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STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT

For

**Northern California Barber and
Cosmetology Apprenticeship
Committee, UAC**

DAS File No: 04- 10230

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

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SUMMARY

The Division of Apprenticeship Standards (DAS) presents its audit report concerning the *Northern California Barber and Cosmetology Apprenticeship Committee (UAC) program*; DAS file number 04-10230, (hereafter "Program") The audit was performed during the period of August 16, 2007 through September 15, 2007 and was conducted pursuant to California Labor Code §3073.1.

In order to be a licensed Barber or Cosmetologist in California, one must complete a course of study offered through an accredited Barber/Cosmetology school or successfully complete a State registered apprentice program. The applicant must then pass a State licensing certification exam administered by the California State Board of Cosmetology. Upon passing the State licensing certification exam the applicant is issued a Barber/Cosmetology license and may legally practice in the Barber/Cosmetology trades.

Barber/Cosmetology apprenticeship programs are regulated by both DAS and the California State Board of Cosmetology. In order to participate in the State registered apprentice program, an applicant must be a registered apprentice with DAS and obtain an *Apprentice License* issued by the State Board of Cosmetology.

The Barber/Cosmetology industry as a whole has been highly scrutinized by DAS in the past several years. In the past, there was little coordination between DAS and the State Board of Cosmetology in regards to conflicts of law and enforcement. The lack of coordination between the two State agencies resulted in much confusion and inconsistent enforcement for the Barber/Cosmetology apprenticeship programs. This past year DAS and the State Board of Cosmetology have started working together to resolve these issues and have developed and implemented a new Barber/Cosmetologist agreement approval process. There continues to be issues concerning conflicts of law and procedures, but DAS and the State Board of Cosmetology are actively working together to develop and revise procedures and to resolve any conflicts that may arise.

In the past several years DAS has learned that many of the program sponsors (employers/salons) in the Barber/Cosmetology apprenticeship programs were treating the apprentices as independent contractors rather than employees¹ in violation of the State labor code and apprentice laws. In an effort to stop this practice, DAS in cooperation with the State Board of Cosmetology, implemented a new indenturement process for all of the Barber/Cosmetology apprenticeship programs.

¹ California Labor Code Section 2750.5 sets forth certain factors in determining an independent contractor relationship. A principle test of an employment relationship is whether the person to whom service is rendered has the right to control the manner and means of accomplishing the result desired.

An apprentice by definition is under the direction and control of the employer (sponsor) and as such must be an employee,

Initially, DAS required all the Barber/Cosmetology apprenticeship programs to provide the following documentation for both new and existing apprentices:

1. Barber/Cosmetology Apprentice Agreement (DAS 1BC), (conditional in that the apprentice must obtain an apprentice license within 90 days from the date of execution).
2. Completed Apprentice License Application with verification of completing thirty-nine (39) hour pre-apprentice training course and payment of the license fee to the State Board of Cosmetology
3. Completed *Agreement to Train Apprentices* (DAS-7)
4. A Completed Barber & Cosmetology Inspection Report (DAS-134)
5. Proof of Workers Compensation Insurance Coverage
6. Payroll Stub showing that the apprentice is being paid hourly wages in accordance with the program standards

On March 9, 2007, DAS and the State Board of Cosmetology issued a joint letter, effective March 19, 2007, outlining the process for an applicant to obtain both the apprenticeship agreement (DAS1) and the apprentice license (State Board of Cosmetology) in the Barber/Cosmetology fields. These letters were sent out to all active Barber/Cosmetology apprenticeship programs currently registered in California. The documentation requirements for the new Barber/Cosmetologist agreement approval process are set forth on the DAS website in the following letters and notifications:

- Joint Letter from the California Barber and Cosmetology Board & the Division of Apprenticeship Standards to barber and cosmetology programs. March 9, 2007 [See Attachment "A(1)"]
- Letter from the Division of Apprenticeship Standards to barber and cosmetology programs regarding the new apprentice agreement approval process. March 9, 2007 [See Attachment "A(2)"]
- The new barber / cosmetologist apprentice agreement DAS-1 BC. [See Attachment "A(3)"]

The documentation requirements set forth in the March 9th letters/notifications dropped the requirements that the programs provide proof of Workers Compensation Insurance coverage and the submission of a payroll stub, but the Programs were placed on notice that verification of Workers Compensation Insurance coverage and payment of proper hourly wages remains the apprentice committee's responsibility. Therefore, the apprenticeship programs must assure that there is evidence of sponsor compliance in the apprentice records.

Since DAS implemented the new Barber/Cosmetologist agreement approval process, the *Northern California Barber and Cosmetology Apprenticeship* program has worked diligently to bring both new and existing sponsors into

compliance. The Program required all new and existing apprenticeship sponsors to provide the aforementioned documentation. The Program cancelled sponsors that expressly refused to purchase Workers Compensation Insurance as well as those sponsors that simply ignored the Program's numerous requests to provide the required documentation. As a result of these new requirements, the Program cancelled approximately four hundred sponsors.

The *Northern California Barber and Cosmetology Apprenticeship* program has done an outstanding job "cleaning-up" their active apprentice list and is actively working to keep the apprentice list current and up to date with DAS.

A review of *Northern California Barber and Cosmetology Apprenticeship* program's records show that most all of the active apprentice files have the documentation as required under the new Barber/Cosmetologist agreement approval process.

FINDINGS AND RECOMMENDATIONS

As noted in the detailed report which follows, the audit team found that some specific actions must be completed in order to allow the audit team to determine whether the *Northern California Barber and Cosmetology Apprenticeship* program is operating in compliance with their approved standards and legal requirements. The Program's master apprentice records are insufficient to allow the audit team to determine whether each individual apprentice is completing the program requisites in order to successfully complete the apprenticeship.

A review of the apprentices' master file records, kept in the Program's Sacramento headquarters training facility, show that the files were inconsistent and lacked organization. Most of the files reviewed did not have essential documentation regarding completion of *Related and Supplemental Instruction* (RSI) hours, *On-the-Job Training* (OJT) hours, practical operations/hours that are substituted in lieu of OJT hours for work processes not offered by the apprentice's sponsor², notices to employers of apprentice upgrades, notices of wage rate increases and disciplinary actions. It is the belief of the audit team that after an overall review of the existing program records, the Program has sufficient records for all the apprentices but simply has not gathered and organized these records in the apprentice master files.

Visits to the Program's training facilities (See Exhibit B - List of Training Facilities) indicate that the instructors keep accurate records on class attendance, instructor evaluations, completion of RSI hours and practical operations/hours completed. The Program failed to have copies of the instructor's RSI records filed in the apprentices' master files in Sacramento.

Due to the disarray of the Program's records, the audit team was not able to verify whether the apprentices are completing all the require work processes, attending all classes, passing all classroom requirements and whether proper

² California State Board of Cosmetology allows practical operations to be substituted for OJT hours. For example, if the employer does not offer manicures/pedicures, the apprentice will gain these work process hours by completing practical work hours in these areas at the training facility

discipline actions are being applied in accordance with the program standards and the *rules and regulations*.

When the Northern California Barber and Cosmetology Apprenticeship program was made aware of the disarray of their apprentice master files, the Program moved immediately to adopt all the suggestions of the audit team in order to develop and implement new procedures and a new record keeping system that would satisfy DAS's recommendations for compliance.

Accordingly, the program is charged with the task of gathering the required records and organizing the information in a manner so that the audit team may verify that the apprentices are completing the program requisites. It is recommended that within 60 days the Program must develop and implement a new record keeping system for tracking/reporting the *Related and Supplemental Instruction (RSI)*, *On-the-Job Training (OJT)*, hours of practical experience reported in lieu of OJT hours, advancement notifications, correspondence and discipline documentation. It should be noted that during the time this audit was conducted, the Program has taken substantial remedial measures to develop and implement a new record keeping system. The Program indicated that it was their hope to have all the apprentice master files reviewed, revised and corrected by September 21, 2007.

It is the audit team recommendation that once the program is completely revised the apprentice records/files that a second review is conducted to determine whether the records are sufficient to verify whether the program is operating in compliance with the requirement of the program standards and *rules and regulations*.

AUDIT HIGHLIGHTS.....

Our review of the *Northern California Barber and Cosmetology Unilateral Apprenticeship Training Committee (UAC)* program; Division of Apprenticeship Standards (DAS) file number 12-10230, (hereafter "Program") found that:

- The Program has not submitted a full revision of standards since October 1998.
- The Program appears to have all the required records to verify whether this program is operating in compliance with the program standards and *rules and regulations*, but has failed to file sufficient records in the apprentice master files to allow the audit team to determine whether each individual apprentice is completing the apprentice program requisites.
- It is the belief of the audit team that after an overall review of the existing program records, the Program has sufficient records for all the apprentices but simply has not gathered and organized these records in the apprentice master files.

INTRODUCTION/BACKGROUND

On August 16, 2007, the auditor(s) met with key administrative personnel, examined records, observed administrative activities and conducted a walk-through of the training facility. and visited a job site in connection with the audit. The *Northern California Barber and Cosmetology Unilateral Apprenticeship Training Committee (UAC)* program operates as a Unilateral Committee operated by a management team. The sponsors are individual employers/salons that request to be sponsors of apprentices through submittal and approval of the Program committee as a *Firm Agree to Train (DAS-7)* The Programs funding mechanism comes from Related Supplemental Instructional (RSI) Funds (Montoya funding).

The daily operations, management and administrative functions are run by three primary staff, Shirley McNeeley, Coordinator, Shirnel Hunt, Manager and Lasana McNeeley, Director. In addition, the program has many Training Instructors at the eight training facilities spread out over northern California. It should also be noted that the Program provides bi-lingual training instructors for both Spanish and Vietnamese.

The Program's main office and Sacramento Training facility is located at 1111 Howe Ave, Ste 62, Sacramento, CA 95825. A list with the addresses of all the seven training facilities is attached to this audit as Exhibit "B".

It is the audit team recommendation that once the program as completely revised the apprentice records/files that a second review is conducted to determine whether the records are sufficient to verify whether the program is operating in compliance with the requirement of the program standards and *rules and regulations*.

The job site review found that the apprentices are very satisfied with the Program and their sponsors. The apprentices did raise a concern that the training facilities may at times be overcrowded. Training facility capacity is an issue that the Program must continuously monitor if the program is intending to expand and indenture more apprentices.

Employers/Salons are approved to train when they have completed an *Agreement to Train Apprentices* (DAS-7 form).

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>
Barber	24 months	33
Cosmetology	24 months	373

The Related and Supplemental Instruction (RSI) is provided by the Program at eight training facilities throughout Northern California (See Exhibit B).

The Program has several Local Education Agencies (LEAs), which include the San Joaquin County Office of Education, the Hayward Unified School District, the San Leandro Unified School District and the Metropolitan Education District.

The LEA, San Joaquin County Office of Education has conducted training site RSI inspections. The LEA raised the issue of facility adequacy and noted that the Program's instruction needs improvement. But overall the Program's Stockton and Santa Rosa training sites provided satisfactory accommodations and instruction.

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, with the DAS, an audit plan
2. Prepare an entrance interview
3. Organization of all working papers to conduct audit and interviews
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 currently has a new set of standards pending with DAS Program Planning and Review Unit. The proposed standards request approval for State wide expansion of the program and as such are subject to the Section 212 notice process.

The program has submitted a written request to hold the proposed standards for statewide expansion in abeyance for the next ninety days so that the Program may direct its full attention to correcting any deficiencies identified in this audit.

It is the program's desire to establish good faith and competency by correcting any identified deficiencies prior to submittal of the proposed standards for statewide expansion to the Section 212 process.

(b) Recommendations

- (1) The program is to take remedial measures to correct any and all deficiencies disclosed in this audit and submit a complete revision of program standards.
- (2) Once all of the identified deficiencies are deemed corrected, the program will request the DAS Program Planning and Review Unit to submit the program's standards for statewide expansion to the Section 212 process and the Chief's determination.
- (3) If the standards for statewide expansion are denied and the denial is upheld through any subsequent appeals, the program will be required to submit a revised set of standards limited to the approved area (counties) of jurisdiction.

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 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) 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.
- (2) This review found that not all of the apprentice files contained a signed acknowledgement that the apprentice received a copy of the program's *rules and regulation*. The acknowledgement should also affirm that the apprentice read and understood the *rules and regulations*.
- (3) The apprentice files did not contain adequate records in regard to school absences, evaluations and progress.
- (4) The apprentice files did not contain copies of citation letters and no documentation of individual apprenticeship disciplinary actions. A review of the Program's committee meeting minutes for the past year show that disciplinary actions have been taken and that warning letters have been sent to the cited apprentices.

(b) Recommendations

- (1) Program should review the *Rules and Regulations* annually and update as needed.
- (2) Review and reorganize the apprentice records and files so that the audit team may determine whether all the apprentices executed an *Acknowledgement of Receipt and Understanding* and received a copy of the *Rules and Regulations*. -- Due within 60 days

For the apprentices that did not sign an *Acknowledgement of Receipt and Understanding* the Program should distribute a copy of the current *Rules and Regulations* and obtain and retain a copy of a signed *Acknowledgement of Receipt and Understanding* in each apprentice file – Due within 60 days.

- (3) Review and reorganize the apprentice records and files so that the audit team may determine whether discipline action as been taken for individual apprentices – Due within 60 days.
- (4) Program to enforce all provisions of the Program's *rules and regulations.*

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.

(a) Findings

- (1) In the past year and a half, this program has made an outstanding effort to update the DAS active apprentice list. The program at the direction of DAS and the State Board of Cosmetology has required new and existing program sponsors to comply with the new documentation requirements set forth under the new Barber/Cosmetologist agreement approval process. As a result of the Program's compliance efforts, the program was forced to cancel over four hundred sponsors.

The program provided the apprentices indentured with the cancelled program sponsors the opportunity to be transferred to a new program sponsor that was willing to comply with the new mandated requirements. Many apprentices refused to transfer to new sponsors, so the Program was forced to cancel their apprenticeships.

- (2) The program is currently developing and implementing a new record keeping system that will monitor the apprentice progress through all phases of the training. The record system will provide documentation of the completion of RSI hours, OJT hours, completion of practical operations/hours, employer evaluations,

instructor evaluations and the notice and decisions of disciplinary actions.

(b) Recommendations

- (1) The program will continue to keep the DAS informed of indentures, cancellations and completions in a timely manner.
- (2) The program will develop and implement a record keeping system that will summarize the apprentice records in order to monitor apprentice progress and completion of RSI hours, OJT hours, practical operations/hours, work processes, advancement and discipline action(s) on a continuous basis. – Due in 60 days
- (3) The program will provide, at minimum, an annual written status evaluation to each apprentice, outlining the where the apprentice currently stands in regards to all requisites of the program (i.e. RSI hour, OJT hours and work processes completed and/or to be completed, etc). – Due in 60 days
- (4) The Program will notify DAS of any and all changes affecting the status of the apprentices.

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.

(a) Findings

- (1) The program failed to maintain a sufficient record keeping system that would gather and present the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions in a manner so that the audit team is able to verify program compliance.
- (2) The apprentices master files did not contain the necessary documentation to verify the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. A review of the overall program appears to support a belief that the Program kept these records, but failed to file the necessary documentation in the apprentices' master files.

(b) Recommendations

- (1) The Program must develop and implement a new record keeping system for tracking/reporting the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. – Due within 60 days
- (2) After the Program has revised the apprentice records, the audit team recommends that DAS reexamine the records to verify whether this program is operating in compliance with the program standards and *rules and regulations*.

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 has several Local Education Agencies (LEA) which include the San Joaquin County Office of Education, the Hayward Unified School District, the San Leandro Unified School District and the Metropolitan Education District.

The classroom training centers are located at seven different facilities throughout Northern California (See Exhibit B).

(a) Findings

- (1) The program failed to maintain a sufficient record keeping system that would gather and present the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions in a manner so that the audit team is able to verify program compliance.
- (2) The apprentices master files did not contain the necessary documentation to verify the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. A review of the overall program appears to

support a belief that the Program kept these records, but failed to file the necessary documentation in the apprentices' master files.

- (3) The LEA, San Joaquin County Office of Education has conducted training site RSI inspections. The LEA raised the issue of facility adequacy and noted that the Program's instruction needs improvement. Overall the Program's Stockton and Santa Rosa training sites provided satisfactory instruction.

(b) Recommendation

- (1) The Program must develop and implement a new record keeping system for tracking/reporting the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. – Due within 60 days
- (2) After the Program has revised the apprentice records, the audit team recommends that DAS reexamine the records to verify whether this program is operating in compliance with the program standards and *rules and regulations*.

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 one to two licensed instructors at each of the eight training facilities in this program depending upon size of the apprentice class. The consultant assigned this audit, Eric A. Elberg visited both the Sacramento and Stockton Training facilities. The Sacramento District Office Senior Consultant, Don Merrill visited the Santa Rosa training facility. During these visits the auditors attended classes and toured the training facilities.

The training centers are either class rooms or actual beauty salons. The facilities usually have adequate space for the apprentices and provide salon facilities for demonstrations and practical operations. The apprentices are allowed to attend any of the eight training facilities since the class curriculum is the same each week for all if the training facilities. However, a few of the apprentices interviewed indicated that the facilities may be crowded on some occasions.

Each apprentice must complete a variety of practical operations and show competency in applying the trade. The Barber/Cosmetology Industry has stringent health and safety requirements and as such the practice of good hygiene and safety are always in the forefront.

The auditors spoke with the instructor(s) who allowed review of the attendance and RSI records with the auditors.

(a) Findings

- (1) The LEA, San Joaquin County Office of Education has conducted training site RSI inspections. The LEA raised the issue of facility adequacy and noted that the Program's instruction needs improvement. But overall the Program's Stockton and Santa Rosa training sites provided satisfactory accommodations and instruction.
- (2) The audit teams Inspection of three training facilities found the facilities are currently sufficient to train the present number of apprentices.

(b) Recommendation

- (1) The Program should continue current practices, but if the Program intends to expand and indenture more apprentices, the Program will need to monitor whether the current area training facility(s) is sufficient to meet the added training requirements.

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 places 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 will actively seek new sponsors for apprentices in the event of a layoff.

(a) Findings

- (1) The program will seek a new sponsor or for apprentices in the event of layoff.

(b) Recommendation

- (1) The program should continue the practice of finding new program sponsors for apprentices in the event of a layoff.

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 employe is adequate.*

The auditor chose two job site locations at random. The apprentices at the locations were contacted and arrangements were made for the auditor to visit the job site and interview the apprentice.

The auditor(s) visited two job sites, the *Studio Q Salon*, in Sacramento and *The Grand Salon* in Folsom, California. At both locations apprentices were working under the supervision and direction of trainer/journeyman and were employed at tasks 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 attends RSI classroom training. The interviews confirmed apprentices are advanced on schedule. The apprentices confirmed that they write in the total operations/hours of training in the apprentice record book under the appropriate work processes. The OJT records are signed by the job site trainer/journeyman validating the reported work processes and OJT work hours.

The interview(s) with the trainer/journeyman confirmed there is a proper ratio of journeyman to apprentice and adequate supervision.

(a) Findings

- (1) The auditor(s) found that apprentices were receiving the proper supervision of OJT hours/operations in the proper work processes.
- (2) The apprentices and the sponsors were having no problems completing the OJT record books.

(b) Recommendations

- (1) The Program should continue current practices in regards to the apprentices and sponsors completion and recording of OJT hours.
- (2) 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.
- (3) The Program must record the apprentices OJT hours in their master apprentice file and provide the apprentices with a minimum of an annual written status evaluation regarding the number of OJT hours, practical operations/hours and work processes completed and the number of hours that remain to be completed for each individual work process. – Due in 60 days.
- (4) The program should continuously monitor job sites to ensure a proper employment environment, that the apprentices are adequately employed performing the required work processes, are recording OJT hours, are recording practical operations/hours, are working under the direction of a trainer/journeyman, are being paid the proper hourly wage rates and verify that the apprentices are covered by Worker's Compensation Insurance.

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* was not submitted for 2006.

DAS is sending reminders to the programs that the 2007 Self-Assessment Review Plan shall be due by December 1, 2007.

(b) Recommendations

- (1) The program will be required to complete and submit the Annual Self-Assessment Review and Program Improvement plan for 2007.
- (2) The Self-Assessment and Program Improvement Plan shall be utilized as a tool for setting goals for the Program and reviewing accomplishment of the previously stated goals during the prior twelve 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

Unilateral apprenticeship committees have representation from management and provides for advisory representatives elected from the apprentices. Each committee also includes a Consultant from the California Division of Apprenticeship Standards (DAS) or the Bureau of Apprenticeship and Training, U.S. Department of Labor. The committee also includes an advisor(s) from the local education agency (LEA). The apprenticeship consultant and the LEA(s) are non-voting members of the committee. 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 of the committee must be in accordance with approved apprenticeship standards and therefore should be recorded in the committee meeting 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 has provided the committee meeting minutes for the past year. The meetings are scheduled to be held monthly. The frequency of the meetings was established and is set forth in the program standards.

The Standards indicate that the committee shall consist of five members located in Sacramento, selected by the employer organization(s). The committee also includes the apprenticeship coordinator, DAS consultant,

the Local Education Agency Representative(s) (LEA) and such other advisors as the committee shall determine.

The Rules and Regulations stated that all disciplinary actions must be reviewed by the committee.

(a) Findings

- (1) Review of the committee minutes for the last 12 months show that the committee had a record of disciplinary actions.
- (2) The committee minutes are sufficient in form and content.

(b) Recommendations

- (3) Make sure that the meetings are held regularly and that the DAS apprenticeship consultant is advised of the committee meetings well in advance and the consultant will attend the meetings or will make arrangements for another DAS consultant or the Sacramento senior consultant to attend in his place.

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,



Eric A. Elberg
Apprenticeship Consultant
DAS, Sacramento District Office

October 16, 2007

Date

ATTACHMENT A(1)

Joint Letter from the
California Barber and Cosmetology Board
and the
Division of Apprenticeship Standards
to all Barber and Cosmetology programs.

Dated: March 9, 2007

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

P. O. Box 420603
San Francisco, CA 94142-0603
Tel: (415) 703-4920
Fax: (415) 703-5477

www.dir.ca.gov

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING &
COSMETOLOGY

P. O. Box 944226
Sacramento, CA 94244-2260
Tel: (916) 574-7570
Fax: (916) 575-7281

www.barbercosmo.ca.gov



March 9, 2007

Dear Barber / Cosmetology Program Sponsor;

In an effort to streamline and expedite the registration and licensing of apprentices in barbering and cosmetology programs, and to make sure that programs are in compliance with all applicable laws and regulations, the Board of Barbering and Cosmetology (Board) and the Division of Apprenticeship Standards (D. A. S.) worked together and came up with a solution that will satisfy the requirements of both agencies.

The D. A. S will modify the apprenticeship agreement with language for conditional approval that will allow the apprentice to obtain an apprentice license within 90 days. The Board will not issue an apprentice license until the D. A. S has approved a conditional apprenticeship agreement.

Effective March 19, 2007 the process to obtain both the apprenticeship agreement and the apprentice license in the barbering and cosmetology fields will be as follows.

1. The prospective apprentice with assistance from you will complete a barber / cosmetology apprenticeship agreement (DAS 1BC) which is available on the D. A. S. website. You the program sponsor will submit the completed DAS 1BC to the D. A. S. If the apprentice agreement is correct and complete, the D. A. S. will approve it with the condition that the apprentice must obtain an apprenticeship license within 90 days from the date of execution. (See new approval process enclosed)
2. The apprentice must submit a completed apprentice license application form with verification of completing the 39-hour pre-apprentice training course and the licensing fee to the Board.
3. Upon receipt of the apprentice license application the Board will check with the D. A. S via the Division's website to verify that the applicant is registered as an apprentice.
4. If the applicant is registered as an apprentice and the application is complete the Board will issue the apprentice license.
5. The D. A. S will check with the Board via the Board's website to verify that the apprentice has received an apprentice license within 90 days of the D. A. S. conditional approval date.
6. If the conditional apprentice has not received an apprentice license by the required date, the D. A. S will cancel the apprentice agreement.

It is not necessary for the applicant to wait until the approved apprentice agreement is returned from the D. A. S. to submit the apprentice license application to the Board.

Kristy Underwood
Executive Officer
Board of Barbering & Cosmetology

Glen K. Forman
Deputy Chief
Division of Apprenticeship Standards

ATTACHMENT A(2)

Letter from the
Division of Apprenticeship Standards
to all barber and cosmetology programs
regarding the new apprentice agreement approval
process

Dated: March 9, 2007

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP STANDARDS

www.dir.ca.gov

455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
Tel: (415) 703-4920
Fax: (415) 703-5477ADDRESS REPLY TO:
Div. of Apprenticeship Standards
P. O. Box 420603
San Francisco, CA 94142-0603

March 9, 2007

Dear Program Sponsor:

The process of registering apprenticeship agreements for the barbering and cosmetology programs is to be changed as follows: Effective March 19, 2007, all agreements for the barbering and cosmetology occupations will be submitted on the new DAS 1BC agreement (enclosed).

The Division of Apprenticeship Standards (D. A. S.) no longer will require that proof of workers' compensation coverage or proof of the payment of wages (DAS 134) be submitted with the DAS 1BC form to process an apprentice agreement.

To make sure that all apprentices employed (on the payroll) are receiving the correct wage and are covered for workers' compensation has always been the responsibility of the program sponsor. D. A. S. will verify compliance with these requirements in routine audits in the future. The DAS 134 can be used by committees for this purpose.

D. A. S. and program sponsors have made a lot of progress in the past year to stop the abuse of apprentices in the barbering and cosmetology occupations. Reviews by the Divisions staff have found that, in many cases, apprentices were not employed legally, were not being covered by workers' compensation insurance, or were not being paid the correct wage as per their apprenticeship standards. Because of this history, the D. A. S. will be performing follow-up reviews of barbering and cosmetology programs to verify that each program has a process to ensure that its approved employers are meeting all legal requirements. Programs inadequately protecting the interests of their apprentices by failing to meet the requirements of their approved program standards will be subject to derecognition by D. A. S..

If you have any questions, please contact your apprenticeship consultant.

Sincerely,

GLEN K. FORMAN
Deputy Chief
Division of Apprenticeship Standards

Enclosure

ATTACHMENT A(3)

**New Barber/Cosmetologist
Apprentice Agreement DAS-1 BC**

D. O.	FILE NUMBER

CDE	G	E	STATUS

State of California -- Department of Industrial Relations --DIVISION OF APPRENTICESHIP STANDARDS



APPRENTICE AGREEMENT

Barber / Cosmetology

APPRENTICE LAST NAME,	FIRST NAME	MIDDLE	SOCIAL SECURITY NUMBER
APPRENTICE ADDRESS (NUMBER AND STREET / CITY, STATE & ZIP)		BIRTHDATE (mm/dd/yyyy)	VETERAN Yes <input type="checkbox"/> No <input type="checkbox"/>
		COUNTY OF RESIDENCE	
OCCUPATION			DOT
TERM OF APPRENTICESHIP Hours Within Years		STRAIGHT TIME Hours per day: Hours per week:	

This agreement is between the above named apprentice employed by the below named employer, and

PROGRAM SPONSOR

AGREEMENT: The undersigned parties mutually agree that they will use their best endeavors to secure employment and training for the apprentice. The apprentice agrees to perform satisfactorily all work and learning assignments. The provisions of the Apprenticeship Standards for the above occupation adopted by the program sponsor and approved by the Chief of the Division of Apprenticeship Standards, are hereby made a part of this agreement. An official copy of the standards is on file in the headquarters of the Division of Apprenticeship Standards. This apprentice agreement will continue in effect until the training is completed or otherwise terminated in accordance with the standards.

The apprentice commences participation under these standards on the date of execution of this agreement by the Apprentice. The signatory apprentice is credited with having _____ months toward completion of the term of apprenticeship. The apprentice is expected to complete training on or about _____, 20____, upon satisfactory completion of the total remaining hours of on-the-job training and hours and/or units of related and supplemental instruction.

APPRENTICE: I, the undersigned apprentice, understand and agree that there is a valid and reasonable necessity that those academic records accumulated throughout related and supplemental instruction during my period of apprenticeship be made available to the apprenticeship committee. Further, I agree to release to the apprenticeship committee any other academic records which I feel may enhance my status as an apprentice.

I, the undersigned apprentice understand and agree that this agreement is approved conditioned on obtaining an apprentice license from the State Board of Barbering and Cosmetology, and if I fail to obtain this license within 90 days from the date of signing this agreement this agreement will be cancelled.

I, the undersigned apprentice, hereby request that the Administrator of Apprenticeship terminate any other apprenticeship agreements in which I am currently registered.

Executed this _____ day of _____, 20____ by _____
DAY MONTH YEAR SIGNATURE OF APPRENTICE

AGREED TO BY THE EMPLOYER

SIGNATURE OF PARENT OR GUARDIAN (IF APPRENTICE IS 16 OR 17)

AGREED TO AND APPROVED BY, FOR THE COMMITTEE

SIGNATURE OF EMPLOYER OR ITS REPRESENTATIVE TITLE

NAME OF EMPLOYER
ADDRESS

SIGNATURE - SECRETARY / CHAIR / COORDINATOR DATE

ACCEPTED BY DAS

SIGNATURE - APPRENTICESHIP CONSULTANT DATE

[for unilateral programs only]

This agreement is approved by _____ for the Administrator of Apprenticeship

TO THE APPRENTICE: California Civil Code Sec. 1798.17 requires State agencies which collect personal information to indicate the authority under which the data are requested. If personal information, not specifically authorized by law is requested, individuals must be informed that supplying the information is voluntary. It also provides that state agencies may change or modify records at the request of the individual.

Questions C and E below are voluntary. All others are authorized by law, as indicated by the reference in each section. If the authorized questions are not answered, the apprentice agreement cannot be accepted.

The agreements are filed with the Division of Apprenticeship Standards, 455 Golden Gate Ave, 10th Floor, San Francisco, CA 94142. The Supervising Clerk is in charge of the Records (telephone 415-703-4920). Questions or requests regarding these records should be addressed to the Supervising Clerk. Information is not transferred in any form which would identify an individual. Information collected on the Apprentice Questionnaire is used to measure, over a period of years, changes in the characteristics of apprentices. Ethnic information and Gender are used to measure the extent of compliance on the part of program sponsors with the California Plan for Equal Opportunity in Apprenticeship.

The Division hopes, through collection of this data, to improve the apprenticeship program both for those presently enrolled and for future apprentices. Thank you.

CALIFORNIA APPRENTICE QUESTIONNAIRE
(USE INK OR BALLPOINT PEN)

<p>A. Gender</p> <p><input type="checkbox"/> Male <input type="checkbox"/> Female</p> <p><small>(Cal. Code of Regulations, Title 8, Ch. 2, Sec. 215)</small></p> <hr/> <p>B. Ethnic or Race Derivation (Check only one)</p> <p>01 <input type="checkbox"/> WHITE (Not of Hispanic Origin) -- A person having origins in any of the original peoples of Europe, North Africa or the Middle East.</p> <p>02 <input type="checkbox"/> BLACK (Not of Hispanic Origin) -- A person having origins in any of the Black racial groups of Africa.</p> <p>03 <input type="checkbox"/> ASIAN OR PACIFIC ISLANDER -- A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. The area includes, for example, China, Japan, Korea and Samoa.</p> <p>04 <input type="checkbox"/> AMERICAN INDIAN OR ALASKAN NATIVE -- A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.</p> <p>06 <input type="checkbox"/> FILIPINO (Cal. Gov. Code Sec. 11092)</p> <p>07 <input type="checkbox"/> HISPANIC -- A person of Mexican, Puerto Rican, Cuban, South Central American or other Spanish culture or origin, regardless of race.</p> <p><small>(Cal. Labor Code, Ch. 4, div. 3, Sec. 151)</small></p> <hr/> <p>C. Number of Dependents (Do not count yourself)</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%;">0 <input type="checkbox"/> None</td> <td style="width:50%;">4 <input type="checkbox"/> Four</td> </tr> <tr> <td>1 <input type="checkbox"/> One</td> <td>5 <input type="checkbox"/> Five</td> </tr> <tr> <td>2 <input type="checkbox"/> Two</td> <td>6 <input type="checkbox"/> Six or More</td> </tr> <tr> <td>3 <input type="checkbox"/> Three</td> <td></td> </tr> </table> <p><small>(Voluntary)</small></p>	0 <input type="checkbox"/> None	4 <input type="checkbox"/> Four	1 <input type="checkbox"/> One	5 <input type="checkbox"/> Five	2 <input type="checkbox"/> Two	6 <input type="checkbox"/> Six or More	3 <input type="checkbox"/> Three		<p>D. Highest Year of Education Completed</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%;">1 <input type="checkbox"/> 8th Grade or less</td> <td style="width:50%;">6 <input type="checkbox"/> 1 Year of College</td> </tr> <tr> <td>2 <input type="checkbox"/> 9th Grade</td> <td>7 <input type="checkbox"/> 2 Years of College</td> </tr> <tr> <td>3 <input type="checkbox"/> 10th Grade</td> <td>8 <input type="checkbox"/> 3 Years of College</td> </tr> <tr> <td>4 <input type="checkbox"/> 11th Grade</td> <td>9 <input type="checkbox"/> 4 or more Years of College</td> </tr> <tr> <td>5 <input type="checkbox"/> 12th Grade (or GED Certificate)</td> <td></td> </tr> </table> <p><small>(Cal. Labor Code, Ch. 4, div. 3, Sec. 3076.3)</small></p> <hr/> <p>E. Number of Years You Have Been Employed Full Time to Date (Except for Military Service)</p> <table style="width:100%; border: none;"> <tr><td>0 <input type="checkbox"/> None</td></tr> <tr><td>1 <input type="checkbox"/> Less Than 1</td></tr> <tr><td>2 <input type="checkbox"/> Year 1 But Less Than 2 Years</td></tr> <tr><td>3 <input type="checkbox"/> 2 But Less Than 3 Years</td></tr> <tr><td>4 <input type="checkbox"/> 3 But Less Than 4 Years</td></tr> <tr><td>5 <input type="checkbox"/> 4 But Less Than 5 Years</td></tr> <tr><td>6 <input type="checkbox"/> 5 Years or More</td></tr> </table> <p><small>(Voluntary)</small></p> <hr/> <p>F. Have You Served on Active Duty (other than reserve status) in the U. S. Armed Forces?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, Please Enter:</p> <p>Month and Year Entered _____</p> <p>Month and Year Separated _____</p> <p>Total Months served on Active Duty _____</p> <p><small>(Title 38, U. S. Code)</small></p>	1 <input type="checkbox"/> 8th Grade or less	6 <input type="checkbox"/> 1 Year of College	2 <input type="checkbox"/> 9th Grade	7 <input type="checkbox"/> 2 Years of College	3 <input type="checkbox"/> 10th Grade	8 <input type="checkbox"/> 3 Years of College	4 <input type="checkbox"/> 11th Grade	9 <input type="checkbox"/> 4 or more Years of College	5 <input type="checkbox"/> 12th Grade (or GED Certificate)		0 <input type="checkbox"/> None	1 <input type="checkbox"/> Less Than 1	2 <input type="checkbox"/> Year 1 But Less Than 2 Years	3 <input type="checkbox"/> 2 But Less Than 3 Years	4 <input type="checkbox"/> 3 But Less Than 4 Years	5 <input type="checkbox"/> 4 But Less Than 5 Years	6 <input type="checkbox"/> 5 Years or More
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1 <input type="checkbox"/> Less Than 1																										
2 <input type="checkbox"/> Year 1 But Less Than 2 Years																										
3 <input type="checkbox"/> 2 But Less Than 3 Years																										
4 <input type="checkbox"/> 3 But Less Than 4 Years																										
5 <input type="checkbox"/> 4 But Less Than 5 Years																										
6 <input type="checkbox"/> 5 Years or More																										
<p>Apprentice's Signature _____</p>																										

EXHIBIT/ATTACHMENT B

List of NCBCAC **Training Facilities**

EXHIBIT B

NCBCAC Training Facilities

1. NCBCAC – Headquarters
1111 Howe Ave., Suite 620
Sacramento, CA 95825

Class Day(s): Mon & Tues.
9:30am- 4:30pm

5. Womack Salon and Academy
598 Silver Ave.
San Francisco, CA 94112

Class Day: Tuesday's
9:30 am- 4:30 pm

2. Gran Phinal's Learning Center
1201 N. Sutter St.
Stockton, CA 95202

Class Day: Wednesday's,
9:30am- 4:30pm

6. Trend Setters
2770 Stoney Point Road
Santa Rosa, CA 95407

Class Day: Monday's
9:30 am- 4:30 pm

3. Hayward Adult School
22199 Princeton Street, B-15
Hayward, CA 94501

Class Day: Monday's
12:30pm- 6:00pm

7. Acapella Full Body Salon
5528 N. Palm, Ste 104
Fresno, CA 93704

Class Day: Monday's
9:30 am- 4:30 pm

4. AFVPP Salon
775 North 10th St., Ste. 116
San Jose, CA 95112

Mailing Address
3736 Springbrook Ave.
San Jose, CA 95148

Class Day: Monday's
9:30am- 4:30pm

RECEIVED
DIR/DAS
SACRAMENTO

**NORTHERN CALIFORNIA BARBERING & COSMETOLOGY
APPRENTICESHIP COMMITTEE**

1111 HOWE AVE #620

SACRAMENTO, CA 95825

916-568-6008-OFFICE / 916-568-6072-FAX

Toll Free 1-866-535-8142

www.ncbcac.org / e-mail: www.info@ncbcac.org

October 18, 2007

To: Eric Elberg. / DAS Consultant

RE: Audit response

The following comments are for the audit received by the program on October 17, 2007.

1. STANDARDS

The program has corrected the remedial measures and is awaiting the approval of the new standards.

2. RULES AND REGULATIONS

The files had been reorganized and each file has a check list to ensure all forms are present from each student. If the Rules and Regulations sign off sheet was missing from a student file, the staff re issued the rules and regulations and requested the form to be signed and returned immediately.

The files are updated with records for evaluations, progress and absences and case notes written and or letters filed regarding any discipline.

3. ACTIVE APPRENTICES AND CANCELLATIONS

The program has implemented a process that summarizes the RSI hours, OJT hours, and the evaluation process for each file on a continuous basis.

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

The program has implemented new record keeping procedures for RSI, OJT, and evaluations, completion of work processes, and discipline.

5. RELATED AND SUPPLEMENTAL INSTRUCTION (RSI)

The program has implemented the recommendations and is keeping adequate records for each file.

6. TRAINING CENTER

The program recently provided an instructor training class and has such class's semi annual. The program continues to monitor the class size as more students are indentured into the program and another class day will be added for the particular location once a class reaches its capacity.

7. MECHANISM TO KEEP APPRENTICES REASONABLY EMPLOYED

The program will continue to assist student's to ensure they are employed in an event of a layoff.

8. JOB SITE VISIT

The program continues to ensure each student submit their OJT forms to the program monthly and does not exceed the maximum hours in each work process. The program will continue to ensure each student is covered by Worker's Compensation Insurance and are receiving proper hourly wage rates.

9. SELF-ASSESSMENT REVIEW AND PROGRAM IMPROVEMENT PLAN

The self-assessment and program improvement plan for 2007 will be submitted by December 1, 2007.

10. COMMITTEE MEETINGS AND MINUTES OF MEETING

The program will continue to meet and notify the consultant in advance of all meetings.

Sincerely,



Lasana McNealey
Executive Director
916-568-6058-Office

AUDIT FOLLOW-THROUGH

Program Name:

Northern California Barber and Cosmetology Apprenticeship Committee, UAC

DAS File No: 04- 10230

Audit items Due is 60 Days

Items

60 day follow-through

1. STANDARDS

1 b (1-3) The program is to take remedial measures to correct any and all deficiencies disclosed in this audit and submit a complete revision of program standards. Once all of the identified deficiencies are deemed corrected, the program will request the DAS Program Planning and Review Unit to submit the program's standards for statewide expansion to the Section 212 process and the Chief's determination.
 If the standards for statewide expansion are denied and the denial is upheld through any subsequent appeals, the program will be required to submit a revised set of standards limited to the approved area (counties) of jurisdiction.

Program Standards are in draft form and are going through the Programs internal process.
 Upon mutual agreement, the Program will re-submit the revised Program Standards once all deficiencies are corrected and re-audit is completed.
 Program Standards are pending the review pursuant to Section 212 of the rules and regulations.

2. RULES AND REGULATIONS

2 b (2) Review and reorganize the apprentice records and files so that the audit team may determine whether all the apprentices executed an Acknowledgement of Receipt and Understanding and received a copy of the Rules and Regulations.
 -- Due within 60 days
 For the apprentices that did not sign an Acknowledgement of Receipt and Understanding the Program should distribute a copy of the current Rules and Regulations and obtain and retain a copy of a signed Acknowledgement of Receipt and Understanding in each apprentice file – Due within 60 days.

Review of the apprentice records and files reveal the Program has reorganized the apprentice records and files and has added signed copies of the Rules and Regulations in each apprentice master file.

2 b (3) Review and reorganize the apprentice records and files so that the audit team may determine whether all the apprentices executed an Acknowledgement of Receipt and Understanding and received a copy of the Rules and Regulations.
 -- Due within 60 days

Review of each apprentices' master file indicates the Program has updated documentation of discipline action taken for individual apprentices when applicable. Review and reorganize of the apprentice records and files show excellent improvement and great care has been taken by the Program in reorganizing the master files.

3 b (2) The program will develop and implement a record keeping system that will summarize the apprentice records in order to monitor apprentice progress and completion of RSI hours, OJT hours, practical operations/hours, work processes, advancement and discipline action(s) on a continuous basis. – Due in 60 days

The Program has provided a check list which summarizes each apprentice's record. This helps in monitoring the apprentices' progress and completion of RSI hours, OJT hours, practical operations/hours, work processes, advancement and discipline action.
 Review of the apprentices' records indicates the OJT has been documented and additional record tracking has been updated. The DAS, Consultant, will review the new record

3 b (3) The program will provide, at minimum, an annual written status evaluation to each apprentice, outlining the where the apprentice currently stands in regards to all requisites of the program (i.e. RSI hour, OJT hours and work processes completed and/or to be completed, etc). – Due in 60 days

The Program has provided a written status & evaluation on each apprentice which outlines where the apprentice currently stands in regards to all requisites of the program.

3. ACTIVE APPRENTICES AND CANCELLATIONS

AUDIT FOLLOW-THROUGH

Program Name:

Northern California Barber and Cosmetology Apprenticeship Committee, UAC

DAS File No: 04- 10230

Audit items Due is 60 Days

Items

60 day follow-through

3 b (2)	The program will develop and implement a record keeping system that will summarize the apprentice records in order to monitor apprentice progress and completion of RSI hours, OJT hours, practical operations/hours, work processes, advancement and discipline action(s) on a continuous basis. – Due in 60 days	The Program has provided a check list which summarizes each apprentice's record. This helps in monitoring the apprentices' progress and completion of RSI hours, OJT hours, practical operations/hours, work processes, advancement and discipline action. Review of the apprentices' records indicates the OJT has been documented and additional record tracking has been updated. The DAS, Consultant, will review the new record keeping in February.
3 b (3)	The program will provide, at minimum, an annual written status evaluation to each apprentice, outlining the where the apprentice currently stands in regards to all requisites of the program (i.e. RSI hour, OJT hours and work processes completed and/or to be completed, etc). – Due in 60 days	The Program has provided a written status & evaluation on each apprentice which outlines where the apprentice currently stands in regards to all requisites of the program.

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

4 b (1)	The Program must develop and implement a new record keeping system for tracking/reporting the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. – Due within 60 days	The Program has updated and developed a record keeping system for tracking/reporting the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. The updated record keeping will keep track of practical hours and work processes as a monthly totals and cumulative totals to better determine how the apprentice is progressing.
---------	--	--

5. RELATED AND SUPPLEMENTAL INSTRUCTION (RSI)

5 b (1)	The Program must develop and implement a new record keeping system for tracking/reporting the apprentices' schedules, RSI records, OJT records, practical operations/hours, completion of the work processes, employer evaluations, advancement notifications and disciplinary actions. – Due within 60 days	The Program has provided excellent RSI documentation on current apprentices' master files. The reporting and tracking of the RSI is easy to follow for each apprentice; The RSI is well documented and shows good organization.
---------	--	---

Consultant