

**MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5535**

1. Opening of Meeting:

The Appeals Board convened at 11:00 a.m., February 8, 2011, in Oxnard, with Chairwoman Bonnie Garcia presiding.

2. Roll Call: Members

Present

Absent

Bonnie Garcia, Chair

X

George Plescia, Vice Chair

X

Denise Moreno Ducheny

X

Alberto Torrico

X

Roy Ashburn

X

Dennis Hollingsworth

X

3. Approval of the Minutes:

The January 25, 2011, minutes were approved by all members present.

4. Chair's Report:

Chair Garcia thanked staff and the Board member subcommittees for their continuing efforts working with the Employment Development Department, the U.S. Department of Labor, and the new administration, to meet federal performance standards and to lessen the impact of the hiring freeze upon our programs.

5. Board Member Reports:

Member Ashburn stated meetings with regard to the Voice Over Internet Project (VOIP) have been ongoing, and we believe that the implementation schedule will be met.

Members Torrico and Hollingsworth reported on their continuing discussions with the administration to obtain exemption from the hiring freeze so that CUIAB can fulfill its state and federal mandates.

6. Chief ALJ/Chief, Executive Director Report:

Chief ALJ/Acting Executive Director Roldan reported that we still have a large number of unregistered cases and un-typed decisions due to the restrictions on hiring and overtime. Cases must be registered first before they can be assigned for

hearing, and decisions must of course be typed before they can be issued, so the impact upon our ability to process the workload is obvious. We have recently made a big push on registrations, but that did mean taking employees off of other assignments.

Other items to note: The LSSII Conference will take place March 8 and 9, to coincide with the March Board meeting. We had a very successful traveling mass on January 18, 19, and 20 in the Inland Empire, which is the office that has the highest number of unheard cases. The Judicial Conference is on track for May, with the focus on Disability Insurance, Tax, reasonable assurance, and creditability determinations.

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

Lori Kurosaka commented on the Department of Labor's recent monitoring visit that they recognize CUIAB is doing everything within its control to reduce waiting times for employers and workers alike, will be conducting quarterly visits throughout the remainder of this year, and are looking forward to working with us to remove California from the at risk designation.

Chief Roldan and I attended the Senate Sub-5 Budget Committee Hearing and the Assembly Sub-4 Budget Committee hearings last week, which went very uneventfully for CUIAB, with all agenda items approved.

8. Chief ALJ, Appellate Operations Branch, Joel Contreras Report:

Joel Contreras reported for the month of January that registrations were 9% below average, while the open balance was 11% above average, so they are using this opportunity to reduce the open balance. Case aging was 38 days, two days better than the 40-day DOL requirement, but the 45 day time-lapse requirement was not met for the month of January. The 75 and 150 day time lapse requirements were met.

9. Chief Information Officer, Rafael Placencia Report: CIO Rafael Placencia reported on the VOIP Project, noting that the current project schedule will be very difficult to meet, and requesting that it be extended from four to six months. After discussion among the Board members, and consultation with IT subcommittee Member Ashburn, the Chair advised that there would be no extension of the project schedule.

Pursuant to the administration's direction to reduce state cell phone usage, an inventory was conducted, finding that CUIAB cell phone usage is already well below the target set by the administration, at only 10% current staff. Notwithstanding, the CUIAB will still work to decrease even that low number. It is interesting to note that no Board members have a state-issued cell phone.

10. Deputy Director, Administrative Services Branch, Pam Boston Report:

Pam Boston reported on office security issues. The CUIAB has current Emergency Evacuation Plans in all field offices, except for San Francisco and Southern California RSU, which need updating. Both fire and shelter in-place (for threats of violence) drills are conducted annually. During Fiscal Year 03-04 CHP assessments were conducted in all of our field offices and hearing facilities. Business Services is developing a safety resource by English that they will be able to put in the back of the badges with important numbers in case of an emergency. It will include a number employees can call for an escort to their car after hours. We are developing a safety resource for our hearing rooms that will have all the information on what to do in case of an earth quake, fire, medical emergency. Since the CHP has jurisdiction over our facilities, we'll be sending a letter to each local CHP office to let them know where our field offices and hearings outstations are located. This letter will include the size of the office, the number of hearing rooms, and a floor plan. We're working with IT to roll out with the new phone system an e-dial for 911 and for the local CHP. CHP has provided safety training in Sacramento, Fresno, San Diego Inglewood, Inland, OC, Oxnard, Pasadena, and San Jose on March 9th. The training that is presented to the ALJs and support staff covers topic such as: How to handle an angry claimant, how to handle a subject with a gun, how to improve office security, the shelter room drill, and general security tips. We are also developed new signs for posting in reception areas, informing parties of fine or imprisoned for threatening a public employee, and the prohibition against carrying firearms.

11. Chief Counsel's Report:

Workload reports reflect that Board members are averaging between 18 and 48 cases per day, with the higher numbers carried by members who have already been fully trained. However, as pointed out by Board members, the four new Board member caseloads include several weeks where caseload assignments to members were restricted for purposes of training. Those members will achieve much higher productivity in the months ahead, as their training is completed. On the litigation front, sixteen new cases were opened this month, and five cases closed, with two reversals.

12. Unfinished & New Business:

Regulation Amendments: Chair Garcia tabled this item for the next Board meeting.

Executive Director Position: Chair Garcia noted that Alberto Roldan has been our Chief Administrative Law Judge since January of 2009, and has been functioning as Acting Executive Director since approximately April 2009, when the former Acting Executive Director left the CUIAB for another assignment. Alberto has been working in an acting capacity for almost two years now, and has shown during that extended period of time the necessary leadership to warrant permanent status.

Unfortunately for Alberto, but fortunately for us, he gets an additional title but no additional pay. By roll call vote of 6-0, Alberto Roldan is made the permanent Executive Director.

13. Public Comment:

An ALJ with the Oxnard Office expressed his concerns about safety and security in the offices, particularly when hearings are conducted in small offices where there is very little physical distance separation between the ALJ and the parties.

14. Closed Session:

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

Adjournment