

## **Senate Committee: Education and Employment**

### **QUESTION ON NOTICE Budget Estimates 2017 - 2018**

#### **Outcome: Skills and Training**

#### **Department of Education and Training Question No. SQ17-000973**

Senator Cameron, Doug provided in writing

#### ***Australian Apprenticeship Support Network (Rights and Responsibilities)***

##### **Question**

- What process do AASNs undertake to ensure that employers and apprentices/trainees are aware of their rights and responsibilities? Are those contacts made face-to-face? Are monitoring visits conducted - if so with whom and how frequently?
- What advice is given to employers about their responsibilities as an employer of an apprentice/trainee?
- What advice is given to apprentices about their rights as an employee?

##### **Answer**

Australian Apprenticeship Support Network (AASN) providers facilitate a face-to-face meeting between the employer and the apprentice to sign the contract of training. At this meeting, the AASN provider is required to discuss a number of issues, including the employer's and Australian Apprentice's rights and responsibilities under this contract of training.

These rights and responsibilities are outlined in further detail in the Training Contract Obligations section of the contract of training which is signed by both the Australian Apprentice and their employer.

The key issues discussed by the AASN provider to both the employer and Australian Apprentice at the sign-up meeting:

- The Australian Apprentice's and employer's rights and responsibilities under the Training Contract
- The roles and responsibilities of AASN providers, State Training Authorities and Registered Training Organisations
- The Australian Apprentice and employer's right to choose a Registered Training Organisation
- Information about eligibility and time limits to claim employer incentives and personal benefits
- The AASN Code of Conduct and complaints handling
- The National Code of Good Practice
- Employer legal name and ABN implications.

The following advice is given to employers and apprentices about their rights under the Training Contract:

***Both Australian Apprentice and employer responsibilities:***

- understand and complete the Training Contract;
- enter into the employment and training agreement with a commitment to mutual respect, honesty and fairness;
- identify and select training outcomes with an RTO from available packages and courses;
- select an RTO and negotiate a training plan with selected RTO; and
- understand how the training plan will operate.

***Australian Apprentice responsibilities:***

- be aware of and make a commitment to fulfil work responsibilities;
- be aware of and make a commitment to fulfil training requirements; and
- obtain consent from a parent or guardian, if under 18 years.

***Employer responsibilities:***

- meet legal obligations;
- provide a safe working environment;
- support structured training;
- provide supervision and support; and
- advise Australian Apprentices of their rights and responsibilities.

These rights and responsibilities relate to the contract of training. AASN providers are not contracted to provide advice to apprentices regarding their rights as an employee as these are covered under other State and Federal legislation.

Contacts must be conducted periodically in line with the operating guidelines. All band 2 Australian Apprentices (Band 2 is defined as AQF level 3 and above, excluding existing workers) must have a contact undertaken within each 12 months of their Australian Apprenticeship.

Band 1 Australian Apprentices (Band 1 is defined as an existing worker or undertaking an AQF level 1 or 2 qualification) are required to undertake a sign up consultation. Contacts with apprentices may be part of the universal services which are available to all Australian Apprentices or made as part of In-Training support which is provided as required.