

5. Board Member Reports:

Member Allen expressed his appreciation for everything the staff does and how well it's done. He mentioned that he had a very good conversation with Chief Rose about precedents and to the degree that the board members can be involved and what the process might be.

6. Public Comment:

No public comment.

7. Chief ALJ/Executive Director Report:

Chief ALJ/Executive Director Gonzales reported, as outlined in the report, that the drop in case numbers has also resulted in greater timeliness. Because the EDD snafu, our cases are being delayed at EDD before they are coming here so we are losing some important time on the front end and this may cause a timeliness problem once they start flowing again. But for now, the workload is changing and it is a daily event of shuffling cases around so each office has a full amount of work, including tax cases.

Chief ALJ/Executive Director Gonzales reported on the loans from the Department of Social Services that Chief Counsel Steinhardt has been working on. We're selecting 10 volunteer judges based in part on geography, state service seniority, recommendations by the presiding judges. Since limited travel expenses will be paid by the Department of Social Services we had to pick people who were more aligned with the geographic location the Department of Social Services wanted them to be. As the program progresses it's possible that there may be enough phone hearings that a judge from one area might be able to be used that doesn't live in the geographic location.

Chief ALJ/Executive Director Gonzales reported that the ALJ training, which was the repeat of the training that was done in L.A. months ago for those who were not in attendance has also added a section for rolling out the new tool to help with drafting benefit audit decisions.

Chief ALJ/Executive Director Gonzales reported that the Best Practices training is finishing up and the staff in all the offices has been very receptive to it. The policy manual is updated so that there is a greater consistency in the way that cases are handled. Martha Silva and Renee Irwin along with the training staff, Mirella Aguirre,

Ralyne Long, and others are involved.

In response to Member Allen questions about the EDD delays, Lori Kurosaka stated the whole entire month of September EDD has dedicated their staff to continue claims processing and has very few staff on appeal workload. So we have not been receiving an adequate amount of appeal case load for quite some time and they just started redirecting staff to appeal work in the last week.

Assistant Chief ALJ Hugh Harrison commented that there has been a big jump in the last four working days but he also thinks that they pulled people from determinations. He's not sure it's going to affect time-lapse as much as it might because they just took everybody out of that whole end of the business and they were just working on continued claims. So they weren't issuing any determinations so there were fewer appeals in the first place because there weren't things to appeal. They are catching up on all that processing and for example, yesterday was the largest day of intake batch files to come over in over two months so they are starting to catch up on the backlog. We learned about a week ago that there was a 6,000 plus backlog so that they are starting to whittle away at that in the last few days.

Member Allen stated that the second part of his question is whether this delay will place our Corrective Action compliance at greater risk. Chief ALJ/Executive Director Gonzales indicated hopefully we've gotten to the point where we will request them to take us off Corrective Action and because there are fewer cases and the judges' process them and we have standardized procedures we will be able to do so, and this new delay may have less impact.

Chair Dresser wanted to thank Hugh Harrison for his good work in making sure the caseload is evenly distributed and keeping up with everything. He knows it's been a struggle, especially with our emphasis the last year or two on making time lapse and Hugh's done a real good job and he appreciates it.

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

Special Assistant Kurosaka reported that the DOL, though they are on shutdown, is requesting the federal fourth quarter Corrective Action Plan status report and it is due to them by November 27.

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

Chief ALJ AO Rose continues to have good news on the statistical front as outlined

in the summary report, as of September the registrations are at 2,359 so registrations were actually up for the first time in three months but are still below the calendar average by about 300 cases. The number of dispositions was down to 2,120 a decrease of about 600 cases. She thinks that can be explained by the fact that the ALJs were in that training; the whole week of September 23. The balance of open at 2,049 is up; again that increase could be attributed to the fact that the ALJs were not creating decisions so the balance of open cases is larger. Case aging, really good news, they are at 28 days at the end of September and this week the case aging actually dropped to 25.7 days. Time lapse in September they have met all of their goals. They were at 81% of the cases beginning decided within 45 days; 96% within 75 days; and 100% within 150 days. She referred to the reported titled Average Days in Transfer from Date Received at AO to FO shows how long it takes the field offices to the appeals up to AO and for no apparent reason that number has gone up to 5.79 days.

Chief ALJ AO Rose reported that the changes made to the intake process are working well. All of the staff are up to speed and productivity is good.

Chief ALJ AO Rose reported that as far as the precedents go they have set up an initial meeting with the Chief Counsel to develop some options to present to the board to get board feedback on what they would like to see the process look like.

Chief ALJ AO Rose reported that they just had training on the Benefit Audit Digital Decisions that the field is using . AO has to have a different set up so they are going to be working with IT.

Chief ALJ AO Rose reported regarding personnel, one of AO's long time ALJs, ALJ Rochelle Ramsey, has retired from state service. ALJ Lee Andersen has been selected to participate in the work for the Department of Social Services. Lastly, they are working on updating their manuals and they are having Mandy Garcia from Lori's team transfer to their unit for a few months to help with that. So they will be updating their standard operating procedure and their LSSI and LSSII manuals and then they will be updating all of their unit manuals to conform to all the changes that have been made in technology.

Chief ALJ AO Rose reported on the Telecommute Board Policy #17 via PowerPoint presentation. That policy requires that she report to the board once a year on the status on AO's telecommute, now being called the telework policy. She presented to the board that the State of California encourages telecommuting which they are now referring to more often as telework. The Government Code actually says it is the policy of the State of California to encourage the use of

telecommuting as a management work option. The Department of General Services has a policy the Department of CHR has its own policy and we have our own policy. The results of a telecommuting study showed significant improvements in employee productivity and morale and a significant reduction in transportation system use. The telework program at CUIAB is also part of the ALJs Memorandum of Understanding so in the Unit 2 MOU it recognizes telework has been proven to improve employee morale, reduce traffic congestion and improve productivity. They've had continuous improvement in their technology that maximizes the efficiencies of telecommuting. They have seen a lot of improvements in Filebound and in CATS. The two systems can talk to each other better and they have move auto-population of fields from one system to the other. They have an automated calendaring scheduling system which allows the ALJs to pick up their cases from anywhere. The benefits of the program over all it has improved productivity and efficiencies, fewer distractions, they work in lieu of commuting, best utilization of office space, increase employee morale, improves retention of experienced ALJs, assists in recruitment of new ALJs and saves on commute trips.

They decided that the two days per week provides the ideal balance for the teleworking ALJs. It maintains the opportunities for collaboration, innovation, on-site brainstorming. It maintains the balance of human interaction and telcommuting benefits and prevents the blurring of work and personal life that may occur when individuals telecommute fulltime. It allows the chief and presiding judge to meet with ALJs in person to discuss pressing issues, possible precedents; sometimes they have meetings about that, and to provide oversight as appropriate. It preserves the opportunity for board members to meet or consult with the board authors and it provides the opportunity to attend AO staff and ALJ meetings; and also committee meetings and fosters good relationships between support staff and the ALJs. She does recommend that they update the telework policy and she'll get back and work on it this year.

She stated that AO does also have the transcript typists telecommuting and they have been telecommuting for many, many years and it has worked out fine. They have recently, because of the drop in workload attributed to having the judges listen to longer hearings, now they are having the typists come in once a week so that they can type decisions and do some other work that needs to be done in the office. So they are going to come in and do that subject to collective bargaining.

Chair Dresser asked that in terms of quality review of decisions other than what board members might do and considering decisions is there a program on that or how do you that.

Chief ALJ AO Rose responded that it's something they are talking about re-implementing now and with the huge numbers that they had until recently there just wasn't time we needed to get those decisions out the door. But some of the ALJs who have been here for a long time have ideas of what has worked in the past and so they want to re-implement that.

10. Chief Information Officer, Rafael Placencia Report:

CIO Placencia reported on eCATS the implementation that they have a go live date which basically is the release of the application, the new application, on October 21. They are definitely in a position to where they can release that new application this month. The date is subject to change based on cooperation with the business side, the field, so that date right now is set for October 21. A final stress test will be held on October 16. All indications are that they do have a very workable solution going forward.

CIO Placencia reported on that the Ca.Mail project has been very challenging to implement. To date, they have approximately 30% of our employees using the new service. The stability of Ca.Mail, the service, is currently experiencing unexplained sporadic outages. Many of us have experienced the service dropping from time to time throughout the day. They are working with our service provider, OTech, for working through those issues. He can tell the board that it is ongoing, very complex problem that they are trying to resolve. Changes were done just this week to try and fix things that we have been experiencing with the outages. They are monitoring the system to see if those fixes are in fact behind us. They are scheduling the project to move forward. The next group of employees for migration are set for October 15.

Chair Dresser stated that one thing that would be helpful would be to get a status report that he can forward over to Labor Agency in support of our request that it be delayed for a year.

11. Chief Administrative Services, Robert Silva Report:

No report.

12. Chief Counsel's Report:

Chief Counsel Steinhardt reported on the DSS loan program and the 10 judges who were selected. It should begin November 4, and they will start their training which will probably take three weeks, and then by later November they'll be

actually starting to handle hearings. This is potentially between \$1 million and \$1.5 million in revenue to CUIAB, to loan those 10 judges, and it relieves some of our budgetary problems through the end of the fiscal year. Between now and then we'll revisit what it is that we can do with DSS to continue this program. The need probably still would exist.

Chief Counsel Steinhardt reported that there were 10 new writ cases opened, nine of them were claimant appeals and one was the employer. Seven cases were closed, three were reversals and four were affirmations.

13. Unfinished and New Business:

No unfinished or new business.

14. Closed Session:

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

Adjournment