

JOURNEY LEVEL EXAMINATION FAILURES

4175

(No. 6 February 2007)

Apprentices who fail the journey-level written and/or performance exam must participate in the same remediation study and practice as outlined in the First-Year Progress Examination section above. The study and practice must be documented and become part of the Apprentices training record.

After a first-time written exam failure, the apprentice shall be scheduled to take the next quarterly generated exam. The date for re-test should provide the apprentice with the maximum remediation time necessary and allowed, however, the operational and administrative needs of the Unit will be considered in establishing the date. The exam cannot be administered earlier than 24 hours from the administration of the failed exam or later than the end of the following quarter. The documented remediation program must include the proposed date for re-testing. If the student is not prepared to test on the established date, the exam may be postponed, provided it is administratively feasible and it does not set the new test date beyond the quarter.

Apprentices who fail a portion of the journey-level performance exam shall be re-tested on only the performance test(s) the apprentice failed. Apprentices may be given a performance exam earlier than the following quarter, but no sooner than 24 hours from the time of failure.

SECOND TIME FAILURE

4175.1

(No. 6 February 2007)

If an Apprentice fails the final written or any portion of the performance exam a second time, the JAC Supervisor shall again develop a program of study based on areas in which the apprentice needs improvement. Again, the program of study must be documented. The apprentice will be directed to participate in study and practice as outlined by the JAC Supervisor and will be required to take another journey-level exam the following quarter. The same guidelines and restrictions for re-testing will apply.

An apprentice who fails the journey-level exam a second time must be notified that a third exam failure will result in termination from employment.

THIRD TIME FAILURE

4175.2

(No. 1 Oct 2003)

In accordance with Government Code Section 19585, the appointing authority must remove a permanent or probationary employee from a position if they fail to meet a requirement for continuing employment as prescribed in the class specification for the position to which the employee is appointed.

A third-time failure will automatically result in a non-punitive termination from employment when the employee could not or did not acquire and retain a particular requirement necessary for continuing employment in the classification, in this case, passing the journey-level apprenticeship exam.

A written Notice of Non-punitive Termination of Employment must be issued to the Apprentice with an effective date at least five calendar days after service of the notice. The notice must include the following information.

- 1) Such action is non-disciplinary.
- 2) Employees have the right to appeal to the State Personnel Board any actions relative to termination for failure to meet a requirement for continuing employment within 30 calendar days after receipt of written notice of such action;
- 3) Employees have a right to appeal to the California Fire Fighter Joint Apprenticeship Committee within 30 calendar days after receipt of written notice of termination when disputing an action or inaction of a party relating to apprenticeship; and
- 4) Employees who are terminated do not have a mandatory right of return to any former position, but do retain permissive reinstatement rights.

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)