

plans for some transition to the new administration in January, and has asked our Agency to prepare one or two sentences for each issue presently confronting the CUIAB. He and Alberto are working on the request.

7. Chief ALJ/Chief Executive and Acting Executive Director Report:

Chief ALJ/Acting Executive Director Alberto Roldan reported that in the month of March our judges smashed all prior records in productivity. Intake for the month of March was 40,820 cases, but we resolved 46,633 cases. The trend for the year has the CUIAB on track for 466,044 new cases. Pending cases are now down to 78,808. Case age average for the month of March was 46 days, a very significant improvement from just last year. In May ALJ training will be conducted in the second and third weeks of the Northern California and Southern California regions. We successfully completed another surge in San Bernardino with the travelling judges, with San Diego scheduled next.

Chief ALJ/Acting Executive Director stated that we have arranged with the Department of Industrial Relations (DIR) to use their hearing rooms in order to serve people in the San Fernando Valley.

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

Special Assistant to the Board Lori Kurosaka reported that the CUIAB is scheduled tomorrow before both the Assembly Accountability and Administrative Review Committee chaired by Hector de la Torre, on this issue of furloughs, and before the Assembly Budget Subcommittee, chaired by Warren Furutani. On April 29 we are scheduled to appear before Senate subcommittee 5 regarding workload issues.

Ms. Kurosaka reported that we have been denied by the Senate Sub 5 Committee use of the federal DOL grant funds monies for the current fiscal year, but they will allow it to enter into the 2010-2011 budget year. Apparently they are not comfortable with the progress of EDD's technology projects.

Chair Garcia expressed concern about the possibility of losing the ability to spend those federal grant dollars. Special Assistant to the Board Kurosaka explained that we can make a request to DOL to shift the monies to other projects or expand the existing projects that they have funded at our discretion. Chair Garcia asked Assistant Secretary Egan to help us with this matter through the Labor Agency. Special Assistant to the Board Kurosaka reported that the archive document conversion is going well, and that we will be recapturing about 2800 sq. ft. from the 5 offices involved in the project.

Special Assistant to the Board Lori Kurosaka reported that today will be the last day AO decisions are mailed to EDD, as they will now be transmitted electronically. Next week we will begin design and development to do the same thing for the field operations. Chair Garcia commented that this will help expedite benefits to claimants and also reduce paper usage.

9. Chief ALJ, Appellate Operations Branch, Jorge Carrillo Report:

Chief ALJ/AO Jorge Carrillo reported AO registered 3081 appeals in March, 34% above fiscal year average and the largest amount registered since this we began tracking monthly registration in 2001. A total of 2664 cases were decided, 21% above fiscal year average. As a result, inventory increased 400 cases to approximately 3000. Case aging for the month of March was 26 days. Since DOL standard require an average of now fewer than 40 days, we will not be under a corrective action plan for next year. This performance is a significant improvement, as last year in March our case average was 50 days.

AO also met all 3 time lapse standards for the month of March. AO closed 80.5% of the cases within 45 days, 94.7% within 75 days, and 99.4% within 150 days. This puts California in the 11th rank in the nation. There are 14 states in the nation with caseloads above 1000, and of those only 2 states were able to meet case aging standards, California and Arizona. California was the only state with over 1000 open cases that met any of the time lapse standards.

Chief ALJ/AO Carrillo reported that they have a backlog on their Transcription Unit, with a total of 11,000 minutes of audio that needs to be transcribed. They are looking into obtaining additional resources to address this issue.

10. Chief Information Officer, Rafael Placencia Report:

Chief Information Officer Rafael Placencia reported that the WAN Acceleration project is complete and basically in the monitoring phase. Speech Tax Dragon is another completed project that involves software in every hearing computer and every ALJ office computer.

The new system for transmitting decisions to EDD will transmit over 2000 cases in just 11 minutes, and ultimately should be completely automated.

CIO Placencia demonstrated a new system currently under development for better access to our data base. This system will provide improved access for all staff, who by entering a last name will be able to bring up all cases associated with that name, and link to the electronic case.

Chair Garcia commented that IT has also rolled out the new appeal form which gives us the ability to capture the cell phone numbers and the email addresses for the claimants.

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

Deputy Director Pam Boston reported on the following items: Administration Branch has provided Dragon training to 60 ALJs thus far, and 70 more are scheduled this week in Los Angeles; New Employee Orientation training has been completed in three offices to date; Overtime (Attachment 1) is still within the amount allocated by the Board; Recruitment (Attachment 2) is on track, with Phase

I and Phase II largely completed, and the Phase III (approved March 2009) still ongoing. On the attrition side we have lost a total of 97 employees, 36 of whom were retirements, for an attrition rate of about 18%, double the norm. We now have a total of 794 employees.

Chair Garcia asked if we can correct the record on the overtime to show that it is not year to date but actually fiscal year July 2009-February 2010.

12. Chief Counsel's Report:

Chief Counsel Ralph Hilton reported that we are carrying a total of 242 cases, with 12 new cases coming in last month, all but one were claimant writs, and 10 cases were closed, just two of which were reversals.

13. Unfinished & New Business

2009/10 Budget: Ms. Renee Erwin reported on the Governor's Authority for the CUIAB, which is \$119.6 million and 1,087 positions (Attachment 3). When the Governor first issued his proposed budget for 2009-2010 we were at 819 positions and \$91.2 million, the increase resulting from later revises.

Chair Garcia commented that if the furlough issue is not resolved by the courts in this fiscal year, that leaves us with another \$2.3 million in our budget, for a total surplus of \$10 million. Chair Garcia asked Chief Counsel Hilton is there any reason why we are holding money in reserve for something that is not going to be resolved.

Chief Counsel Hilton responded that it is all a matter of risk, but very little in this case because he does not believe the issue will be resolved before the end of June.

Chair Garcia added that we should shift it back into the spend now category, and asked for a motion. Motion to remove the furlough reserve passed unanimously.

Chair Garcia reported that the additional expenditures that we have authorized, including the leases and improvements in TIs upfront, amounting to \$4.6 per Attachment A, also needs to be approved for by the Board. Upon motion made, the additional expenditures approved unanimously.

Ms. Erwin reported that with the adjustments the Board, there is a remaining estimated balance of \$9.5 million. Chair Garcia scheduled a Special Board Meeting for Tuesday, April 27th, 10:00 a.m., Sacramento, to address the remaining balance.

Ms. Erwin noted that on page 3, an estimate for the next fiscal year budget, 2010-11, would be \$113.5 million. With the 5% reduction under Executive Order S-01-10, and the Governor's 5% employee salary reduction proposal, the final budget amount will be approximately \$102.1, with 1002 positions.

Status of decision review pursuant to CUIC 406(b): Chief ALJ/Acting Executive Director Roldan reported that he is still working on a specific protocol, but before he finalizes it he wants to run it by the Chief Counsel's Office.

Regional Support Unit Restructure: Chief ALJ/Acting Executive Director Roldan reported he has received a report on the history and present functioning of the Regional Support Unit (RSU), but he is not yet proposing any particular action at this point in time.

14. Public Comment:

Steven Rice, an attorney, speaking on behalf of SuperShuttle International requested that the Board consider designation of the Board's decision M & M Luxury Shuttle, Inc., AO-160078, AO-160079 & AO-160080, as a precedent. Mr. Rice stated that he believes that decision would provide valuable guidance in an area that is being actively audited by EDD, but is unique because it operates under a distinct regulatory scheme, regulated by the Public Utilities Commission.

Chair Garcia stated that the Board would take their request under submission and make a decision after the CUIAB has studied the issue.

15. Closed Session:

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

Adjournment