

Employer guide to apprenticeships and traineeships



Contents

EMPLOYING APPRENTICES AND TRAINEES IN THE AUSTRALIAN APPRENTICESHIPS SYSTEM	3
HOW TO EMPLOY AN APPRENTICE OR TRAINEE.....	4
THE PURPOSE OF THE TRAINING CONTRACT	5
INCLUSIONS IN THE TRAINING CONTRACT	5
PROBATION PERIOD	5
CHANGES TO THE TRAINING CONTRACT.....	5
CHANGE OF BUSINESS OWNERSHIP	6
TRAINING ARRANGEMENTS	7
CHOOSING A REGISTERED TRAINING ORGANISATION (RTO)	7
THE TRAINING YOUR APPRENTICE OR TRAINEE WILL UNDERTAKE.....	7
SCHOOL-BASED APPRENTICESHIPS AND TRAINEESHIPS	9
RESPONSIBILITIES.....	9
A SCHOOL-BASED APPRENTICE OR TRAINEE MUST:.....	10
COMPETENCY-BASED COMPLETION OF APPRENTICESHIPS AND TRAINEESHIPS	11
THE TRAINING PLAN	11
FINAL ASSESSMENT.....	11
FINANCIAL ARRANGEMENTS	12
FUNDING YOUR APPRENTICE OR TRAINEE'S TRAINING.....	12
YOUR APPRENTICE OR TRAINEE WAGES.....	12
FINANCIAL INCENTIVES TO YOU AS THE EMPLOYER	12
SUPPORT FOR EMPLOYERS, APPRENTICES AND TRAINEES DURING THE TRAINING CONTRACT	13
CONTACTS	13
WHO DOES WHAT IN THE AUSTRALIAN APPRENTICESHIPS SYSTEM?	14
THE TASMANIAN TRAINEESHIPS AND APPRENTICESHIPS COMMITTEE (TTAC).....	14
SKILLS TASMANIA.....	14
APPRENTICESHIP NETWORK PROVIDERS (ANPs)	15
REGISTERED TRAINING ORGANISATIONS (RTOs).....	15
GROUP TRAINING ORGANISATIONS (GTOs).....	15
YOUR IMPORTANT CONTACTS.....	16
APPRENTICESHIP NETWORK PROVIDERS.....	16
REGISTERED TRAINING ORGANISATION	16
SKILLS TASMANIA.....	16

Employing apprentices and trainees in the Australian apprenticeships system

Australia's national system of training provides high quality, work-based training with qualifications that meet national standards. Under the National Training Framework qualifications obtained under an apprenticeship or traineeship are recognised throughout Australia.

Apprenticeships and traineeships combine employment with quality structured training and are available in almost all industries. Training generally involves a combination of training in the workplace and off-the-job.

Apprenticeships and traineeships are all available on a full-time basis and many can be undertaken part-time. You can also employ a school-based apprentice / trainee on a part-time basis while they are still at school.

When you employ an apprentice or trainee you need to sign a training contract in accordance with the *Training and Workforce Development Act 2013*.

A training contract is a legally binding agreement between an employer and an apprentice or trainee to achieve the qualification stated in the contract. Before you sign the training contract check that both you and your potential apprentice or trainee understand your responsibilities.

This booklet provides basic information about apprenticeships and traineeships and includes information about who can help you employ, train and support your apprentice or trainee.

How to employ an apprentice or trainee

Employing an apprentice or trainee is easy if you follow these steps.

- Decide what skills are needed in your business and choose a relevant apprenticeship or traineeship.
- Decide if you want your apprentice or trainee to work full-time or part-time.
- Recruit an apprentice or trainee.
- Select a registered training organisation to provide training and assessment services.
- Contact an apprenticeship network provider who will guide you through the sign-up process and assist you to complete the training contract.
- Commence your apprentice or trainee.
- Complete a training plan with your registered training organisation.

When you employ apprentices or trainees you agree to:

- meet your responsibilities as an employer
- keep them employed for the duration of the training contract
- support their training (this includes providing on-the-job training, supervision from competent people, paid time to attend off-the-job training and mentoring)
- provide a safe working environment
- pay them correctly and adhere to formal conditions of employment.

The apprentice or trainee agrees to:

- work towards the agreed qualification
- participate in all required training
- meet their responsibilities as employees.

The purpose of the training contract

An apprenticeship or traineeship is confirmed by a legally binding training contract, which is signed by both the employee and employer. The training contract must be forwarded to Skills Tasmania by your apprenticeship network provider within 28 days of the commencement date on the training contract. The training contract must be approved and registered by the Tasmanian Traineeships and Apprenticeships Committee (TTAC) before it has any legal effect.

Inclusions in the training contract

- Training contract obligations of the employer and apprentice or trainee.
- Contact details of the employer and apprentice or trainee.
- The qualification to be obtained.
- The nominal duration of the training contract.
- The probation period of the training contract.
- Details of the registered training organisation which will deliver the training and assessment services.
- Industrial arrangements under which the apprentice or trainee will be employed.
- Information for national statistical purposes.
- Employment arrangements (full-time, part-time or school-based).
- Previous qualifications of the apprentice or trainee.

Probation period

A probation period applies to all training contracts. You need to be aware of the probation period that applies when you sign the training contract. The probation period gives you and your apprentice or trainee time to work together and decide whether to continue with the training contract. The probation period may be extended provided application is made before expiry of the probation period.

The training contract may be cancelled by either party during the probation period. You are required to follow normal industrial relations practices if you terminate the employment of a trainee or apprentice.

Changes to the training contract

If you or your apprentice/trainee requires a change to your training contract you should contact your apprenticeship network provider who will assist you to complete the required application form and the submit it on your behalf to TTAC for approval.

Changes may include:

- cancelling the training contract
- suspending the contract due to sickness or work shortage
- choosing a different qualification that may be more appropriate to your workplace
- varying hours of employment

- extending the training contract
- changing to a different registered training organisation
- change of business ownership.

You cannot terminate your apprentice's or trainee's employment without TTAC's approval.

If you or your apprentice/trainee requires a change to your training contract you should contact your apprenticeship network provider who will assist you to complete the required application form.

Change of business ownership

If you employ apprentices or trainees and you sell the business or any part of the business, any training contract which forms part of the business sold is transferred to the purchaser.

This means that the training contract that you have signed with your apprentice or trainee under Section 33(2) of the *Training and Workforce Development Act 2013* must be transferred as part of the sale of the business.

Your apprenticeship network provider will assist you to complete the required application forms. If you have any questions contact Skills Tasmania on 6165 6055.

Training arrangements

Choosing a registered training organisation (RTO)

By the time you sign a training contract you and your apprentice or trainee should have chosen a registered training organisation who will work with you throughout the apprenticeship or traineeship.

registered training organisations are required to meet the Australian Skills Quality Authority; standards for registered training organisations 2015 before they are able to provide training and assessment services for apprentices and trainees.

Your apprenticeship network provider can help you and your apprentice / trainee by providing a list of training organisations registered to deliver the qualification you need.

If you'd like to do your own research, training.gov.au has a list of registered training organisations and the qualifications they are registered to deliver.

The registered training organisation that you choose will work with you and your apprentice or trainee to develop a training plan, assess your apprentice's or trainee's achievement of skills and issue a qualification when the qualification requirements are successfully achieved.

Your registered training organisation will try to be flexible to meet any special needs for your situation.

The training your apprentice or trainee will undertake

Your apprentice or trainee will be enrolled in a training program leading to a nationally recognised qualification.

You should be aware of the nominal duration of the training contract which is the timeframe in which the qualification can normally be achieved.

There is often a range of qualifications suitable to meet the needs of your business and your apprentice or trainee. Your apprentice or trainee may also be able to progress to higher levels under apprenticeship or traineeship arrangements.

Discuss with your registered training organisation:

- the skills you need your apprentice or trainee to learn
- training methods that will suit your workplace and your apprentice or trainee
- what training will need to be delivered in your workplace as part of your apprentice's or trainee's work
- what training will need to be delivered off-the-job
- what learning assistance is available for your apprentice or trainee (for example, help with maths, reading or writing)
- who will assess the apprentice or trainee and when the assessment will take place
- arrangements for feedback or progress reports about your apprentice's or trainee's training.

Training plan

Your registered training organisation is required to contact you within three months of the contract being registered by Skills Tasmania to work with you and your apprentice or trainee to develop a detailed training plan.

The plan should include:

- what qualification your apprentice or trainee is working to achieve
- what training your apprentice or trainee needs to undertake
- who will deliver the training
- what training will be undertaken in the workplace
- what training will take place off-the-job
- when and how the training will be assessed and monitored.

School-based apprenticeships and traineeships

A school-based apprenticeship or traineeship allows year 10, 11 and 12 students to undertake a vocational education and training (VET) qualification as an apprentice or trainee while still attending school. The school-based apprentice or trainee will attend school, study towards the Tasmanian Certificate of Education (TCE), at the same time as undertaking a nationally recognised qualification while in paid employment.

Responsibilities

The employer ensures the school based apprentice / trainee undertakes:

- between 7.5 – 15 hours of paid employment per week in term time
- between 390 – 900 hours of paid employment per year with extra hours worked in the school holidays for apprentices undertaking a qualification with a nominal duration of up to 24 months
- between 600 – 900 hours of paid employment per year with extra hours worked in the school holidays for apprentices undertaking a qualification with a nominal duration 24 months or more
- hours of work are negotiated between the employer and apprentice / trainee.

The school ensures:

- 600 – 800 hours of TCE study at school or college each year in year 11 or 12
- normally three or four TCE subjects per year are undertaken in year 11 or 12
- timetables are negotiated between the student and the college.

For year 10 students, the school will organise their timetable on an individual basis. Students should be enrolled in core subjects and only some electives, not all.

The registered training organisation (RTO) ensures:

- a training program leading into a nationally recognised qualification
- a training plan that is negotiated with the apprentice / trainee, RTO and employer. The training plan specifies training to be undertaken in the workplace and off-the-job and clarifies the training expectations of each party
- to prepare a report in July for the school on the progress of the school-based apprenticeship / traineeship.

A school-based apprentice or trainee must:

- attend all school or college classes
- inform the employer, school or RTO if ill or unable to attend
- attend off-the-job training as organised
- discuss any difficulties (work, training or school) with the school-based apprenticeship / traineeship contact person in the school or college so matters can be resolved quickly
- commit to making the best of both opportunities – work and school
- year 10 students undertaking a school-based apprenticeship or traineeship will sign a training contract that commits them to at least year 11.

Employers should contact an apprenticeship network provider to sign-up a school-based apprenticeship or traineeship.

If the duration of the training contract continues past the student's completion of school, the training contract will be converted into either a full-time or part-time training contract.

More information on school-based apprenticeships and traineeships is available on our website at: www.skills.tas.gov.au/apprenticeshipstraineeships/schoolbased

Competency-based completion of apprenticeships and traineeships

When you and your apprentice or trainee enter into an apprenticeship or traineeship, the contract will require an estimated duration which is referred to as the 'nominal duration'. It is only an indication of the time your apprentice or trainee may take to complete the qualification. They may either finish sooner than this time, or it may take longer.

The length of the contract will differ from person to person based on previous experience, previous training and how quickly they learn the skills needed for the apprenticeship or traineeship. These requirements are outlined by TTAC Guideline 10 – Competency-Based Completion of Traineeships and Apprenticeships.

The training plan

Your registered training organisation will work closely with you and your apprentice / trainee at the beginning of the apprenticeship / traineeship to develop a comprehensive training plan. The training plan will clearly map out the training and assessment that will need to be undertaken to achieve the qualification.

It is very important that this training plan is reviewed and updated on a regular basis during the contract period and that you and your apprentice / trainee are aware of when and how they will be trained and assessed and if this will take place on-the-job or off-the-job or a combination of both.

If your apprentice / trainee is assessed as competent by your registered training organisation and either you or your apprentice / trainee do not believe they are competent to do this work, it is very important that you and your apprentice / trainee talk to your assessor and discuss why you don't feel they have the skills yet.

Your assessor can then go through the assessment decision with you and your apprentice / trainee and see if there are any skills gaps against the unit of competency and, if so, organise some more training.

Final assessment

Near the end of the apprenticeship / traineeship your registered training organisation will advise you and your apprentice / trainee that the final assessment is due. Once the final assessment has been completed and your apprentice / trainee is deemed competent, they will be eligible to receive their full qualification from the registered training organisation.

Your RTO will notify Skills Tasmania of their completion date which will automatically complete the apprenticeship or traineeship.

Exceptions to this guideline applies to apprentices in the plumbing and electrical trades qualifications.

For further details regarding this policy please visit the Skills Tasmania website: www.skills.tas.gov.au/skillstas/systemtas/ttac and look for Guideline 10 – Competency-Based Completion of Traineeships and Apprenticeships

Financial arrangements

Funding your apprentice or trainee's training

In many cases, the Tasmanian Government, through Skills Tasmania, funds the training your apprentice or trainee will undertake. Priorities for Tasmanian Government funding are set each year, according to the identified need for skills in the State. Skills Tasmania usually provides funds only for training new employees in your business. Payment for training goes directly to the registered training organisation named in your training contract.

You can take on an apprentice or trainee in a qualification that is not funded by the Tasmanian Government, but you will need to make arrangements to pay for training and assessment services provided by the registered training organisation. Your registered training organisation should advise you of any fees or charges that will apply to you or your apprentice or trainee.

Before you sign a training contract you should be clear on what financial arrangements apply to the apprenticeship or traineeship.

Your apprentice or trainee wages

The wages payable to apprentices and trainees are often lower than a full wage rate in recognition of the time they spend in structured training both on and off-the-job.

The employment conditions of existing full-time or part-time workers who undertake training under a training contract should be unchanged.

You can obtain information on employment conditions and rates of pay for industrial awards by contacting the Fair Work Ombudsman on 13 13 94 or by visiting their website at www.fairwork.gov.au

You will need to provide them with details of the apprenticeship or traineeship being undertaken such as the qualification and nominal duration.

It is your responsibility as the employer to ensure your apprentice or trainee is paid according to the appropriate industrial arrangement.

Financial incentives to you as the employer

If your apprentice or trainee meets eligibility requirements, you may receive employer incentives from the Australian Government.

Sometimes there are additional, special purpose subsidies available to you as an employer. You should ask your apprenticeship network provider about these.

Conditions under which financial incentives apply vary considerably. It is essential that you clarify those that apply to each individual apprenticeship and traineeship.

Support for employers, apprentices and trainees during the training contract

Your first point of contact is your Apprenticeship Network Provider. They may either help you or refer you to the appropriate authority.

You can also contact Skills Tasmania on 6165 6055, for information and advice or to arrange assistance from a Training Consultant.

Contacts

Training

If you have problems regarding training you should first contact your registered training organisation. If you still have concerns contact Skills Tasmania on 6165 6055.

Problems with your apprentice or trainee's work performance

Contact Skills Tasmania on 6165 6055 or your apprenticeship network provider.

A dispute with your apprentice or trainee

If you need any assistance to resolve a dispute with your apprentice or trainee contact a Skills Tasmania training consultant on 6165 6055.

Changes to your training contract

For advice on any issues regarding your training contract contact your apprenticeship network provider first.

If you want to change your training contract in any way you should apply to TTAC for approval to do so. Your apprenticeship network provider will assist you to complete the required application forms to submit to TTAC. You should not terminate your apprentice's or trainee's employment without receiving TTAC approval to cancel your training contract.

If you have any questions contact Skills Tasmania on 6165 6055.

Wages

You can obtain information on employment conditions and rates of pay for industrial awards by phoning Fair Work Ombudsman on 13 13 94 or by visiting their website at www.fairwork.gov.au

You will need to provide details of the apprenticeship or traineeship being undertaken, such as the qualification and nominal duration.

Australian Government incentives and payments

Contact your apprenticeship network provider for information and eligibility.

Who does what in the Australian apprenticeships system?

The Tasmanian Traineeships and Apprenticeships Committee (TTAC)

TTAC is a committee set up under the *Training and Workforce Development Act 2013* to manage training contracts between employers and their apprentices and trainees.

TTAC has the power to:

- approve, amend, transfer, suspend or cancel training contracts in accordance with the *Training and Workforce Development Act 2013*
- resolve disputes that may arise between employers and their apprentices and trainees.

No changes can be made to a training contract without the approval of TTAC.

Skills Tasmania

Skills Tasmania is responsible for the administration of your training contract. Skills Tasmania supports TTAC.

Skills Tasmania:

- administers training contracts in accordance with the *Training and Workforce Development Act 2013* and TTAC policies and guidelines
- provides notification of approval (or non-approval) of your training contract to you, your apprentice or trainee and your registered training organisation
- provides funding that may be available to meet the cost of training
- pays travel and accommodation allowances to eligible apprentices and trainees as a contribution to the cost of attending off-the-job training.

Apprenticeship network providers (ANPs)

Apprenticeship network providers are contracted by the Australian Government to:

- provide general information on apprenticeships and traineeships
- market apprenticeships and traineeships
- assist in completing and lodging training contracts
- process applications and claims for Australian Government incentives and allowances
- provide support and assistance during the apprenticeship or traineeship to employers, apprentices and trainees.

Your apprenticeship network provider will lodge your completed training contract to Skills Tasmania on your behalf for approval and registration.

Registered training organisations (RTOs)

Registered training organisations are responsible for training delivery and assessment of the qualification named in the training contract and for issuing the qualification.

Group training organisations (GTOs)

Group training is an employment and training arrangement whereby an organisation employs apprentices and trainees under a training contract and places them with host employers.

The organisation undertakes the employer responsibilities for the quality and continuity of the apprentices' and trainees' employment and training. The organisation also manages the additional care and support necessary to achieve the successful completion of the training contract.

Key features of group training organisations

To achieve these goals, providers of group training services:

- employ apprentices and trainees and place them with host employers
- are responsible for meeting the obligations of the employer as outlined in the training contract and managing and monitoring arrangements with host employers
- provide for care and support throughout the apprenticeship or traineeship.

Definition of group training organisation

Group training organisation (GTO) means an organisation which employs apprentices and trainees under a training contract and places them with host employers.

Definition of host employer

Host employer means an organisation that hosts, under a written agreement, an apprentice or trainee employed by a group training organisation.

More detailed information on group training organisations operating in Tasmania can be found at www.skills.tas.gov.au/providers/gtos

Your important contacts

You should be aware of who to contact.

Your apprenticeship network provider should be able to give you contact details for each of these.

Apprenticeship network providers

Your apprenticeship network provider will lodge the completed training contract to Skills Tasmania on your behalf for approval and registration.

Your apprenticeship network provider will also process your application for Australian Government incentives.

Name of apprenticeship network provider:

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Contact name:

Contact phone number:

Registered training organisation

This is the organisation that you and your apprentice or trainee has selected to be responsible for training delivery and assessment.

Name of registered training organisation:

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Contact name:

Contact phone number:

Skills Tasmania

If you need assistance to resolve a dispute with your apprentice / trainee or have any problems with the apprenticeship or traineeship contact Skills Tasmania on 6165 6055. You will be referred to a training consultant.