

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5660**

Open Session

The Appeals Board meeting convened at 1:00 p.m., December 16, 2020, via Zoom conferencing 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 18, 2020, Meeting Minutes were approved unanimously.

3. Chair's Report:

Chair Block reminded viewers that most of the Board's work is not done during the meetings, but in-between meetings. The Board resolved 447 appeals in the past month.

Chair Block reported that a confirmation hearing for Members Allen and Kent-Monning has been scheduled for January 20, 2021, and wished them well. Due to this hearing, Chair Block proposed rescheduling the next Board meeting to January 21, 2021.

Chair Block thanked CUIAB staff for their hard work during the past year to ameliorate the hardships brought on by the pandemic.

4. Board Member Reports:

Vice-Chair Reeves and Member Eng thanked the CUIAB staff for their hard work and dedication throughout this unprecedented year.

Member Allen thanked the CUIAB staff for their work serving the public and commended his Board colleagues for their care in resolving appeals.

Member Kent-Monning thanked the CUIAB staff for the dedication and continued commitment during these difficult times.

5. Public Comment

Richard Miller offered comments regarding his applications for employment.

6. Chief ALJ/Executive Director Report:

Executive Director Cutri reported that during November, for the third consecutive month, appeals transmittals from the Employment Development Department were more than double pre-pandemic levels. CUIAB's open balance of unemployment insurance appeals is nearly triple the balance of that as of the beginning of September. CUIAB's field operations closed 23.2% of appeals within 30 days and 51.6% within 45 days. The average case age is approximately 49.9 days.

Appeal timeliness has become a nationwide problem. California has the highest first-level appeal workload in the nation, processing 18% of the nation's appeal claims.

On December 1 through 6, CUIAB's Inland field office was closed due to a positive COVID-19 case. The Orange County field office closed December 14 due to a positive COVID-19 case and re-opened December 16. The Los Angeles field office was also closed on December 14 due to similar circumstances and will re-open on December 17.

To address increases in appeals, in 2020, CUIAB brought on 22 new ALJs and 20 new support staff. Retired ALJ's have also been brought on to assist hearing cases. CUIAB anticipates hiring 12 additional ALJs by February 2021. All offices have been utilizing team calendars, Presiding Judges continue to hear a large number of cases, and offices have adopted the ability for appellants to electronically submit identity documents to allow for a rapid resolution of disputes. Additionally, CUIAB will temporarily increase ALJ caseloads in January 2021.

Executive Director Cutri reported one general threat on December 7, involving CUIAB's Virtual Call Center. Law Enforcement became involved and the issue was resolved.

Executive Director Cutri extended his gratitude to everyone at CUIAB for their hard work and dedication during the pandemic.

Vice-Chair Reeves inquired about the potential for CUIAB to be excluded from the state's employee furlough program. Chair Block suggested Vice-Chair Reeves meet with the CUIAB staff to prepare such a request.

Member Eng expressed his support for this and thanked Executive Director Cutri for his work.

Member Allen inquired about new hires. Executive Director Cutri confirmed that CUIAB has hired 22 ALJs since March, and anticipates hiring 12 additional ALJs by February. Member Allen encouraged Executive Director Cutri to maintain close communication with employee bargaining representatives.

Member Kent-Monning thanked Executive Director Cutri for his work and asked about data involving the electronic submission of documents in identity cases. Executive Director Cutri advised he can prepare and provide a report regarding this.

Chair Block advised that due to the need for CUIAB's work to mitigate personal hardships, following prioritization of health care workers, consideration should be given to this when distributing COVID-19 vaccines to workers.

7. Presiding ALJ of Appellate Operations, Jodi Remke Report:

Presiding Administrative Law Judge for Appellate Operations, Jodi Remke reported that AO has improved in meeting DOL's time-lapse standards. During November, AO resolved 89.8% of its cases within 45 days and 97.4% of its cases within 75 days.

8. Chief Information Officer, Jeff Willoughby Report:

CIO Willoughby reported the Appeals Modernization Project team continues development sprints. CIO Willoughby thanked the subject-matter expert group for their continued work on the development of the program.

CIO Willoughby reported that in November, the e-mail system caught over 600 phishing e-mail attempts before reaching end users. Of staff-reported phishing attempts, approximately 80% were determined to be phishing attempts, and the

remainder legitimate emails. CIO Willoughby thanks the CUIAB staff for continuing to err on the side of caution when receiving e-mails from unknown sources.

Member Eng inquired about whether CUIAB has experienced negative impacts due to phishing attempts. CIO Willoughby advised there have not been any information security incidents for CUIAB due to successful phishing attempts. Member Eng also inquired about the survey results from the Appeals Modernization project. CIO Willoughby advised that a summary of results has been sent to the Board and reported that the survey indicated that CUIAB employees understand the purpose of the project and agree with its purpose. The survey also indicated that employees are interested in additional training opportunities for CUIAB's IT resources.

Members Allen offered comments regarding the survey results and thanked CIO Willoughby for his report.

Member Kent-Monning thanked CIO Willoughby and the IT staff for their rapid work responding to the year's challenges while continuing to progress on the Appeals Modernization project.

9. Chief Administrative Services, Robert Silva Report:

Chief Silva reported on CUIAB's recent ALJ recruitment of 15 additional ALJs, ten have a scheduled start date and two are imminent. Upon completion of this recruitment, CUIAB will have hired 33 ALJs since April 1, 2020, but due to attrition, CUIAB's net gain will be 20 ALJs. CUIAB is also in the process of hiring three additional Retired Annuitant ALJs.

Chief Silva reported one of the four support staff from the recent recruitment has commenced work. CUIAB has identified the need for 19 additional support staff and has added 5 additional retired annuitant support staff.

Chief Silva thanked CUIAB's employees and the entire organization for their work during the challenging year.

Member Eng thanked Chief Silva for providing the Language Survey results and inquired about potential language deficiencies. Chief Silva advised CUIAB has not received CalHR's findings regarding this but does not believe the report identifies any deficiencies.

Members Allen and Kent-Monning and Chair Block thanked Chief Silva for his work

during the tremendously difficult year.

Closed Session:

There was no Closed Session.

Adjournment