

California ALJs will be invited to the conference, as it will also be their training conference next year. This year training teams will visit each field office and Appellate Operations for the purpose of continuing education. The organizers for that are Angela Bullard and Kim Steinhardt. The training will be two days in each of the offices. There will also be support staff training in 2012, which will be announced at the May meeting.

Chair Dresser reported that the Co-location project, which was put on hold last September 2010 because of the budget freeze, has been re-implemented, and will be expanded to determine if the initial favorable results continue.

Chair Dresser further reported that the Service Level Agreements with EDD have been signed and he thinks they will be very helpful. He thanked Ralph, Pam, Alberto and others who worked on the agreements. Now we will at least we have something in writing as to the minimum standards for service from EDD regarding their support for the budget, personnel and facilities functions.

Chair Dresser commented that he and senior staff will meet tomorrow with EDD about various matters, including the FSR, Co-location and EDD support in our efforts to obtain money from the federal government for Co-location, web-based appeals and other important projects.

Chair Dresser testified last week with Alberto Roldan at the Assembly and Senate Sub-committee meetings on the proposal to eliminate the board. Each sub-committee asked for a written summary of what he said, which is currently being prepared and will be provided to each board member. Kathleen Howard also testified in her capacity as a member of the public, and did a very nice job.

5. Board Member Reports:

Member Garcia thanked Chair Dresser for his leadership in helping to make the administrative consolidation transition very smooth. She thinks it was very telling that EDD is still talking to us about the service agreements to make sure that our 700 plus employees are taken care of and that our budget process remains separate so we can preserve the intent that this agency remain independent and continue to issue unbiased decisions. Member Garcia updated the board on former Board Member Sharon Runner, who recently had a double lung transplant. She stated she is glad that we are going to be putting in security features, and thanked the staff for their diligence in making sure we continue to move forward on projects that are progressive. She stated that the project in L.A. is a long time in coming. We've seen that with some very minor changes and tweaks we have been able to shave off a day here and a day there, which makes all the difference for someone who is waiting for a decision.

Member Ashburn thanked the Chair and Vice Chair Garcia. He thanked all the many members of staff who have been involved in improvements and moving CUIAB into compliance with Department of Labor requirements. He commented

that it shows that the people of California are blessed with really diligent, talented, and skillful employees at CUIAB.

Members Torrico and Howard echoed the comments of the previous board members in thanking the entire staff for their fine work in dealing with the caseload, and reducing the wait times for the parties. They appreciate the extra efforts the staff has put in to get CUIAB in compliance.

6. Public Comment:

There was no public comment.

7. Chief ALJ/Executive Director Report:

Chief ALJ/Executive Director Roldan stated that he is pleased to report that CUIAB judges at the field level met or exceeded the DOL quality standards for the 25th consecutive quarter. The review did reveal some areas where improvement can be made, such as the marking of exhibits and our opening statements. This will be incorporated into the training that is already scheduled for this summer.

Chief ALJ/Executive Director Roldan reported that the field is doing a great job of reducing the backlog significantly, and we are now down to a point where we only have about a half a month's backlog at this point in time. The balance of open cases is at 47,540 cases, down from the highpoint in September 2009 of 94,499 cases. We have received 32,109 cases during the month of February, closed 39,521 cases during that month. Timeliness has gotten much better to the point where we are now fully meeting the average case age standards, and also improved significantly on time lapse. At the beginning of the fiscal year we were closing 3% of our cases within 30 days, and 26% within 45 days. We have improved that to 7% within 30 days, and 33% within 45 days. We are also closing 95% of the cases within 90 days. A lot of great progress has been made on the part of the field, while still working very hard on individual cases to make sure they are meeting appropriate due process standards for the public.

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

Special Assistant Kurosaka reported that Department of Labor Region 6 staff has scheduled their site visit for the first quarter, to coincide with our March performance test. The new DOL Regional Administrator, Christine Chudd, will be participating on the next two site visits so that she can become familiar with the issues in California.

Special Assistant Kurosaka also reported that the National Department of Labor released an Unemployment Insurance Program letter on March 9, confirming 100% over-base reimbursement through the current federal year. Also, the Program Letter announces an opportunity for supplemental budget requests, which the Board will pursue.

Special Assistant Kurosaka reported that Janet Maglante and the IT staff are working on one of the long standing issues in connection with our data validation reporting. The programmers completed some corrections to the programming code and the problems have been resolved, the data is testing very well. Hopefully, CUIAB will pass the data validation test this March.

Special Assistant Kurosaka reported that one of their top projects this past month has been preparing for budget hearings, preparing handouts and talking points. Staff did a fabulous job and worked very hard for two solid weeks preparing the material.

Special Assistant Kurosaka stated that staff also completed an Overturn Rate Report, which identifies the rate at which CUIAB ALJs are overturning EDD determinations, both in UI and DI programs. The report was requested by EDD, and identifies the most common appeal issues and the percentages of overturn based on appeal issues, as well as Primary Adjudication Centers. EDD will be able to analyze the data to identify if there are training issues that need to be resolved or policy issues that need to be reviewed. Member requested copies of the report on behalf of the other Board members.

Special Assistant Kurosaka reported work on a new project, one that will eliminate the two-step process for printing out ALJ decisions. In addition, they are looking at the feasibility of moving the outgoing mailing process from CUIAB to EDD's mail center in West Sacramento. It is a very high-tech facility where they can send a data file and it will print all of the decisions to be mailed under discounted bulk mail with the U.S. Postal Service. They will finish a feasibility study within about three months.

9. Chief ALJ of Appellate Operations, Elise Rose:

Chief ALJ AO Rose reported a decrease in registrations from 2789 in January to 2316 in February. The balance of open cases has decreased for the sixth straight month, to 2,902 cases in February, a decrease of 761 cases in just one month. To put it in perspective, six months ago AO had 6,423 open cases. The numbers have not been this low since July and August of 2010. The number of dispositions last month outpaced registrations by 790. and dispositions dropped from a high in September of 4,116 to 3,106 in February.

Chair ALJ AO Rose also reported AO was at 32 days for case aging at the end of February, down five days from the previous month and well within the 40 day DOL standard for AO. This is a significant improvement from last August when it was 48 days. Regarding time lapse, their goal for the number of cases to be decided within 45 days of their appeal is 50%. We went from 17% of our cases being decided within that time frame in January of this yea down to 48% by the end of February. We have also met and exceeded the 75 day and 150 day time lapse goals. In addition, average days in transfer from field offices to appellate operations has also dropped from 4.7 days to 4.08 days.

Chief ALJ AO Rose reported on several projects: the Automated Case Assignments System is moving forward, and is on track to bring the system online in April of 2012; the Precedent Decisions Committee and the Board Paragraph Committee have been meeting regularly; and the paperless system, Filebound, should be entirely implemented by July, 2012. Four additional offices have been added to the two that were already sending their cases digitally to AO, and all is working smoothly.

Member Garcia commented that she is really excited that they are starting to see the real impact of this. She requested from Chief Rose for the next month's report, a comparison of the average days in transfers from February 2011 to February 2012. Member Garcia thinks they should put some of this information easily assessable on the newly designed website. She also thanked the IT unit for the fabulous job on the new website. Member Garcia would like the agency to explore the idea of computer terminals in the waiting areas so that parties can review the files on line, so we don't have to compromise our paper file and hand it to the claimant or the employer. That will also give some relief of that front counter person who is dealing with 50 people all at the same time.

10. Chief Information Officer, Rafael Placencia Report:

CIO Placencia reported that the Automated Case Scheduling System, Phase One, is on task to be in place by the end of April. Phase Two, which is the field offices, the next part of the project, is anticipated for kickoff sometime in May.

CIO Placencia stated that the AO paperless project will be demonstrated later in the meeting.

CIO Placencia reported on the CA Mail Project, a state mandated IT service consolidation project. We are tasked with using CA.mail as our emailing system, and anticipate that it will be in place by the end of the year

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

Deputy Director Boston reported that Overtime Report included in their packets indicates we are still in a good place with overtime dollars.

Deputy Director Boston reported that the consolidation of administrative services with EDD has been completed. As Chair Dresser mentioned, we have finalized the Service Level Agreements, and they are now over at EDD for signature. For the most part the transition went fairly well. We have encountered a few bumps but we are still meeting with EDD to iron out those problems. She acknowledged the Administrative Liaison Unit and the outstanding job that they are doing to ensure that the services to CUIAB are not disrupted too much with this consolidation.

12. Chief Counsel's Report:

Chief Counsel Ralph Hilton reported that we are currently carrying 304 cases. There were 14 new cases filed last month, and 7 cases were closed, with three of them reversing the board decision. He stated he did not agree with the courts' decisions in those cases, but there is not enough at issue to warrant an appeal. Sometimes the Superior court judges just view the facts differently than our judges, and there's not really much we can do about that kind of reversal. All in all, however, most of the Board's decisions are upheld.

Chair Dressed asked, in terms of the percentage of the board decisions that are appeals, whether it is still running at about 6/10 of 1%. Chief Counsel Hilton replied that was correct.

13. Unfinished & New Business:

Chair Dresser observed that the board agenda listed Board Decision AO-262854 for consideration precedent, but that the matter would need to be deferred to the next board meeting.

Next on the agenda is a non-substantive amendment to Appeals Board Policy No. 21, Statewide Language Policy. Chief Counsel Hilton stated that the change is to the last paragraph on page three. We are required to set forth a contact number in case assistance is needed with regard to matters under this policy, and Martha Silva is no longer the Bilingual Service Coordinator. There is no point in putting another individual's name in there because that could also change. We are trying to minimize these types of changes by only listing a number to call. Chief ALJ/Executive Director Roldan has agreed that we could utilize the number of the Chief ALJ's office to handle these calls. That number is a pretty stable number and we shouldn't have to make this kind of administrable change again. Chair Dresser asked if the person who answers would be bilingual. Chief Counsel Hilton responded affirmatively.

Member Garcia suggested that they state that the number goes to the Chief Administrative Law Judge office. Chief ALJ/Executive Director Roldan agreed and suggested the language state "may be obtained by contacting the Office of the Chief Administrative Law Judge".

The board unanimously approved the change.

ALJ Martha Geiger, Kim Bernhardt and Erika Hardoyo gave a visual presentation to the board on the Filebound system. ALJ Geiger demonstrated how the Filebound system works and how the board would maneuver through the system to review their files. She stated that the board will start receiving Filebound cases soon. Member Garcia asked if they would be getting the audio file through the Filebound system also. ALJ Geiger responded that the audio file is not available through Filebound at this time but that is the goal.

14. Closed Session:

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

Adjournment