



Duty of Care

Employing a young person as an apprentice or trainee

Taking age into account

The transition from school to work is not easy, and for someone starting their first job it's a steep learning curve. No matter how committed and keen to learn, young people may need more guidance and support than mature-aged employees, especially in the early stages.

The basics

- Apprentices/trainees and their employers have obligations that are set out in the *Apprenticeship and Traineeship Act* and formalised through a training contract.
- Employers should be aware of their obligations under industrial, child protection and occupational health and safety legislation.
- Apprentices/trainees learn new skills through on-the-job training in the workplace as well as through formal training delivered and assessed by a Registered Training Organisation (RTO). Young inexperienced workers may need additional help to learn work skills.
- Employers agree to work with the training organisation to ensure that the apprentice/trainee has every opportunity to learn new skills. Your training provider has experience working with young people.
- Employers should conduct a proper induction that gives the young apprentice/trainee information about the job, roles and responsibilities, staff structure and reporting responsibilities.
- Employers should take time to explain about WH&S requirements, particularly equipment and machinery, safe working practices, emergency procedures and personal protective equipment. Bear in mind that even the most basic safety precautions might need to be pointed out to a first-time worker.
- The employer needs to provide a suitably skilled and experienced mentor to supervise the young person in the workplace and ensure their welfare.
- As the legal employer, it is your responsibility to make sure that young people are not subject to bullying, victimisation, harassment or discrimination in the workplace. Note that what may be intended as a prank or practical joke can have a devastating effect on a young, immature or insecure worker. Tell the rest of your staff what you expect from them.
- Employers should also consider whether there is anyone in their workplace whose background makes them unsuitable to be in close contact with young workers. See <http://www.kids.nsw.gov.au> for your obligations as an employer.

Training Services NSW

Supporting Industry and Vocational Education and Training in New South Wales.

Support for employers form Training Services NSW

Training Services NSW is the regulatory authority within the NSW Department of Industry that administers apprenticeships and traineeships in New South Wales. Employers can contact their nearest Training Services NSW office on 13 28 11 if they have questions or need advice about any matters relating to apprentices and trainees.

Training Services NSW officers will routinely contact employers or visit workplaces where young people are being employed as apprentices and trainees. Employers of school based trainees may be contacted by a teacher from the school. In each case, officers will speak to employers or workplace supervisors to make sure that they are aware of their obligations and to offer information and assistance. Their aim is to make sure that the apprentice or trainee adapts quickly to the work environment, gains experience in the workplace that complements the formal training they are receiving from the training provider and that they make a positive contribution to the business.

Training Services NSW provides information for employers, apprentices, trainees, Apprenticeship Network Providers (ANPs), RTOs and other related agencies. Phone 13 28 11 from anywhere in New South Wales or visit the website www.training.nsw.gov.au. The following publications are also available on the website:

A Complete Guide to Apprenticeships and Traineeships in NSW

- https://www.training.nsw.gov.au/forms_documents/apprenticeships_traineeships/fullguide.pdf

Supervising Your Apprentice or Trainee

- https://www.training.nsw.gov.au/forms_documents/apprenticeships_traineeships/supervising_your_app_trainee.pdf

Specialist advice and information

For help in registering an employee as an apprentice or trainee, contact your preferred ANP. For contact details of ANPs providing free services in your area visit www.australianapprenticeships.gov.au

For information about working with children and young people, visit the Commission for Children and Young People website at www.kids.nsw.gov.au or telephone **02 9286 7219**.

Information about school based apprenticeships and traineeships in NSW can be found at www.sbatinnsw.info or speak to the vocational education coordinator at your local high school.

From 1 January 2010 all private sector employer are covered by the national industrial relations system.

For information about wages and conditions see Fair Work Online www.fairwork.gov.au or ring **13 13 94**. For information about transition arrangements for NSW employers go to www.industrialrelations.nsw.gov.au.

For workplace safety and workers compensation matters, contact WorkCover NSW on **13 10 50** or visit www.workcover.nsw.gov.au. Safety guidelines for particular industries and occupations are available from the website.

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Student Name:		TC ID:	
School:			
Legal Name of Employer:			
Trading Name of Employer:			
Employer Contact:		Contact Number:	
Qualification:			
Duty of Care discussion conducted by:			
<i>(Name and title of TS Officer / ANP representative / School representative)</i>			