

**MINUTES  
FOR THE REGULAR MEETING  
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD  
Docket No. 5612**

**Open Session**

The Appeals Board convened at 10:30 a.m., November 15, 2016, in Sacramento with Chair Robert Dresser presiding.

<b>1. Roll Call: <u>Members</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Robert Dresser, Chair	x	
Michael Allen, Vice Chair	x	
Ellen Corbett	x	

**2. Approval of the Minutes:**

Member Corbett noted that the Minutes of the October 2016 Board Meeting do not fully and accurately reflect statements made by her regarding the need for training and would like to further review the record of that meeting. Notwithstanding, the October 2016 Board Meeting minutes were approved unanimously, with the proviso that Member Corbett may ask that a future amendment be made to the October Minutes to clarify her statement about training.

**3. Chair's Report:**

Chair Dresser reported that efforts are underway to determine what, if any, impact the Presidential election and change in federal Administration will have on funding for California's Unemployment Insurance program.

Chair Dresser reported that he visited the Fresno Office of Appeals on November 10, 2016. He thought his visit went well and is now looking into the issue of whether an additional support staff position can be established for that office.

Chair Dresser reported that he and Executive Director Gonzales are engaged in ongoing discussions with the budget staff to determine whether there are sufficient funds to add positions and/or provide promotions. He also noted that staff is working with CalHR to establish a consolidated reemployment list in the event there is sufficient money to establish new positions.

Chair Dresser reported that the most recent timeliness statistics are respectable, but can be improved.

#### **4. Board Member Reports:**

Vice Chair Allen expressed concern that time lapse measurements have edged up. In that regard, he observed how difficult it is to downsize an organization and to calculate exactly the right configuration of people when you're done. He is confident, however, that management is working closely with the Chair and Board Members, and that everyone in the organization is striving to get quality decisions out in a timely manner.

Vice Chair Allen commented that coming back from vacation he feels a renewed desire to encourage team work. He observed that we are all in this together. He attributed these sentiments, in part, to the reaction he is receiving after the Presidential election. He acknowledged that some people are elated with the elections results; and some are very fearful and depressed. He thinks that trying to be compassionate and respectful of one another is always a good course of action under these circumstances. He added, as always, that he is thankful for the work that everyone is doing.

Member Corbett stated that she had an opportunity to read the Joint Statement that was put out by the Senate Pro Tem and the Assembly Speaker shortly after the election, and noted that she appreciates those comments and knows all of us as a team have similar feelings. She observed that we are here to serve our constituents at the highest level we can, and to make sure we do not go backwards on hard fought achievements in the area of employment and civil rights. She stated that we should be cognizant not only of the issues we deal with in our work, but also of battles and challenges of all sorts that face claimants, employees and employers. She asked that we reflect upon the anxiety and fear of displacement that many are now feeling, and that we recognize that this is a time of great change in our country. She encouraged all to remember periods of great change and displacement throughout the history of our country, and to keep in mind the battles that were fought at those times to protect rights and to ensure that we don't go backwards. She feels very good about the State of California, but also knows we should be looking out for our employees and employers, and making sure we continue to do the right thing no matter what happens at other levels of government.

**5. Public Comment:**

No public comment.

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

Chief ALJ/Executive Director Gonzales reported that there is increased attention being paid in the Field Offices to timeliness measurements. Concerns are being addressed, in part, with a recent increase in the number of cases assigned per week. There is, also, an effort underway to evaluate whether additional staff positions are needed.

Chief ALJ/Executive Director Gonzales reported that recent decision writing training received very good reviews. Randy Petersen, who provided the training, got many compliments.

Chair Dresser asked for a briefing on the meeting with a CASE representative last week regarding the recent caseload increase.

Chief Counsel Schwartz reported that a meeting was held with a CASE representative on November 14, 2016, and that there was a discussion about the need for and duration of the increase. Chief Counsel Schwartz further indicated that the conversation was very cordial, and that the CASE representative indicated that she would share the information with the CASE Board and contact CUIAB if they had any further questions or concerns.

Vice Chair Allen requested a copy of the materials used for the ALJ decision writing training.

Chief ALJ/Executive Director Gonzales stated she would send the Board Members an electronic copy of the decision writing training materials.

Chair Dresser added that CUIAB should consider, as part of the decision writing review, whether there needs to be more information in the decision itself on the need to provide a justification for filing a late appeal.

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

Chief AO ALJ Rose reported that Appellate Operations is at 69% compliance with the 45-day time lapse standard and 94% compliance for the 75-day time lapse

standard. Appellate Operations is well within the DOL guidelines and requirements. In addition, AO has seen a drop in registrations from last month and a drop in the open balance of cases. Dispositions have been fairly constant over the last couple of months.

Chief AO ALJ Rose reported that in the coming months AO is planning Quarterly Meetings where specific training topics will be discussed. Also, AO is planning to look more closely at their quality review process and will be working on more Board precedent decisions.

Vice Chair Allen thanked Chief Rose and Member Corbett for taking on the project of providing a report to the Legislature.

Vice Chair Allen also suggested that a flow chart be developed that captures the precedent decision making process.

Chief AO ALJ Rose responded that she will develop a flow chart and share it with the Board Member by the next meeting.

Chief AO ALJ Rose added that she has put together a first draft on the report for the Legislature. She will continue to work with Member Corbett to finalize the draft. It will then be provided to Vice Chair Allen for his review.

Vice Chair Allen stated that a report to the Legislature at the beginning of a session would be helpful, as that is the time that new bill proposals are being developed and issues specific to CUIAB might be considered.

Member Corbett agreed that January is the perfect time for a report. She asked that both the Chair and Vice Chair provide input on CUIAB issues to be included in the report. She wants to make sure any report is brief and user friendly for Legislators and their staffs.

Chair Dresser thanked Member Corbett for her work on the project.

**8. Chief Information Officer, Nick Dressler Report:**

CIO Dressler reported that Santiago Asuncion, a manager in the IT Division, has left CUIAB for a promotional position in another State agency. Faye Saunders, another IT manager, will be retiring at the end of December. With the departure of these two managers, the IT Division is temporarily reorganizing to have all the staff report to the remaining three managers, (CIO Dressler) and two DPM IIs.

Chair Dresser complimented the IT staff because he was able to use a desktop computer in Fresno to work on his cases.

CIO Dressler commented that the IT Division is working on an IT solution that will enable the Board members to work easily from any of the Field Offices.

Member Corbett commented that they have had some downtime on their computers lately. She asked if that was unusual.

CIO Dressler responded that it was, but none of it was caused by CUIAB itself, but rather by outside entities.

CIO Dressler reported that the email migration contract is almost finalized. In addition, the IT Division is working with EDD to develop a bid for dictaphone replacements.

Vice Chair Allen asked if the IT Division was bringing on permanent positions or extra help.

CIO Dressler responded that right now IT is alright, but they have some big projects coming up and will need to look at staffing levels in the near future.

**9. Chief Administrative Services, Robert Silva Report:**

Chief Silva reported that there were no updates to report this month.

**Closed Session:**

The Board adjourned open session at 11:15 a.m. The Board commenced a closed session at 11:20 a.m. Closed session was adjourned at approximately 11:53 a.m.

The Board reconvened in open session at approximately 11:54 a.m. The Board had nothing further to report and recessed at 11:55 a.m.