

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5536**

1. Opening of Meeting:

The Appeals Board convened at 10:30 a.m., February 22, 2011, in Sacramento, with Chair Robert Dresser presiding.

2. Roll Call: Members

Present

Absent

Robert Dresser, Chair	X	
George Plescia, Vice Chair	X	
Bonnie Garcia	X	
Denise Moreno Ducheny	X	
Alberto Torrico	X	
Roy Ashburn	X	
Dennis Hollingsworth	X	

3. Approval of the Minutes:

The February 8, 2011, minutes were approved by all members present, with a correction as to the starting time of the meeting.

4. Chair's Report:

Past Chair Garcia thanked staff and the Governor's office for giving her the opportunity to lead the Agency over the last two years, stating that it has been an honor and privilege to do so.

Chair Dresser thanked Member Garcia for taking time on the weekend to start working with him to make the leadership transition as smooth as possible, and commented that everyone he has spoken to so far has praised her work and leadership. Chair Dresser also stated that he has asked George Plescia to remain as the Vice-Chair. Chair Dresser talked about his history with the CUIAB, and said he would be visiting each office in the next few months.

5. Board Member Reports:

Each of the Board members welcomed Chair Dresser to the Board, acknowledged Member Garcia's leadership over the last couple of years, and gave a brief review of their subcommittee activities for the benefit of the new Chair.

6. Chief ALJ/Chief, Executive Director Report:

Chief ALJ/Executive Director Roldan reported that Labor and Workforce Development Agency Secretary Morgenstern has granted CUIAB permission to use overtime for up to 100 positions. The impact of this has already been felt, in that as of February 11 we have reduced, by almost half, the number of unverified cases from nearly 20,000 to 10,241. This has enhanced our ability to calendar cases for hearings by the judges. The other area, on the support staff side, where the ability to use overtime has helped significantly is in the typing HUB. We are working to reduce turnaround time from almost two weeks, which is simply unacceptable.

The open balance of cases is approximately 77,000 currently, and we're receiving an average of about 40,000 cases in any given month. This means 37,000 of those 77,000 cases are what we describe as a backlog. We have an average case age of about 47 days, while the Federal standard requires us to be at 30 days. Chair Dresser asked if we would be able to achieve the Federal standard in the next couple of months. Chief ALJ/Executive Director Roldan responded that their projection had been to do so by early 2012, but that was knocked off schedule because of the inability to hire and fill positions during the freeze. Additionally, there are structural issues that continue to exist that are beyond our control, that are controlled by EDD, such as the time it takes for them to get the physical files to us.

6. Special Assistant to the Board, Lori Kurosaka Report:

Special Assistant Kurosaka reported that they hope to have the feasibility study for the enterprise appeals project with EDD finalized by mid-March. There will be a joint briefing session with Secretary Morgenstern and EDD regarding the status of the Corrective Action Plan.

8. Chief ALJ, Appellate Operations Branch, Joel Contreras Report:

Appellate Operations has been able to continue reducing the open balance of cases, which now stands at 3,695 cases. The case aging number has been reduced from 39 days in January to 35 days currently, so we're moving in the right direction and anticipate good results in March, a critical month since that is when the Federal Government measures our performance. We are not doing nearly as well under the time-lapse standard, achieving just 9.62% under the 45 day time-lapse standard as distinguished from the required 50% that we had been meeting throughout all of 2010. We are doing much better at the 75 and 150-day mark, with 81.15% and 99.54%, both within the required standard. Effective February 14, 2011, we are sending Board decisions to field offices electronically rather than by hard copy.

9. Chief Information Officer, Rafael Placencia Report:

CIO Rafael Placencia reported that the VOIP project continues to go forward. They are still working on the cell phone reduction project, and hope to obtain an exemption for air cards, which are a big part of the technology they are using to increase efficiency.

10. Deputy Director, Administrative Services Branch, Pam Boston Report:

Deputy Director Pam Boston reported, as Alberto mentioned, that we have received an exemption to work overtime. They are working with the EDD UI Branch to identify staff that are willing to come assist with our workload. In addition, we are resurrecting the typing HUB to assist with decision typing.

11. Chief Counsel's Report:

Chief Counsel Ralph Hilton reported that there was main table bargaining last week between Unit 2, representing the ALJs and other state attorneys, and the Administration, and that they have reached agreement on the economic issues. No details can be disclosed until the agreement has been approved and signed. Assuming the agreement is approved, furloughs will end April 1. There are other noneconomic issues and a number of side letters still to be negotiated. There was discussion about staffs' accrued furlough and vacation time, and a request for a report to be provided in that respect.

12. Unfinished & New Business:

The package of proposed regulation changes were discussed, with concern expressed about how the ALJ's would decide to exercise the discretion set forth in several of the regulation to deny a petition on its face without a hearing or an opportunity to respond to an inquiry when no reason has been stated for the petition. Additional questions were raised about the possibility of expanding the electronic evidence regulation. Those issues will be examined and addressed at the March Board meeting, when the Board will take a vote on the proposed regulations.

13. Public Comment:

None

14. Closed Session:

The Board went into closed session. No votes were reported.

Adjournment