

STATE OF CALIFORNIA

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP STANDARDS
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
Tel: (415) 703-4920
Fax: (415) 703-5477

Arnold Schwarzenegger, Governor

www.dir.ca.gov



ADDRESS REPLY TO:
Div. of Apprenticeship Standards
P. O. Box 420603
San Francisco, CA 94142-0603

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP STANDARDS

AUDIT REPORT

California Apprenticeship Council Commissioners:

Enclosed herein is the Division of Apprenticeship Standards (DAS) audit of the following program sponsor:

Kern & Northern Los Angeles Counties
Air Conditioning & Sheet Metal Workers JATC
File Number: 00045
601 Eureka Street
Bakersfield, California, 93305

This Audit was conducted according to **Section 3073.1** of the **California Labor Code**.

The report includes the program's response to DAS.

If the recommendations require follow up action by DAS to ensure that they were adequately implemented, the status of the follow-up will be reported at future CAC meetings.

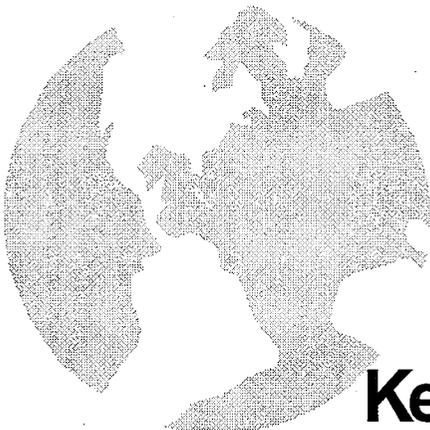


455 Golden Gate Ave., 10th Floor
San Francisco, CA 94102
Phone (415) 403-4920
FAX (415) 703-5477

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT

For



**Kern & Northern Los Angeles
Counties Air Conditioning & Sheet
Metal Workers JATC, File 00045**

The Division of Apprenticeship (DAS) Mission Statement creates opportunities for Californians to gain employable lifetime skills and provides employers with a highly skilled and experienced workforce while strengthening California's economy

CONTENTS

Summary.....	3
Findings and Recommendations.....	4
Audit Highlights/Introduction/Background.....	5
Scope/Focus/Methodology.....	6
Audit Results and Recommendations.....	7
Comments from Program Sponsor.....	19
Correction and Timeline.....	19
Remarks.....	19

SUMMARY

The Division of Apprenticeship Standards (DAS) presents its audit report concerning the Kern & Northern Los Angeles Counties Air Conditioning & Sheet Metal Workers Joint Apprenticeship Training Committee (JATC) program; DAS file number 00045, (hereafter "Program") low graduation rates which were far below the fifty percent (50%) average graduation rate for the Air Conditioning & Sheet Metal Industry. The audit was performed during May of 2007 and was conducted pursuant to California Labor Code §3073.1.

During the initial preliminary audit preparation it was discovered that the actual number of registered apprentices reported to the DAS were not accurate. The program had not requested completion requests for the last four years. The number reported were 116 registered apprentices, when in fact the program actually only has 33 registered apprentices. The program and DAS took steps to correct the records and as a result the low graduation rates cited were inflated.

The program conducted an internal audit and took steps to report the information. The DAS proceeded with the process to correct the data and submitted the correct figures.

GRADUATION RATES REPORTED

Year	Program	Industry Average	Percent of Industry Average
2000			
2001	62.50%	67.31%	92.85%
2002	25.00%	68.40%	36.55%
2003	0.00%	65.28%	0.00%
2004	16.67%	66.53%	25.06%
2005	0.00%	69.18%	0.00%
AVG	13.33%	67.36%	19.79%

GRADUATION NUMBERS CORRECTED AND REPORTED

NUMBER OF REGISTERED APPRENTICES

DAS Records Based Upon Program's Submittals	116	According to Program	33
---	-----	----------------------	----

PROGRAM COMPLETIONS

	2000	2001	2002	2003	2004	2005	2006	2007
* DAS Records	2	6	1	0	1	0	*	*
Program Records	*	6	1	4	2	4	5	7 [†]

FINDINGS AND RECOMMENDATIONS

As noted in the detailed report which follows, the audit team found that some specific actions are necessary to bring the program into compliance with their approved standards and legal requirements. The program is doing a good job at keeping apprentices on schedule. The training facility and its instructor keep accurate records on class attendance and completion of Related Supplemental Instruction (RSI). Accurate records are in place to notify employers of apprentice upgrades and rate increases and apprentices are keeping continuously employed. The program completions that appear in the chart above show proof that the Kern & Northern Los Angeles Counties Air Conditioning & Sheet Metal Workers Joint Apprenticeship Training Committee (JATC) is committed helping apprentices reach their goal of becoming a journeyman in the trade.

Detailed findings and recommendations are included in this report. The coordinator was presented with a summary of the findings and a recommendation was presented to assist him in preparing the appropriate corrective action. The DAS will visit the program in the future to verify compliance with the recommendations. These DAS audit procedures allow the program to respond to the recommendations and their response will become part of this formal report.

* The numbers for these years were not available.

† The program reported this figure and anticipates adding to this number for 2007.

INTRODUCTION/BACKGROUND

On May 30, 2007, the auditor(s) met with key administrative personnel, examined records, observed administrative activities, conducted a walk-through of the training facility and visited a job site in connection with the audit. The Kern & Northern Los Angeles Counties Air Conditioning & Sheet Metal Workers Joint Apprenticeship Training Committee (JATC) program operates as a Labor/Management Cooperative and the principal partners in the cooperative effort are the members of the Sheet Metal Workers Association Local 105. The program has an Apprentice Trust Fund. The programs funding mechanism comes from employer contributions, Related Supplemental Instructional (RSI) Funds and state prevailing wage training fund contributions.

The Daily operations, management and administrative functions are run by three primary staff, the Business Representative -Apprenticeship Coordinator, the office staff who both use 40% of their time for apprenticeship, and a full-time Training Instructor. In addition, the program is adding a part-time Training Instructor to assist in the required classroom training. The program office is located at 601 Eureka Street, Bakersfield, CA 93305.

Employers are approved to train when they have completed an Agreement to Train Apprentices, DAS-7 form. The program indicated that they dispatch to both union signatory employers and non-union employers who agree to abide by the program's standards, rules, regulations and policies.

The apprenticeship program provides a training program for the following occupations:

<u>Name of Occupation</u>	<u>Term of Apprenticeship</u>	<u>Number of Apprentices</u>
Sheet Metal Worker	60 months	33
Sheet Metal Worker/ Energy Mnmgt. Tech.	60 months	*0

* The program does appear to be using this occupation.

The Related and Supplemental Instruction is provided by the programs training center which is at the same site as the program operations. Each apprentice enrolled receives a comprehensive orientation packet that includes the rules and regulations, an explanation of the program standards, the Apprentice Record book (blue book) and a class schedule. Bakersfield College is the apprenticeship program's Local Education Agency (LEA).

AUDIT HIGHLIGHTS.....

Our review of the Kern & Northern Los Angeles Counties Air Conditioning & Sheet Metal Workers Joint Apprenticeship Training Committee (JATC) program; Division of Apprenticeship Standards (DAS) file number 00045, (hereafter "Program") found that:

- ☑ Our review found that the program has not submitted revision of standards since 1989.
- ☑ The program requires all apprentices to sign and confirm that they understand the programs Rules and Regulations. The apprentice files did not contain signed copies of this document.
- ☑ The program made no requests to DAS to cancel or complete apprentices for the last four years. The number of registered apprentices for this program was incorrect.
- ☑ The program files did not contain consistent verifiable OJT work hours. The apprentice is required to complete an Apprentice Record Book (blue book) to track work processes and OJT work hours, but only a few files contain a copy of the blue book. Work processes are not consistent with program apprenticeship standards. No record of disciplinary actions due to poor work performance or excess absences.

Continued on next page....

- ☑ The job site review found that the apprentices are not sure how to complete the blue book.
- ☑ The program has not completed and submitted the annually required Self-Assessment Review and Program Improvement Plan to DAS.
- ☑ The program committee meeting minutes do not include formalize motions to approve indentures, upgrades, prior credit, cancellations, completions, evaluations and discipline of apprentices.

SCOPE AND FOCUS

The principal objectives of the audit are to ensure the program is complying with their standards, that all on-the-job training is performed by a journeyman, that all related and supplemental instruction required by the apprenticeship standards is being provided, that all work processes in the apprenticeship standards are being covered, and that graduates have completed the apprenticeship programs' requirements.

The audit focused on reviewing records and activities that tend to support and substantiate the programs' efforts, practices, system and capabilities to provide and deliver the on-the-job training and related instruction. The programs' policies and procedures and procedures were reviewed to determine if they support the programs' approved standards.

METHODOLOGY

After completing an initial review of the programs' standards and records on file with the DAS, an audit plan was established with the following steps:

1. Notified the program 14 days in advance of our intent to audit.
2. Prepare an entrance interview
3. Organization of all working paper to conduct the interview
4. Confirm the location where records are maintained
5. Conduct a review of all apprentice files
6. Set the time and date of the meeting
7. Schedule inspection of the training facility and job sites
8. Request and review copies of the committee meeting minutes for the last 12 months.

All steps listed above were accomplished and include interviews with primary staff, apprentices and job site supervisors'.

AUDIT RESULTS

1. STANDARDS

The objective is to determine whether the programs are submitting periodic revisions to their standards and if standards are reasonably current. "Standards" are a written document containing all terms and conditions for the qualification, recruitment, selection, employment and training, working conditions, wages, employee benefits and other compensation for apprentices. It may also include other provisions and statements. All apprenticeship programs are required to submit their apprenticeship standards to the DAS Chief for approval. The California Code of Regulations states the program must submit revisions to its standards when necessary.

(a) Findings

- (1) Our review found that the program has not submitted revision of standards since 1989. In order for DAS to ensure that the program is complying with these standards it must have a current and complete revision. The last set of standards on record with DAS date back to December 12, 1989.

Our review of the approved standards from 1989 discovered the program submitted a revision of selection procedures, but this is only a portion of the standards and a complete revision is still needed. This partial revision is dated June 21, 1994.

(b) Recommendations

- (1) Submit a complete and current revision of the Committee Standards - Due within 90 Days.
- (2) In the future review and update standards as needed.

Article IV (5) of the program's standards, Section 205 (f), 212 (a)(6) (7), (c)(2) (11) of the California Code of Regulations states that the program sponsor must submit revisions to its standards when necessary.

2. RULES AND REGULATIONS

The objective is to determine if the programs have adequate rules and regulations, are implementing them as required, and provide a copy to the apprentices. The rules and regulations can be defined as an orientation or workshop session that explains the apprenticeship program standards and the operation of the apprenticeship program. It includes information on what is expected by both the program and the apprentice. When the apprentice is approved by the program to enter the training (passes an oral interview) he/she is given a copy of the rules and regulations and attends an orientation session with both the coordinator and educational instructor. Then the apprentice must sign the document indicating they have received, read and understood the rules and regulations.

(a) Findings

- (1) This review found that the apprentice files did not contain signed copies to show that the apprentice had received, read, or understood this document.

The rules and regulations for this program were adopted and contain a policy statement showing responsibilities of the apprenticeship and the committee. Apprentices are cited for failure to follow the rules and regulations. A letter of citation is mailed to the apprentice to appear before the committee and failure to appear is reason to recommend cancellation from the program for failure to comply with a committee directive. The apprentice files contained copies of school absences, evaluations and progress.

- (2) The apprentice files did not contain copies of citation letters and after a review of the program committee minutes for the last 12 months, we found no documentation of individual apprenticeship disciplinary actions (this will be discussed later in this report).

(b) Recommendations

- (1) Review Rules and Regulations Apprenticeship Guidebook annually and update as needed.
- (2) Distribute new rules and regulations to all apprentices and retain a copy of a signed receipt in each apprentice file – due within 90 days.
- (3) Enforce the provision of rules and regulations – Due within 90 Days.

Article VI (2) of the program's standards, Section 3071, 3073, and Section 212 (a) (6) (7), (c) (2) (3) (8), (14) of the California Code of Regulations states that the program must establish rules and regulations that govern the program.

3. ACTIVE APPRENTICES AND CANCELLATIONS

The review of this item is to determine if the program is monitoring apprentices as they enter and proceed through the program. It is also to determine if the program is maintaining accurate records on both the active and cancelled apprentices. The program should have the ability to provide evidence of procedures used for periodic reviews and evaluation of the apprentice's progress in job performance and related instruction and maintenance of appropriate progress records. In addition, the program should have a process in place to notify the DAS when an apprentice leaves the program.

During the initial preliminary audit preparation it was discovered that the actual numbers reported to the DAS were not accurate.

(a) Findings

- (1) The program had not requested completion requests for the last four years and the numbers of registered apprentices for this program were incorrect.

The program explained that it went through a change in support staff and that partly due to this transition, request for completions/terminations were not submitted to DAS. The number of reported registered apprentices was 116, when in fact the program actually has 33 registered apprentices. Many of the allegedly active apprentices are no longer working in the trade and are no longer active apprentices in the program. In some cases the apprentice completed all the required training and related instruction and is now listed as a Journeyman in the trade. The program conducted an internal audit and took steps to report the information. The DAS proceeded with the process to correct the data and submitted the correct figures and as a result the low graduation rates cited were inflated.

NUMBER OF REGISTERED APPRENTICES

DAS Records Based Upon Program's Submittals	116	According to Program	33
---	-----	----------------------	----

PROGRAM COMPLETIONS

	2000	2001	2002	2003	2004	2005	2006	2007
‡ DAS Records	2	6	1	0	1	0	*	*
Program Records	*	6	1	4	2	4	5	7 [§]

The program is monitoring the apprentice progress as they proceed through training by reviewing elevations from the employer, training instructor and the apprenticeship coordinator.

(b) Recommendations

- (1) The program will continue to keep the DAS informed of indentures, cancellations and completions in a timely manner.

‡ The numbers for these years were not available.

§ The program reported this figure and anticipates adding to this number for 2007.

(2) The program should continue to monitor the apprentice progress in the program at least every 30 days.

(3) All changes affecting the status of the apprentices in the program must be submitted to the DAS.

Section 205 (a)(1)(2) (i), 212 (a)(6) (7)(8), (b)(9), (c)(2)(10) 224 of the California Code of Regulations states that the program sponsor must maintain accurate apprenticeship records and submit changes, updates and revisions of an apprentice's status when necessary.

4. ON -THE JOB TRAINING (OJT) PROGRESS RECORDS, ADVANCEMENTS AND EVALUATIONS

Our review is to determine if apprentices are progressing on schedule, that the program is maintaining adequate OJT records, receiving periodic evaluations and if the program has an adequate records and a system in place to ensure that apprentices are covering all the work processes.

The program uses the following items to track apprentice's schedule, OJT records, periodic evaluations and work processes:

- The apprentice must abide by the requirements set by the program and the terms of the Collective Bargaining Agreement. Therefore, if the apprentice is not current in all fees and dues to the Sheet Metal Workers Local 105, they will not progress to the next level of training.
- DAS Apprentice Record Book (blue book) to verify work processes and track work hours. The blue book must be signed by the employer before turning in the book to the program.
- School Evaluation form from the instructor and Apprentice Record of Absence or Late form (school attendance) to assure required supplemental instruction is complete. Each apprentice is also required to use a time clock when attending school which recognizes the apprentice by using the last four numbers of their social security number. The apprentice is required to skill level evaluation test at the end of each semester before progressing on to the next level of training and must maintain a "c" grade average or above.
- The employer provides work evaluations every six months and may contain work hours completed. The program will notify the employer and apprentice when advancements are earned insuring timely upgrades and employer being aware of proper rates of pay and benefits.
- The program keeps separate "advancement cards" on record for each apprentice. Each card keeps track of how many work and class hours the apprentice has completed. This card is used to advance the apprentice to the next level and receive a wage

increase. The committee reviews each level change and the program keeps the date of change in the computer.

- To keep the apprentice on schedule the program will send out written notices on class schedules, employer letters and evaluations. Apprentices failing to meet requirements are cited and notices are mailed with a request to explain why they should not be disciplined or terminated.

The program issues all newly indentured apprentices the DAS "Apprentice Record Book" (blue book) to record their daily work assignments. The apprentice is then required to turn-in this book before they are advanced to the next level of training and receive a wage increase. Our audit of the files found that only five of the thirty three files review had copies of the blue book. In addition, the work processes listed on the book were not consistent with the program standards. The work processes are not consistent with the standards because each apprentice will write in the processes they complete at the end of each day. Therefore, each work process will not be consistent with the standards. The apprentice may be completing all work processes as established in the program standards, but by entering this information manually the apprentice may not include all work processes required. The work performed at each employer work site may vary according to the job assignment. The apprentice should only have to enter the hours they complete according to the processes already listed on the blue card. This would avoid any deletion of work processes the apprentice has completed and allow the apprentice to progress on schedule.

(a) Findings

- (1) The apprentice files did not show verifiable work hours and were not consistent in where they are documented. The employer evaluations and monitoring records were sporadic.

The files did contain a consistent record of all absences related to school attendance. The program requires the apprentice to use a form for this purpose ("Apprentice Record of Absence or Late") form. This form is explained in the apprentice rules and regulations and is specific about "failure to complete this form and turn in the form will result in disciplinary action.

- (2) The review found no evidence of any disciplinary actions due to poor performance or excess absences. We also reviewed the programs committee minutes for the last 12 months and again found no evidence of any disciplinary actions or possible termination of apprentices.

(b) Recommendations

- (1) Review the programs standards and add individual work

processes to the Apprentice Record Book (blue book) before issuing a book to the apprentice - Due within 60 days.

- (2) Provide training and instruction to the apprentices on how to properly record OJT hours and work processes – Due within 60 days.
- (3) Keep the complete and signed Apprentice Record Book in each apprentice file - Due within 60 days.
- (4) Develop a uniform system to keep and track apprentice OJT hours. Keep a copy of this information in each apprentice file. Plus, have all forms verifying this information signed by the apprentice and the employers - Due within 90 days.
- (5) Develop a process to track and/or identify apprentices who have not submitted timely OJT hours – Due within 60 days.
- (6) Keep the Coordinator proactive and make every effort to ensure the program standards are being met. This should include job-site visits, communication with apprentice and employer and evaluating the classroom instruction to ensure it is meeting the required supplemental instruction needed for the training – Due in 90 days.
- (7) Be consistent with discipline and hold apprentices accountable. Follow through and enforce already established (program existing rules and regulations) disciplinary actions when appropriate. In addition, when an apprentice is referred to the program for disciplinary action and possible termination from the program, it should be written in the committee minutes - Due within 60 days.
- (8) When the committee makes recommendations for upgrades and completions it should be documented in the minutes – Due in 60 days.
- (9) Develop a procedure for the coordinator to make recommendations for upgrades, cancellations and completions at the regularly scheduled committee meetings. Have written notes of these actions in the minutes – Due in 60 days.

Section XVII of the program's standards, and Section 3073.1, 3076, 3078(e) of the Labor Code, and Sections 208, 210, 212(a) (4) (5) (7) (8), (b) (9), (c) (2) (6) (8) (9) (16) (18), of the California Code of Regulations. The program must offer training and supervision in all the work processes defined in its standards and has a system to ensure that apprentices cover all the work processes. The program must have a system of documenting and maintaining records that will assist in the review and evaluation of the apprentice's progress in job performance. The program must have a procedure for recording and maintaining accurate records, and a procedure for periodic review and evaluation of progress.

5. RELATED AND SUPPLEMENTAL INSTRUCTION (RSI)

The objective of our examination was to determine if apprentices are progressing on schedule, attending classes, covering the entire course of study, and to ensure the programs are maintaining accurate records with adequate systems in place to provide training.

The program has Related and Supplemental Instruction (RSI) and a Local Education Agency (LEA) which is Bakersfield College in Bakersfield California. The program is assigned the oversight of the Related Training Curriculum in cooperation with the International Training Institute (ITI). The classroom training center is located at the same location as the program.

The apprentice files included records of attendance, classroom hours, and evaluations/grade reports from the instructor. The apprentices will attend 108 hours of instruction and are scheduled each semester. Each student is issued a calendar with the schedule of classes. Classes start promptly at 6:00 P.M for a four hour period. Week-end classes start promptly at 8:00 A.M. Saturday mornings. The Saturday classes may be of eight or four hour durations.

Apprentices are required to clock in and out of class and a secure system requires them to enter the last four digits of their social security number. Any apprentice caught clocking in or out for another student will be referred to the committee for disciplinary action. An apprentice may be absent for a total of eight (8) hours, but must make-up his absence. The program has several tracking systems in place that monitor the progress of the apprentices.

The apprentice files contained a consistent record of all absences related to school attendance. The program requires the apprentice to use a form for this purpose ("Apprentice Record of Absence or Late") form. This form is explained in the apprentice rules and regulations and is specific about "failure to complete this form and turn in the form **will** result in disciplinary action. The files also contained grade and completion reports from the instructor with a recommendation that the apprentice is ready for the next level in training.

(a) Findings

- (1) Our review found the program is doing a good job of monitoring the apprentice progression through the required supplemental instruction and is providing the appropriate courses for this occupation.

(b) Recommendation

- (1) Explore and continue to provide updates to the program and the apprentice(s) on how the apprentice(s) is progressing in their required educational courses. Review curriculum and develop new courses to cover additional needs when needed.

Section XVI of the program's standards, Section 3073.2, 3078(d), of the California Labor Code, and Section 205(e)(h), 212(a)(3)(6)(7) (c)(13)(14) of the California Code of

Regulations states that it is recommended that the program provide a minimum of 144 hours per year of supplemental instruction for each year of apprenticeship and adequate arrangements for related and supplemental instruction, and have the ability and commitment to train apprentices with current industry standard criteria.

6. TRAINING CENTER

The objective is to ensure the program has adequate facilities, tools, materials and equipment to train apprentices, and to determine if the facilities are utilized and adequate for training.

There are two certified instructors in this program. One instructor is dedicated full-time and one part-time to assist in the instruction. During our visit classes were not in session due to the end of school year period. The auditors spoke with the instructor who reviewed his records with us and toured the facility. The training center is located next to the program. The training center consists of one large classroom and shop labs utilized for demonstrations and on-hand working booths to make special projects. Each apprentice must complete a variety of shop projects and show competency in applying the trade. The instruction is done with good health and safety practices in mind.

(a) Findings

- (1) Our inspection of the training facility found it to be sufficient to train apprentices.

(b) Recommendation

- (1) The program should continue current practices and insure plans for growth are based upon the current successful model.

Section 3074 of the California Labor Code—Section 212(a) (3) (4) (8), (c) (13) (12), 212.3 of the California Code of Regulations states that the program sponsor must have adequate arrangements for related and supplemental instruction.

7. MECHANISM TO KEEP APPRENTICES REASONABLY EMPLOYED

Our objective is to determine if apprentices are kept reasonably employed, to ensure the program has adequate systems in place to rotate apprentices so they cover all work processes, and to provide apprentices with continuing employment in the event of a layoff.

The review found the program has an established system to keep apprentices reasonably employed and to provide them with continuing employment in the event of a layoff. Apprentices are dispatched from the List of Available Apprentice, whether he or she is an entry level apprentice or an unemployed indentured apprentice. All Job Placement will be through the Sheet Metal Workers Local 105 office and it is the apprentice responsibility to keep the office advised of any phone or address changes that may occur. It is also the responsibility of the

apprentice to be current in all fees or dues to the Local 105 to be eligible for dispatch.

(a) Findings

- (1) The program has a process in place to send out apprentices to non-union employers. A request to dispatch apprentices to a Public Works Job, DAS 140 must be on file before a referral is made.
- (2) The records found the referral/dispatch system keeps the apprentices employed within their industry. They are also referred to other employers, giving the apprentice an opportunity to train in all work processes.

(b) Recommendation

- (1) The program should continue the system they have in place and encourage additional employer involvement.

Section 3080 of the Labor Code, and Section 212 (b) (7) (9), (c) (16) (18) of the California Code of Regulations. The program(s) must have a mechanism to keep apprentices reasonably employed and maintain accurate documentation Section 3080 of the Labor Code, and Section 212 (b) (7) (9), (c) (16) (18) of the California Code of Regulations.

8. JOB SITE VISIT

A review of the job site offers an opportunity to view a job in progress, observe the work that is being done, and allows us to discuss the operation of the program with the apprentice. It enables direct contact with the apprentice to determine the following:

- If the apprentice is performing the various task listed within the work processes of their trade.
- If advancements are made on schedule.
- If the apprentice is receiving the correct pay and benefits.
- If the apprentice is kept employed on a reasonably continuous basis.
- If the programs' mechanism to keep apprentices reasonably employed is adequate.

The program suggested three job site locations to visit. Telephone calls were made to arrange a review of the job site and contact was made with one location.

The auditor(s) visited the Southern Air Conditioning, Inc. at Bakersfield College and found two apprentices working under the supervision and direction of journeyman and were employed at task defined within the work processes of the program standards.

Interviews were conducted with the two apprentices and found they have the equipment, materials and tools of the trade sufficient to train apprentices. Each apprentice receives proper pay and benefits and attends OJT classroom training. The interviews confirmed apprentices are advanced on schedule. We confirmed that each apprentice writes in the total hours of training in the apprentice record book, but both were confused on how to complete the work processes. The apprentices state they rely on their classroom instructor and journeyman to ensure they are completing a work process and OJT work hours. The book is signed by the job site supervisor validating the work processes and OJT work hours. The interview with the supervisor confirmed there is a proper ratio of journeyman to apprentice and adequate supervision.

(a) Findings

- (1) The auditor(s) found that apprentices are not sure how to properly complete the blue OJT Record Books.

(b) Recommendations

- (1) Review the programs standards and add individual work processes to the Apprentice Record Book (blue book) before issuing a book to the apprentice - Due within 60 days.
- (2) Provide training and instruction to the apprentices on how to properly record OJT hours and work processes – Due within 60 days.
- (3) The program needs to ensure that the apprentices are recording their OJT hours and are correctly tracking these hours within the individual work processes. They should develop a system to ensure each apprentice turns in their record book to the program – Due within 60 days.
- (4) The program should continue to monitor job sites ensuring apprentices are adequately employed at the work processes, recording OJT work hours, working under the direction of a journeyman, paid the proper wage rates and benefits.

Section 208, 212(a) (1) (2) (4), (b) (4) (5) (6), (c) (6) (13) (14) of the California Code of Regulations states that all on-the-job training will be performed by journeymen, that all related and supplemental instruction required by the apprenticeship standards will be provided, that all work processes in the apprenticeship standards are being covered, and that graduates have completed the apprenticeship program's requirements.

9. SELF-ASSESSMENT REVIEW AND PROGRAM IMPROVEMENT PLAN

The objective is to determine if the program has submitted the annual Self-Assessment Review and Program Improvement Plan. The California Code of Regulations Title 8, Section 212.3 requires programs to perform

an annual self-evaluation and to create an improvement plan. The DAS now requires that each program submit a copy of their Annual Self-Assessment Review and Program Improvement Plan to their apprenticeship consultant by December 1 of each year.

(a) Findings

- (1) The required annual Self-Assessment Review and Program Improvement Plan have not been submitted for 2006 and DAS is now sending our reminders to the programs that the 2007 Review and Plan are due by again by December 1, 2007.

During our evaluation the program states they have taken steps to start working on this requirement.

(b) Recommendations

- (1) The program must complete and submit the Annual Self-Assessment Review and Program Improvement plan for 2006 – Due in 30 days.
- (2) Use the Self-Assessment and Program Improvement Plan as a tool for setting goals for your program and adapt the listed changes during the previous 12 month period.

Section 212 (a) (6) (7), (c) (2) (11), 212.3 of the California Code of Regulations states that the program sponsor must submit annually a Self-Assessment Review and Program Improvement Plan to the DAS.

10. COMMITTEE MEETINGS AND MINUTES OF MEETING

Joint apprenticeship committees have equal representation from labor and from management. Each committee also includes a consultant representing the Division of Apprenticeship Standards or the Bureau of Apprenticeship and Training, U.S. Department of Labor. There is also an advisor from the local public school district and such other advisors and the apprenticeship consultant act without vote. This committee is responsible for administering the Standards for this program. In carrying out its functions, the committee has certain authority under the law. The actions, therefore, must be in accordance with approved apprenticeship standards and should be recorded in the minutes.

The objective is to determine if the apprenticeship committee is meeting on a regular basis, documenting actions, discussing and reviewing apprenticeship records, and making appropriate assessments and evaluations.

The committee provided the program meeting minutes for the past year. The meetings are held quarterly, unless more meetings are necessary to address certain issues. The frequency of the meetings was established and written in a trust document. As a reminder, a one week advance notice is sent out to all members and guest of the committee.

The programs rules and regulations state that this committee is a Labor/Management Co-Operative. Also noted in the rules and regulations are the three (3) Labor Trustees and three (3) Management Trustees. The committee also includes the apprenticeship coordinator and Local Education Agency Representative (LEA).

The program stated that all disciplinary actions must be reviewed by the committee.

(a) Findings

- (1) Our review of the committee minutes for the last 12 months could find no record of disciplinary actions.

In addition the committee discusses and reviews apprenticeship records and makes appropriate assessment and evaluations.

- (2) We could not find documentation of this in the committee minutes.

(b) Recommendations

- (1) The program committee should list details of all disciplinary action. The details should include apprentice (s) names, reason for action, and discussion of committee members – Due within 60 days.
- (2) Formalize meeting to include motions to approve indentures, upgrades, prior credit, cancellations, completions, evaluations and discipline. All this information should be listed in the minutes – Due within 60 days.
- (3) Ensure that DAS apprenticeship consultant is advised of committee meetings well in advance and the consultant will endeavor to participate in meetings when possible.

Section 3076, 3080(b), 3078(d)(f), 3079, 3093(k), of the California Labor Code, and Section 213, 218, 212(7), 208(5), 205(e)(f)(g)(i), 212(c)(1)(6) (9), 224 of the California Code of Regulations states that the program sponsor must maintain adequate documentation and records.

11. COMMENTS FROM PROGRAM SPONSOR

Comments, if submitted by the program sponsor during the 14-day review and comment period, will be included with this report to the Chief of DAS and ultimately to the California Apprenticeship Council.

12. CORRECTIONS AND TIMELINE

The audit findings and recommendations are set forth in this report. The program has 14 days from the receipt of this report to review and submit comments on the report.

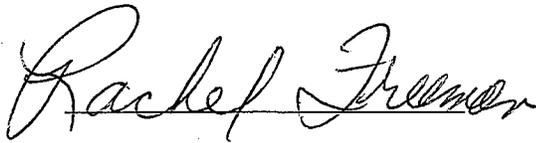
Within 10-days following the receipt of comments or the completion of the comment period, a final report will be submitted by the Chief of DAS to the California Apprenticeship Council.

The final report will detail the findings with recommendations for remedial actions. The programs must remedy all deficiencies and be in full compliance with their apprenticeship standards. The programs must notify the DAS in writing when deficiencies have been remedied. A DAS representative will schedule an appointment to review the completion of the remedial actions. Failure to comply may be grounds for withdrawing state approval of the apprenticeship programs.

13. REMARKS

The results of this audit do not modify, replace or negate other duties and requirements or any previous notices you may have received regarding the fulfilling of your obligations prior to or after the audit period. In addition, law changes or new rulings might result in different findings in future audits.

Respectfully submitted by,

 7/18/07

Rachel Freeman
DAS, Apprenticeship Consultant

Date

RECEIVED
DAS DISTRICT OFFICE
FRESNO
07 AUG 10 10:11 AM

**KERN, INYO, MONO AND NORTHERN LOS ANGELES COUNTIES
AIR CONDITIONING AND SHEET METAL WORKERS'
JOINT APPRENTICESHIP AND TRAINING COMMITTEE**

August 7, 2007

Rachel Freeman
Division of Apprenticeship Standards
2550 Mariposa St., Room 3080
Fresno, CA. 93721

Dear Ms. Freeman:

Here is our response to the findings from the Audit conducted by DAS on May 31, 2007. I did want to let you know that the cover letter was dated July 18, 2007. However, we did not receive the findings report in the office until July 24, 2007. And as you know, the committee had a meeting scheduled for July 25, 2007, in which a copy of the findings were handed out to each trustee, and my staff had a scheduled vacation that started July 30 – August 6, 2007. As we let you know in our telephone conversation today, we will be faxing you the reply as well as mailing you a hard copy.

Thank you,



Ken Rooker
Coordinator

KR:lin
Encl.

**RESPONSE TO FINDINGS FROM
AUDIT CONDUCTED BY D.A.S.
ON MAY 31, 2007**

1. In process of completing a current revision of committee standards and will review and update annually.
- 2a. In process of updating Apprentice guidebook, will do so annually.
 - b. Guide will be given, reviewed and signed by Apprentice and a copy will be put in their file.
 - c. Rules and Regulations **will be** enforced by committee action when required.
3. Program will continue to inform the DAS of indentures, cancellations, completions or any other changes in status of Apprentices in a timely manner.
4. Blue book work process' will be revised and all Apprentices will be trained on how to record OJT hours properly. Completed blue book will be kept in Apprentices file. Rate changes will be withheld until Apprentices turn in blue books that are signed by employer and hours are verified. All recommendations for upgrades, completions or discipline by committee or coordinator will be recorded in minutes.
5. We will continue to review curriculum and monitor Apprentices progress in required educational courses, and also develop new courses when needed.
6. Will maintain current practices and plan for growth accordingly.
7. Will continue our practice of dispatching to qualified employers.
8. Program standards and work processes for Apprentice record books will be reviewed and revised before anymore are issued to Apprentices and they will be instructed and trained to properly record their OJT hours to ensure their accuracy with our standards.

9. We are in the process of completing our Annual Self Assessment Review and Program Improvement Plan for 2007, as it will help us in setting goals for our program.

10. All actions by the committee including but not limited to, approving, indentures, prior credit, upgrades, cancellations, completions, six month probation evaluations and discipline will be listed in the minutes and forwarded to the DAS consultant will in advance of the next scheduled meeting to allow their participation whenever possible.