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STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT
For

**Sprinkler Fitters, JATC,
File 04391**

The Division of Apprenticeship Standards (DAS) 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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FINDINGS AND RECOMMENDATIONS

As noted in the detailed report which follows, the Auditor found that some specific actions are necessary to bring the program into compliance with their approved standards and legal requirements. The Program was unaware they were to turn in the Self-Assessment Review and Program Improvement Plan each December 1st of every year. See page 13 of this report.

The program is doing an excellent job at keeping their apprentices on schedule. The training facility and its instructors keep accurate records on class attendance and completion of Related Supplemental Instruction (RSI). The apprentice files were in an orderly fashion with copies of all correspondence to both the apprentice and employer. Such as, letters notifying employers of apprentice upgrades and rate increases. In this trade the apprentices are kept continuously employed.

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

INTRODUCTION/BACKGROUND

The Division of Apprenticeship Standards (DAS) presents its audit report concerning the Sprinkler Fitters Joint Apprenticeship Committee (JAC) program; the DAS file number 04391, (hereafter "Program") The Sprinkler Fitters was selected randomly by the DAS for an audit. The audit was performed during August 13, 2008 to August 18, 2008 and was conducted pursuant to California Labor Code §3073.1.

Starting on Wednesday, August 13, 2008, the Auditor met with the Administrator/Coordinator at the Training Center. Records of randomly selected apprentice were reviewed and noted. There were observations of the administrative activities; a walk-through of the training facility was conducted; and visits to several job sites in connection with the audit. Sprinkler Fitters Joint Apprenticeship Committee (JAC) program operates as a Labor/Management Cooperative and the principal partners in the cooperative effort are the members of the National Fire Sprinkler Association, Local 483. The Program has an Apprentice Trust Fund. The Program's funding mechanism comes from employer contributions, Related Supplemental Instructional (RSI) Funds and state prevailing wage training fund contributions.

The daily operations, management and administrative functions are run by three primary staff, the Coordinator, Training Director, and one clerical person. The Program's office is located at 2531 Barrington Court, Hayward, CA 94545.

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

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

<u>Name of Occupation</u>	<u>Term of Apprenticeship</u>	<u>Number of Apprentices</u>
Fire Sprinkler Fitter Apprentice	5 years	225

The Related and Supplemental Instruction is provided by the program's training center, which is at the same site as the program operations. Each apprentice enrolled receives a comprehensive orientation packet that includes the rules and regulations, an explanation of the Program standards, the Record of Hours Worked by Process (same as the DAS blue book) and a class schedule. College of San Mateo is the apprenticeship program's Local Education Agency (LEA). There are sixteen instructors who teach at the training center for each level, covering all the 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 instructed 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 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:

It was found that the Program last submitted a DAS 24 October 18, 2005. The Committee is currently (at the time of the Audit) working on changing several items and revisions of their Standards. They estimate the Standards will be ready for the DAS in November 2008.

(b) Recommendations:

Submit a complete and current revision of the Program Standards to the DAS in San Francisco.

This is due within 90 Days.

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

2. RULES AND REGULATIONS

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

the coordinator and educational instructor. Then the apprentice must sign the document indicating they have received, read and understood the rules and regulations.

(a) Findings:

The Program conducts a mandatory "Orientation Meeting" just before the first day of school for all newly indentured apprentices. They are all provided with a copy of the Apprentice Handbook. The acknowledgement is signed and dated, which is found in the apprentice file. The rules and regulations for this Program state the responsibilities of both the apprentice and the committee. Apprentices are disciplined if they do not follow the rules and regulations. A letter is mailed to the apprentice to appear before the committee and failure to appear is reason to recommend cancellation from the program for failure to comply with a committee directive. The apprentice files contained copies of school absences, evaluations and progress reports by the employers. The files were completely organized, an excellent job.

(b) Recommendations:

There are no recommendations needed.

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:

The Sprinkler Fitters Apprenticeship Committee requires the employer to fill out monthly on-the-job performance evaluations until the apprentice has worked 2000 hours. The apprentice is considered to be on Probation during these hours and maybe canceled from the Program at any time from the JAC.

The attendance is recorded on the Integrated Software for each apprentice. Work evaluations are done every six months by each employer. It appears this Program is extremely well organized and takes every effort to keep their apprentices in the Program.

(b) Recommendations:

There are no recommendations needed.

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:

The apprentice must abide by the requirements set by the program and the terms of the Collective Bargaining Agreement. Therefore, if the apprentice is not current in all fees and dues to the Sprinkler Fitters Local 483, they will not progress to the next level of training.

The Program requires that the employers fill out on-the-job evaluations every month for the first 2,000 hours worked. These 2,000 hours are during the apprentice probationary period. These forms include: general information, work habits, attitude, attendance and other comments.

Once the apprentice has passed the probationary period then the employer provides work evaluations every six months. The program will notify the employer and apprentice when advancements are earned insuring timely upgrades and employer being aware of proper rates of pay and benefits.

The Program issues all apprentices the "6 month Work Process Report" (red book) to record their daily work assignments. There are eight different work processes. For most jobs the apprentice does not perform each and every work process, but in a year's time they normally have worked each one. The apprentices are then required to turn-in this book before they are advanced to the next level of training

and receive a wage increase. The apprentices need a minimum of 8,000 hours before turning out to be a Journeyman.

(b) Recommendations:

There are no recommendations needed.

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 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.

(a) Findings:

The Program has Related and Supplemental Instruction (RSI) and a Local Education Agency (LEA) which is College of San Mateo in California. The classroom training center is located at the same location as the Program.

The Program uses Union Manager to document the apprentice records of attendance, classroom hours, and evaluations/grade reports from the instructor. The Rules, Regulations and Guidelines outline the requirements for the school. Including attendance, make-up classes, tardiness and discipline.

The apprentices will attend 18 weeks per semester for two semesters per year. Eleven classes are being offered in the Fall of 2008 and are either on Tuesday, Wednesday and Thursday evenings. All apprentices must maintain a "C" average or better.

(b) Recommendations:

There are no recommendations needed.

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.

(a) Findings:

The training center is located at 2531 Barrington Court, Hayward, California. It serves nine counties in Northern California. It is spacious and enough space for all of the apprentices.

There are six classrooms, and six labs including a valve lab, underground lab, pump lab, welding lab, a test lab to see if the water can flow through the pipes. The training center has a computer room, library and offices for the instructors to use. The Program is licensed to certify apprentices in welding. The apprentices do not need to purchase their books. The training center provides continuing education classes for the Journeymen. The Auditor was impressed with the overall facility and the tool it provides for the apprentices and Journeymen.

(b) Recommendations:

There are no recommendations needed.

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.

(a) Findings:

The review found the program has an established system to keep apprentices reasonably employed. This Program does not take in more apprentices than they can employ on a

regular basis. This industry appears not to have any effect from economical matters.

Apprentices are dispatched from the Union whether they are entry level or have been terminated. Job placements will be through the Sprinklers Fitters, Local 483 office and it is the apprentice's responsibility to keep the office advised of any phone or address changes that may occur. The apprentice needs to be current in all fees or dues to the Local 483 to be eligible for dispatch.

(b) Recommendations:

There are no recommendations needed.

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.

(a) Findings:

A list of five employers were given to the Auditor to call and make arrangements to visit job sites in which there were apprentice and journeymen working together. The Auditor went to four job sites.

The first site was located in San Francisco and the Apprentice was in his 9th period of training and schooling. He gave praise to the Program for their willingness to help apprentices get experience in all the work processes. The Journeyman on this

project felt the classroom training, for the apprentices, are getting up to date information within this trade.

The second site was in Oakland and the Apprentice was in his 5th period. He only had great things to say about the program. He felt his schooling related to his on-the-job work. One of the journeymen had worked in this industry 35 years and still enjoys the industry. He expressed his appreciation for the advanced technology the school instructors were teaching.

The third site was located in Union City and there were two Apprentices. One in his 2nd period and the other in his 5th period. These Apprentices are recording the hours they work in each work process. The Journeyman had just graduated from the Program in July 2008.

The last site was in Burlingame with an Apprentice starting his 5th period. He mostly had worked on hospital sites and Public Work projects.

Overall it seemed all the apprentices were very satisfied with the Program.

(b) Recommendations:

There are no recommendations needed.

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

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:

At the time of the physical Audit in the Program's office the required annual Self-Assessment Review and Program Improvement Plan had not been submitted for 2007. However, before the end of the writing of this report the Program submitted the 2007 Self-Assessment Review to the Auditor and Consultant. It appears to be completed.

(b) Recommendations:

The program must complete and submit the Annual Self Assessment Review and Program Improvement plan for 2008 by December 1, 2008.

DUE on December 1, 2008 to the Consultant of the DAS.

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

10. COMMITTEE MEETINGS AND MINUTES OF MEETING

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

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

(a) Findings:

The Program provided the Committee Meeting Minutes for the past year. The meetings are held monthly. The Program's Rules and Regulations state that this committee is a Labor/Management Cooperative. Also noted in the rules and regulations are the three (3) Labor Trustees and three (3) Management Trustees. The committee also includes the apprenticeship coordinator, Local Education Agency Representative (LEA) and the DAS Consultant.

The program stated that all disciplinary actions must be reviewed by the committee. The minutes reflect apprentice appearances and correspondence that needs the vote of the Committee. All action is clearly recorded in the minutes.

(b) Recommendations:

There are no recommendations needed.

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.

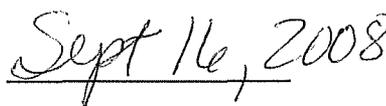
13. REMARKS

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,



Linda Knox
Apprenticeship Consultant Auditor
San Francisco and San Jose District Offices



Date

Sprinkler Fitters
U.A. Local 483

JOINT APPRENTICESHIP COMMITTEE

September 29, 2008

State of California
Department of Industrial Relations
Division of Apprenticeship Standards
455 Golden Gate Avenue, 10th Floor
San Francisco, California 94102

Attention: Linda Knox
Apprenticeship Consultant Auditor

Reference: Sprinkler Fitters U.A. Local 483 J.A.C.
DAS File #04391

Dear Linda:

Your audit report was reviewed and discussed at our September 23, 2008 Joint Apprenticeship Committee Meeting. The committee members were pleased to see that the Sprinkler Fitters Apprenticeship Program is operating within the provisions of Labor Code Section 3073.1

Relative to your findings on Page 6. 1. **Standards:** I believe that our program recently submitted a DAS 24 regarding changes in wages and fringe benefits. I would appreciate it if you could discuss this with our Consultant, Raul Galvin, as he assisted me with the changes, which were the result of a new collective bargaining agreement.

I do understand that a complete and current revision of the Program Standards is due within a (90) day period. We are currently working on these revisions. Also, we will continue to submit the Self-Assessment Review and Program Improvement Plan, which is due by December 1st of every year.

Also, this Committee is now taking the necessary steps to up-date all of the DAS-7's with our signatory contractors.

Linda, it was a pleasure working with you on this Audit. Our apprentices appreciated your discussion with them in the Union Hall regarding the Division of Apprenticeship Standards and its role in the State of California.

Cordially,

SPRINKLER FITTERS U.A. LOCAL 483
JOINT APPRENTICESHIP COMMITTEE


Linda Loeffler, Administrator

cc: Raul Galvin, DAS Consultant
File