



CIRCULAR LETTER #12/2	
DATE	7/10/2014
TO	Approved Apprentice Sponsors Approved Pre-Apprentice Training Course Providers
CC	Division of Apprentice Standards Field Offices Glen Foreman, Deputy Chief John Dunn, Department of Education
FROM	Kristy Underwood, Executive Officer Board of Barbering and Cosmetology
SUBJECT	Apprentice Circular Letter

The Board of Barbering and Cosmetology (Board) has reviewed the apprentice program over the last several months, this circular letter is the result of that overview. The Board's goal is to inform all program sponsors of the Board's rules and regulations in regards to apprentices. The program sponsors can then properly educate the apprentices, owners and trainers participating in the apprenticeship program. The Board also plans to open lines of communication with the Division of Apprentice Standards (DAS) Field Offices, Program Sponsors and with the Department of Education.

Pre-Apprentice Training

Per B&P Code § 7334(c) all persons making an application as an apprentice shall complete a minimum of 39 hours of pre-apprentice training in a facility approved by the Board. If you have moved please let the Board know of your new location. If you are providing this course at multiple locations, each location needs Board approval. The Board has received complaints from apprentices that they were just given a packet and then given a test to take. **This is not an acceptable practice and does not fulfill the requirement.** The Board has also had complaints from apprentices that they have been required to pay for this course each time they enroll as an apprentice. Because pre-apprentice hours never expire, there is no need for an apprentice to take this course a second time.

Pre-Apprentice Training Fees

The Bureau of Private Postsecondary Education has jurisdiction over Pre-apprentice training programs costing more than \$2,999.00. Once the Board has confirmed what each program sponsor is charging for the apprentice program this information will be included with the apprentice informational packet. This training never expires and an apprentice should never be required to pay to take the course a second time.

Apprentice Applications

Completely fill out the apprentice application and any other form submitted on behalf of the apprentice. Incomplete forms will delay the processing time of all forms and applications. Please check the Boards web site for fine holds on apprentices, trainers and establishments. The owner, trainer and apprentice should be fully aware of the requirements of the program. If the owner, trainer or apprentice has any criminal convictions that need to be disclosed please have them complete (Form A-11) and attach it to the application. The Board checks all apprentices to make sure they have been registered on the DAS website, before they are issued a Board license. The Board will now send back applications as deficient if the apprentice application has not been submitted for licensure within 90 days of signing the DAS agreement.

Apprentice Training Records

Per Title 16 CCR § 720, the trainer is responsible for the apprentice's training as well as maintaining the apprentice's training records. The trainer should be prepared to present the training records to a Board inspector upon demand. If the trainer is unable to provide the apprentice training records the trainer will be fined from \$100.00 to \$200.00 and the Board will request the records from the apprentice's program sponsor. The trainer should be informed that the apprentice training records are his responsibility. It is your responsibility as the program sponsor to view and monitor these records.

Trainer and Owner Responsibilities

Per Title CCR § 925, a statement of Trainer Responsibilities (an agreement between owner of the establishment and the trainer (Form A-4)) shall be maintained on the premises of the establishment. During an inspection the Board inspector will verify that a Statement of Trainer Responsibilities for each apprentice is on file. It is your responsibility as the program sponsor to make sure the trainer and owner of the establishment are aware of this requirement. It is important that establishment owners and trainers be informed about their responsibilities when they agree to take on the training of an apprentice. Not having this form on file will subject the trainer and owner to a citation and fine.

Multiple Trainers and Establishments

If an apprentice is going to work in more than one establishment, please use the Add a Trainer/Establishment application (Form A-6). All establishments must be under a common ownership, in other words the apprentice should not have more than one employer. This form would also be used to add an additional trainer, if the apprentice is going to have more than one trainer.

Extensions/Re-applying

A three (3) month extension can be granted (Form A-11), for good cause, to an existing apprentice so the apprentice may complete the program or take the exam per B&P Code § 7335. Apprentice applications for individuals who have already been issued an apprentice license in the past and did not complete the program and were not discontinued timely will be reviewed and approved on case by case basis. The Board will ask to review all prior training records to determine what credit can be given for prior training and to determine if the apprentice is a good candidate for the program. Statistics will be kept to determine whether or not regulations should be put in place to limit the number of times an individual may be issued an apprentice license.

Supervision

The Board is concerned about apprentices receiving enough supervision when a trainer has multiple apprentices working under them. The Board recommends a 1 to 1 ratio.

Discontinuances/Completion (Verification of Training Form)

As the program sponsor it is your responsibility to monitor the apprentices to make sure they are fulfilling the requirements of the program and discontinue them promptly. An apprentice should be discontinued if he/she is not fulfilling the requirements of the program with both the Board and DAS. Presently, the records of DAS show that it has over 500 more apprentices registered than the Board records show. Please remember to notify DAS when an apprentice is either discontinued or completes the program. The Board will be looking at the DAS website for apprentice completion dates before applicants will be schedule to take the exam.

Pre-Applications

You can pre-apply an apprentice for the examination. To pre-apply you need to submit the pre-application form along with the exam application form with the required fees when the apprentice has completed 75 percent of their required hours (2400 hours). This will allow the apprentice to be schedule for the exam near their anticipated completion date. Include two copies of the pre-applications and a self addressed stamped envelope address to the program sponsor. It is the program sponsors responsibility to fax or email the verification training form at least 5 days prior to the apprentice's exam date or they will not be allowed entrance into the exam. An apprentice should only be allowed to pre-app if the apprentice is in good standing and is on track to complete the program within two years.

Apprentices Working Without Supervision

Per B&P Code § 7332, an apprentice is defined as any person who is licensed by the Board to engage in learning or acquiring a knowledge of barbering, cosmetology, or electrology, in a licensed establishment under the supervision of a licensee approved by the board.

Apprentices who are working without their approved trainer are considered unlicensed and will be cited as such. The owner of the establishment will be cited for violating B&P Code § 7349, Employing an Unlicensed Person, which is a \$1,000 fine. The apprentice will be cited for violating B&P Code § 7317, Unlicensed Activity, which is a \$1,000 fine and for B&P Code § 7336, Apprentice Working without Supervision, which can result in an additional \$100 to \$200 fine.

When an apprentice is found working unlicensed, the citation will be referred to the Board's Enforcement Unit for follow-up. The Enforcement Unit will also notify the program sponsor and the appropriate Division of Apprentice Standards field office that an apprentice has been cited for violating B&P Code §7317, Unlicensed Activity, and/or B&P 7336, Apprentice Working without Supervision.

Note: An apprentice can be approved to work in multiple locations and/or under multiple approved trainers. Form A-6

Fines

All fines issued to the establishment, trainer and apprentice can be appealed to the Disciplinary Review Committee who can dismiss, modify or uphold the citation and/or the fine amount.

Complaints

The Board receives complaints from apprentices about their training, classroom hours or lack thereof, the amount program sponsors are charging for the program, lack of supervision, etc. The Board will begin forwarding these complaints to the program sponsor for follow-up. The Board may not disclose the name of the apprentice complaining to protect their privacy and may request that the program sponsor respond to the complaint in writing to the Board. Copies of the complaint may be forwarded to DAS or the Department of Education (DOE).

Inspectors

The Board has created an Apprentice Questionnaire (Form A-4) to be used by Board inspectors when inspecting establishments which employ apprentices. The Apprentice Questionnaire will help the Board, DAS, DOE, and the program sponsors keep abreast of any problems. When violations are cited that warrant follow-up the completed Apprentice Questionnaire will be forwarded to DAS, DOE and/or the program sponsor. Form A-4

Pass/Fail Rates

The Board's goal is to start posting pass/fail rates, by program sponsor by June of this year.

Communication

The Board would like to make sure our information is current and is requesting you complete the Apprentice Program Sponsor Information form. This will be sent out yearly so the Board can keep its Program Sponsor records current.

Please include the following documents in the return envelope:

- The Program Sponsor Information Form
- A copy of your current approved Standards with DAS
- A copy of the contract or agreement between you and the apprentice
- A copy of the form used to track apprentice training hours
- A copy of what you give to the owner and trainer to explain what their responsibilities are when agreeing to employ and train an apprentice.

If you would like to discuss this memo and/or applications, have forms e-mailed to you, or provide feedback regarding the apprentice program please contact Heather Berg, Enforcement Manager, at 916-575-7120 or via email at heather.berg@dca.ca.gov .

Applications/Forms

The Board has multiple applications/forms for the apprentice program. All applications and forms are attached. Please note many have been revised. Effective March 15, 2012 forms revised prior to January 2012 will be returned as deficient.

- Apprentice Program Sponsor Information (Form A-1)
(Will be sent out yearly to make sure the Boards information is current)
- Apprentice Informational Packet (posted on the web) (Form A-2)
(This is the only information posted on the web about the apprentice program.)
- Pre-Apprentice Training Certification (Form A-3)
(This form is to be sent in with the application for apprentice license)
- Statement of Trainer Responsibilities (Form A-4)
(Required to be on file at each establishment employing apprentices.)
- Application for Apprentice License and Approval of Trainer and Establishment (Form A-5)
(Initial apprentice application.)
- Apprentice Adding/Dropping Trainers and Establishments (Form A-6)
(To add additional trainers or establishments)
- Apprentice Transfer Request (Form A-7)
(When an apprentice is transferring trainers and establishments)
- Verification of Training for a Barber Apprentice
- Verification of Training for a Cosmetology Apprentice (Form A-9)
- Verification of Training for a Electrology Apprentice (Form A-10)
- Extensions (Form A-11)
(Use this form when an apprentice needs an additional 3 months to take the exam or finish the program for good cause)
- Apprentice Questionnaire (Form A-12)
(Will only be used by the inspectors, a copy is included for your information only)
- Excerpts of Board rules and regulations that apply to apprentices.
- Pre-Exam Application
- Exam Application
- Disclosure Statement Regarding Criminal Pleas/Convictions
(Have the apprentice/trainer or owner complete this form if they have a criminal conviction)

You would only need to use a few of these forms for the majority of your apprentice applicants. The Board just wanted you to be aware of the different options available for your apprentices.