

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5525**

1. Opening of Meeting:

The Appeals Board convened at 10:30 a.m., May 11, 2010, in San Francisco, with Chairwoman Bonnie Garcia presiding.

2. Roll Call: Members

	<u>Present</u>	<u>Absent</u>
Bonnie Garcia, Chair	x	
George Plescia, Vice Chair	x	
Ann Richardson	x	
Liz Figueroa	x	
Cindy Montañez	via phone	
Sharon Runner	x	

3. Approval of the Minutes:

The April 13 and 27, 2010, minutes were approved by all members except Member Montañez who abstained.

4. Chair's Report:

Chair Garcia thanked the board and staff for moving projects forward and for the special budget meeting. She stated we need to do a lot of work in the future but AO will be off the Corrective Action Plan. We are working on some issues to help strengthen our timeline with Field Operations. Chair Garcia thanked Lori for her help in putting together meetings with EDD. Going forward we have identified some areas where we need massive improvement from EDD to help CUIAB address the timelines. As it stands now, between the time we need to notice the claimants and the parties and the time it takes for EDD to send the files, it would be impossible to meet the 30-day timeframe. Chair Garcia stated CUIAB will be working closely with Talbot, the new UI Chief, and our senior staff to identify ways we can reduce that timeframe and improve EDD's handling of those appeals before they get forwarded to CUIAB so we don't lose time.

Chair Garcia announced that Deputy Director Pam Boston was selected for the CEA position over the Administration Branch at the April 13, 2010, Board meeting closed session.

5. Board Member Reports:

Member Richardson congratulated Lori Kurosaka for putting together a good team and even though they are losing Rick Freeman she stated he is fabulous and she is glad he was promoted. She thinks he will be a great addition to her team and

thanked her for building such a strong team.

Member Figueroa welcomed everyone to San Francisco as she calls it her office. She had a concern and thanked Lori for getting some of these concerns answered. A lot of people are calling her and asking her what is going on with NUMMI. She keeps telling them they should contact the EDD office or the Workforce Development but both offices are just not handling them quickly enough. They associate CUIAB with them and she keeps referring them back to EDD. She asked Lori to provide her with an e-mail or something she could send out to constituents. Lori Kurosaka responded EDD is onsite across the street from the NUMMI plant but she is not sure how long they will occupy that facility. They are also opening up all the one stops within that county for all the NUMMI constituents. Member Figueroa stated it is not so much where to go rather it's a matter of getting the claim processed. It's not just the NUMMI but also all the satellite jobs around the area that have been affected.

6. Chief ALJ/Chief Executive and Acting Executive Director Report:

Chief ALJ/Acting Executive Director Alberto Roldan reported they had a record month in terms of production in the month of March and then they had the second most productive month in the history of the department in the month of April. They received 45,037 new cases. In part, that number was related to the L.A. PAC catching up with the cases that were old and had been discovered. They closed 42,106 cases in the month of April despite the fact that April had a holiday and there were only 30 days in the month. The open inventory of cases as a result did rise to 81,554. They went over the 80,000 mark in the month of April again after having gone below that mark during the month of March. However, in the first week of May they have reduced the inventory by slightly under 1,400 cases,

Chief ALJ/Acting Executive Director Roldan reported he and Hugh Harrison finalized the Department of Labor Quality Review for the first quarter of 2010. He is proud to report for the 18th consecutive quarter, we passed quality review. The average score was 93 out of 100 in terms of those cases that were selected at random for the DOL review.

8. Special Assistant to the Board and Project Director, Lori Kurosaka Report:

Special Assistant to the Board Lori Kurosaka reported that the Budget Hearing went very well. Special Assistant Kurosaka updated the following projects: regarding electronic transmission of decisions, we are in the design phase of Phase II which is the field-level decision and we anticipate testing in about 3 weeks. CUIAB IT staff met every deadline on the project; regarding the archive document conversion project, we are in the process of training Sacramento and San Diego field office staff with their files for imaging; and, the Appeals Registration Workgroup, the group we have with EDD UI Branch in streamlining the appeal registration process will have a recommendation for next month's Board meeting. Lastly, Special Assistant Kurosaka reported during DOL's visit to Sacramento they offered financial assistance with our technology efforts so

Alberto, Jorge, Rafael, and she met with EDD IT and UI Branch yesterday to go for some potential projects that work all together.

9. Chief ALJ, Appellate Operations Branch, Jorge Carrillo Report:

Chief ALJ/AO Jorge Carrillo reported AO registered close to 2,800 new appeals which is 18% of our fiscal year average. Chief ALJ Roldan mentioned that they are producing a record amount of decisions so we can expect that the appeal rate to the board will remain high. Our dispositions were pretty close to the number of new cases, 2,700, which is 16% of our fiscal year average but our open balance of cases has been increasing. It was down to about 2,500 but now it is up to 3,000, about a 20% increase in the last few months. Our timeliness remains fantastic. This is the third month in a row our case average, which measures the average age of a case, has been under 30 days. It was 26, the same as last month and that is a really good measure. We also met all 3 time lapse standards -- 83% of our cases were closed within 45 days; 97.5% were closed in 75 days; and, pretty close to 100% were closed within 150 days.

10. Chief Information Officer, Rafael Placencia Report:

Chief Information Officer Rafael Placencia reported all of the projects in the Matrix are active projects. The Interim Access to SCDB/TAS is a system that will give us access to EDD's data from CUIAB's network. We have completed testing and we are able to access their system from CUIAB computers. The next phase of that project will be to start implementing the access to our conveyor locations. CIO Placencia stated the last project is a new project. We have a working prototype and we are in the process of having sign off approval from AO and we might get that very shortly.

CIO Placencia also talked about IT consolidation. The Governor's plan for IT consolidation is a statewide effort and all the agencies and departments are looking at ways of saving money. We have two projects we are working on right now. One of them is EHUB which is a system of sanitizing our email, meaning it is filtered out for Spam. The other area of consolidation is the IT Telecom area. The idea is to leverage EDD's rather large telecommunication group to provide the same service here for CUIAB. We are coming up with a service level agreement between EDD and CUIAB for providing support for our legacy phone systems and our cell phones and aircards. Our plan is to have that completely consolidated over to EDD on July 1.

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

Chair Garcia congratulated Deputy Director Pam Boston with her new designation. The Board took action last Board meeting and she wants to welcome her in the new position. Deputy Director Pam Boston thanked the Board and appreciates the confidence they have in her and she hopes to continue to serve them well.

Deputy Director Boston reviewed the overtime report. The allocation is good and we continue to use overtime at the same rate. We will still have about \$151,000 left in our blanket. Last board meeting we talked about looking for additional space in our Venture Oaks facility to move Personnel. Department of General Services has started their site search and we are hoping they are going to target the area we are in. At the last Board meeting, the Board voted to allocate \$80,000 for modular furniture. We probably will not use that much money so we will keep a tally on what money we will use for that move. Unfortunately, due to the timing it probably won't happen until next fiscal year.

Deputy Director Boston reported on the new staff in Business Services: Cory Shu is the new facility representative and his assignment will be Fresno, San Jose and Inland. We also hired Luke Luati who is our mail person within the Venture Oaks building. We completed the contracts for the transcription services and that project is running smoothly.

Deputy Director Boston reported they are finishing up the New Employee Orientation project presentation in Sacramento this week. She would like to thank Rob Silva, Ralyne Long and Susan Williams for putting the show on the road. It was really a good presentation and the feedback has been very positive.

The Dragon training is also complete and the vendors are coming back to provide one-on-one training with our AO judges. The next step will be developing a survey to send out to all the ALJs in the field to determine whether they are going to continue to use Dragon and evaluate whether they need additional training. If they need additional training they will have to go back out for the additional training for the field judges.

Deputy Director Boston reported they completed the Presiding ALJ exam and the list should be out next week. They also completed the Office Technician exam and scheduled the Program Technician III written exam on May 15. The MST exam is pending and they hope it will be done within the next month.

12. Chief Counsel's Report:

Chief Counsel Ralph Hilton reported the Board members are still getting 30 cases a day which is equal to or exceeds the highest number of cases the Board did in 1987. The highest number was in 1993 when we had the recession and that was 29,490 cases. We have 47 cases in litigation including 13 new cases that came in last month. Also, 8 cases were closed and 4 of those were reversals of the board decision. This is the highest number of reversals he has ever seen in any given month which reflects that the courts are more sensitive and all of those reversals were really just based on a different reading of the facts. One of the cases was a status case still based on the factual assessment but nonetheless it is unusual but nothing to be alarmed at.

13. Unfinished & New Business

2009/10 Budget: Chief Counsel Hilton stated he included this on the Agenda thinking we might have something but there was no discussion of this item.

Status of decision review pursuant to CUIC 406(b): Chief ALJ/Acting Executive Director Roldan reported he received the very helpful legal document from Chief Counsel Hilton in terms of the structure of it. He is moving forward in the hiring of the ALJ to preside over this responsibility in addition to others but the primary focus will be to identify a very good prospect of a Retired Annuitant from the former Deputy Attorney General and Deputy General Counsel who we are looking at bringing on board and sitting on the Academy and Retired Annuitant who can also do the workload. What they have identified is a process 406 and the 413 process simultaneously and rather than waiting 30 days to see whether an appeal has been filed or not we are just going to identify cases that have been decided immediately as part of the review process and if turns out that in reviewing it you learn later that the case would result in an appeal that dropped out of the process. Now he is in a position to give a concrete structure in the June meeting and probably be able to identify by then the people who are going to be in charge.

Request for Precedent Designation, Board Case No. AO-160078: To be carried on next month to have time to evaluate it.

Regional Support Unit Restructure: Chief ALJ/Acting Executive Director Roldan has nothing new to report on this.

14. Public Comment:

None

15. Closed Session:

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

Adjournment