

**MINUTES  
FOR THE REGULAR MEETING  
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD  
Docket No. 5674**

**Open Session**

The Appeals Board meeting convened at 1:00 p.m., February 16, 2022, via Zoom conferencing with Chair Marty Block presiding.

<b>1. Roll Call:</b>	<b><u>Members</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
	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 January 12, 2022, 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 700 second-level appeals, and Field Office Administrative Law Judges (ALJ) resolved thousands of first-level appeals.

**4. Board Member Reports:**

Member Allen expressed his gratitude and support to the CUIAB staff for their work during the pandemic.

Member Kent-Monning offered her appreciation for the work on CUIAB's appeals modernization program project.

**5. Public Comment**

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

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

The executive staff at CUIAB continues to meet monthly with EDD to evaluate workload trends.

In January, the field offices issued nearly 23,000 decisions. CUIAB closed 8.1% of cases within 30 days and 10.9% of cases within 45 days. CUIAB continues to prioritize resolving the oldest cases and the average case age is approximately 101 days, compared to a national average case age of 155 days.

Since the Board's last meeting, there have been five brief office closures due to COVID. The offices were cleaned and re-opened with minimal operational disruption.

As of February 16, the statewide indoor mask mandate has been lifted for vaccinated employees. Santa Clara and Los Angeles counties continue to require masks regardless of vaccination status; CUIAB continues to abide by local mandates. The State's weekly testing requirements for unvaccinated state employees are ongoing. Executive Director Cutri thanked Chief Silva and the Administrative Services team for their work in implementing COVID-related mandates.

CUIAB continues to recruit ALJs and support staff. The next cohort of ALJs will begin March 18, 2022, and will be trained by PALJ Bach.

In December, Appellate Operations identified cases with audio recording deficiencies. IT investigated and remedied the issue to minimize further impact. Cases identified as impacted are expedited for additional hearing after remand and the number of cases requiring an additional hearing continues to decrease.

There were no security incidents to report for January.

Executive Director Cutri expressed his condolences to the family of Inland Office of Appeals Legal Support Supervisor, Nancy Chavez.

Vice-Chair Reeves thanked Executive Director Cutri for his assistance with the audio recording deficiency.

Member Eng inquired about the number of positive cases within CUIAB during January 2022, and about the number of claimants who have not responded to the notice of re-hearing in cases that identified with an audio recording deficiency.

Director Cutri advised that the field offices are aware to prioritize this issue and to contact claimants who have not responded to these notices. Director Cutri will provide information on the number of claimants who have not responded to re-hearing notices.

Member Allen inquired about the current anticipated appeals workload based on CUIAB's meetings with EDD. Executive Director Cutri advised that while appeals remain at elevated levels in comparison to pre-pandemic workload, these levels have decreased significantly from their peak.

Member Kent-Monning thanked Executive Director Cutri for his ongoing work.

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

Presiding Administrative Law Judge for Appellate Operations, Jodi Remke, reported that during January, AO resolved 90.9% of its cases within 45 days and 99.4% within 75 days. PJ Remke provided an overview of average national appellate operations performance regarding timeliness measures.

Chair Block congratulated and thanked the Board Members for their achievements in timely issuing decisions.

Vice-Chair Reeves thanked PJ Remke for her overview of average national performance and his colleagues for their work.

Member Eng inquired whether EDD has a policy to monitor CUIABs decisions that contain language regarding the potential availability of Pandemic Unemployment Assistance benefits and asked whether statistics are available regarding the number of claimants EDD has contacted in circumstances in which CUIAB's decision has advised of the potential eligibility for PUA benefits. Director Cutri advised that EDD's protocol is to review CUIAB's decisions in order to properly implement their holdings and stated that he will attempt to determine whether there is information available regarding the number of claimants EDD has contacted regarding the issue of potential eligibility for PUA benefits.

Member Allen thanked PJ Remke and the AO ALJs for their work, and the Board Members for their attention to detail in adjudicating cases.

Member Kent-Monning thanked PJ Remke for her work and report regarding national timeliness performance.

Chair Block thanked PJ Bach for her ongoing training work.

**8. Chief Information Officer, Jeff Willoughby Report:**

Information Security Officer, Sonja Teamer, provided the report on behalf of Chief Information Officer, Jeff Willoughby. CUIAB is completing Sprint 11 of the 13 planned sprints for the appeals modernization project and will begin entering the user acceptance testing. In parallel, CUIAB is developing and preparing training materials for the project. IT is continuing work to enhance and make more robust the field office's network capacities.

Member Eng inquired about the timing of training for Board members on the appeals modernization project. ISO Teamer advised that Board Members will receive training but the date has not yet been set.

Member Allen inquired about the roll-out of the two-factor authentication process. ISO Teamer advised that this was implemented without significant problems.

Member Kent-Monning thanked Rick Freeman for his assistance setting up the two-factor authentication requirements.

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

On January 27, Administrative Services released the Personnel and Operating Expenses Budget Call Letters for State Fiscal Year 2022-2023. The budget requests will be consolidated and reviewed by the Executive Director.

Chief Silva provided an update on personnel hiring. There are 13 support staff positions pending hire and several 12-month limited-term positions are being extended or converted to permanent positions.

Since the last Board meeting, the incidence of positive COVID cases has slightly increased. With each office closure due to COVID, administrative services was able to obtain same-day office cleaning.

Chief Silva provided an overview of the Supplemental Paid Sick Leave bill, which becomes effective February 19, 2022.

Member Eng inquired about the total amount of positive COVID-19 cases at CUIAB.

Chief Silva reported that in the past four weeks there have been 22 positive cases, totaling 79 since the onset of the pandemic. Of the 22 recent cases, over 85% had provided proof of vaccination. Member Eng inquired about the state's testing processes and protocols if an employee has tested positive. Chief Silva advised that the state provides tests to the employees and has ordered a two-week supply. Chief Silva described the current quarantine and return-to-work protocols in the event an employee tests positive.

Member Allen inquired about CUIAB's processes regarding the Budget Call Letters and emphasized the importance of soliciting input on these throughout CUIAB. Chief Silva described the process used in developing CUIAB's budget.

Member Kent-Monning thanked Chief Silva for his ongoing work.

**Closed Session:**

There was no Closed Session.

**Adjournment**