



MPA Skills

Group Training Code of Conduct ("GTO Code of Conduct")

TABLE OF CONTENTS

1. Title	2
2. Purpose and Effect.....	2
3. MPA Skills Mission Statement	2
4. Introduction to Group Training.....	2
4.1 How Group Training Works.....	2
5. GTO Code of Conduct	3
5.1 Our values and what you can expect from us	3
5.1.1 Professionalism	3
5.1.2 Ethics	3
5.1.3 Responsiveness	3
5.1.4 Access and Equity.....	3
5.1.5 Continuous Improvement.....	4
5.1.6 Handling Grievances and Complaints	4
5.1.7 Privacy	6
5.1.8 Conflict of Interest	6
5.1.9 Workplace Safety and Health	6
5.1.10 Workplace Rehabilitation	6
5.1.11 Related Policies	7
6. Roles and Responsibilities of Stakeholders in the Apprenticeship.....	7
6.1 MPA Skills.....	7
6.2 Apprentice Responsibilities.....	7
6.3 Field Officers Responsibilities	9
6.4 Group Training Manager’s Responsibilities	9
6.5 Host Employer Responsibilities.....	9
7. Employment Obligations.....	10
7.1 General.....	10
7.2 Indenture	11
7.3 Probationary Period.....	11
7.4 Awards and Conditions	11
7.5 Suspension / Cancellation.....	11
7.6 Hours of Work and Overtime.....	11
7.7 Off the job training.....	11
7.8 PPE / Tools of Trade for Apprentices	12
7.9 Tools for the Trade.....	12
7.10 Uniforms	12
8. Allowances	12
8.1 Travel Allowance	12
Plumbing Apprentices.....	13
Painting Apprentices.....	13
8.2 Sick Leave	13
8.3 Annual Leave.....	13
8.4 Public Holidays	13
8.5 Rostered day off (RDO)	13
8.6 Living away from Home Allowance.....	13
9. Policies and Procedures	13
9.1 Injury Management	13
Workers’ Compensation and Rehabilitation Act (1981).....	14
9.2 Occupational Safety and Health	14
9.3 Personal Protective Equipment (PPE).....	15
9.4 Safe Work Practices and Housekeeping Guidelines	15
9.5 Hand Tools and Portable Power Tool Safety	15
9.6 Personal Protective Equipment	16
9.7 Working at Heights	17
9.8 Hazard Reporting Procedure.....	17
9.9 Sexual Harassment.....	17
9.10 Discrimination	17
9.11 Privacy	17
9.12 Drugs and Alcohol	17
9.13 Right of Refusal to Work.....	18
9.14 No Smoking	18
9.15 Discipline	18
9.16 Disputes and Grievances.....	18
10. Additional Policies.....	19

1. Title

This document shall be referred to as the MPA Skills GTO Code of Conduct.

2. Purpose and Effect

The purpose of the Code of Conduct document is to outline the roles and responsibilities of stakeholders under the MPA Skills Group Training Apprenticeship Program; to specify policies and procedures that apply to apprentices employed by MPA Skills and to establish the minimum standards of conduct which are acceptable as an employee of MPA Skills.

3. MPA Skills Mission Statement

To be an industry focused organisation providing flexible, quality services that exceed client expectations in a dynamic environment.

4. Introduction to Group Training

The concept of Group Training was first introduced in NSW and Victoria in the late 1970's when both the Building and Construction Industry and the Australian Motor Industry were in crisis. Hundreds of apprentices were laid off.

Industry based Group Training Associations were established to cater for these apprentices by offering rotational employment as and when opportunities arose.

Early Group Scheme apprentices were only paid when work was available. They could spend a number of months not working ('downtime') and would not receive any income over that period. Downtime was often added to the time of the apprenticeship.

With the provision of both Federal and State Government funding from the mid 1980's Group Training Organisations were established Australia wide.

4.1 How Group Training Works

Apprentices employed by MPA Skills are placed out with various host employers that act as Host Trainers. This arrangement allows apprentices (plumbing and painting trades) to be employed by MPA Skills Group Training Organisation and placed with participating employers (Host Employers) to gain on the job experience for an agreed period of time.

MPA Skills manages the placement and training of its apprentices to ensure that apprentices and host employers benefit.

The Group Training Organisation assumes all of the statutory and administrative responsibilities for the employee, including registration of the Apprenticeship Training Contract, payment of wages, provision of work cover, etc. We are also responsible for workers' compensation, superannuation, taxes, sick/holiday pay, administration costs, etc.

Periodic site visits to assess the success of the placement are undertaken as per our contract with the Department of Training and Workforce Development. MPA Skills management deals with any personal workplace issues or problems that may arise, promptly and efficiently.

4.2 Company History

MPA Skills is Western Australia's first industry based training centre working with and for the building and construction industry. MPA Skills is a not for profit organization established in 1993 under a different name, as a joint initiative of the Master Plumbers and Mechanical Services Association and the Master Painters, Decorators and Signwriters Association of Western Australia.

MPA Skills provides everything from pre-apprenticeship and apprenticeship programs to license and registration courses and fully accredited post trade training programs, including business management training. MPA Skills is an approved Group Training Organisation (GTO) by the Department of Training and Workforce Development, West Australia.

Master Plumbers & Gasfitters Association of Western Australia

The mission of the Master Plumbers & Gasfitters Association of Western Australia is to be the voice of the Plumbing Industry in Western Australia and protect the health and safety of the public and the environment by promoting professional and ethical business practice among its members and contractors generally. They

ensure the standards of the trade are maintained at an acceptable level through appropriate training and education.

Master Painters Australia (WA) Association

The Master Painters Australia Association was founded in 1911. The Master Painters Association has functioned as an independent representative for firms and individuals conducting business in the painting and decorating trade. The MPA has two principal objectives: assisting the interests of its members in a business sense and ensuring that the professional standards of the industry are upheld.

5. GTO Code of Conduct

MPA Skills Group Training is committed to quality training and employment for all apprentices/clients by ensuring:

- Each apprentice receives quality training;
- Regular support for apprentices, host employers and participating training companies;
- Observance of all statutory requirements;
- Active participation in the group training network;
- Partnering industry and government in advancing structured skills training;
- Making a positive contribution to community wellbeing;
- EEO and Access and Equity requirements are addressed; and
- Staff, facilities, equipment and training materials are provided to meet client needs.

5.1 Our values and what you can expect from us

5.1.1 Professionalism

- Provide services which are client focused;
- Provide reliable, efficient and accurate responses to all enquiries;
- Provide a safe work environment that is, as far as practicable, free from hazards which may cause injury to any person;
- Ensure all staff have adequate and appropriate training and receive any ongoing support required;
- Ensure all of our clients receive all relevant information prior to hiring an apprentice, through host proposal documents; and
- Ensure all of our clients receive and understand our Occupational Safety and Health Policy during the induction process and clearly understand our evacuation procedures.

5.1.2 Ethics

- Ensure that marketing materials are not misleading in any way;
- Ensure that the use of logos is consistent with national and state requirements; and
- Ensure that all employees act ethically at all times.

5.1.3 Responsiveness

- Respond to requests for information or advice in a timely and professional manner;
- Provide easy to understand, current and accurate information and advice on all issues related to our services;
- Follow up and maintain communication and consultation with our clients as required;
- Maintain our liaison with industry to monitor and update our services; and
- Seek feedback from our clients and react to this feedback when opportunities for improvement are identified.

5.1.4 Access and Equity

- Commitment to access and equity in the provision of vocational education and training and recognise our obligations under a range of Federal and State legislation;
- Remove barriers that prevent successful outcomes for students;
- Implement procedures that support successful outcomes for all students;
- Create an environment which is fair, non-discriminatory and harassment free;
- Create an engaging learning environment that provides inclusive and relevant educational experiences and assists in the development of a more competitive, skilled and diverse workforce;
- Develop a culture where everyone is committed to these processes;

- Ensure that programs, services and environments are accessible and equitable;
- Committed to endeavour to recognise and support the diversity of skills and potential, the needs of the current client base and the wider community; and
- Treat all clients with dignity, courtesy, confidentiality and efficiency.

5.1.5 Continuous Improvement

- Continually assess and evaluate our services using our GTO quality policies and procedures to ensure the maintenance of quality responsiveness to our client's identified needs and also reflect the changes that may occur within industry; and
- Seek our clients' views as part of the annual GTO self-assessment and evaluation process required by the National Standards for Group Training Organisations.

5.1.6 Grievance and Appeals

The grievance and appeals policy and procedure applies to all MPA Skills employees, students and persons who seek to enroll with MPA Skills.

MPA Skills approaches grievance resolution according to the following guiding principles:

- the resolution of grievances will be handled informally where possible;
- employee and student grievances will be addressed as close as possible to the source of student dissatisfaction;
- grievances will be resolved expeditiously and with the due regard for confidentiality;
- employees and students should feel secure in the knowledge that they will not suffer any form of disadvantage as result of making a complaint;
- employees and students will be treated equitably;
- effective, reciprocal communication and feedback will underpin the relationship between employer and students and MPA Skills; and
- grievances will be regarded as valuable input to the continuous improvement of programs, policies, procedures and services and monitored and acted upon accordingly.

All new staff shall be informed of the grievance and appeals policy and procedures as part of the induction process.

The grievance and appeals procedure is accessible and equitable to all employees, students and all complainants or respondents to ensure that grievances are dealt with at no cost to the employee / student, are given specific reasonable timelines for responses to each state of the process and are given timely resolution of their complaints.

All parties involved may be allowed a support person, to accompany and assist at any relevant meetings. However, MPA Skills will not be responsible for any payment for support persons requested independent of the organisation.

All records of complaints and appeals are treated as confidential.

Grievance Procedure:

First instance of a complaint or appeal:

1. In the first instance students / employees shall discuss the problem with the Trainer / Assessor / Manager.
2. The Trainer / Assessor / Manager will make a note of student's / employee's concerns and follow up appropriately.
3. Details of the problem and how it was addressed are recorded by the Trainer / Assessor / Manager in the Apprentice – Employer Contact Form / Note to File. The Form will be filed on the student / employee file.

4. If the complaint or appeal cannot be resolved informally students should lodge Complaint Form which can be downloaded from MPA Skills website..
5. The Complaint Form must be submitted to either the Training Manager or the QA & Education Manager / Grievance Officer.

Training Manager or QA & Education Manager / Grievance Officer:

6. On receiving the complaint the Training Manager or QA & Education Manager / Grievance Officer will ensure the complainant receives an acknowledgement of the complaint, in writing, that the grievance has been received and will be dealt with within 10 days of lodgment.
7. In relation to a complaint of bullying by one employee against another employee, the respondent to the complaint has no right to sight the allegations of bullying and the respondent shall be suspended on full pay until resolution of the complaint.
8. In relation to the student, the complainant should be informed that their enrolment is not at risk during the complaints and appeal process. MPA Skills must maintain the student's enrolment throughout the complaints and appeals process and will not victimise or discriminate against any complainant or respondent.
9. In relation to the student, if the complainant chooses not to remain in class, the consequences of their absence to their class progress must be explained to the student by the Trainer / Assessor.
10. On receiving a Complaint Form detailing a grievance, the Training Manager or QA & Education Manager / Grievance Officer will identify the cause of the grievance and determine the appropriate course of action to satisfy the complainant's grievance.
11. If requested by the complainant the Training Manager or QA & Education Manager / Grievance Officer will provide an appropriate time for the complainant to present their complaint personally at no cost to the student and each party may be accompanied and assisted by a support person at any relevant meetings.
12. The Training Manager or QA & Education Manager / Grievance Officer will complete the Complaint Form recording the proposed solution and advise the complainant of the proposed solution.
13. The advice to the complainant shall include information and procedures concerning the complainant's right to appeal the proposed solution to the Chief Executive Officer.
14. The completed Complaint Form shall be filed on the complainant's file.
15. If requested, the Training Manager or the QA Manager / Grievance Officer will provide a full explanation and reasons in writing for the decisions and actions taken as part of the procedure.
16. The Training Manager or QA & Education Manager / Grievance Officer will ensure the Complaint is registered in the Complaint Register on QAMPAS.
17. In the event of the complainant reporting that they are dissatisfied with the proposed solution, the Training Manager or QA & Education Manager / Grievance Officer shall advise the complainant that within 10 days the Chief Executive Officer shall be informed of the nature of the complaint and seek possible further resolution.

Chief Executive Officer:

18. On receiving the complaint form detailing the grievance that has not been resolved by the Training Manager or QA & Education Manager / Grievance Officer, the Chief Executive Officer shall review the nature of the complaint and cause of the grievance and the appropriate cause of action to satisfy the complainant's grievance and if requested by the complainant provide an appropriate time for the student to present their complaint resolution.
19. The Chief Executive Officer shall complete the Appeals Form in the appropriate section recording the reviewed solution and advise the complainant of the proposed solution and provide a copy of the Appeals Form.
20. The Chief Executive Officer shall give reasons and a full explanation to be noted in the appropriate section of the Appeals Form.
21. The original of the completed Appeals Form shall be filed on the complainant's file.
22. The student / employee file will be archived pursuant to the Archiving Policy and Guidelines and the complainant will be given appropriate access to the these documents.
23. In the event of the complainant reporting that they are dissatisfied with the reviewed proposed solution, the Chief Executive Officer shall advise the complainant that within 10 days an independent

adjudicator will be informed of the nature of the complaint in writing and seek possible further resolution.

24. The selection of an independent adjudicator shall be managed by the Training Manager or the QA & Education Manager and shall be by mutual agreement with the complainant. The complainant should also be advised that they are entitled to attend the independent adjudicator meeting with a preferred support person.
25. All independent adjudicator outcomes will be reported by the Training Manager or the QA & Education Manager / Grievance Officer to the Chief Executive Officer and the MPA Skills Management Meeting and documented within the minutes and filed for future reference.
26. All independent adjudicator outcomes will be communicated to the complainant in a timely and prompt manner.

Results and Decisions on Complaints and Appeals:

27. Appeal decisions granted in favor of the student should be implemented by the Training Manager or QA & Education Manager as soon as practicable.
28. If internal or any external complaint handling results in a decision that supports the student, MPA Skills must immediately implement any decision and/or corrective and preventative actions required and advise the student of the outcome.
29. MPA Skills will then modify its policies and procedures as required by lodging a Continuous Improvement Log on QAMPAS. The student will be notified of this follow-up corrective action.

5.1.7 Privacy

- Abide by current Legislation, Awards and Agreements related to privacy;
- Treat personal information related to employees and clients as highly confidential at all times;
- Only collect information relevant to our business relationship with employees and clients and that is necessary to perform our functions and activities and to fulfil our legal requirements;
- Not share, sell or trade employee or client personal information to any company or person, except where that information is to be provided to other organizations who perform certain functions or operations for us with our employee or client consent;
- Take reasonable steps to ensure that employee and client personal information is accurate, complete and up-to-date at the time of collecting, using or disclosing the information; and
- Protect any personal information that we hold about our employees or clients from misuse and loss.

5.1.8 Conflict of Interest

- Ensure that directors and employees will not engage in activities that may constitute a conflict of interest, or place themselves in positions that might potentially produce a conflict of interest between themselves and the GTO;
- Manage any conflict issues in a transparent and ethical manner; and
- Dispose of potential conflicts of interest as soon as they arise.

5.1.9 Workplace Safety and Health

- Protect all employees and bona fide visitors from risk of injury or illness, so far as is practicable, in the working environment;
- Comply with the spirit and intent of relevant Legislation, Statutory Requirements, Codes of Practice, Regulations and Industry Standards and will make adequate provision of resources to meet these requirements; and
- Not knowingly demand or expect any person to participate in an activity which is likely to be detrimental to their safety or health.

5.1.10 Workplace Rehabilitation

- Prevent injuries and illnesses in the workplace, by providing a safe and healthy environment for all employees;
- Report all accidents at the earliest instance, investigate and take steps to control and prevent a recurrence;
- Offer rehabilitation to all employees following both work related and non work related injuries or illnesses, in line with current Legislation, Awards and Agreements.

5.1.11 Related Policies

- MPA Skills Group Training has additional policies relating to the GTO Code of Conduct. MPA Skills' policies relating to:
 - Access and Equity;
 - Alcohol and Drugs;
 - Grievance;
 - Discipline; and
 - Privacy

are contained in its Code of Practice and this is available to all clients and staff. A copy may be requested at any time or it can be viewed on our website: www.mpaskills.com.au.

6. Roles and Responsibilities of Stakeholders in the Apprenticeship

The key responsibilities for stakeholders participating in the apprenticeship are listed below. It should be noted that the roles and responsibilities are subject to change as a result of the continuous improvement initiatives of MPA Skills. Where a change occurs, relevant stakeholders will be provided with an updated copy of this document.

If the apprentice requires any clarification regarding their responsibilities in relation to undertaking the apprenticeship, they can contact the Group Training Manager or talk to their representative from the ApprentiCentre.

6.1 MPA Skills

MPA Skills will provide the apprentice with:

- Adequate safety induction training;
- Provision of basic personal protective equipment and instruction on its correct use and care;
- Investigation and reporting of workplace accidents/incidents involving MPA Skills apprentices;
- Appropriate follow up action in the event of any reports of unsafe work practices or acts;
- Cooperation with host employers to reinforce safety at work;
- Timely reporting of accidents and completion of all workers' compensation claims and reports;
- Support and mentoring with work or personal issues;
- Assessments on skills levels as per our contract with the Department of Training and Workforce Development;
- Removal from site of any apprentice where unsafe workplaces or practices places the apprentice at risk.
- Access to an Employee Assistance Program (EAP). This service can be accessed by all employees of MPA Skills. Our providers of this service can assist with many different issues, including relationship problems, stress at home or work; conflict; alcohol and drug issues; anxiety and depression. This service is free for employees and is strictly confidential.

6.2 Apprentice Responsibilities

The responsibilities outlined below, apply in conjunction with or in addition to the responsibilities within the Contract of Employment applicable to the apprentice and the Apprenticeship Training Contract. This also includes general on site policies and procedures that all apprentices are expected to abide by in respect of on site work.

It is important that the apprentice understands the content of these documents. If assistance or clarification is required you should contact your Field Officer or Group Training Manager at MPA Skills. Apprentices under 18 years of age are expected to have the consent of a parent or guardian to enable them to enter into a Contract of Employment or in respect of employment related issues in general.

Apprentices are expected to:

- Be familiar with your Contract of Employment, Apprenticeship Training Contract, this Code of Conduct document and other relevant policies, processes and responsibilities as advised from time to time;
- Arrive at work early. The Host Employer must be notified if you are going to be late;
- Inform the Host Employer if you are unable to attend work due to sickness. The Host Employer must be notified at least 30 minutes prior to commencing work. The MPA Skills Field Officer must also be notified. Failure to notify the Host Employer and Field Officer will result in no pay for the time away from work;

- Undertake work with a Host Employer as assigned by MPA Skills and to duly carry out to the best of your ability, all lawful orders and instructions given by MPA Skills personnel, Host Employers and off site instructors;
- Comply with and observe MPA Skills Occupational Safety and Health Policy and to always undertake work in a safe and productive manner including following and observing all the OS&H requirements of the Host Employer;
- Follow all instructions regarding safety and health at work;
- Wear appropriate PPE at all times;
- Wear appropriate uniforms at all times while on duty and while attending off the job training and maintain a clean and tidy appearance while attending for work and off the job training;
- Take good care of any equipment or clothing provided in the interests of safety;
- Report all hazards, accidents or incidents (near miss) to the Host Employer and MPA Skills;
- Cooperate with the Host Employer to ensure the safety and health of yourself and others in the workplace;
- Treat others with mutual respect, honesty and fairness;
- Demonstrate commitment to working in a manner which maintains or furthers the image of MPA Skills and in a manner which is consistent with MPA Skills work ethics;
- Present yourself and MPA Skills in a manner which reflects positively on yourself and MPA Skills;
- Take care of property and materials belonging to yourself or others;
- Do not smoke at work unless in a designated smoking area;
- Radio volume is to be kept at a reasonable level on site so as not to be offensive to neighbours or other workers on site;
- The use of mobile phones on site and while attending off the job training is not permitted unless with the permission of your Host Employer or your Trainer;
- Inappropriate language and/or inappropriate behaviour are not to be used on site or at off the job training;
- Alcohol or drugs are not to be consumed while on site or brought on to site or off the job training. Any apprentices suspected of being under the influence of alcohol or drugs while on site or at off the job training, will be removed;
- Not remove materials or equipment from site without prior written authorisation from the Host Employer;
- Inform MPA Skills if taking prescribed medication. This information is confidential. It is beneficial to inform the Host Employer as some medications may cause drowsiness, lack of concentration etc;
- Complete and submit weekly timesheets.

Note: The timesheet must be completed accurately and signed by your Host Employer (or authorised representative) and yourself. Submit the timesheet to MPA Skills office each week. If timesheets are submitted late or are not received, payment will not be made until the following week. Never fraudulently sign a time sheet (DO NOT forget your Host Employer's signature). This is Fraud and is a criminal offence.

Timesheets must be in the office by 10:00am each and every Tuesday at the latest.

- Take advantage of all learning opportunities presented. This includes undertaking off the job training modules and being a willing participant in the 'rotation' system to enable you to gain broader experience in your trade;
 - Attend off the job training (and any other formal training) as and when required for the purpose of undertaking studies relating to the apprenticeship. Successfully complete each block release as set out within the time frame given. Failure to successfully complete a block release or failure to achieve a pass grade will require completion of such competencies or block release in order to achieve a pass grade. This will be undertaken in the apprentice's own time;
- Note:** As you continue to be employed by MPA Skills and are paid for the time you attend off the job training, it is expected that you will attend for off the job training as you would for on site work and behave in an appropriate manner at all times;
- Arrive early for off the job training. Leaving early is not acceptable. Unless absence is for an authorised reason, you will not be paid in circumstances where the RTO advises MPA Skills of absenteeism. Wear

the provided MPA Skills uniform at all times whilst attending off the job training. There are parking restrictions in place in the upper 108 car park at MPA Skills premises;

- MPA Skills is a No Smoking site. Smoking is only permitted within the designated smoking area;
- Raise any concerns/disputes regarding your employment as an apprentice using the Dispute Resolution Process; and
- Comply with any other reasonable requirement as advised by your on the job supervisor, Host Employer; Field Officer or other staff member from MPA Skills.

6.3 Field Officers Responsibilities

The Field Officer is responsible for overseeing and managing your apprenticeship training, having regard to MPA Skills policies and procedures.

All apprentices are assigned a Field Officer who will oversee and monitor progress throughout the term of the apprenticeship.

The Field Officer will:

- Assist you with any work, safety or off the job issues you may have and will have involvement, where appropriate, with the resolution of issues which arise as a result of placement with a Host Employer;
- Participate in the performance management process of your apprenticeship and regularly assess your skill levels throughout the term of your apprenticeship. This includes monitoring your progress by undertaking site visits. Your Field Officer will also conduct visits where a Skills Evaluation is completed. These evaluations monitor progress and are used as a means of recording the development of your skills, knowledge and attitude. Host Employers are encouraged to make recommendations for future or remedial training when these evaluations are conducted;
- Support and mentor with work or personal issues;
- Liaise with your Host Employer, your training centre and parents/guardians when necessary. This can include issuing reprimands or formal warnings and communicating performance issues (and outcomes) to parents/guardians where appropriate. If a formal warning is to be issued, your parents/guardians will be invited to be present if you are under 18 years of age (as per current ApprentiCentre requirements); and
- Assist you to complete your Training Record Book or Skills Tracker Journal which will be issued to you by your Registered Training Organisation (RTO). The Training Record Book or Skills Tracker Journal must be completed and all competencies signed off by you and all other relevant parties, prior to completing the apprenticeship. Appropriate evidence must also be submitted (see 7.7).

6.4 Group Training Manager's Responsibilities

The Group Training Manager will be responsible for the overall management of your apprenticeship training, having regard for National Standards for Group Training Organisations and company policies, procedures, expected standards and responsibilities of stakeholders.

The Group Training Manager will:

- Ensure that appropriate records relating to your apprenticeship are kept on file and these records may, from time to time, be provided to authorised personnel. This documentation will include keeping a record of all apprentice issues, disputes and outcomes. Documentation may be required for the resolution of issues or to address queries raised by relevant stakeholders;
- As required, be involved in disciplinary issues. This can include issuing reprimands or formal warnings and communicating performance issues (and outcomes) to parents/guardians where appropriate. If a formal warning is to be issued, the parents/guardians will be invited to be present if you are under 18 years of age (as per current ApprentiCentre requirements); and
- Participate, where required, in dispute resolution processes where concerns and/or disputes are raised. This will include attempting to professionally resolve any concerns or disputes within the workplace with an emphasis on achieving agreed outcomes which are favourable to a positive working environment.

6.5 Host Employer Responsibilities

Without the commitment and participation of Host Employers many apprentices may not have had the opportunity to participate in an apprenticeship.

It is expected that Host Employers will:

- Commit themselves (and their employees) to providing effective, professional and relevant on the job training to the apprentice and appropriate supervision and instruction is taking place;
- Treat the apprentice with integrity, respect, honesty and fairness;
- Provide feedback to the apprentice on progress;
- Ensure that workers are not exposed to hazards at work;
- Ensure that all appropriate Occupational Safety and Health requirements are addressed in order to meet duty of care obligations;
- Provide a safe working environment and systems of work; free from bullying and harassment (in any form);
- Ensure safe work procedures;
- Provide Personal Protective Equipment where hazards cannot be avoided and instruction on its use, care and maintenance;
- Consult and cooperate with MPA Skills in regards to safety related issues;
- Report accidents; and
- Participate, where required, in dispute resolution processes where concerns and/or disputes are raised which will include attempting to resolve concerns and/or disputes at the workplace level with emphasis on achieving agreed outcomes which contribute to a positive working environment.

7. Employment Obligations

MPA Skills will consistently provide clients with excellent service that exceeds their expectations. The company is committed to managing its systems and processes in accordance with the standards for Group Training Organisations and Registered Training Organisations.

MPA Skills is committed to protecting a sustainable environment. To fulfil this commitment, MPA Skills will observe all environmental laws and will integrate environmental factors into our activities.

MPA Skills is committed to creating an environment where people lead by example and have a sense of ownership of the business. This is achieved by treating our staff and customers equally, with respect and fairness at all times.

MPA Skills applies equal opportunity principles in all decisions affecting our employees regardless of gender, marital status, religion, sexual orientation, pregnancy, race, age, family responsibility, impairment or political conviction.

MPA Skills is committed to ensuring a drug and alcohol free workplace. MPA Skills will not accept any person on the premises or on a worksite who is incapacitated by alcohol or other drugs.

Each employee is expected to positively support MPA Skills' systems and to participate in and contribute to, the improvement of policies and procedures.

7.1 General

The Apprenticeship is a registered Contractual Agreement between an employer and employee under which both have certain responsibilities and obligations.

The apprenticeship combines structured on and off the job training leading towards a nationally recognised Trade Certificate.

Where the apprentice is under the age of 18 years of age, their guardian is also a party to the agreement.

The apprentice is required to be available for work, attend off the job training when called to do so, purchase and maintain tools of trade, obey lawful work orders and instructions and to generally apply their best efforts to learning their trade.

Apprentices are required to participate in the rotation system, where a change of employer occurs. This exposes apprentices to various areas of their trade and ensures that they have training in all aspects of the trade.

Rotation can occur for other reasons, including personality clash, disciplinary issues, appropriate training not being offered. If at any time an apprentice feels there is an issue with the training being receiving on site, they must inform the Field Officer.

The employer is required to provide the apprentice with a safe workplace, Award wages and conditions, time off with pay to attend off the job training, practical instruction and conditions which are conducive to learning.

While apprentices are free to join trade unions if they wish, they are not permitted to take part in strikes, stop-work meetings or any other form of industrial dispute activity

Prior to commencing work on site apprentices will be required to:

- Commit to the terms and conditions of employment as per the Contract of Employment and the requirements of the Apprenticeship Training Contract;
- Commit to the Code of Conduct for Apprentices;
- Commit to any other obligations and issues as advised from time to time;

Note: If the apprentice is under 18 years of age the parents/guardians also need to provide approval to the above documentation; and

- Undertake the induction process which will include discussing this Code of Conduct and MPA Skills policies and procedures.

7.2 Indenture

The Indenture period, or the length of the apprenticeship is usually 4 years for plumbing and gasfitting and 3 years for painting and decorating. This period can be varied under certain circumstances.

Apprentices who achieve a high standard of competency may be eligible for an early completion, although this is rare. Some apprentices may need to have their indenture extended, to enable them to acquire the necessary competency standard.

7.3 Probationary Period

Under the VET Act 1996 and a condition of employment with MPA Skills, all apprentices are required to successfully complete a minimum 3 month probationary period. This probationary period allows the apprentice to determine whether they are happy with the employment arrangements and wish to enter into an apprenticeship. It also allows for the employer (MPA Skills) to assess whether the apprentice is a suitable candidate for ongoing employment and whether the apprentice is suited to the apprenticeship being offered.

If MPA Skills feels that the apprentice needs a longer period of time to prove themselves as being a suitable candidate for an apprenticeship, the probationary period may be extended for a further 3 months.

The probationary period will be included as time worked for the purpose of determining the end date of the apprenticeship.

7.4 Awards and Conditions

All MPA Skills apprentices are employed under the terms and conditions of the Plumbing and Fire Sprinklers Award 2010 (Plumbing apprentices) and the Building and Construction General On-site Award 2010 (Painting apprentices).

A full copy of the Award can be obtained from MPA Skills if required.

7.5 Suspension / Cancellation

An Apprenticeship Agreement may be suspended for a variety of reasons. Apprentices are not paid while under suspension, but are required to continue with the off the job training during the suspension period. Any time served under suspension is added on to the term of indenture when the suspension is lifted. Some reasons apprentices are suspended include medical; personal; downturn; poor performance or misconduct.

An Apprenticeship Training Contract cannot be suspended or cancelled without notification to the ApprentiCentre, Department of Training and Workforce Development.

7.6 Hours of Work and Overtime

Apprentices are required to be available for work at such times as an employer reasonably requires. An employer must provide a minimum of 40 hours per week.

Under the Award, apprentices under 17 years of age cannot be forced to work overtime against their will, however MPA Skills encourages apprentices to take advantage of reasonable offers of extra work, taking OS&H issues into consideration at all times.

The Host Employer will advise of the start and finish times. Different Hosts will start and finish at different times of the day. It is important to arrive ready for work at least five to ten minutes early.

7.7 Off the job training

Apprentices must undertake prescribed off the job training as part of the apprenticeship. MPA Skills will provide apprentices with information as to which Registered Training Organisations (RTO's) are available.

Payment of all fees for the provision of off the job training by a RTO will be paid for by MPA Skills. It is the responsibility of the apprentice to arrange transportation to attend off the job training.

The RTO will provide off the job training and forward reports to employers detailing progress throughout the specified course of Trade Studies. Apprentices who fail any sections of their studies will be expected to repeat those sections at their own cost and in their own time. Unsatisfactory progress may result in cancellation of the apprenticeship.

The RTO will issue a Training Plan Outline (TPO) soon after the apprenticeship has been registered with the Department of Training and Workforce Development. This TPO outlines all the competencies that must be achieved in order to complete both on and off the job training. The TPO must be signed by the apprentice, MPA Skills (employer) and the RTO.

The RTO will issue the Training Record Book or Skills Tracker Journal. This book is the responsibility of the apprentice and contains a record of all training undertaken. If the Training Record Book or Skills Tracker is lost, the training will have to be redone. Apprentices cannot complete the apprenticeship unless the Training Record Book or Skills Tracker Journal has been completed and all competencies signed off, both on and off the job. Appropriate evidence, eg photographs of work undertaken; written evidence of where work was completed must also be submitted.

Where an apprentice disputes or disagrees with an assessment while attending off the job training or an on site evaluation, MPA Skills may elect to arrange an independent evaluation which would be carried out by an accredited Industry Monitor.

Please Note:

Failure to enrol with an approved Registered Training Organisation is a breach of your Apprenticeship Training Contract. Off the job attendance is compulsory and is to be treated like any other working day. Any unauthorised absence is a breach of the Apprenticeship Training Contract.

7.8 PPE / Tools of Trade for Apprentices

Apprentices are provided with personal protective equipment (PPE) at induction. PPE should be used when appropriate. All PPE issued complies with Australian Standards. Plumbers may require welding goggles and should speak to the Field Officer if these are required. Additional PPE requirements should be discussed with the Host Employer or Field Officer.

Apprentices are paid a weekly tool allowance under the Award. It is a requirement that appropriate tools relevant to the trade are purchased. MPA Skills will supply apprentices with appropriate tools under a tools arrangement with our preferred supplier. The Field Officer will regularly check to ensure that apprentices have the correct tools. It is the responsibility of the apprentice to keep tools in good condition.

7.9 Tools for your Trade Incentives

Apprentices are entitled to incentive payments following successful completion of the probationary period. These incentives total \$3,800 paid over five instalments. Our Australian Apprenticeship Centre (AAC) will administer these incentives. Apprentices are strongly encouraged to purchase tools with the first \$800 of these incentives. The same arrangement for paying off tools can be put in place. Apprentices should discuss the most appropriate tools for the job with their Host Employer or Field Officer prior to purchasing.

7.10 Uniforms

MPA Skills supplies new apprentices with 7 items of uniforms, free of charge.

Company policy requires that apprentices wear uniforms for both on and off the job training. Disciplinary action may be taken if apprentices are not wearing uniform.

Extra uniforms can be purchased through MPA Skills at cost price. Contact the Group Training Administrative Officer.

8. Allowances

8.1 Travel Allowance

Apprentices are entitled to claim the prescribed daily *Fares and Travel* allowances except in the following circumstances.

Plumbing Apprentices

Where you are required to commence and finish work at your Host Employer's normal place of business, or where you are provided with transport, or where you are picked up and dropped off at an agreed place.

Painting Apprentices

Where transport is provided, or where you are picked up and dropped off at home.

8.2 Personal (sick) Leave

An allowance of 10 days per year paid personal (sick) leave is provided under the Award to apprentices to be used only for genuine illness or injury. Apprentice must provide a Doctor's Certificate to MPA Skills for each day that they are unable to work due to illness. If no medical certificate is supplied the apprentice may not be paid.

Apprentices must telephone both the host employer and MPA Skills Field Officer **a minimum of 30 minutes** prior to commencing work each and every day that they cannot attend work. Failure to do so may result in disciplinary action being taken. Sending a text message to the Host Employer or Field Officer to inform them you are sick or unable to attend work is not acceptable and if you do this, you will not be paid for the day.

Personal (sick) Leave may only be claimed up to current entitlements.

8.3 Annual Leave

Following twelve months continuous service, apprentices will be eligible for 4 weeks Annual Leave. Annual leave application forms are available at the back of the timesheet book. They should be signed by the Host Employer and forwarded to MPA Skills office at least four weeks prior to commencing leave (where practicable). The Field Officer must also approve the leave. Please note: **ALL** annual leave must be applied for by using the leave slips located at the back of your timesheet book.

8.4 Public Holidays

Apprentices are entitled to ten days Public Holidays per year as per the Award. If an apprentice is required to work on a public holiday, arrangements may be made with the Host Employer to take a day off at some other time, or be paid overtime in accordance with the Award.

8.5 Rostered day off (RDO)

Building Industry workers are entitled under their Award conditions to be given one rostered day of work for every 20 days worked over a four week period. RDO's occur on gazetted days and are common for all sectors of the industry.

Many Host Employers do not take RDO's and apprentices may be required to work, particularly those employed in areas other than commercial construction. Where the Host Employer requires apprentices for work on a gazetted RDO they are expected to be available. An alternative day may be negotiated with the Host Employer or RDO's may be accumulated to be taken at a later date (between placements or in addition to leave).

If an apprentices wishes to use an RDO it is the responsibility of the apprentice to obtain the Host Employer's approval before the event.

8.6 Living away from Home Allowance

Apprentices who have had to move away from their parent's or guardian's home to commence or remain in an apprenticeship (or if homeless) may be eligible for a Living Away from Home Allowance for the first two years of the apprenticeship.

9. Policies and Procedures

Apprentices are required to comply with the following policies and procedures. Apprentices who fail to comply with the policies and procedures outlined below may be subjected to disciplinary action, including a formal written warning.

9.1 Injury Management

The purpose of MPA Skills' Injury Management Policy is to ensure that MPA Skills is able to respond to workers' compensation claims quickly and appropriately so that injured workers can remain at work or return to work at the earliest appropriate time.

Workers' Compensation and Rehabilitation Act (1981)

Workers' Compensation is available to all employees. Compensation for an injury is payable when the injury arises out of (or in the course of) employment. The injury must be related to the work that the employee was engaged to do.

Workers' Compensation is generally accepted as a worker's right in a normal employer/employee relationship. All employers must take out WorkCover Insurance to provide adequate compensation for injured workers.

Workers' Compensation is referred to as *No Blame* Legislation, however the acceptance or rejection of any claim is at the discretion of the WorkCover Insurer. Where an injury is not sustained in the course of work, or where the work being done was not related to the work the employee was engaged to do, a claim may be denied by the Insurer.

A claim can be disallowed if voluntary consumption of alcohol or other drugs, or both, lead to impairment of the proper function of the workers faculties; failure, without reasonable excuse, to use personal protective equipment where such equipment had been provided and adequate instructions given in its correct use; other serious or willful misconduct, ie: failure to follow safety procedures, horseplay or skylarking.

Should you be injured at work and need to lodge a claim the Group Training Manager or representative will assist you with the claim and provide you with additional information in respect to your responsibilities and rights under the Act.

Procedures if you are injured at work:

- Report accident/incident to Host Employer and MPA Skills immediately;
- Seek medical attention – attend at a Prime Health Clinic;
- Obtain a 1st Medical Certificate;
- Complete all paperwork with a MPA Skills representative;
- Obtain follow up Progress Medical Reports as required;
- Keep MPA Skills informed of your progress; and
- Obtain a Final Medical Certificate and provide to MPA Skills.

MPA Skills will discuss the workers' compensation claim with the insurer, to clarify any issues or concerns or request up to date information on MPA Skills responsibilities in relation to the claim.

MPA Skills will maintain close contact with you to check on progress and make arrangements for you to remain at work or return to work as soon as medically appropriate. It is also your responsibility to maintain close contact with MPA Skills to provide information on your progress and participate in return to work activities in accordance with the Act. Any issues associated with a claim should be referred to MPA Skills who will endeavour to resolve these issues or, where necessary, refer them to the approved insurer.

Under the requirements of the OS&H Act and Regulations MPA Skills must undertake an accident investigation relating to all workplace accidents involving its apprentices. An MPA Skills representative will interview the injured apprentice and an accident/incident report will be completed. A representative from MPA Skills may then need to visit the site of the occurrence, talk to the Host Employer, supervisor or other co workers in order to determine all of the contributing factors relating to the accident/incident.

The accident/incident investigation procedure is necessary to determine the cause of the occurrence and to enable MPA Skills to take appropriate measures where possible, to prevent similar accidents/incidents occurring in the future.

9.2 Occupational Safety and Health

The purpose of the Occupational Safety and Health Policy is to:

- Provide high standards of occupational safety, health and welfare in a working environment;
- Provide a workplace free of injury and harm;
- Provide a workplace free from hazards which may cause injury to any person and to encourage open communication in hazard and risk management processes;
- Provide appropriate resources, consultation and training and ensure that every employee takes responsibility for their safety and the safety of others; and

- Comply with applicable Legislation, Codes of Practice and guidance notes.

Under the Occupational Safety and Health Act, an employee is responsible for their own safety and is summarised as follows:

- Ensure his or her own safety and health at work;
- Avoid adversely affecting the safety and health of any other person through any act or omission;
- Comply with instructions from employer / supervisor;
- Cooperate with the employer;
- Report any hazard, injury or harm;
- Wear PPE as instructed; and
- Avoid unsafe work practices or deliberate misuse or damage of equipment.

Apprentices who do not comply with MPA Skills Safety and Health policies and procedures may also be stood down without pay until the apprentice commits to complying with those safety policies and procedures.

9.3 Personal Protective Equipment (PPE)

Apprentices are required to wear appropriate PPE at all times. This may include, but is not limited to:

- Safety footwear;
- Hearing protection;
- Safety glasses or safety goggles;
- Safety helmet;
- Respirator;
- Gloves;
- Specific clothing for specific tasks; and
- Skin protection.

If you are not wearing appropriate PPE, the Host Employer or Field Officer will instruct you to leave site without pay until the correct safety equipment is worn. It is the responsibility of the apprentice to look after all PPE issued to them and report lost or damaged PPE to the Field Officer.

9.4 Safe Work Practices and Housekeeping Guidelines

It is the responsibility of everybody to ensure a safe and tidy work area is maintained. Good housekeeping is the first principle of accident prevention.

All apprentices should clean up their work areas themselves or arrange for them to be cleaned up. Bad housekeeping can often result in injuries from slipping, tripping or falling.

The following guidelines should be adhered to by all apprentices:

- Return all tools to correct location after use;
- Clean up spillages as soon as they occur;
- Clean up debris and scrap materials by placing in bins;
- Place all food leftovers in bins;
- Walkways and access areas to be kept clear at all times;
- Unsafe working areas where hazards exist are to be identified, isolated if safe to do so and reported to supervisor or Field Officer immediately;
- Hazardous substances to be used in accordance with Material Safety Data Sheets (MSDS); and
- Tools to be used within accepted safe work practices and according to manufacturer's guidelines where required.

9.5 Hand Tools and Portable Power Tool Safety

The following guidelines in relation to hand tools and portable power tools should be adhered to:

- Use tools correctly for the purpose for which they are designed;
- Electric tools must be earthed at all times when in use (except double insulated tools);
- Tools to conform to Australian Standards and Occupational Safety and Health Regulations;
- Tools to be kept in a good state of repair;

- Portable electric tools must be inspected, tested and tagged by a licensed electrician in accordance with Occupational Safety and Health Regulations;
- Safety guard devices are not to be removed from any equipment; and
- Grinding and drilling tools produce airborne projectiles. Appropriate PPE is to be used, eg safety eyewear.

9.6 Personal Protective Equipment

Eye Protection (general requirements)

- Safety glasses must be worn when there is a risk of debris making contact with the face or eyes;
- Safety glasses/goggles must be used when operating any rotating or spinning tools or while using angle grinders; and
- For prescription glasses, the lenses must be made of toughened glass/plastic to conform to Australian Standards and be fitted with side shields. Mono goggles over the top of prescription glasses can be used as an alternative.

Hearing Protection (general requirements)

- Hearing protection to be worn in designated areas;
- Where a risk of excessive noise exists greater than 85 decibels, hearing protection must be worn; and
- Earplugs and earmuffs are acceptable forms of hearing protection.

Safety Helmets (general requirements)

- Safety helmets should be replaced 2 years from date of issue;
- Safety helmets must be replaced if they are chipped, cracked or where they receive a solid impact;
- Placing stickers on, painting or drilling holes in a safety helmet may reduce the strength of the helmet plastic shell; and
- Nothing is to be placed between the harness and the shell.

Hand Protection (general requirements)

- Gloves must be used where there is a potential for injury to hands;
- Canvas or leather gloves are acceptable for protection; and
- Gloves are not to be worn when operating pedestal or bench grinders.

Protection from the Sun

It is strongly recommended that all MPA Skills apprentices who work outdoors adhere to the basic skin safety instructions and information provided at induction and complies with the following:

- Uses the sunscreen provided by MPA Skills and apply it at regular intervals. The sunscreen provided has a protection factor (SPF) of 30+ and is labelled to meet Australian Standards. Apply sunscreen 20 minutes before starting work and reapply regularly throughout the day. Don't forget the lips, nose, ears, neck and backs of hands – they all need extra protection;
- Wear protective clothing – polyester/cotton and linen materials. Never work without a shirt;
- Make use of any shaded areas wherever possible, particularly during the hours between 10am and 3pm;
- Wear a broad brimmed hat and if wearing a safety helmet, wear a neck flap; and
- Wear sunglasses, preferably a wrap around style that will reduce UV entering from the sides. Ensure sunglasses comply with Australian Standards and have an eye protection factor (EPF) of 10.

Many building and construction workers often cannot avoid sun exposure. Exposure to ultra violet (UV) radiation from the sun is the main cause of skin cancers in Australia. Over 1600 Australians die each year from skin cancer that could easily have been prevented. West Australia has the second highest rate of skin cancers in Australia.

Under Australian Occupational Safety and Health Legislation, employers need to take action to reduce the risk and protect employees from ongoing exposure to UV radiation that can lead to sunburn, eye damage and skin cancer.

MPA Skills will ensure that information about skin cancer prevention is provided to apprentices.

9.7 Working at Heights

All persons working at a height of 3 metres on a roof or at a height of 2 metres on any other surface (eg balcony scaffolding, verandah) where there is a risk of the person falling, must consider and adopt safe working practices such as edge protection systems including guard rails, scaffolding and fall prevention systems.

When working at height, tools and materials should be kept to a minimum and properly secured.

9.8 Hazard Reporting Procedure

All apprentices have a duty of care to report hazards or a situation which may constitute being a hazard or a potential hazard. Hazards should be reported to the Host Employer or to MPA Skills directly. Safety and health instructions given by MPA Skills or the Host Employer must also be complied with.

9.9 Sexual Harassment

All MPA Skills apprentices have the right to work in an environment free from any unsolicited or unwanted personal or sexual advances, or comments, suggestions of a sexual or personal nature.

Any such discrimination or harassment should be reported to your Field Officer or the Group Training Manager for appropriate action to be taken.

9.10 Discrimination

MPA Skills is an equal opportunity employer and will not condone any form of discrimination from its employees, staff, management or host employers.

Discrimination may not occur based on a person's gender, marital status, race or ethnic origin, religious and/or political convictions, impairment or disability, age, family responsibilities or sexual preferences.

9.11 Privacy

MPA Skills is bound by the National Privacy Principles of the *Privacy Amendment (Private Sector) Act 2000* and is committed to safeguarding personal information it may hold at any time in respect of any individual, in accordance with the requirements of these Principles.

Any personal information that we do collect, we keep strictly confidential and it can only be accessed by authorised staff within MPA Skills. MPA Skills keeps, maintains and uses personal information in accordance with the 10 National Privacy Principles contained in the *Privacy Act*.

We are required to keep certain information about your training for quality and audit purposes. These include enrolment and payment, assessment and certificates issued. This information may be kept on an individual student's file (apprentices and trainees only) or together on a class group file. You may request to access your personal information by submitting a request form.

9.12 Drugs and Alcohol

The effects in the workplace of drug and alcohol usage are a major concern to all employers as it jeopardizes safety. MPA Skills adopts a zero tolerance to apprentices presenting for work under the influence of drugs (other than prescription drugs) or alcohol. Any apprentice presenting in this condition can face immediate suspension.

Suspension will only be lifted on the presentation (at the apprentice's expense) of a clear test result. Apprentices who are suspected of being under the influence of alcohol or drugs will not be permitted to drive a motor vehicle.

Apprentices may be required to undertake random alcohol and drug testing within working hours and without notice or in the case of a serious incident. If this occurs, the apprentice will be collected from site by a Field Officer or the Group Training Manager and taken to our Occupational Health providers where testing can be undertaken. Testing will be at the expense of MPA Skills on these occasions.

If the apprentice refuses to accompany the Field Officer or the Group Training Manager to enable testing to be undertaken they will be immediately stood down without pay and will be required to undertake alcohol and drug testing at their own cost. A clear test result must be provided to MPA Skills before the apprentice is permitted to return to work.

A positive test result for alcohol or drugs may lead to immediate termination of the employment contract or, following further testing to assess the level of usage of alcohol or drugs, MPA Skills will assess the future employment of the apprentice. Dependant on the result of this decision, conditions may be put in place relating to the future employment of the apprentice. Conditions imposed may include close monitoring and supervision and ongoing random DAS requests. The apprentice may also be placed on immediate suspension.

Apprentices are also required to comply with alcohol and drug testing requirements as stated in the Contract of Employment.

9.13 Right of Refusal to Work

Under Section 26(1) of the Occupational Safety and Health Act 1984 apprentices may refuse to work where they have a reasonable fear that to continue working may expose them or others to risk of injury or harm to health.

The Act does not simply allow you to down tools and walk out, however If you believe that you are at risk and because of that risk, to stay on site places you in danger, you must:

- Notify your Host Employer immediately;
- Accept reasonable alternative work until normal duties can be resumed;
- Be eligible to receive the same pay and allowances as would apply if you had been able to carry out your normal duties.

In any situation at any workplace, if you believe you are in danger by remaining on site you have the permission of MPA Skills to stop work and contact a Field Officer for further assistance.

Any employee who wishes to exercise their right to ask for a Field Officer to attend a site due to safety concerns, may do so at their own discretion and without any prejudice to their apprenticeship or their standing within the company.

9.14 No Smoking

The *Occupational Safety and Health Act*, Section 19, states that an employer, shall so far as is practicable, provide and maintain a workplace in which employees are not exposed to hazards. MPA Skills does not permit smoking on their premises unless it is conducted only in the designated smoking area.

9.15 Discipline

Under no circumstances will misconduct by apprentices be tolerated. MPA Skills will take appropriate disciplinary action to ensure that any misconduct is addressed and ceases immediately.

An independent observer will be present at all disciplinary meetings. The matter will be accurately recorded in writing and kept on the apprentice's personal file.

Formal warnings will be detailed in writing and a copy given to the apprentice on the date they are written. A second formal warning will include a separate letter notifying the apprentice that a third warning will be the final warning and may result in suspension or termination of the apprenticeship.

Disciplinary matters will be managed fairly by MPA Skills and its management team. If an apprentices feels they have been unfairly dealt with they may lodge a complaint with the Chief Executive Officer in accordance with the grievance resolution process.

9.16 Disputes and Grievances

During the course of an apprenticeship, issues can arise between employers and apprentices, which may cause dissatisfaction. Such issues may relate to the progress or level of an apprentice's training, the attitude or approach towards the obligations and responsibilities of the Apprenticeship Agreement or other matters such as employment conditions, safety or related issues. These matters are generally referred to as *Disputes and Grievances* and may arise either at work or with off the job training.

Where a dispute or grievance cannot be resolved by discussion and negotiation between the parties, the ApprentiCentre must be notified and will call a hearing of all the parties to determine the matter in dispute. A grievance may include a disagreement, mild misbehaviour, concern over progress or employment conditions, usually able to be resolved by communication, feedback, counselling and/or simple changes. A dispute is generally a serious disagreement, including misconduct, wilful neglect, gross misbehaviour, chronic poor performance or failure to obey lawful work orders/instructions and a situation where the circumstances and penalties may be in dispute or unclear.

Where a dispute or grievance involves an employee under the age of 18, MPA Skills will notify that employee's parent/guardian where the dispute/grievance is of a serious nature. The outcome of such grievances and disputes will be put in writing, together with any conditions to be observed.

Dispute Resolution

MPA Skills will aim to settle all disputes and grievances with fairness and equity to all of the parties involved.

In the first instance your Field Officer should be the contact for any matters and most issues should be able to be resolved satisfactorily at this level.

In the event that a resolution cannot be found the Chief Executive Officer is responsible for next level resolution in consultation with the employee and his or her parent/guardian, if required.

If, at this stage, a resolution to the dispute/grievance cannot be facilitated, a hearing will be arranged before a tribunal. Such a hearing will then recommence a course of action, which could include:

- Variation to the Apprenticeship Agreement;
- Remedial or additional training;
- Resumption of duties with or without special conditions;
- Suspension or cancellation of the Apprenticeship Agreement.

MPA Skills will at all times act in such a manner as to not prejudice the rights of any party in a dispute and will provide, on request, information regarding the rights of the parties, to the best of its ability.

Grievance Resolution

The objective is to promote the creation of an environment where all staff and customers are treated with respect and fairness; to provide for the simple and effective resolution of individual and group grievances and to ensure grievances are dealt with consistently, using procedures based on the principals of natural justice.

MPA Skills and its management team are committed to resolving grievances quickly, fairly and with sensitivity.

A grievance is any type of problem, concern or complaint related to work or the work environment. A grievance can be about any act, behaviour, omission, situation or decision that someone thinks is unjustified. Code of Practice - Grievance Policy .

Each complaint or grievance and any outcomes will be accurately recorded in writing and kept on a confidential file. Records will be written up by the person investigating the complaint and recorded on the grievance file held by the Chief Executive Officer. No records will kept on personal files unless:

- A complaint is substantiated and the outcomes are placed on file;
- Disciplinary action is taken; in this case records pertaining to disciplinary action will be filed in accordance with the Code of Practice – Discipline Policy.

The Chief Executive Officer has full authority to investigate and make decisions regarding resolution of complaints.

In cases involving harassment, if the matter is not satisfactorily resolved through the internal grievance resolution process, a formal complaint may be made to the Commissioner for Equal Opportunity.

Student assessment appeals will be managed through the Grievance Resolution Process. Where a student has lodged an appeal through the grievance process and they are not satisfied with the outcome they may initiate the appeals process based on the outcome or decision made.

10. Additional Policies

MPA Skills Group Training has additional policies relating to the GTO Code of Conduct. Policies such as :

- Access and Equity;
- Alcohol and Drugs
- Grievance'
- Discipline;
- Privacy
- Occupational Health and Safety; and
- Injury Management,

are contained in its Code of Practice and is available to all clients and staff. A copy may be requested at any time or it can be viewed on our website: www.mpaskills.com.au.

