



Welcome to this special edition of the FTH Skills Council Newsletter, prompted by the proclamation of the Training and Skills Development Act 2008.

If you are an employer, apprentice or trainee you need to be aware of the changes to the SA traineeship and apprenticeship system which take effect from today.

Your distribution of the Newsletter to colleagues within your networks would be most appreciated.

Regards

John Cassebohm
EXECUTIVE OFFICER
September 1 2008



WHAT'S BEEN HAPPENING?

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Key changes to the SA traineeship and apprenticeship system have arisen from the proclamation of the **Training and Skills Development Act 2008**, on 1 September 2008. Traineeship and Apprenticeship Services administers Part 4 of the Act (Apprenticeships/traineeships) under delegation from the Training and Skills Commission.

The new TSD Act will enable the traineeship and apprenticeship system to be more responsive to the skill needs of employers, and will also benefit trainees and apprentices, by providing:

- Faster training contract approvals, and a new employer registration process.
- Greater education and assistance for employers, trainees and apprentices, through consultants visiting workplaces to assess employers' ability to train trainees and apprentices, and to monitor training arrangements.
- A simpler, faster dispute resolution process through the South Australian Industrial Relations Commission.
- More protection for trainees and apprentices.

The key changes are:

- New employers must become a registered employer before they can enter into training contracts; the period of registration may be up to 5 years (currently approved employers will automatically receive 5 years registration and will be notified of this in the near future);
- TAS may place conditions on an employer's registration, or may vary, suspend or cancel it, and an employer may appeal against such a decision to the District Court within 28 days of the decision;
- An employer may apply to vary their registration (eg add trades and vocations to their scope) or cancel their registration;
- The SA Industrial Relations Commission (IRC) will deal with all grievances and disputes relating to training contracts; applications should be lodged within the term of the training contract or within 6 months after completion, expiry, termination or cancellation of the training contract;
- An employer must notify the IRC of a suspension of a trainee/apprentice for wilful and serious misconduct immediately by phoning the Industrial Registry, or by fax, email or personally attending the Registry, at the Riverside Centre, North Terrace, Adelaide, and must confirm the suspension in writing within 3 days;
- TAS will provide information and advice to employers, trainees and apprentices so they understand their legislative obligations, and have ample opportunity to comply with Part 4 of the TSD Act. However, where parties fail to comply with Part 4 of the TSD Act, they commit an offence. Matters will be investigated and may be dealt with in the following ways, depending on the circumstances in each case:
 - issuing a Letter of Warning, or an Expiation Caution, to identify the area of non-compliance and the need to comply with legislative requirements;
 - issuing a Compliance Notice, requiring compliance within a specified timeframe;
 - issuing an Expiation Notice requiring payment of an expiation fee of \$315 to financially penalise those who remain non-compliant;
 - prosecution through the court system; in cases where the responsible party fails to comply with the legislation, after being given reasonable opportunity to do so, the matter will be taken to the Magistrates Court. A fine of up to \$5000 may be imposed after prosecution.

- cancelling, varying or suspending an employer's registration, or placing conditions on an employer's registration.

Available to download via the FTH Skills Council website www.fthskillscouncil.com.au are 2 documents produced by TAS - a [Fact Sheet outlining the key changes](#) and also [Frequently Asked Questions](#).

For further information please refer to website www.employment.sa.gov.au or contact Traineeship & Apprenticeship Services on Freecall 1800 673 097.



INDUSTRY RECOGNITION

COOKS RECOGNITION PROGRAM

Applications for Cooks Recognition close on September 30.

Applicants must satisfy one of the following criteria:

- Minimum of 6 years experience as a Cook with no formal qualifications, OR
- Cert III in Hospitality – Commercial Cookery plus 2 years full time experience at that level, OR
- Hold an overseas qualification as a Cook

For further information please contact us on (08) 83626012 or refer to our website for further details.

BAKERS RECOGNITION PROGRAM

Applications for Bakers Recognition close October 30.

Applicants must satisfy one of the following criteria:

- Minimum of 6 years experience as a Baker with no formal qualifications, OR
- Cert III in Food Processing – Retail Baking plus 2 years full time experience at that level, OR
- Hold an overseas qualification as a Baker

Once approved the formal *Certificate of Recognition* is issued by the Training and Skills Commission.

For further information please contact us on (08) 83626012 or refer to our website for further details.



CONTACTS

Our team consists of:

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FTH Board Members

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AMIEU
Chloes Restaurant
AHA SA
Baking Industry Association
LHMU
NUW

FTH Chairperson
FTH Deputy Chairperson

FTH Skills Council Board is underpinned by the Tourism & Hospitality, Food & Beverage, Cooks Recognition and Bakers Recognition Committees. We would like to take this opportunity to thank these key industry representatives for their valued contribution and commitment.

If we can assist you in any way please do not hesitate to contact us on (08) 8362 6012.