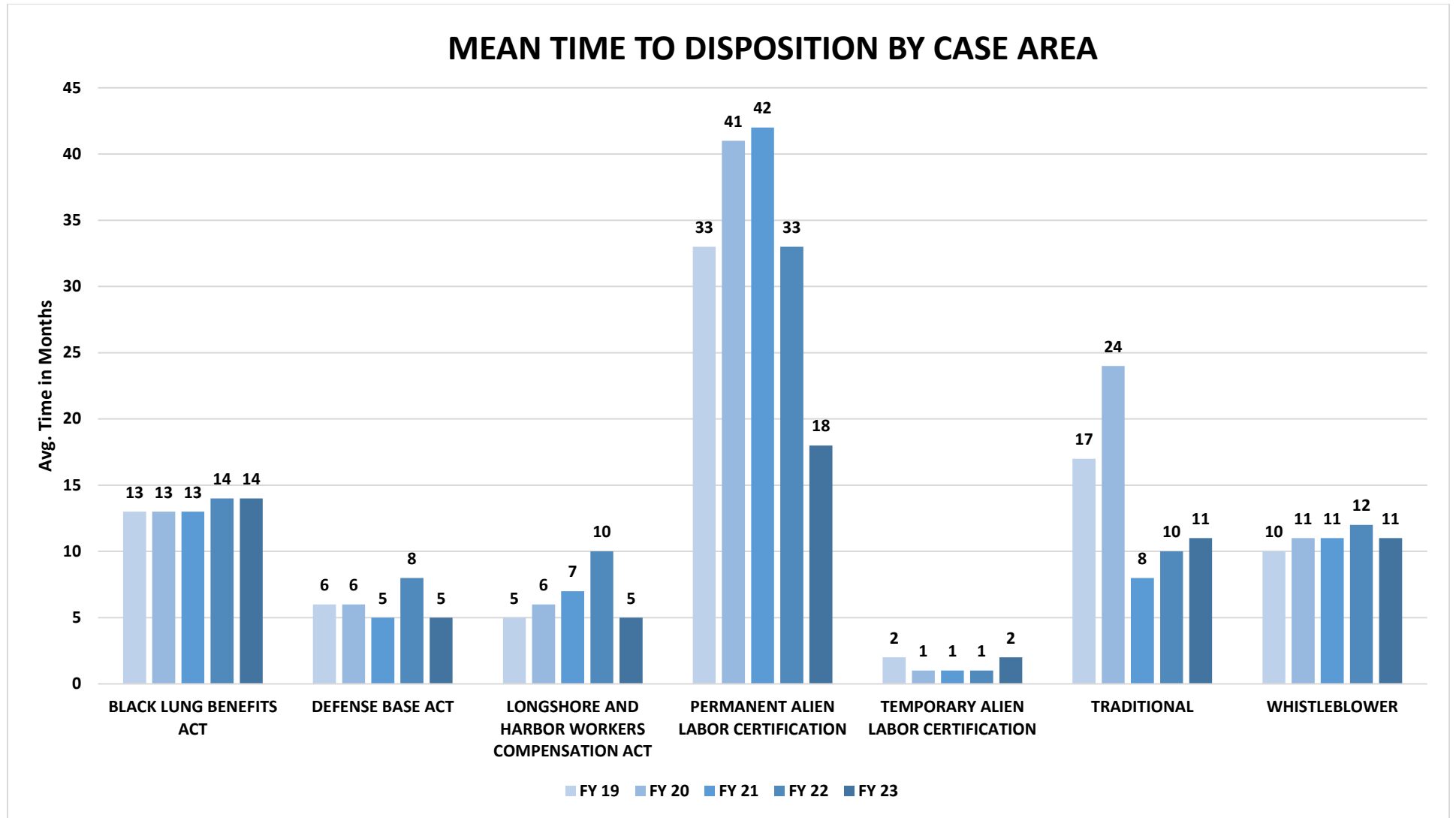


Figure 22. Mean Time from Date of Judge Assignment to Disposition by Case Area FY 19 – FY 23 (As of 30 September 2023)





United States Department of Labor

Office of Administrative Law Judges

800 K St NW

Washington, DC 20001

202-693-7300

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