MINUTES
FOR THE REGULAR MEETING
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD
Docket No. 5457

1. **Opening of Meeting:**

The Appeals Board convened at 11:00 a.m., June 7, 2005 in Fresno, with Chair Cynthia K. Thornton presiding.

2. **Roll Call:**

Members	Present	Absent
Cynthia K. Thornton, Chair	x	
Ann Richardson, Vice Chair		Excused
Virginia Strom-Martin	x	Via phone
Jack Cox	x	
Don L. Novey	x	Via phone

3. **Approval of the Minutes:**

The April Board meeting minutes were approved by all members.

4. **Chair's Report:**

Chair Thornton thanked the Fresno Office of Appeals for hosting the June Board meeting.

Chair Thornton reported that she will be addressing the California Unemployment Insurance Council (CUIC) tomorrow. She also reported that the 'CORE' group met this past month to discuss strategic planning.

5. **Board Member Reports:**

Board Member Cox thanked the Fresno staff as well as the IT staff for providing him with a computer station so that he could work on his caseload before the meeting.

Board Member Strom-Martin apologized for not attending the Board Meeting in person.

6. **Chief Administrative Law Judge/Executive Director's Report:**

Chief ALJ/Executive Director Jay Arcellana began his report by thanking the Fresno staff for their hospitality in hosting the June Board meeting. He went on to report that the CUIAB's budget for the next fiscal year is very uncertain. When the preliminary numbers were released last month, they indicated that the CUIAB

would be getting a slight reduction in the spending and PY allocation, but there are indications now of a small increase in both of those allocations. The bottom line is that everything, at this point, is up in the air with respect to the budget.

Chief ALJ/Executive Director Arcellana also reported that next week is the annual conference for the National Association of Unemployment Insurance Appellate Boards (NAUIAB). California will be well represented at that conference, due mostly to the willingness of staff to pay their own way to the conference, a dedication for which they are to be commended.

Letters will be going out this week to the successful ALJ II candidates, and they will be offered the opportunity to promote starting July 1, 2005. The candidates will need to respond in writing to either accept or decline the promotion.

7. Branch Reports:

a. Chief ALJ/Executive Director Jay Arcellana reported that LSS II meetings were conducted over the past week, one for Northern California and one for Southern California, both of which were very productive.

The Los Angeles Office of Appeals upgrade has been approved by the Department of Finance, so renovations should begin sometime this year.

Chief ALJ/Executive Director Arcellana met with Kirk Garvin, Presiding Administrative Law Judge for the Inland Office of Appeals last week to discuss workload and staffing. Inland Office of Appeals has one of the highest work loads in the State.

On the topic of digital recordings, it has been decided to pilot the project in San Francisco and Pasadena, and that should be getting off the ground within the next month or month and a half.

Chief ALJ/Executive Director Jay Arcellana reported that we have received word from EDD that there will be a trade dispute involving Coca-Cola in Southern California. We are expecting 15,000 claimants to file appeals. The case has been assigned to PALJ Gil Knipe.

Finally, Chief ALJ/Executive Director Arcellana reported that during the month of May, verifications increased by 1% for a total of 20,098 cases. Dispositions increased by 9% for a total of 18,835 cases. Average case age was 37 days, up from 35 in the previous month. With regard to work load, Inland has the largest work load. Oxnard and Oakland are second and third in the work load category. Chief ALJ/Executive Director Jay Arcellana commended the Fresno staff for all of their hard work in getting current with their workload.

b. Presiding Administrative Law Judge Appellate Operations, Steve Angelides reported that the appeal rate at Appellate Operations has returned to 7.5%, which is normal. The appeal rate had been over 9% in March and April. Registrations

dropped as a result from 1600 to 1422 cases in May. Appellate Operations registered two small multi cases totaling 60 cases; they are the San Francisco School Unified School District reasonable assurance case, and Granite Rock, a small trade dispute. Dispostions for May were just below 1400. The open balance of cases is 2388, and the fiscal year average is 2700. The multi balance went up to 383. The average case age is 47 days, compared to 46 last month. The median case age is 41 days. Bill Brown and Linda Shepard, the two retired annuitants working for AO, will be on for the summer to cover vacations.

Presiding Administrative Law Judge Appellate Operations, Steve Angelides advised that he was addressing Vice Chair Richardson's suggestion at the May Board Meeting to have more communication between the Board members and the Appellate ALJ's by appointing a committee. They had their first brown bag lunch last week with Vice Chair Richardson and everyone was very happy. They have decided to continue this practice and invite whoever may be available for a bag lunch once per month.

Chair Thornton added that in order to comply with the Bagley/Keene act, they cannot have more than two Board Members at these lunches at the same time. Protocol will be to advise Chair Thornton if you wish to attend so as not to violate that act.

Lastly, Presiding Administrative Law Judge Appellate Operations, Steve Angelides reported that the annual CUIAB picnic will be after the July Board Meeting, and an announcement will come out within the next few days.

c. Deputy Director Administrative Services Branch Pam Boston was unable to attend the meeting due to attending mandatory training for procurement procedures, so Chief ALJ/Executive Director Jay Arcellana reported for her that Business Services is wrapping up procurement orders for this fiscal year.

d. Deputy Director Planning and Program Management Branch Mary Walton-Simons reported the Planning and Program Management Divisions each met in May to review drafts for the workshops for the support staff conference. She reported that it still wasn't clear if the support staff conference will be approved in 2006, but training will take place in the field offices in any event. Some of the workshop topics that will be covered are public contact, registration, calendaring, decision typing and upward mobility.

Deputy Director Walton-Simons also reported that P&PM's Information Security Officer, Michelle Robinson, has trained over 100 employees on the new security policies so far. She is required to train all CUIAB employees on the new policies. In addition, the software trainers have continued their 'hands-on' software training, personalizing it for each office. Any LSS II may call Martha Silva, the Training Division Manager, and she will have the software trainers set up specialized training to take to each office based on the supervisor's request.

Lastly, Deputy Director Planning and Program Management Branch Mary Walton-Simons reported that at Chief ALJ/Executive Director Jay Arcellana's request, P&PM has developed a new personalized training program for new presiding judges.

8. Chief Counsel's Report:

Chief Counsel Ralph Hilton reported that Board Member workload has remained constant with just over 400 for each Board Member. (Attachment A) On the litigation front, CUIAB is still carrying 116 court cases. Two new cases were filed last month and two were closed. Both of the closed cases affirmed the Board. (Attachment B)

9. Unfinished & New Business:

Chief Counsel Hilton presented proposed additional amendments to regulations 2065 and 5108, based upon the recommendation and concurrence of all PALJs, that the title 'Statement of Facts' be renamed 'Finding of Facts' to more accurately reflect the true character of this part of the decision, namely, that it represents what the ALJ has found to be the facts of the case.

Member Cox moved to carry the motion and it was seconded by Member Strom-Martin. All members voted in favor of the amendments.

Proposed amendments to Appeals Board Policy #1, Transfers—Chief Counsel Hilton requested that this item be put over to the next Board Meeting as additional changes suggested by staff are prepared.

Help Desk Informational Presentation—Nick Dressler, Acting Chief Information Officer, Information Technology Branch, gave a power point presentation. (Attachment C)

10. Public Comment:

No public comment was offered.

11. Closed Session:

The regularly scheduled Board meeting adjourned, and the Board went into closed session. No votes were taken on any matters in closed session.