

**California American Fire Sprinkler Association  
Unilateral Apprenticeship Committee  
Grievance Procedures**

**Article I *Procedures for Investigating, Holding Hearings, and Determining Disputes***

I. There is established, Grievance Committees as per the California AFSA Apprenticeship Standards, whose responsibility will be to investigate, hold hearings and resolve disputes filed in accordance with these procedures as provided for under Title 8 of the California Apprenticeship Council, Section 212 (c) ( 8 ) and the Labor Code, Section 3085.

A) Any interested party may file a complaint when there is cause to believe that a decision, order or action of a training program sponsor has been unfair or unreasonable; or that there has been a violation of:

- (1) Chapter 4, Division 3 of the Labor Code:
- (2) Apprenticeship Standards:
- (3) Selection Procedures:
- (4) Rules, Regulations or Policies established by the program sponsor.

II. Said complaints shall first be filed with the CAFSA-UAC and addressed to:  
California AFSA Unilateral Apprenticeship Committee  
7041 Koll Center Parkway, Suite 265  
Pleasanton, CA 94566  
925-249-9705

A) Complaints so filed shall be in writing and filed within ninety days of the date of the alleged violation or within thirty days of a decision by, an order by, or an action of the program sponsor, and shall contain the following:

- (1) The full name and address of the party (person, organization, or other party) filing the complaint.
- (2) The full name and address of the party against whom the complaint is made.
- (3) A clear and concise statement of the facts constituting the alleged complaint.
- (4) The signature of the person filing the complaint or an authorized officer or agent in the case of an organization, employer, training program sponsor or other interested party.
- (5) A declaration by the person signing the complaint, under penalties of law, that its contents are true and correct to the best of his/her knowledge and belief.

A standard form for use by apprentices or other interested parties is provided by the CAFSA-UAC to employers of apprentices and may also be requested directly from the CAFSA-UAC.

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B) Upon receipt or issuance of a complaint, the CAFSA-UAC shall cause a copy of such complaint to be served upon the respondent(s).

C) The CAFSA-UAC will appoint the appropriate district grievance committee and forward copies of all documents to said committee.

(1) The grievance committee, upon timely receipt of issuance of the complaint shall investigate the matter to determine whether the complaint has merit, and in the course of such investigations, may take such steps as deemed necessary under the circumstances to bring about an amicable adjustment of the controversy. The committee may dismiss any complaint that is found to be without merit. In such case the committee will notify the UAC who will notify all parties in writing of the determination to dismiss the complaint.

(2) If the matter is not dismissed, withdrawn or settled satisfactorily, the committee shall hold a hearing in accordance with the following procedure:

- a) The committee shall fix the time and place of the hearing and notify all interested parties not less than two weeks in advance in writing.
- b) The interested parties shall be given an opportunity to present evidence and oral or written arguments in support of their positions.
- c) The hearing need not be conducted according to technical rules relating to evidence and witnesses.
- d) All witnesses testifying before the committee shall testify under oath.
- e) A full transcript of the hearing shall be taken.

(3) The committee in deciding on the complaint shall prepare a statement of findings of fact, make a decision, file it with the CAFSA-UAC who will notify all parties in writing as to the determination of the matter.

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***ARTICLE II Appeals to the CAFSA-UAC***

I. The following procedure shall be followed when an appeal is filed with the CAFSAUAC within ten days from the date the parties are given notification of the determination. The parties shall be deemed to have been given notification five days after notice has been sent to their address of record.

- A) The chairman shall appoint three members of the committee to act as an appeal board and shall appoint a chair of that board.
- B) The appeal board shall review the entire record and may hold an appeal hearing thereon.
- C) In the event of a hearing, the designated chair of the appeal board shall fix the time and place of the hearing on the appeal and notify all interested parties to the appeal not less than two weeks in advance in writing specifying the time and place of the hearing.
- D) The hearing on the appeal shall be limited to a review of the record and to oral or written arguments by interested parties to the appeal; except where the appeal board finds that there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the District Committee. In such cases, the appeal board may admit such evidence to supplement the record and exercise its independent judgment upon all of the evidence in the record.
- E) The appeal board shall submit a written report to the CAFSA-UAC summarizing the evidence, findings of fact and recommended decision. If for any reason, the CAFSA-UAC rejects the recommended decision, a complete copy of the record shall be furnished each member of the CAFSA-UAC for independent review and consideration before any action is taken by said committee in rendering a decision.
- F) The CAFSA-UAC will timely notify all parties of its decision in writing.

II. Pursuant to the California Apprenticeship Council; Title 8; Section 201; interested parties may appeal the CAFSA-UAC decision to the Division of Apprenticeship Standards, Administrator of Apprenticeship.