



Department of
Education
and Training

APPRENTICENTRE

making apprenticeships work



Vocational Education and Training Legislation

Apprenticeships

Logistics Training Council – April 2009





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Summary of new Act amendments

- covers the State Training Board, Training Accreditation Council and TAFE Colleges
- Part 7 replaces *Industrial Training Act 1975*
- national VET model clauses incorporated
- funding of schools and universities as public training providers
- available online at:
- <http://www.parliament.wa.gov.au/web/newwebparl.nsf/iframewebpages/Bills+-+All>



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Key apprenticeship and traineeship changes

- move to single system based on current apprenticeships
- improved establishment process
- more protection for trainees
- skills recognition
- single certificate
- enforcement provisions
- RTOs obtain employer agreement of competency before issuing qualification



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Classifications

Qualifications to be grouped into 3 classifications (nomenclature):

A – Apprenticeship delivery pathway only

B – Institutional or apprenticeship delivery pathway

C – Institutional pathway only



Establishment process

- one prescribed consultation process
- State Training Board recommends classification and conditions (name, type, scope, delivery, duration)
- Minister approves and gazettes

Probation

- one agreement (single contract)
- only during probation can the training contract be cancelled without Director General's approval
- 21 day lodgement of training contract (from commencement)
- probation equates to one month per year of nominal duration (to maximum of 3 months)



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Training Contracts

- training and assessment considered 'hours worked'
- single certificate on successful completion issued by RTO
- ApprentiCentre must approve cancellation of all training contracts, including certificate I and II traineeships
- before the cancellation of training contract occurs:
 - certificate I and II must have mediation
 - certificate III and above must have formal dispute resolution
- RTO has 21 days to notify ApprentiCentre of outcome on completion of contract



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Referral processes

- ApprentiCentre - general enquiries and guidance
- RTOs - assessment, delivery and training plans
- Wageline and DOCEP - wage issues
- Work Safe - health and safety issues



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RTO responsibilities during contract

- to visit workplace and negotiate training plan with employer and apprentice
- to advise ApprentiCentre if apprenticeship in jeopardy
- resolve disputes regarding assessment



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Cancellations

- employer to apply to ApprentiCentre for cancellation of contract on grounds of:
 - ceasing business
 - change of circumstance where unable to meet training obligations
 - serious misconduct by apprentice/trainee



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Enforcement

- Department of Education Services - RTOs regarding registration, provision of VET and qualifications
- ApprentiCentre - cancellations without Director General consent (\$5000) and for lodgement of contract after 21 days (\$3000)
- VET inspectors - appointed for investigating serious breaches



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Transition arrangements for apprentices

- who signed their training contract **before** 10 June 2009
 - will receive a trade certificate and AQF qualification
- who sign their training contract **on or after** 10 June 2009
 - will receive a AQF certificate

Transition arrangements for trainees

- The new VET Act will apply to all trainees from the 10 June 2009, including existing trainees



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Thank you

Any Questions?

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