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STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT
For

**J.R. Simplot Company Joint
Apprenticeship Committee JAC,
File 19597**

The Division of Apprenticeship Standards Oj(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 J.R. Simplot Joint Apprenticeship Training Committee (JATC) program; DAS file number 19597, (hereafter "Program"). The program was selected by the DAS for an audit as a random selection. The audit was performed during July 31, 2008 and was conducted pursuant to California Labor Code §3073.1.

During the initial preliminary audit preparation the actual numbers of registered apprentices reported to the DAS were accurate. The number reported was 8 registered apprentices.

NUMBER OF REGISTERED APPRENTICES

DAS Records Based Upon Program's Submittals	8	According to Program	8
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FINDINGS AND RECOMMENDATIONS

In the detailed report which follows, the Division of Apprenticeship Standards (DAS) Auditor, found that the program is committed to providing a successful apprenticeship program. The program made every effort necessary to share all information relating to the audit. The program is in compliance with their approved standards and legal requirements.

The J.R. Simplot is a single plant standard unilateral. The program is designed to acquire apprentices from the company. Before becoming an apprentice, the applicant must be an employee. The application process is for employees who show a desire to enter the apprenticeship program.

In the course of the audit, it appears that the program is doing an excellent job at keeping apprentices on schedule. The training facility and its instructors keep accurate records on class attendance and completion of Related Supplemental Instruction (RSI).

The J.R. Simplot Company program JATC, are committed to helping apprentices reach their goal of becoming a journeyman in their desired occupation.

AUDIT HIGHLIGHTS.....

The review of the J.R. Simplot in California Joint Apprenticeship Training Committee (JATC) program; Division of Apprenticeship Standards (DAS) file number 19597, (hereafter "Program") found that:

- Our review found that the program has submitted a total revision of standards as of July, 2008 and is in the first level of the clearance process. The last total revision approved was June 29, 1990.
- The program requires all apprentices to sign and confirm that they understand the programs Rules and Regulations. The apprentice files did contain signed copies of this document.
- The review found the number of registered apprentices for this program was accurate.
- The apprentice blue book is filled out by the apprentice to keep track of both the work processes and hours. The program files contained consistent verifiable OJT work hours; all files contain a blue book and are consistent with program apprenticeship standards. The blue book must be signed by the supervisor before turning in the book to the Coordinator. Records of disciplinary actions due to poor work performance or absences were found in a apprentices files.
- The job site review found that the apprentices are

INTRODUCTION/BACKGROUND

On July 31, 2008, the auditor met with key administrative personnel, examined records, observed administrative activities, conducted a walk-through of the training facility and the job site in connection with the audit. The Joint Apprenticeship Training Committee (JATC) consists of four members , four from J.R. Simplot Company, which are selected by the company. One from Delta College representative, and one DAS apprenticeship consultant. Operating in the J.R. Simplot Company, Lathrop, California.

The daily operations, management and administrative functions are run by a, Secretary/Coordinator and human resource administrator. The Coordinator is available to apprentices, employers, DAS staff and other interested parties by appointment.

The funding mechanism for the apprenticeship program is J.R.Simplot. The program is located at 16777 Howland Road Lathrop, CA 95330.

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

<u>Name of Occupation</u>	<u>Term of Apprenticeship</u>	<u>Number of Apprentices</u>
Crane Operator	48 months	1
Instrument Repairer	48 months	1
Maintenance Mechanic	48 months	3
Maintenance Machinist	48 months	1
Equipment Mechanic	48 months	1
Maintenance Electrician	48 months	1
Maintenance Carpenter	48 months	0*
Maintenance Painter	48 months	0*
Packaging Equipment Tech.	60 months	1

* Program does not have any registered apprentices at this time.

The apprenticeship program's Local Education Agency (LEA) is provided by the San Joaquin Delta College (located in Stockton California) The Related and Supplemental Instruction (RSI) and all curriculum is reviewed by the committee.

knowledgeable on how to complete the blue book.

- ☑ The program has completed and submitted December 12, 2007 the annually required Self-Assessment Review and Program Improvement Plan to DAS.
- ☑ The program committee meeting minutes 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 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 their 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. The DAS must ensure that the program is complying with the standards. It must have a current and complete revision.

(a) Findings

- (1) The audit found the program has submitted revisions of standards regularly. The latest set of standards has been submitted July, 2008 and is in the clearance process. The last full revision was approved June 29, 1990.

(b) Recommendations

- (1) Program will continue to review and update Standards when changes occur and report the information to the DAS Apprenticeship Consultant assigned to the program.

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 of them 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) The apprentices are required to indenture to the J.R. Simplot Company Joint Apprenticeship Committee (JAC). The apprentices are given an orientation prior at the start of their apprenticeship program and RSI training.

(2) All apprentices are given a copy of the rules and regulations, and an opportunity to read the standards. A signature by the apprentices as an acknowledgement of receipt is required.

(3) All apprentices' files reviewed contain a copy of signed policies by the apprentice. The program has demonstrated excellent record keeping and tracking of each apprentice.

(4) Apprentices who fail to follow the rules and regulations and are not meeting the program's requirements are cited to appear before the committee.

(5) Each apprentice must satisfactorily complete a first aid class during their first year.

(b) Recommendations

(1) The program should continue with this process and evaluate as needed for continual improvement.

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) The J.R. Simplot Company has an application process which is offered to all employees. A bid sheet is posted and is available to all. The application is reviewed by the committee and an in-person interview are combined into a score. Those who score in the required range are considered for the apprenticeship program.

(2) The DAS database indicates the program shows the numbers of registered apprentices for this program correct.

(3) The program has mailed one cancellations (due to military active duty) to DAS and DAS has received it.

(4) The program monitors the apprentice progress as they proceed through training by reviewing evaluations from the employer, and the training instructor.

(b) Recommendations

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

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

The review is to determine if apprentices are progressing on schedule, and 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 JAC.
- The apprentice uses a blue book, which is provided to each apprentice at the time of orientation. The apprentice documents all work processes and track his/her work hours.
- The apprentice delivers the completed blue book to the chairman of the committee JAC no later than the 7th calendar day following the completion of the report (6 months).
- School Evaluation form from the instructor and apprentice Record of Absence or Late form (school attendance) to assure required supplemental instruction is complete. 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 J.R.Simplot Company apprenticeship program is approximately four years duration.
- When periodic evaluations are 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 audit review found that the blue books to be accurate. In addition, the work processes listed on the blue book were consistent with the program standards.

(a) Findings

- (1) The apprentice files did show verifiable work hours and were consistent with requirements. The employer evaluations and monitoring records were found in all files reviewed and were consistent.
- (2) The files contained a consistent record of all absences related to school attendance. The program requires instructors to maintain class attendance rosters.
- (3) The apprentices' files indicated a well maintained system. All files provided evidence of periodic reviews and evaluation of the apprentice's progress in job performance and related instruction.

(b) Recommendations

- (1) The program should continue with this process and look for possible continuous improvement.

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 is 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's Local Education Agency (LEA) is the San Joaquin Delta College, Stockton California. The program is assigned the oversight of the related training curriculum. The classroom training center is located at the San Joaquin Delta College.

The apprentice files included records of attendance, classroom hours, and evaluations/grade reports from the instructor. Depending on the *indentured occupation*, the apprentice will attend required hours of RSI.

(a) Findings

- (1) The program consists of eight semesters of RSI. All apprentices are required to attend all required related instruction. All apprentices reviewed are progressing through the required supplemental instruction.

(b) Recommendation

- (1) The program should continue to review curriculum and develop new courses to cover additional needs when necessary.

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 certified instructors in this program. Instructors are dedicated full-time. During the audit visit, a tour of the college facility was given by the college. The facility consists of a large classroom and large shop, which are used for demonstrations and on-hand operations.

(a) Findings

- (1) The audit review of the training facility found it to be a well organized site; an outstanding facility in its variety of training occupations for the apprentices.

(b) Recommendation

- (1) The program should continue current practices and evaluate as needed reflecting the industry standards.

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

The 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.

(a) Findings

- (1) The J.R. Simpolt Company makes every effort to keep apprentices employed. All apprentices have a work history with the company prior to entering into the apprenticeship program.

(b) Recommendation

- (1) The program will continue to make every effort necessary to fully employ apprentices.

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.

Review of the job site was conducted. The auditor visited the work site located in Lathrop, California. The job site review found an apprentice Maintenance Mechanics. An Interview was conducted with the apprentice and found the equipment, materials and tools of the trade sufficient to train apprentices. This apprentice receives proper pay and benefits and attends OJT classroom training.

The interviews confirmed apprentices are advancing on schedule. Confirmation that each apprentice writes in the total OJT hours worked. The correct ratio journeyman to apprentice is being met.

(a) Findings

- (1) The apprentices are properly completing the work processes related to their trade and documenting it in their personal diary.

(b) Recommendations

- (1) The program should continue with current practices and insure that all apprentices have the opportunity to work in all the work process.

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 been submitted for December 21, 2007.

(b) Recommendations

- (1) The program will submit the Annual Self Assessment Review and Program Improvement plan for 2008-09.
- (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 DAS 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 meetings are held every two weeks. As a reminder, a one week advance notice is sent out to all members and guest of the committee.

(a) Findings

(1) The audit found well maintained minutes which detail meetings that contain applicants of apprentices, request of credits for previous experience, advancements, disciplines, reviews and evaluation and among other information pertaining to the JAC.

(b) Recommendations

(1) The program committee will continue with regular meetings, and maintaining accurate records.

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,



Jerriann McKenzie
Apprenticeship Auditor
DAS, Sacramento District Office



Date:

Jerriann McKenzie

RECEIVED
DAS DISTRICT OFFICE
FRESNO
03 SEP 15 PM 12:26

From: Mendes, Sally L [Sally.Mendes@simplot.com]
Sent: Monday, September 08, 2008 1:39 PM
To: Jerriann McKenzie
Subject: RE: Audit Report

Thank you!

Sally Mendes
HR Administrator
J.R. Simplot Company
(209) 858-6435 direct

From: Jerriann McKenzie [mailto:JMckenzie@dir.ca.gov]
Sent: Monday, September 08, 2008 1:37 PM
To: Mendes, Sally L
Cc: Rachel Freeman
Subject: RE: Audit Report

Thank you Sally, edits will be made, and a PDF will be emailed to you.

From: Mendes, Sally L [mailto:Sally.Mendes@simplot.com]
Sent: Monday, September 08, 2008 1:35 PM
To: Jerriann McKenzie
Subject: Audit Report

Hello Jeriann

The committee met last week and reviewed the audit report. We did find an error on page 4. Please correct as follows:

Maintenance Electrician: 48 months

Packaging Equipment Technician: 60 months

We were pleased with the report and thank you for reviewing our process. We will continue to comply with the guidelines set forth and thank you for your time.

Sally Mendes
HR Administrator
J.R. Simplot Company
(209) 858-6435 direct