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AUDIT REPORT

California Apprenticeship Council Commissioners:

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

Los Angeles County Carpenter Floor Workers JA&TC
File Number: 14150
10015 Rose Hills Road
Whittier, CA 90601

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

The report includes the program's response to DAS.

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

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Los Angeles County Carpenter Floor Workers Joint Apprenticeship & Training Committee

Audit Summary
April 2, 2007

Background

The Los Angeles County Carpenter Floor Workers Joint Apprenticeship and Training Committee, File #14150, were audited during February 2007. The audit was conducted pursuant to California Labor Code §3073.1.

Findings and Recommendations

As noted in the audit report which follows, the audit team found that many specific actions are necessary to bring the program into compliance with its approved standards and legal requirements. DAS anticipates that the implementation of the recommendations will help to improve apprentice graduation rates as well. The audit report includes recommendations for improvement and DAS will visit the program in the future to verify compliance with the recommendations.

INTRODUCTION

The Los Angeles County Carpenter Floor Workers Joint Apprenticeship and Training Committee was audited pursuant to California Labor Code §3073.1 The audit began on February 22, 2007 and was completed during the month of March 2007. The auditors met with Kim Ferguson, the Training Director of the Whittier Training Center, Fernando Rojas, Secretary of the program, and Miriam Penilla, Administrative Secretary. The auditors examined records and observed administrative activities. A walk through of the training facility was conducted and one job site was visited in connection with the audit.

Twenty-three files were requested; twenty-one were received and reviewed.

Based on these observations and audit activities, we have identified inadequacies of the program's compliance to its standards, state apprenticeship laws and regulations. The auditors have found that this program needs to implement changes to meet apprenticeship requirements.

BACKGROUND

Daily program operations, management and administrative functions are conducted at the Whittier Training Center located at 10015 Rose Hills Road, Suite 100, Whittier, CA 90601. The Related and Supplemental Instruction scheduling and oversight is conducted by a full time Training Director and one additional Administrative Secretary.

There is an active Local Education Agency and the curriculum for classroom instruction is approved.

There are apprenticeship Rules and Regulations for the apprentices' registered in this program. See item number two (2) below for more specific information. Specific classroom rules while attending Related and Supplemental Instruction are in place.
The use of the DAS Blue Books was implemented October 2006. Note that while the use of "blue books" as a specific method of tracking OJT is not required; some system of documented tracking is required. The Carpenters organization has chosen to use the blue books so all future references to blue books are by existing agreement. For new apprentices indentured after October 2006, of the twenty-one files audited, there were only three receipts for blue books issued to apprentices for tracking on-the-job hours.

Employers are approved to train when they have provided documentation that they have a license issued by the Contractors State License Board and have signed a Memorandum agreement with the Carpenters Union. There are currently three (3) employers for this program; Foster Floors, Pugliese Interior Systems and Hur Flooring. The program is funded through the Southwest Carpenters' Training Fund that holds income from employer contributions, and State prevailing wage training fund contributions.

SCOPE AND FOCUS

The principle audit objective is to ensure that the program is complying with their standards, that all on-the-job training is performed by journeymen, 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 program's requirements.

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

METHODOLOGY

After completing an initial review of the program's standards and records on file with the DAS, an audit plan was established that included the following steps 1) notifying the program at least 14 days in advance of our intent to audit; 2) preparing an entrance interview; 3) organizing all other working papers necessary to conduct the audit; 4) confirming the location of the place where the records are kept and maintained; 5) setting the time and date of the meeting and 6) scheduling a work site visit.

Due to the small number of active apprentices (26), twenty-three (23) records were requested for review. Twenty-one (21) files were provided and reviewed on the day of audit. Two (2) files were located at the Carpenters Training Center in Ventura. A request for the records to be mailed to the Administrative office in Whittier was made on the first day of the audit. These records did not arrive on time for the auditors to inspect them on 2/22/07 or 2/23/07. One record was faxed to the DAS Los Angeles office on 3/2/07 and the final record was faxed to the DAS Los Angeles office on 3/7/07.

Field work also included visiting a work site to observe working conditions and conduct interviews with apprentices and supervisors.

AUDIT FINDINGS AND RECOMMENDATIONS

1. STANDARDS

Objective: To determine whether the program is submitting periodic revisions to their standards and if standards are reasonably current.

Findings: There has not been a complete revision of the standards; original standards are dated 2/28/1975. The last wage revision (DAS 24) was approved on 4/29/2003.

The DAS review found that all standards were not reasonably current.

Recommendation:
Submit a complete and current revision of the Committee Standards within 30 days.

Article II Section 3 (h) of the program's standards, Section 205 (f) of Chapter 2. California Apprenticeship Council.

2. RULES AND REGULATIONS:

Objective: To determine if the program has adequate rules and regulations, the rules are implemented as required, and the apprentices is provided with a copy.

Findings:

a) Apprenticeship Rules and Regulations are in place but outdated. At the first scheduled related and supplemental instruction class, (Orientation I), the apprentice is to be given a copy of the Apprenticeship Rules and Regulations which are reviewed in the class. After receiving the Rules and Regulations a receipt is signed by the apprentice and put into the apprentice file. Three (3) of the twenty-three files that were audited contained a receipt for a copy of the Rules and Regulations.

b) There were no cite letters in the apprentices files for failure to follow the Rules and Regulations. It appears that there is no written proof of apprentices being cited for failure to comply with the Rules and Regulations of the Committee.

Recommendation:

a) The Committee must submit a complete and current revision of Rules and Regulations within thirty (30) days. A copy of the Rules and Regulations must be reviewed and signed for by each apprentice. A copy of the receipt needs to be maintained in the apprentices' file.

b) Violations by the apprentice need to be addressed by the Committee. Violations need to result in a citation to appear before the Apprenticeship Committee. A copy of any communication to include citation or discipline must be placed in Apprentices' file.

c) Develop a system to ensure that apprentices who violate Rules and Regulations, or fail to comply with any Committee requirements are cited by the Committee and that documentation of actions taken is retained and filed in the apprentice's file.
Article II Section 3 (b) of the program's standards, Section 212 (b) 3 of Chapter 2. California Apprenticeship Council

3. ACTIVE APPRENTICES AND CANCELLATIONS:

Objective: To determine if the program is monitoring apprentices as they enter and progress through the program and to determine if the program is maintaining accurate records of both active and cancelled apprentices.

Findings:

a) It was determined prior to the audit that the active apprentice list was up to date with DAS records. One apprentice completed the program on 2/2/2007; a letter of attestation was was received from the Committee showing that all related and supplemental instruction and hours had been completed. This information was verified by documents in the apprentice file.

Recommendation:

a) The program should continue to keep the reconciliation of apprentice records up to date with DAS records.

Article II Section 3 (n) (o) (q) of the program's standards, Section 212(b) 14 of Chapter 2. California Apprenticeship Council

4. ON-THE-JOB TRAINING (OJT):

Objective: To determine if apprentices are progressing on schedule, that the program is maintaining adequate OJT records, and to determine if the program has an adequate system in place to ensure that apprentices are covering all the work processes.

Findings:

a) There were no records of any OJT hours in the reviewed apprentice files.

b) There are no OJT hours for specific work processes at this time. The Floor Workers program has recently initiated the use of the Blue Book. The Blue Books are given to the apprentice when they come to school; instructions in the use of the Blue Books are given at that time. A receipt for the Blue Book is then put in the apprentice file. There were three (3) receipts in the apprentices' files for the Blue Books. While doing the job cite visit the auditors discovered that only one (1) out of the seven (7) apprentices on the job had received the Blue Book.

Recommendation:

a) Blue Books, with instructions on use, should be given to the apprentices immediately without waiting for attendance at school.

b) A record of the OJT hours should be maintained in each apprentice file.

c) Develop a mechanism to track and/or identify apprentices who have not submitted timely OJT hours. Apprentice(s) should be cited to appear before the Committee when a violation for submitting OJT hours occurs.

d) Upon receipt of the OJT hours, the Committee should evaluate the apprentices to ensure that they are receiving proper training and supervision in all required work processes.

Article II Section 3 (t) Article III, Section 1(a) (c) (e) & Article IV, Section 4, of the program's standards, Section 212 (b) 7 of Chapter 2. California Apprenticeship Council

5. RELATED AND SUPPLEMENTAL INSTRUCTION (RSI):

Objective: To determine if apprentices are progressing on schedule, attending classes, covering the entire course of study, and to ensure the program is maintaining accurate records with adequate systems in place to provide the training.

Findings:
The program has Related and Supplemental Instruction but the apprentices are not necessarily receiving related class instruction. When there are only a few apprentices attending the assigned weekly class schedule for the occupation of Floor Worker, the Training Director states it is not economically feasible to have one instructor for so few apprentices. Therefore, the apprentice is scheduled to other instruction and then the apprentice is reportedly taken aside by the instructor for specific assignment(s) pertinent to the Floor Worker curriculum.

Recommendation:
This program has very few apprentices (26) and trying to schedule more than five (5) at any given time is not feasible for the apprentices or the employers. It is recommended that within thirty (30) days the training center develop an alternate school schedule that will insure apprentices attend school without disruption or excuse. The program should also insure that training is commensurate with the program curriculum.

Article II Section 3 (n) (q) (t) Article III Section 1 (c) Article IV Section 4 Article VII Section 1, Of the program's standards, Section 205 (h) Section 212 (b) 7 & 8, of Chapter 2, California Apprenticeship Council and Section 3078 (d) of Labor Code.

6. PROGRESS RECORDS, PERIODIC ADVANCEMENTS AND EVALUATIONS:

Objective: To determine if apprentices advance on schedule, receive periodic evaluations and to ensure the program has adequate records and systems in place to monitor progress and keep apprentices on schedule.

Findings:
a) Very few records of advancement were found in the files. It appears that hours are calculated when the student attends school and if school is completed and OJT hours are

able to be calculated, the apprentice is then given the raise. It appears that the contractor is not notified in writing, rather that the contractor receives a phone call to advance the apprentice.

b) There was a lack of advancement documents in most of the files that were audited. Advancements were calculated from a computer print out of hours and school. In some instances, advancements were given when there were not adequate RSI hours.

Recommendations:

a) Within 30 days develop a consistent tracking program that includes copies to the apprentice, his employer, and the apprentice's file. Establish a process to identify apprentices who are not progressing on schedule so that they may be advised of the need to progress and complete all processes in a timely fashion.

b) The Secretary of the Committee must become proactive and ensure that the program standards are being met. This involves visiting job sites and training facilities to evaluate the program and determine if the classroom instruction compliments and enhances tasks learned and performed during on-the-job training.

c) The Committee should make the recommendations for upgrades, cancellations and trade certificate completions. Copies of documentation should be included in all files.

Article II Section 3 (p) (q) Article III (e) Article IV Section 4, of the program's standards, 212 (a) 5 (b) 7 & 8, of Chapter 2. California Apprenticeship Council and 3078 (e) (f) of the Labor Code

7. MECHANISM TO KEEP APPRENTICES REASONABLY EMPLOYED:

Objective: To determine if apprentices' are kept reasonably employed, to ensure the committee has adequate systems in place to rotate apprentices through all of the work processes and to provide apprentices' with continuing employment in the event of layoff.

Findings:

There are only three signatory employers who are actively involved with the training of Apprentices in the Floor Workers program. Apprentices work approximately nine (9) months out of the year.

The Committee is actively involved in trying to recruit new employers into the program.

Recommendation:

There is no recommendation from the auditors at this time.

Article II Section 3 (e) Article III Section 1 (a) (b) (c) (d) Article V Section 2 of the program's standards 212 (14) Chaper 2. California Apprenticeship Council and 3080 of the Labor Code

8. TRAINING CENTER:

Objective: To ensure the program has adequate facilities, tools, materials and equipment to train apprentices and to determine if the facility is utilized and adequate for training.

Findings:
The program has a large facility that is used for multiple trades. The Training Director took the auditors on a tour of the facility. There is more than ample room, both in floor space, lab space and classrooms. It is unclear how much of the area is used specifically for the floor worker processes. Limited materials were viewed, but it was sufficient for the number of floor workers currently indentured.

Recommendation:
Implement the necessary recommendations under item five (5) above (RSI) and use the facility for complete training of Floor Worker apprentices.

Article II Section 3 (k) (o) of the program's standards 212 (a) 4, 15 Chapter 2, California Apprenticeship Council and 3074 of Labor Code

9. JOB SITE VISIT:

Objective: The job site visit offers auditors an opportunity to view a job in progress, observe the work that is being done, and provides the opportunity to discuss the operation of the program with the apprentice. The visit enables direct contact with the apprentices to determine: 1) if the apprentice is performing the various tasks listed within the work processes of their trade; 2) if advancements are made on schedule; 3) if the apprentice is receiving the correct pay and benefits; 4) if the apprentice is kept employed on a reasonably continuous basis and 5) if the program mechanism that is keeping apprentices reasonably employed is adequate.

Findings:
Auditors visited the Hur Flooring project located at 237 N. Lake Street, Los Angeles on 3/2/2007. Seven (7) apprentices were observed installing hardwood flooring in a gymnasium along with three (3) Journeymen. All of the apprentices were interviewed with the following results:

a) The apprentices were receiving the proper pay and benefits. Auditors believe the apprentices were overpaid and most didn't even know their pay scale.
b) Adequate tools and materials were available at the work site to train the apprentices.
c) There was a proper ratio of Journeymen to Apprentices and adequate supervision.
d) Apprentices are employed at work covered within the work processes.
e) When apprentices attend class most of the classes assigned are not related to the Floor Workers curriculum.
f) Only one of the apprentices had received a DAS Blue Book to be used to record work processes and track OJT hours.

Recommendation:
The program needs to ensure that all of the apprentices' have received their DAS Blue Books and that they are being used consistently to record the OJT hours. The program needs to

monitor the classroom curriculum to ensure that classroom instruction supplements tasks learned on the job. The Committee needs to provide all apprentices with a wage chart.

Article II Section 3 (n) Article III Section (c) (d) (e) Article IV Section 4 of the program's standards, 212 (b) 14 & 15, Chapter 2, California Apprenticeship Council

10. SELF-ASSESSMENT REVIEW AND PROGRAM IMPROVEMENT PLAN:

Objective: To determine if the program has submitted the annual Self-Assessment Review and Program Improvement Plan due December 31, 2006.

Findings:
The required annual Self-Assessment Review and Program Improvement Plan was submitted 12/5/2006.

Section 212.3 Chapter 2, California Apprenticeship Council

11. CAL-PLAN COMPLIANCE REVIEW:

Objective: To determine if the program maintains the required Cal-Plan data and submits the Annual Cal-Plan Compliance Review report to the DAS.

Findings:
a) The Cal-Plan Compliance Review is on file for the year 2005.

Recommendation:
a) The program must continue to complete and submit the annual Cal-Plan Review.

Article II Section 3 (i) of the program's standards, Section 215 8 of Chapter 2. California Apprenticeship Council 3076.3 Labor Code

12. COMMITTEE MEETINGS AND MINUTES OF MEETINGS:

Objective: To determine if the apprenticeship committee is meeting regularly, documenting actions, discussing and reviewing apprentice records, and making appropriate assessments and evaluations.

Findings:
The Committee met seven times last year. There does not appear to be a set schedule for meetings. The minutes of the meetings contain very little data, as there were no contractors at any of the above mentioned seven meetings. Very few apprentices are cited for disciplinary action; when cited most appear, but a few simply do not and are then dropped from the program by Committee action.

Recommendation:
a) Continue with meeting and agenda scheduling.
b) Encourage participation by at least one employer.

c) Notify the DAS consultant of all meetings in advance.

Article II Section 3 (a) (b) (c) (d) of the program's standards, Section 218 Chapter 2, California Apprenticeship Council 3079 Labor Code

COMMENTS FROM PROGRAM SPONSOR

Comments, if any, will be included with this report to the Chief DAS if submitted by the program sponsor during the 14 day review and comment period.

COMMENTS AND TIMELINE

The audit findings and recommendations are outlined in this report. The program has 14 days from the receipt of this report in which 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 DAS to the California Apprenticeship Council.

The final report will detail the findings with recommendations for remedial actions. The program must remedy any and all deficiencies and be in full compliance with its apprenticeship program standards. The program 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 program.

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. Also, law changes or new rulings might result in different findings in future audits.

Respectfully submitted by,

Donna Petterson

Donna Petterson
Apprenticeship Consultant

4-24-07
Date

Southwest Carpenters Training Fund

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April 18, 2007

Donna Petterson, Apprenticeship Consultant
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320 West Fourth Street, Room 830
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Re: Floor worker Audit

Dear Ms. Petterson:

Thank you for the opportunity to reply to your audit of the Los Angeles County Carpenter Floor Workers Apprenticeship Program.

In reference to #1, Recommendation: "Submit a complete and current revision of the Committee Standards within 30 days."

We started revising these standards over two years ago when Paul Marshall was our consultant. At that time, Mr. Marshall supplied us with a standards boilerplate. We filled it out and were in the process of completing when he was transferred off of our Committee. We put that process on hold, and have not finalized them as yet.
We will review and revise our Standards; however, I cannot state they will be submitted to you within 30 days. The process we have to take when rewriting our standards is to submit them to our International Headquarters for their approval first. This process will take over 30 days.

In reference to #6, Findings, "... It appears that the contractor is not notified in writing, rather that the contractor receives a phone call to advance the apprentice."

There are no phone records in the apprentices' files that would lead you to believe that the contractor is receiving a phone call to advance the apprentice. This is not our policy. Our policy is the apprentice is given two (2) copies of his/her upgrade letter. One (1) is stamped "GIVE THIS COPY TO EMPLOYER", and one (1) is for the apprentices' personal records. We also keep a copy in the apprentices file. Therefore, it is up to the apprentice to give his/her employer their copy.

As for the overall audit of records on file, The policy of the JATC is to keep records on file for a period of 5 years, when an apprentice gets canceled his files are purged and put into our canceled files. If an apprentice reinstates, we create a new temporary file for him until we can check our canceled files for his folder. If it has been longer than 5 years, we do not have the older documents.

Thank you again for the opportunity to reply to your audit.

Kim Ferguson
Coordinator, LA County Floor workers JATC

CC: Pat McGinn, Director

KF/mp
opeiu #537
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