



**5. Board Member Reports:**

Vice Chair Allen commented on how grateful he is for the hard work of everyone. He has always felt that supported by the staff at CUIAB, any questions that he has ever had have been answered. He encouraged everyone in the agency, amid the increased pressure from our budgetary constraints, to be patient with one another. He stated that if everyone keeps kindness and patience in mind in our dealings with one another and throughout the entire agency, it will make it more pleasant and more efficient for everybody.

Member Corbett commented she is still being trained but she is keeping up with her cases and she thanked everyone for their assistance.

**6. Public Comment:**

No public comment.

**7. Chief ALJ/Executive Director Report:**

Assistant Chief K. Stephen Swenson gave the report on behalf of Chief ALJ/Executive Director Gonzales who is on vacation.

He reported that case aging is down to 19.9 days; the 30-day time lapse is 77.3%; and the 45-day time lapse is 95.6%. So the field is meeting all federal time lapse standards. He reported that the open inventory of tax cases has ticked up a bit and that is because of the seasonal ebb and flow of tax cases. Also, EDD has initiated a tax intercept program that may result in an additional slight uptick. They are observing at this point.

**8. Chief ALJ of Appellate Operations, Elise Rose Report:**

Chief ALJ of Appellate Operations Rose reported that AO met all of the numbers except they were a little bit under on the 45-days; at 43% so they are focusing on that now. She reported that AO has been fairly steady in registrations since last month. AO is actually above average for the year in the number of cases they have registered, and it's the highest it's been since October of last year. Dispositions were up by about 80 cases; the number is at the average for the year, but we are still low overall on dispositions. The balance of cases is up a little bit, by 300 cases. That's also the highest it's been since November. It's probably attributable to the fact that they have several ALJs taking vacation in April because no one took it in March but also they reduced the caseload back down from maximum to normal so

that may have an impact on the numbers as well, too but they'll be watching that.

Chief ALJ of Appellate Operations Rose reported that the transfer rate from FO to AO is 1.49 days which is really good. The appeal rate is 7.1% which is close to where it has been.

Chief ALJ of Appellate Operations Rose reported that Lori Moreland's last day in the office was Monday. She is retiring at the end of the year. She's burning off her leave between now and then. Also, they had a wonderful retirement luncheon for retired PALJ Joel Contreras.

Chair Dresser commended Lori Moreland as an outstanding judge for Appellate Operations and wished her well in her retirement.

**9. Assistant to the Executive Director, Sal Cannella, Report:**

Assistant Chief Sal Cannella reported that it has been a busy month in IT. SB1344 changed the number of days for DI appeals from 20 to 30 days. While that sounds like an innocuous change it cause all the major applications that CUIAB uses to have to be reprogramed and changed to accommodate the 30-day period now. Testing has started and IT hopes to have it ready by June 21 and go live by July 1.

Assistant Chief Cannella reported that Members Allen and Corbett tested the Discussion Page today, a work in progress that continues to develop and evolve and hopefully will be ready for use soon after all the testing is in and all the bugs that may have been identified today are remedied.

Assistant Chief Cannella reported that the Automated Calendaring for the field continues to expand. A lot of hands on out in the field and a lot of comments back from the users. The calendar clerks love it. Again, it is a work in progress and is not ready for primetime as yet but they are getting good feedback from the users who are saying it is going to replace 70-85% of their work by automation, but it is not fully implemented yet. He thinks the program will give the calendar clerks opportunities to do other things in the offices since there has been a hiring freeze, and depending on what the budget is, it may continue in the future. So by allowing the calendar clerks to have more time to do other functions in the office it will help the field offices.

Assistant Chief Cannella reported that Phase III for eCATS is currently under development. They have a production date of September, if all goes well, to roll out another major upgrade of eCATS.

Assistant Chief Cannella reported that they are working with AO to develop a protocol and a portal to email decisions from AO to the parties who have provided email addresses. This will expedite the process and cut down on mailing expenses. They are currently working through the required processes with OTech.

Assistant Chief Cannella reported they are conducting interviews for the CIO positions, Thursday and Friday of this week, and hope to have a decision of the successful candidate by the middle of next week.

Assistant Chief Cannella reported that all offices have automated phone trees except Sacramento. Sacramento has a different phone system than all the other field offices and it was estimated to cost about \$10,000 in order to automate the phone tree in the Sacramento Office of Appeals. Working with the staff at Telecommunications and IT, they have come up with a system that will allow Sacramento to have a phone tree at a cost of about \$150 a month. They will be testing that soon.

Chair Dresser asked if they received any feedback in the other office of how the phone trees are working. Assistant Chief Cannella responded that initially there was resistant to having the phone trees because they felt CUIAB was losing the personal touch when people called in. The instructions that if you want to talk to an operator were almost to the end of the phone tree messages. So what they did was advance it up to the third selection so if there person wanted to talk to a live person they didn't have to wait for the whole message to be played through, they could access it right away. So the feedback now is that it has not thwarted anybody from calling in and it hasn't caused any kind of confusion with the receptionist or with the public. So he thinks that just like everything else, once you have experience with it, you accept that it works and it has freed up the receptionist to do other functions in the office.

Member Corbett commented that she appreciates the presentation as well and especially the option to have the applicants receive email, an email process, obviously it is a really good one because not only does it save postage but that is how people are used to receiving their messages more and more. She congratulated them because she knows it sounds easier than making it actually happen. Assistant Chief Cannella commended Chief Rose because she has been an advocate for this for a long time, but they just haven't had the resources or

priority to do it, but things have changed and so they are working closely with the appellate office to try and develop what needs to be done.

They are also working to incorporate more of eCATS into the Filebound so that they can automate more things than they have in the past. It is a work in progress but it is a cooperative work in progress between the field, AO, and IT.

Chair Dresser asked Assistant Chief Cannella to convey to the IT staff the board's appreciation for their hard work.

#### **10. Chief Administrative Services, Robert Silva Report:**

Chief Silva reported on the Monthly Overtime and Lump Sum Payouts. Although we continue to underspend in our overtime allocation in 2014/15, March was one of the highest months of overtime for pay and about \$1,500 was paid out. The majority of that pay was in Field Operations and it was associated with the San Francisco Office of Appeals move. The item that is of more concern to him is the fact that IT is continuing to average just under about 100 hours of overtime for CTO. The time liability, the total for the agency has grown to just over \$42,000 and as he reported at last board meeting unless this time gets utilized as true time taken it is going to trigger a cash out expenditure next fiscal year for CUIAB. At that bottom of the report is the lump sum payouts through March. Heading into March, CUIAB was averaging about \$145,000 in monthly lump sum expenditures. The trend continued in March and we spent \$136,000 just under the running monthly average.

Chief Silva reported on the Language Program front that May is one of the months in which CUIAB engages in bi-annual bilingual audit of employees that receive a bilingual pay differential. We want to make sure that they are in compliance. We have 16 employees in Northern California and 34 employees in Southern California that will complete time ladders in the month of May to ensure that they are utilizing their bilingual skills at or above the 10% threshold for them to qualify for that bilingual pay differential.

Chief Silva reported that CUIAB will begin booking all state travel arrangements through the CalTravel Store and the Concur booking tool beginning June 1, 2015. Many travel coordinators attended DGS training in Sacramento over the past month so that they can assist employees that need to set up travel profiles and utilize the system after June 1. There is also training today in the Ronald Regan Building in Los Angeles and they have invited travel coordinators in Southern California to attend that training and then any local administrative law judges who would be able to get off calendar to attend the training because they do the bulk of

the Field Operations travel and for the most part they do their own travel arrangements. Mae Serneo of his staff is also working to finalize training materials to put on our internal share point, the Bench, as a reference tool for travelers or those who need to book travel for somebody else.

Chief Silva reported on the procurement front, that he wanted to let people know it is the end of the fiscal year almost and there is a rough procurement cutoff of the first week in June to finalize any contracts or operating expenses that need to happen during the course of the year that have been budgeted for. So both his staff and IT staff are working on the final procurements of the fiscal year and everything seems to be going well with that.

Chair Dresser asked for a brief rundown on what is going on in San Francisco and the move to Oakland.

Chief Silva responded that the move out date is next Monday, May 18. Doug Mattes, the Facility Liaison, has been spending a lot of time there in the past few weeks. The packing of the boxes has gone along smoothly which accounts for some of the overtime he mentioned earlier and they are also in the process of trying to finalize the agreement with DIR to move into that space that CUIAB is going to utilize for hearing room space in San Francisco on Golden Gate Avenue. They wrote the scope of the contract to begin on May 15 hoping that the agreement could be done by then. He's not sure that it can. But in talks with DIR they are facilitating the move so that when San Francisco office furniture, etc., is being moved across the bay to Oakland they are going to move a portion of it to the DIR space and hopefully begin using it before the end of May. IT is taking care of all the infrastructure needs in the Oakland Office of Appeals for the new employees that are going to be there.

**11. Chief Counsel's Report:**

Chief Counsel Levy indicated that the Litigation Report is in the packets. The totals for this year reflect 32 affirmances, 0 reversals year to date. CUIAB's current pending inventory is 273 cases in the various courts.

**12. Unfinished and New Business:**

**13. Closed Session:**

The Board went into closed session at 11:00 am. No votes were reported.

**Adjournment**