

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5619**

Open Session

The Appeals Board convened at 10:30 a.m., June 13, 2017, in Sacramento with Chair Marty Block presiding.

1. Roll Call: <u>Members</u>	<u>Present</u>	<u>Absent</u>
Marty Block, Chair	x	
Michael Allen, Vice Chair	x	
Ellen Corbett	x	
Robert Dresser	x	

2. Approval of the Minutes:

The minutes of May 17, 2017 Board meeting were unanimously approved.

3. Chair's Report:

Chair Block expressed his appreciation, on behalf of the Board, to Howard Schwartz for his service as counsel to the Board this past year and wished him success as he returns to work for CalPERS.

Chair Block reported that he would be attending the National Association of Unemployment Insurance Appeals Professionals (NAUIAP) conference next week in the state of Washington. He will participate in two panel discussions, to include PowerPoint presentations, one on "higher authority working with lower authority" and the other on "high profile cases." Chair Block thanked support staff, in particular Lori Kurosaka and Janet Maglinte, for their help in developing the presentations. He also commented he would give a report on the conference at the next Board meeting.

Chair Block concluded by thanking Member Dresser for suggesting training for ALJ's by temporarily exchanging AO and FO assignments. He anticipates the training could be initiated by the end of summer.

4. Board Member Reports:

Vice Chair Allen thanked Howard Schwartz for his service to the Board.

Vice Chair Allen reported he will be working on an internal newsletter and will be enlisting the assistance from various department heads and presiding judges. He hopes to communicate to the organization what the Board is doing and why. He plans to distribute two editions, one in July followed by another in January.

Member Corbett thanked Mr. Schwartz for his service to the Board and to the state of California.

Member Dresser also thanked Howard Schwartz for the many things he brought to the Board: such as informed perspective, integrity, fairness, thoroughness. Member Dresser stated that Howard did a great job as Chief Council and wished him continued success as Senior Counsel at CALPERS.

5. Public Comment:

No public comment.

6. Chief ALJ/Executive Director Report:

Chief ALJ/Executive Director Gonzales stated she enjoyed working with Chief Counsel Schwartz and wished him luck.

Chief ALJ/Executive Director Gonzales reported that the numbers were good. The percentage of cases closed within 30 days is 73.5% and the percentage of cases closed within 45 days is 94.1%. She stated the numbers reflect the Fields capability to process the Tax cases as well as the UI cases and still achieve positive numbers. She stated the Field continues to push the Tax work and because of the extra funding they have received it is moving along quite well. Also, the average case is 23.4 days.

Chief ALJ/Executive Director Gonzales addressed previous questions regarding processing times of PFL/DI cases compared to UI cases. One of the causes for the differences in processing times is that it takes EDD longer to process these cases at their end. On CUIAB's side of the equation, PFL cases are scheduled after the UI and EUC cases because they are not time sensitive for DOL's purposes. In addition, PFL cases are often held open after the hearing to allow the claimant

additional time to provide information. Many times the claimants are waiting on medical documentation from doctor's offices. Lastly, she commented that the claimants are often times already receiving the DI benefits so the financial hardship that is imperative in the UI cases is not the same. She stated the cycle time for PFL cases will most likely remain longer than the UI cases for the aforementioned reasons, but all of the offices are trying to speed up the processing of all cases.

Member Corbett asked Chief Gonzales if the numbers were the best they had ever been in the agency's history. Chief Gonzales stated the numbers are certainly impressive compared to what the numbers were before Member Dresser came to the Board.

Chief ALJ/Executive Director Gonzales reported on the new Board Referral Process, and explained that the new process simplifies the referral process, and therefore staff time and hopefully response time.

In response to inquiry by Vice Chair Allen, Chief Gonzales advised that our quality review person is ALJ Jill Coren. Vice Chair Allen also asked if the new process would be communicated to AO, to which Chief Gonzales replied that internal memos are being prepared to convey that process to AO. She explained this as an interim process pending work with the IT Department to create buttons on the Panel Approval Forms to create further efficiencies.

Member Corbett questioned whether there was a parallel process for AO to make referrals, so that there would be symmetry. Chief Gonzales stated she was unaware of an AO process.

Member Dresser questioned whether the new process was for Board Members only or included Board authors. He asked if there was a procedure to convey compliments.

Chief Gonzales stated only the Board Member would be sending referrals to the Quality Review Mailbox. She added that the compliments would be handled through a different process.

Member Corbett asked for clarity for the separation of the two processes. Chief Gonzales stressed that one of the Agency's concerns is to maintain the integrity of the Panel Approval Form as judicial deliberation.

Member Dresser inquired about training for FO ALJ's and support staff. Chief Gonzales explained at this point training was for FO ALJ's and would focus on the Winscribe recording system.

7. Chief ALJ of Appellate Operations, Elise Rose, Report:

Assistant Chief ALJ Stephen Swenson, on behalf of Chief ALJ Rose, reported there were 1016 new registrations and an open balance of 603 cases, of which 533 are UI cases. These are fairly average numbers. He added that AO is meeting all time-lapse and case aging standards.

8. Chief Information Officer, Nick Dressler Report:

Project Management Manager Mark Smith, on behalf of CIO Dressler, thanked Chief Silva and the administration group for their hard work to beat submission deadlines for procurements at the end of the fiscal year.

Mr. Smith reported on Winscribe, the new recording system which will provide the audio recordings of the FO hearings and will provide transcription functions. He described Winscribe as a versatile tool which may incorporate or replace transcription functions previously created by IT. Mr. Smith said IT is looking into Winscribe's function which is built to handle a library of stocked text. This tool allows a user to plug into documents very easily and quickly.

Mr. Smith stressed the importance of training and said they want the ALJs and all users to be comfortable with the new system. They are working on a test environment for Winscribe and hope to be transitioning the new system to Field offices by September.

Mr. Smith reported that related to Winscribe is the public portal which connects to an internet website allowing documents and recordings to be accessible to the public. The plan is to begin with the hearing recordings. This would allow parties to access their hearing recordings directly from the website.

Mr. Smith stated the IT department is also working on the PC Hardware refresh and the migration to Windows 10.

Member Block asked for a demonstration of Winscribe at a later date when timely.

Member Corbett asked if Winscribe would update telephone hearings. Mr. Smith, replied that in the future Winscribe would have capability to operate like SKYPE, but there were licensing and other business issues to be addressed.

Member Corbett asked if the new system would help with the number of remand decisions, due to bad audio hearings. Mr. Smith commented IT believes it will reduce the number of remand decisions because the recording technology and the feedback to the ALJ are better.

Vice Chair Allen asked Chief Gonzales if they had a benchmark of numbers of the remands due to bad audio. He stated the bench mark numbers were helpful to justify requesting new equipment or new technology in the future. Chief Gonzales stated she was unaware but would look into the benchmark numbers.

9. Chief Administrative Services, Robert Silva Report:

Chief Silva reported there was no overtime report in the Board meeting folder. He stated based on an ad-hoc report the numbers this month were consistent with the numbers reported in the previous three months. Chief Silva stated that in April of 2017 they only expended \$11,000 which was a 75% reduction from what the monthly average was heading into April. There were no significant lump sum payments upon separation in April.

Chief Silva reported that the January budget plan to move funds from Operating Expenses to Personnel Expenses was successful. He stated they delayed planned equipment purchasing until it was ensured that funds were available. Chief Silva said in May they pulled the trigger on the purchases. He extended a profuse thank you to Mark Smith's and Nick Dressler's staff, especially Sandra Garcia, for their hard work in getting 60 days' work done in 30 days' time. He also thanked Victor Saldana and Doug Mattes for their contribution and hard work.

Chief Silva gave an update on the kitchen project in the Los Angeles Field Office. He reported the plan is set aside until the proposal can be renegotiated with the Department of General Services.

Chief Silva stated they were almost finished reviewing proposed Personal and OE&E expenditures for next fiscal year and he is hopeful, pending meetings with EDD, that in July they will be able to work on a proposed budget to bring before the Board.

Closed Session:

The Board adjourned Open Session at 11:12 p.m. The Board commenced a Closed Session thereafter, and adjourned closed session at 1:58 p.m.

Open Session:

The Board reconvened in Open Session. Chair Block reported that no votes were taken in closed session.

Chair Block then adjourned Open Session.