

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5671**

Open Session

The Appeals Board meeting convened at 1:00 p.m., November 17, 2021, via Zoom conferencing with Chair Marty Block presiding.

1. Roll Call: <u>Members</u>	<u>Present</u>	<u>Absent</u>
Marty Block, Chair	X	
Dan Reeves, Vice-Chair	X	
Mike Eng	X	
Michael Allen	X	
Laura Kent-Monning	X	

2. Approval of the Minutes:

The October 27, 2021, Meeting Minutes were approved unanimously.

3. Chair's Report:

Chair Block reminded that most of the Board's work is not done during the meetings, but in-between meetings. During the past month, the Board resolved approximately 400 second-level appeals, and Field Office Administrative Law Judges resolved thousands of first-level appeals.

Chair Block reported that he and Executive Director Cutri met with Labor Workforce Development Agency's Secretary, Natalie Palugyai, and Undersecretary, Stewart Knox, and also attended an Agency-wide leadership meeting.

4. Board Member Reports:

Member Kent-Monning thanked Chair Block for his report on his meeting with the new Labor Secretary.

5. Public Comment

Richard Miller commented on his efforts to obtain employment with CUIAB.

6. Chief ALJ/Executive Director Report:

During October, daily appeal transmittals from the Employment Development Department fell to within 19% above pre-pandemic periods.

In October, the field offices issued nearly 23,000 decisions. For that month, CUIAB closed 3.8% of cases within 30 days and 4.4% of cases within 45 days. CUIAB prioritizes resolving oldest cases and its average case age is approximately 105 days, compared to a national average case of 133 days.

CUIAB continues to recruit and train new staff. Over the next month, Executive Director Cutri and PJ Bach will meet with the approximately 60 newly-hired ALJs for additional training. CUIAB will continue to recruit new staff and ALJs consistent with workload forecasts.

There were no COVID-19 office closures during October and 87% of CUIAB's workforce has provided proof of vaccination.

CUIAB's Virtual Call Center, which had been implemented at the beginning of the pandemic, has ended and staff have been transitioned back to their assigned field offices. Executive Director Cutri thanked Greg Crettol and his team for managing the Virtual Call Center transition of staff back to the field offices.

Since the last Board meeting, Director Cutri reported one security incident. An individual entered the Pasadena office building and attempted to force entry into the lobby of the Pasadena field office while threatening office staff. Law enforcement intervened and the situation was resolved.

Vice-Chair Reeves inquired about CUIAB's projections for reaching compliance with the DOL timeliness standards. Director Cutri advised that depending on the deferred workload CUIAB receives from EDD, he is hopeful that CUIAB will achieve improvements in DOL timeliness standards in the first and second quarters of 2022. Vice-Chair Reeves inquired about CUIAB's vaccination rate in October as compared to November. Director Cutri informed that he could check and provide exact numbers, but for October CUIAB's vaccination rate was in the low 80%, and is currently at 87%. Vice-Chair Reeves inquired about an estimated date for resuming in-person Board meetings. Director Cutri advised that this may likely be in February 2022. Chair Block advised that Board members who wish to participate via Zoom are welcome to continue to do so and confirmed CUIAB's vaccination rate for October was 82%.

Member Eng thanked the staff who continue to work in their offices and inquired about the status of CUIAB's proposed regulatory changes involving filing direct appeals with CUIAB. Director Cutri stated the LWDA is evaluating the potential fiscal impact of the regulatory changes. Regarding the potential benefits of the changes, Director Cutri advised that when CUIAB's appeals modernization is completed, receiving appeals through an online portal will streamline business processes and improve the public's ability to file timely appeals.

Member Allen asked Director Cutri if every state remains out of compliance with the DOL timeliness standards. The only state currently in compliance is Minnesota. Member Allen asked whether there has been an attempt for the states to meet with DOL as a group rather than individually regarding the ability to meet timeliness standards during the pandemic. Director Cutri advised that states within a DOL region meet regularly CUIAB and will address this in the region's next meeting.

7. Presiding ALJ of Appellate Operations, Jodi Remke Report:

Presiding Administrative Law Judge for Appellate Operations, Jodi Remke, reported that during October, AO resolved 76% of its cases within 45 days and 91.5% within 75 days. To date, AO has resolved 74.7% of its cases within 45 days.

Vice-Chair Reeves inquired about the DOL timeliness measurement year. PJ Remke advised that it concludes at the end of March. Vice-Chair Reeves asked about forecasts of types of cases for second-level appeals. PJ Remke advised that it is difficult to forecast; however, there may be an increase in appeals involving overpayments.

Members Eng, Allen, and Kent-Monning thanked PJ Remke for her ongoing work and guidance in complicated cases.

8. Chief Information Officer, Jeff Willoughby Report:

CIO Willoughby reported that CUIAB is currently in Sprint 10 of the appeals modernization project. As CUIAB moves into the final phases of the development, it continues to work on system performance, security optimization, and testing. Additionally, CUIAB's Organizational Change Management (OCM) team is in the process of developing a news update that will be available to CUIAB staff. It is also updating training plans and materials to use the system. CIO Willoughby thanked Greg Crettol, Siek Run, Mariluz Worden, Mirella Gomez, and Renee Erwin for their

work on this.

Implementation of the online hearing “check-in” process continues and there have been over 4,000 appellants who have utilized this.

Vice-Chair Reeves thanked IT and the OCM team for their work and inquired about feedback regarding the online check-in process. CIO Willoughby advised they do receive feedback and the online check-in process is continuously being refined based on feedback.

Member Eng thanked CIO Willoughby and IT for their continued support and inquired about CUIAB’s proposed regulatory changes and the ability to accept appeals directly. CIO Willoughby advised that the online portal would have the ability to receive appeals, but CUIAB possesses other ways it could potentially accept appeals.

Member Allen thanked CIO Willoughby and his staff for their services. Member Allen advised that he is looking forward to working with CIO Willoughby, Greg Crettol, and staff in preparing information regarding the appeals modernization for distribution in CUIAB’s next newsletter.

Member Kent-Monning inquired whether CUIAB’s online check-in efforts are an early test of the appeals modernization processes or separate undertakings. CIO Willoughby advised that they are separate efforts, however, CUIAB has gained valuable knowledge and experience from the online check-in process that benefits work on the appeals modernization project.

Closed Session:

The Board adjourned the open session to convene a closed session to discuss pending litigation.

Open Session:

The Board returned to open session and announced that no reportable action was taken during closed session.

Adjournment