

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5684**

Open Session

The Appeals Board meeting convened at 1:00 p.m., December 15, 2022, with Chair Marty Block presiding.

1. Roll Call: <u>Members</u>	<u>Present</u>	<u>Absent</u>
Marty Block, Chair	X	
Dan Reeves, Vice-Chair	X	
Mike Eng	X	
Michael Allen	X	
Laura Kent-Monning	X	

2. Approval of the Minutes:

The November 10, 2022, Meeting Minutes were approved unanimously.

3. Chair's Report:

Since the last meeting, the Board resolved 1,319 second-level appeals, and Field Office Administrative Law Judges (ALJ) resolved thousands of first-level appeals.

Chair Block reported that Vice-Chair Reeves is ending his tenure with the Board and assuming another engagement. Chair Block shared his gratitude for Vice-Chair Reeves' work. Upon Reeves' departure, Member Allen will serve as the Board Vice-Chair.

Chair Block reported that Member Eng has been reappointed to a four-year term by the Speaker of the Assembly and Member Kent-Monning has been reappointed to a four-year term by the Governor.

4. Board Member Reports:

Vice-Chair Reeves congratulated Member Eng on his reappointment. Vice-Chair

Reeves spoke about his experience on the Board and the importance of its work, particularly during periods of economic challenge. He thanked and complimented the Board's senior staff, the appellate operations ALJs, the executive office staff, and the Board members for their work during the pandemic and for their assistance to him.

Member Eng thanked Supervising Judge Bach for conducting CAMS training and Vice-Chair Reeves for his insights and work. Member Eng recognized Vice-Chair Reeves' dedication to the Board's mission and especially his efforts towards improving the accessibility of its written decisions to ensure that they are not unintelligible to the parties.

Member Allen thanked the CUIAB staff for their ongoing work. Member Allen expressed his appreciation and gratitude for Vice-Chair Reeves' service on the Board.

Member Kent-Monning thanked the CUIAB support staff for their work and, in particular, those working to implement and improve CAMS. Member Kent-Monning congratulated Member Eng on his reappointment and thanked Vice-Chair Reeves for his work and insights, wishing him well in his new position.

Chair Block thanked Vice-Chair Reeves for his service and also wished him well.

5. Public Comment

An individual commented on her challenges obtaining a hearing date on her appeal.

Richard Miller commented on his efforts to obtain employment with CUIAB.

6. Chief ALJ/Executive Director Report:

In November, the field offices resolved over 23,663 appeals. The volume of monthly appeals continued to rise as EDD processed deferred workload, including eligibility determinations extending as far back as 2020.

CUIAB closed 1.8% of cases within 30 days and 3.5% of cases within 45 days. The average case age was 118 days. Appeal timeliness continues to be a nationwide problem with a national average case age of 218 days.

CUIAB recently hired 25 new ALJs. An ALJ training cohort began on December 3, conducted by San Diego Office of Appeals Supervising Administrative Law Judge,

Catriona Morrison. A second ALJ cohort will begin training on January 6, 2023, and a third training cohort is anticipated to commence in February or early March.

Chief Cutri thanked the Administrative Services and IT teams for their work.

Since the last Board meeting, there were three office closures due to COVID and fifteen positive COVID cases.

The Fresno, Oxnard, Orange County, and San Jose Offices of Appeals are now fully operating within CAMS. IT and subject-matter experts continue to address identified issues and enhance the system, and it is anticipated that CAMS will be implemented in the San Diego Office of Appeals in January.

Chief Cutri thanked the Field Offices for their work and thanked and congratulated Vice-Chair Reeves.

Vice-Chair Reeves inquired about the prior pause implementing CAMS in additional field offices. Chief Cutri confirmed that the rollout schedule had been paused following implementation in the San Jose Office of Appeals in order to address technical issues. Rollout has resumed.

Member Eng thanked those involved in hiring and training the new ALJs. Member Eng inquired about the timeline for the Board to begin fully operating within CAMS and training milestones. CUIAB's goal is to implement CAMS in all field offices by the end of Summer 2023. CUIAB conducts a training program when implementing CAMS in each field office. Following that initial training, milestones are determined at the individual field offices and vary depending on additions of new ALJs.

Member Allen inquired about the total amount of new ALJs hired over the past two years. Chief Cutri advised that it is approximately 100 ALJs. Member Allen asked whether CUIAB anticipates continuing additional ALJ hiring. Chief Cutri indicated that due to ALJ attrition, new ALJ recruitments are likely to continue.

Member Kent-Monning thanked Chief Cutri for his leadership and efforts implementing CAMS.

7. Supervising ALJ of Appellate Operations, Rebecca Bach Report:

Supervising Judge Bach reported that during November, AO resolved 65.1% of its cases within 45 days and 95.4% within 75 days. The average case age was 48

days.

Member Allen thanked Supervising Judge Bach and Member Kent-Monning for their efforts and assistance with CAMS.

8. Chief Information Officer, Jefferson Willoughby Report:

Chief Information Officer Willoughby reported that since the last Board meeting, the root causes of technical issues impacting CAMS rollout were identified and addressed. CIO Willoughby thanked the development team for their work on the system.

Member Kent-Monning commented on benefits of CAMS including the ability for parties to submit documentary evidence online and view the status of their cases. Member Kent-Monning thanked the CAMS team for their work.

9. Chief of Administrative Services, Robert Silva Report:

Chief Silva thanked Vice-Chair Reeves for his service with CUIAB.

There are ten Administrative Law Judges in the current training cohort. The January cohort will also include ten ALJs, and five ALJs are scheduled for the following cohort.

CUIAB has hired over 100 Administrative Law Judges since March 2020. During calendar year 2022, there were nine ALJ separations. Since the November Board meeting, eight support staff have been hired. During calendar year 2022 CUIAB also hired 30 support staff, but also had 30 separations.

Since the last meeting, there were 15 reported COVID cases. CUIAB has had over 200 reported cases in total. Chief Silva reminded the Board that California's Supplemental Paid Sick Leave ends on December 31, 2022.

As a result of the biennial language audit, it was determined that CUIAB needed additional Mandarin language resources. An employee in the Orange County Office of Appeals has been certified for Mandarin translation and field offices were instructed to utilize her skills for Mandarin translation needs.

Vice-Chair Reeves and Chief Silva discussed the hiring of ALJ cohorts and support staff during the pandemic in comparison to workload and hiring activities during the

Great Recession. Chief Silva confirmed that hiring activity was comparable during these periods.

Member Eng inquired about recent news reports concerning a large volume of claims for retroactive benefits, the possible impacts on CUIAB, and the Governor's upcoming budget proposal. Chief Cutri advised that CUIAB is in discussion with EDD to attempt to forecast the volume of appeals that may result from these claims. Member Eng requested clarification on the types of new cases CUIAB may receive. Chief Cutri advised that the new claims are not anticipated to involve claimants who have previously undergone CUIAB's appeals process. Chief Silva advised that the Governor's proposed budget is not anticipated to have a current-year impact on CUIAB.

Member Allen inquired about the CUIAB support staff attrition. Chief Silva clarified the various reasons for support staff separations. Member Allen inquired about exit interviews, to which Chief Silva advised that exit interviews are offered to each employee; however, most employees choose not to respond.

Closed Session:

The Board adjourned open session to convene a closed session to discuss appointment, employment, evaluation of performance of public employees.

Open Session:

The Board announced that the Board voted to ratify the selections of Greg Crettol for the position of C.E.A., Assistant Director; and Rebecca Bach for the position of Supervising Administrative Law Judge/Chief of Appellate Operations.

Adjournment