

ATIS-003

Version 9, February 2019

Apprentice and trainee rights and responsibilities

Rights of the apprentice or trainee

Apprentices and trainees are considered employees and may receive entitlements the same as other employees such as annual leave, sick leave, public holidays, superannuation, workers' compensation and allowances.

Apprentices and trainees must also receive a pay slip to cover full details of the pay for each pay period. Pay slips have to be given to an employee (including apprentices and trainees) within one working day of pay day and be either in electronic form or paper hard copy. Visit the [wages, conditions and workplace requirements page](#) on the Department of Employment, Small Business and Training's website for some useful hints before calling the Fair Work Ombudsman regarding pay and pay rates.

Responsibilities of the apprentice or trainee

- Complete and sign a training contract with the employer – with the assistance of the Australian Apprenticeship Support Network (AASN) provider.
- Together with the employer, select a training organisation.
- Attend work, do the job and follow the employer's lawful instructions.
- Work towards achieving the qualification or statement of attainment stated in the training contract.
- Participate in negotiating the training plan for the apprenticeship or traineeship.
- Obey all workplace health and safety (including dress and equipment) and code of conduct workplace rules.
- Undertake the training and assessment required under the training plan.
- Pay student contribution fees to their training organisation (the employer may pay these on the apprentice or trainee's behalf).
- Keep the training record and produce it to the employer, training organisation and/or the department when requested.
- Do not terminate the apprenticeship or traineeship before completion unless the apprentice or trainee and their employer mutually agree to cancel the training contract

and notify the AASN provider or the department accordingly by signed notice.

- If it appears all required training and assessment will not be completed before the nominal completion date, talk to the employer and training organisation about applying to extend the training contract.

Further responsibilities that relate specifically to school-based apprentices and trainees:

- Ensure the school's agreement to the school-based arrangement has been obtained (including if transferring to another employer).
- Commit to undertaking a minimum of 375 hours (50 days) paid work for every 12 months of the training contract; or 600 hours (80 days) if the school-based apprenticeship is in the electrotechnology field.
- Talk to the school about how the training and employment will impact on the school timetable.
- If suspended or expelled from the school, or the school withdraws their support of the school-based arrangement, contact the AASN provider or the department immediately to discuss how the apprenticeship or traineeship can be continued.
- If changing schools, the support of the new school must be gained before the school-based arrangement can continue.
- If the school-based apprenticeship or traineeship is in the electrotechnology industry, ensure the required criteria have been met as outlined on the [Queensland Training Information Service \(QTIS\) website](#).

It is **very** important that the employer and apprentice or trainee maintain open lines of communication and attempt to resolve disputes between themselves. If these attempts fail, the apprentice or trainee should contact the department through Apprenticeships Info for assistance and early intervention.

Employment ceased

When employment is ceasing the employer and the employee (apprentice or trainee) must provide the appropriate notice periods as per the relevant award or registered workplace agreement.

A notice period is the length of time that an employer or employee (apprentice or trainee) has to give to end employment. Additional information about notice periods can be found on the [Fair Work Ombudsman website](#).

Unfair dismissal is when an employee (apprentice or trainee) is dismissed from their job in a harsh, unjust or unreasonable manner. Additional information about unfair dismissal can be found on the [Fair Work Ombudsman website](#).

For further information

Contact:

- The nominated AASN provider.
- Apprenticeships Info on 1800 210 210, regarding apprenticeship or traineeship obligations under the training contract.
- [Fair Work Ombudsman](#) on 13 13 94, regarding employment concerns.
- [Workplace Health and Safety](#) on 1300 362 128, regarding workplace health and safety concerns.

