



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

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT

For

Northern California Tile Industry, JATC

File 00088

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.

CONTENTS

Summary.....	3
Findings and Recommendations.....	4
Introduction/Background.....	5
Scope/Focus/Methodology.....	6
Audit Results and Recommendations.....	7
Comments from Program Sponsor.....	16
Correction and Timeline.....	16
Remarks.....	16

SUMMARY

The Division of Apprenticeship Standards (DAS) presents its Audit Report concerning the Northern California Tile Industry, Joint Apprenticeship Training Committee (JATC) program; DAS file number 00088, (hereafter "Program"). The Audit was performed from April 7 to April 10, 2009 and was selected randomly pursuant to California Labor Code §3073.1.

The Program has an efficient and organized system in place with well documentation of activities in the RSI and on-the-job training for each active apprentice. Below is a chart representing the number of graduates for the last five years. This Program appears to be in line with the *Industry Average* for the Tile Industry.

PROGRAM COMPLETIONS

	2004	2005	2006	2007	2008	2009
DAS Records	41	36	62	53	40	7>
Program Records	41	27	62	66	39	7 >

FINDINGS AND RECOMMENDATIONS

As noted in the detailed report which follows, the Auditor found no findings and will not recommend any changes to the Program at this time. The Program is doing a excellent job at keeping apprentices on schedule. The training facility and its instructor keep accurate records on class attendance and completion of Related Supplemental Instruction (RSI). Accurate records are in place to notify employers of apprentice upgrades and rate increases and apprentices are being kept employed as the economy allows. The program completions that appear in the chart above show proof that the Northern California Tile Industry Joint Apprenticeship Training Committee (JATC) is committed to helping apprentices reach their goal of becoming a journeyman in the trade.

In the last two years this Program has made many changes to get their Program up to date with their Standards. The Program hired an outside Consultant to help them become more efficient and organized in every part of the business and this was evident as the Audit was being conducted. The Coordinator has been presented with a copy of the findings and recommendations.

INTRODUCTION/BACKGROUND

The Auditor met with key administrative personnel on April 7, 2009, examined apprentice's records, observed administrative activities, and conducted a walk-through of the training facility. The Audit continued, in the week, with visits to six job sites in connection with the audit.

The Northern California Tile Industry, Joint Apprenticeship Training Committee (JATC) program operates as a Labor/Management Cooperative and the principal partners in the cooperative effort are the members of the Brick and Allied Craft workers Local Union #3. The program has an Apprentice Trust Fund. The programs funding mechanism comes from employer contributions, Related Supplemental Instructional (RSI) Funds and state prevailing wage training fund contributions.

The daily operations, management and administrative functions are run by three primary staff: the Apprenticeship Coordinator, one office staff, an outside Consultant and one full-time Training Instructor. In addition, the program has a part-time Training Instructor to assist in the required classroom training. The program's office is located at 10800 Bigge Street, San Leandro, CA, 94577.

Employers are approved to train when they have completed an Agreement to Train Apprentices, DAS-7 form. The program indicated that they dispatch to union signatory employers. 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>
Tile Layer	36 months	43
Tile Finisher	24 months	57
Terazzo Worker	36 months	0
Terazzo Finisher	24 months	0

As of January 1, 2009 the Program indicated they are pending to eliminate Terrazzo Worker and Terrazzo Finisher Apprenticeships. These two occupations will now be added to the Brick and Mason Apprenticeship Program.

The Related and Supplemental Instruction is provided by the program's training center. Each apprentice enrolled receives a comprehensive orientation packet that includes the rules and regulations, an explanation of the program standards, the Apprentice Blue Book and a class schedule. Hayward Adult School is the apprenticeship program's Local Education Agency (LEA).

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 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:

The Revised and Amended Standards for this Program were signed by, the current DAS Acting Chief, Glen Forman, on November 19, 2008.

(b) Recommendations:

There are no recommendations at this time.

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

2. RULES AND REGULATIONS

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

(a) Findings:

The Northern California Tile JATC Rules & Regulations were revised on March 31, 2009. A copy of these Rules & Regulations are given to each apprentice as they enter the Program. The apprentice signs a form indicating they have received a copy and they will comply with the rules. A copy of this form is in the apprentice file.

(b) Recommendations:

There are no recommendations at this time.

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 Program's enrollment of apprentices at the time of this audit is 109 and that is a contributing factor to keeping each and every apprentice on schedule.

It is mandatory for the apprentices to attend week long RSI classes, they must turn in their Bluebooks every month, and the apprentices are evaluated every six months.

In reviewing Apprentices' files, from a randomly selected list, the Auditor found the following documents in each file: DAS Form 1; US Dept Labor; BAC Local #3; Acknowledgement of receiving Rules and Regulations; High School Diploma; computerized "Introduction Slip" showing all personal information with total OJT hours and total RSI hours; Apprentice Performance Appraisal; Re-

Rate Request forms, Verification of Re-Rate; Completion of training LTR; Notice of Violation of Apprenticeship Agreement ; other correspondence, blue book pages; and Standard tests.

The files were organized by dividers in the following catagoies: Application forms; Re-Rates; Communication; original of blue book yellow pages; Evaluations; and Tests. The appropriate DAS form is electronicly sent the DAS District Office for any and all changes to the status of each apprentice.

(b)Recommendations:

There are no recommendations at this time.

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

- The apprentice must abide by the requirements set by the program and the terms of the Collective Bargaining Agreement.
- DAS Apprentice Blue Book to verify work processes and track work hours. The Blue Book must be signed by the employer before turning in the book to the program on a monthly bases.
- 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.
- To keep the apprentice on schedule the program will send out written notices on class schedules, employer letters and evaluations. Apprentices failing to meet requirements

are cited and notices are mailed with a request to explain why they should not be disciplined or terminated.

- The data base program shows all the hours and grades every apprentice finished, which allows the Coordinator to keep track of each apprentice individually.

(a) Recommendations:

There are no recommendations at this time.

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.

(a) Findings:

The Local Education Agency for this Program is Hayward Adult School at 22100 Princeton Street, Hayward, CA 94541. The apprentices in the Tile Layers occupation will attend school for 3 weeks per year. The apprentices in the Tile Finishers occupation will attend school for two weeks per year. Each student is issued a calendar with the schedule of classes. The classes are 8:00 to 4:30 for five days. The class size is from 9 to 12 students at a time, allowing more individual one-on-one teaching.

The Coordinator and the Consultant have completed two full binders, used as *Workbooks*, for each occupation. The apprentices use these books to work problems and get information on the subject. One binder has 400 pages and the other has 223 pages. (A copy of

the *table of contents* of each of these binders are in the Auditor's file.) These workbooks go hand in hand with the on-the-job training and the schooling, which includes all the work processes used in each of these occupations.

The apprentice files contained grade and completion reports from the instructor with a recommendation that the apprentice is ready for the next level in training.

The Union provides financial help to any apprentice who lives more than 81 miles outside of the Hayward area. The apprentice is given \$90.00 for driving time, going and returning from home, plus \$340.00 for hotel and food per week. The Northern California Tile Industry, JATC program draws from all forty-six counties of Northern California.

(b) Recommendations:

There are no recommendations at this time.

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:

There are two certified instructors in this program. One instructor is dedicated full-time and one part-time to assist in the instruction. During the visit classes were not in session due to the Spring break.

The Auditor toured the facility with the Coordinator, the facility is in a vacant locker room of a High School Gym, perfect for the practice of tiling. The training center consists of one classroom and a large shop area where labs utilized for demonstrations and on-hand working booths to make special projects. These working booths

include showers stalls, vanities, mud wall, mastersuite, waterproofing, arches, domes, curves and angles, steps, stairs, and columns. Each apprentice must complete a variety of shop projects and show competency in applying the trade. The instruction is done with good health and safety practices in mind.

(b) Recommendations:

There are no recommendations at this time.

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 during these economical times. After two months of being out of work, the Tile JATC office will change an apprentice's status from "Active" to "Out of Work". The apprentice is relieved from submitting blue books and attending school is optional. Apprentices are dispatched from the list of out of work apprentices. All job placement will be through the Brick and Allied Craftworkers Local 3 office and it is the apprentice's responsibility to keep the office advised of any phone or address changes that may occur. It is also the responsibility of the apprentice to be current in all fees or dues to the Local 3 to be eligible for dispatch.

(b) Recommendations:

There are no recommendations at this time.

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:

The Coordinator could only find six job sites with apprentices on them. The Auditor and Coordinator went to one site in each of the following counties: Alameda, Contra Costa, Marin, San Francisco, San Mateo and Santat Clara. Some of the job sites had more than one apprentice working. The sites were from housing at Stanford University to apartments/Condominiums to corporate offices.

All of the interviewed apprentices mentioned they felt the Program had turned around in the last two years and that the schooling was upto date with relative information for the on-the-job training. Interviews were conducted with all the apprentices and found they have the equipment, materials and tools of the trade sufficient to train each of them. Each apprentice receives proper pay and benefits and attend RSI classroom training. The interviews confirmed apprentices are advanced on schedule. The Auditor confirmed each apprentice know how to fill out the *BlueBooks* and turn them in each month to the JATC. The interview with the supervisor confirmed there is a proper ratio of journeyman to apprentice and adequate supervision.

(b) Recommendations:

There are no recommendations at this time.

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 February 1 of each year for the previous year's assessment.

(a) Findings:

The Program submitted a complete Self-Assessment Review and Program Improvement Plan on January 27, 2009 for the 2008 year.

(b) Recommendations:

There are no recommendations at this time.

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 the MINUTES OF MEETINGS

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 and a representative of the LEA, these representatives 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 committee provided the Program meeting minutes for the past year. The meetings for the JATC Board and for the Sub-committees are held monthly. The frequency of these meetings are established and written in a trust document. The Program's rules and regulations state that this committee has three Labor and three Management Co-Operatives. The committee also invite the Apprenticeship Coordinator, the Local Education Agency Representative (LEA) and the DAS Consultant in their meetings.

The minutes include: Prior minutes, Correspondence, Coordinator's Report, DAS Report, School Report, Legal Counsel's Report, Bills, Consultants Report, and New/Old Business. The Coordinator's Report includes reinstatements, cancellations, terminations, re-rates, and graduates.

(b) Recommendations:

There are no recommendations at this time.

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.

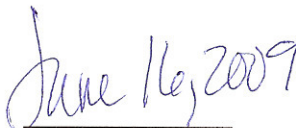
13. REMARKS

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



Date

Apprenticeship Consultant-Auditor
San Francisco and San Jose DAS Offices