

GTAV Industry GTO Standards & Stats

Apprenticeship and Employment Standards (Final Sept. 2016)

Proposed Victorian GTO Standards					
Risk based model, Annual voluntary Self-evaluation / assessment. Potential Government audits against contracts					
GTO Profile					Comments
GTO Performance	Annual Apprentice/ trainee participant numbers	Less than 200	200-500	500+	
	Financial performance Last 2 financial years (assets: liabilities ratio)	1:1	2:1	Greater than 2:1	
	Industry sectors your apprentices/ trainees				
	Trades / apprenticeships	40%+	20- 40%	0-20%	
	Traineeships / Office based				
	% mix host employer size				
	Small host employers (1-15 staff)	40%+	20- 40%	0 – 20%	
	Medium host employer 16-99 staff)		40%+		
	Large host employer (100+ staff)		40%+		
	GTO coverage	National	Statewide	Regional/ Local	
Select State and location in which the self-evaluation audit will represent					
GTO Rotations	Number of GTO rotations during the past 12 months	Apprenticeships	Traineeships		
	Reason for rotation	Lack of work, new employment for training experience, behavioral, OHS, personal			
GTO support for equity groups	Number of participants employed during the past 12 months	Apprenticeships	Traineeships		
	Equity group	Indigenous, women in trades, long term unemployed, public housing tenant, disability, out of trade, CALD, mature aged transitioning from different industry			
GTO employment with Government		Apprenticeships	Traineeships		
		Commonwealth, State or Local Government			
School based apprenticeships/ traineeships		Number of participants that continued on with their app/traineeship post secondary school			

		<i>GTO profile cont.</i>		
		Yes	No	
Type of Organisation	Incorporated Association			
	Charity			
	Company limited by guarantee			
	Other			
Other business activities	RTO			
	Job active / work for the dole			
	Labour hire			
	Disability support agency			
	other			
Governance	<i>Does your organization apply the Fit and Proper person test to</i>	Yes	No	
	Board positions			
	Executive and management staff			
Certified Management systems		Yes	No	
<i>Does your organisation implement any of the following management systems</i>	AS31000			
	AS4801			
	ISO 9000			

Self-Assessment Online Rating System Standard	Risk Rating			Online Questions Evidence	Comments/ upload of documents
	High Risk	Medium Risk	Low Risk		
Recruitment, Employment and Induction				41 total	<i>Risk rating established for each section of the standards</i>
1.1	0%	70+%	90+%	9	
1.2 a				11	
1.2 b				6	
1.3 a				2	
1.3 b				8	
1.4				5	
Monitoring and Supporting Apprentices and Trainees to completion				46 total	
2.1 a				5	
2.1 b				9	
2.2 a				6	
2.2 b				3	
2.3				6	
2.4				8	
2.5				6	
2.6				3	
GTO Governance and Administration				80 total	
3.1				16	
3.2				2	
3.3				16	
3.4				14	
3.5				4	
3.6				12	
3.7				5	
3.8				15	
Low risk GTO : score greater than 90%					
Medium Risk GTO : score between 71% - 89%				Total 167	
High Risk GTO: less than a score of 70%					

GTO Standard 1: Recruitment, Employment and Induction	Suggested evidence to meet standard (9 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
1.1 Before apprentices/trainees enter into an Employment Contract, the GTO informs them about their employment conditions, the host employer arrangement, the training, support services to be provided and the rights and obligations of the parties.	A documented and publicly available Code of Practice				
	A clear statement of the employment conditions for Apprentices and Trainees.				
	Processes that inform potential apprentices/trainees of: <ul style="list-style-type: none"> • Their rights and responsibilities • The obligation of the GTO as their employer • Host Employer arrangements • The support services to be provided • Position Description • Apprenticeship pathways flow charts • Access and equity policy 				
	Document/handbook/website/brochures that explain the recruitment process, OHS requirements, exit interview and completion of Training contract.				
	Pre-employment check – Visa and citizenship, National Police clearance, Working with Children Check and OOT records				
	A detailed explanation of the training required and clear examples of Training Plans. Incl recognition of prior learning/ experience (RPL) or competency based completions / progress (CBC).				

	Suggested evidence to meet standard (11 & 6 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>1.2 The GTO inducts apprentices and trainees to the apprenticeship/traineeship system, including explaining:</p> <p>a) their responsibilities under the National Training Contract, to the host employer, the GTO, the Registered Training Organisation (RTO) and the school (if under School-based arrangements); as well as</p> <p>b) the processes involved in accessing support and dealing with employment or training issues that may arise.</p>	<p>Standard 1.2a</p> <p>An induction process that clearly addresses the requirements of the Apprenticeship/Traineeship system</p> <ul style="list-style-type: none"> • Probation guidelines • Induction checklist signed by apprentice/trainee • GTO & host employer policies and procedures • Privacy & confidentiality statement • Numeracy and literacy assessment 				<p>Disability Discrimination Act</p> <p>Sex Discrimination Act</p> <p>Fair Work Act</p> <p>Income Tax Assessment Act</p>
	<p>An induction process that clearly addresses the Apprentice/Trainee responsibilities in regard to:</p> <ul style="list-style-type: none"> • Being an employee of the GTO • The National / State Training Contract • Host Employers • Training and the RTO providing the training • School based arrangements (if applicable) <p>Notes in the apprentice/trainee file demonstrating their participant in the induction program.</p>				
	<p>Standard 1.2b</p> <p>A clear statement providing details of the process for accessing support and dealing with employment or training issues. This includes processes that:</p> <ul style="list-style-type: none"> • Identify support mechanisms for apprentices and trainees • Maximise access to support and information to deal with employment and training issues 				

	<ul style="list-style-type: none"> • Ensure that the apprentice/trainee has reasonable access to support. • Numeracy & literacy support <p>Grievance/complaints policy and process</p> <p>Notes in the apprentice/trainee file demonstrating the support and actions to deal with employment and training issues</p>				
	Suggested evidence to meet standard (2 & 8 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>1.3 The GTO provides clear and accurate advice to host employers to:</p> <p>a) take reasonable steps to ensure they understand the apprenticeship/traineeship system; and</p> <p>b) obtain their agreement, by means of a Host Employer Agreement, to their role and responsibilities in training and supporting the apprentice or trainee while in their workplace, and in working cooperatively with the GTO and RTO.</p>	<p>A Host Employer induction process that details the apprenticeship/traineeship system signed acknowledgment by host employer</p> <p>Notes in the Host Employer file that demonstrate their participation in the induction process.</p>				

	<p>Standard 1.3b</p> <p>A Host Employer Agreement that provides a clear statement of the roles and responsibilities of the Host Employer in regard to:</p> <ul style="list-style-type: none"> • Supporting the apprentice/trainee • Communication • Access to information and support • Access to a support person • Probation/minimum hire arrangements • Access and equity policy <p>A current Host Employer Agreement signed by the Host Employer and GTO</p>				
	Host Employer - WHS / OH&S site audit assessment				
	Suggested evidence to meet standard (5 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
1.4 The GTO actively participates in the RTO's development of the Training Plan, which is based on competency – based progression and completion principles and relevant to the qualification, the occupation, the host employer's workplace and the needs of the apprentice/trainee, in conjunction with the apprentice/trainee.	Record of an individual Training Plan developed for the apprentice/trainee including CBC and/or RPL process				
	Records of discussions/negotiation/agreement between the RTO, Host Employer and GTO regarding competency progression				
	Records of RPL assessment (if applicable)				
	<p>Records of contact with the RTO</p> <p>Including Agendas/meeting notes that demonstrate reviews of the Training Plan.</p>				

GTO Standard 2: Monitoring and Supporting Apprentices and Trainees to Completion	Suggested evidence to meet standard (5 & 9 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>2.1 The GTO provides services that meet the individual needs of apprentices and trainees to facilitate the continuity of the National Training Contract to completion and the quality and breadth of the training experience, including:</p> <p>a) support and mentoring throughout the National Training Contract; and</p> <p>b) provision of any special equipment, resources or advice in the workplace in order to meet access and equity and Work Health and Safety requirements.</p>	<p>2.1a A process for dissemination of information and communicating in a manner that encourages engagement.</p> <ul style="list-style-type: none"> • A clear statement of mentoring support • Apprentice/trainee handbook • Numeracy and literacy assessments <p>Notes in the apprentice/trainee file that demonstrate mentor support and plans providing support</p> <p>Safe working environments</p>				
	<p>Standard 2.1b A documented and publicly available WH&S policy</p> <p>A documented process that demonstrates the identification of hazards and risks within the workplace.</p> <p>A process that demonstrated the provision of special equipment and that the apprentice/trainee is competent in the usage of this equipment</p> <p>Notes that the apprentice/trainees has attended a workplace health and safety induction (signed checklist)</p> <p>Notes in the apprentice/trainee file that demonstrate their attendance of “toolbox” meetings, safety lectures and demonstrations.</p> <p>Processes that include support of:</p> <ul style="list-style-type: none"> • Non discriminating behavior • Elimination of bullying and harassment • Safe working practices 				
	<p>Proof of purchase for PPE and any special equipment required to be used by the apprentice on the job</p>				

	Suggested evidence to meet standard (6 & 3 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>2.2 The GTO monitors each apprentice or trainee’s progress against the Training Plan and:</p> <p>a) facilitates the integration of the training and employment experiences, including offering workplace rotations if required; and</p> <p>b) requests that the RTO review the Training Plan when changes occur with the apprentice/trainee employment arrangements, including any workplace rotations, competency-based progressions or other changes.</p>	<p>2.2a</p> <p>Notes of meetings and discussions with the apprentice/trainee, host employer and RTO</p> <p>Records of visits to the workplace and agreed outcomes, signed by both apprentice and host employer</p> <p>RTO Reports on assessment outcomes</p> <p>Evidence of effective support, delivery and assessment mechanisms</p> <p>Notes in the apprentice/trainee file that demonstrate competency progression</p> <p>Notes in the apprentice/trainee file that demonstrate the need/negotiation for workplace / workplace activities rotation.</p>				
	<p>2.2b</p> <p>Records of individual Training Plans</p> <p>Agendas/meeting notes that demonstrate a review of the Training Plan and the outcome</p> <p>Procedures and reasons for monitoring the progress against the Training Plan</p>				

	Suggested evidence to meet standard (6 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>2.3 The GTO has appropriate systems in place, based on the scale and scope of its operations, to manage and support apprentices and trainees in times of economic downturn or 'stand down' to facilitate the retention of the apprentice or trainee.</p>	<p>A clear statement of stand down procedures</p> <p>A record of discussions/interviews/negotiations regarding stand down</p> <p>A process that informs the apprentice/trainee of their rights regarding Stand Down</p> <p>A process to review Stand down procedures</p> <p>Minutes/records that show Board decisions and review of stand down procedures</p> <p>Grievance policy</p>				<p>GTAV stand down guidelines</p> <p>FairWork Commission</p> <p>Worksight IR support</p>
	Suggested evidence to meet standard (8 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>2.4 The GTO provides assistance, coordination and accurate advice to host employers for the duration of the Host Employer Agreement, and works with the host employer to provide appropriate on-the-job training, supervision, support and mentoring to the hosted apprentice/trainee.</p>	<p>A clear statement of Host Employer support</p> <p>A host employer induction process that includes:</p> <ul style="list-style-type: none"> • On the job training • Supervision requirements • Support • Mentoring <p>Records of workplace visits and discussions</p> <p>Host employer agreement</p> <p>Host employer placement guidelines</p>				

	Suggested evidence to meet standard (6 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
2.5 Where there are any performance issues with an apprentice/trainee, the GTO manages these issues fairly, and records the outcome and the feedback provided to the apprentice or trainee.	<p>Demonstrated adherence to current industrial legislation requirements in regard to discipline and dismissal.</p> <p>Performance management policy</p> <p>A process for performance management</p> <p>Notes in the apprentice/trainee file of discussions/interviews and outcomes regarding performance.</p> <p>Complaints and grievance policy and processes</p> <p>Records of apprentice induction</p>				Worksight IR support
	Suggested evidence to meet standard (3 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
2.6 The GTO complies with Commonwealth, State and Territory requirements for competency-based progression and completion and supports genuine efforts to achieve the qualification in an appropriate timeframe regardless of the nominal duration of the Training Contract.	<p>Policy and procedures that guide the GTO and its staff and show compliance with competency based progression and completion</p> <p>Records that show actions to ensure compliance</p> <p>Notes of meetings/interviews with the apprentice, host employer and RTO regarding competency progression and completion</p>				

GTO Standard 3: GTO Governance and Administration	Suggested evidence to meet standard (16 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>3.1 The GTO complies with Commonwealth, State and Territory legislative and regulatory requirements and policies as they relate to the employment and training of apprentices and trainees in each State and Territory in which they operate.</p>	<p>Policies and procedures that demonstrate compliance with legislation and regulatory requirements</p> <p>Documents that summarise the legislation/regulation that has an impact on the employment and training of apprentices/trainees</p> <p>Staff induction processes that detail the rights and responsibilities of all stakeholders in relation to the training and employment of apprentices/trainees</p> <p>Documented discussions with staff that show an understanding of relevant legislation/regulation</p> <p>Documented process (and policies) for managing conflict of interest</p> <p>Processes for reviewing breached to legislation/regulation</p> <p>The GTO ensures its staff, host employers, apprentices and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.</p> <p>The GTO must provide information about significant changes to its ownership within 30 calendar days of the change occurring, if not prior to the change.</p> <p>Professional Development records for GTO staff</p>				<p>VET ACT</p> <p>Privacy Act 1988</p> <p>OSH Act</p> <p>Copyright Act</p> <p>Child protection Act</p>

	<p>Relevant commonwealth, state or territory legislation and regulatory requirements' could include requirements about:</p> <ul style="list-style-type: none"> • occupational health and safety; • workplace harassment, victimisation and bullying; • anti-discrimination, including equal opportunity, racial vilification, disability discrimination; • privacy; • vocational education and training; • apprenticeships and traineeships; • child protection 				
	Suggested evidence to meet standard (2 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.2 The GTO is incorporated in Australia, a government entity, or regulated by the Australian Charities and Not-for-profits Commission.	<p>Documentation that demonstrates the status of the GTO.</p> <p>Copies of past annual reports ASIC registration etc...</p>				
	Suggested evidence to meet standard (16 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.3 The GTO develops, monitors and continually improves its performance and strategic directions using performance data, the results of audits, assessments and surveys plus any other relevant information.	<p>The GTO has a continuous improvement framework that includes:</p> <ul style="list-style-type: none"> • A process for regular monitoring and evaluating the effectiveness of service delivery • A process for reviewing policies and procedures 				

	<ul style="list-style-type: none"> • A process for seeking feedback from apprentices/trainees, host employers, RTO and other stakeholders • <p>A documented process that demonstrates the recording of and the actions taken regarding:</p> <ul style="list-style-type: none"> • Feedback • Reporting of incidents • Reporting of workplace injuries/hazards • Complaints / grievances <p>Minutes/records that demonstrate a regular review by the Board and senior staff of the effectiveness of the continuous improvement framework.</p> <p>Questionnaires, surveys or discussions/focus groups which collect client and other stakeholders' feedback and observations</p> <p>GTO Strategic Plan Operational plan Management committee meeting minutes with actions Internal/external audit reports</p> <p>Clear performance indicators communicated to all staff – (Position Descriptions)</p> <p>Exit interviews with apprentices and GTO staff</p> <p>Written feedback/testimonials from other organisations/stakeholders</p>				

	Suggested evidence to meet standard (14 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
<p>3.4 The GTO can demonstrate that it is financially viable and inform the registering body where early signs indicate issues associated with viability.</p>	<p>A financial management system that supports effective management, accountability, control and ongoing viability.</p> <p>Financial management policies and procedures Documentation that includes:</p> <ul style="list-style-type: none"> • Financial controls and delegation • Budgeting processes • Purchasing • Payroll process • Asset Management • Adequate and appropriate Insurance <p>Minutes and other records of meetings and/or decisions that clearly define financial management responsibilities</p> <p>Processes for identifying, managing and monitoring risk</p> <p>The GTO ensures that its executive officers or high managerial staff are vested with sufficient authority to ensure the GTO complies with the GTO Standards at all times.</p> <p>Evidence of accounts certified by a qualified accountant (at least annually)</p> <p>Fraud and Corruption Policies and procedures Risk Management Processes</p> <p>Fit and Proper Person test is applied for director, executives and managers</p>				

	Suggested evidence to meet standard (4 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.5 The GTO holds appropriate insurances according to the size and scope of its operations.	<p>Evidence of current insurance that covers the business of the GTO and includes policies for:</p> <ul style="list-style-type: none"> • Public Liability • Worker Compensation • Professional Indemnity • Building and contents • Vehicles: and <p>Any other insurance required by legislation and/or licensing bodies</p>				
	Suggested evidence to meet standard (12 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.6 The GTO adheres to the principles of access and equity in all operations including marketing, recruitment, monitoring, support, governance and administration.	<p>A clear statement on access and equity Examples of information regarding access and equity obligations Process that show support for people from specific groups Evidence of appropriate services to people of specific groups A process for review/improvement aimed at improving access for people of specific groups Administration & records management Policy and Procedures Code of Conduct Multicultural plan Indigenous Employment Strategy Evidence of targeted consultations with key communities with particular concerns (for example, people with disabilities) in specific locations / communities to overcome barriers and improve services</p>				<p>Age Discrimination Act</p> <p>Australian Human Rights Commission Act</p> <p>Disability Discrimination Act</p> <p>Fair Work Act</p> <p>Racial Discrimination Act</p> <p>Workplace Gender Equity Act</p>

	<p>Use of new media platforms such as YouTube and audio for CALD apprentices with low literacy</p> <p>Evidence that GTO celebrate events that promote cultural respect, understanding of cultural values and increase awareness of CALD issues and promote anti-racism</p>				
	Suggested evidence to meet standard (5 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.7 Clear and accurate marketing, advertising materials and other information is provided by the GTO regarding GTO services, the role and responsibilities of the host employer and the requirements of the apprenticeship/traineeship.	<p>Processes that demonstrate the development and approval of marketing material (Marketing and Advertisement approval checklist)</p> <p>Examples of:</p> <ul style="list-style-type: none"> • Information brochures • Website information & Social media • Advertising material • Handbooks • Use of Logos policy and procedures 				
	Suggested evidence to meet standard (15 questions)	Evidence to demonstrate meeting the standard			Supporting Documents / Services
		No evidence	Under development	Fully implemented	
3.8 Complaints and appeals are dealt with by the GTO transparently in accordance with a documented complaints and appeals process, or referred to State/Territory dispute resolution mechanisms, where the	<p>Documented policies and procedures for dealing with complaints, grievances and appeals</p> <p>The policies and documentation must ensure that:</p> <ul style="list-style-type: none"> • Each complaint, grievance and appeal and its outcome is recorded in writing. 				

<p>completion of the National Training Contract is at risk.</p>	<ul style="list-style-type: none"> • Each appellant has the opportunity to present their case • All appeals are heard by an independent person or panel • All parties are given a written statement of the appeal outcomes and the reason for the decision <p>The GTO has a complaints policy to manage and respond to allegations involving the conduct of:</p> <ul style="list-style-type: none"> • the GTO, its Field Officers, or other staff; • a third party providing services on the GTO's behalf, or • an apprentice of the GTO • the host employer, or other staff <p>The RTO's complaints policy and appeals policy:</p> <ul style="list-style-type: none"> • ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process; • are publicly available; • set out the procedure for making a complaint or requesting an appeal; • ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and • provide for review by an appropriate party independent of the GTO and the complainant or appellant <p>Securely maintains records of all complaints and appeals and their outcomes; and Identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or reduce the likelihood of reoccurrence.</p>				
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Fit and Proper Person Requirements (National Vocational Education and Training Regulator Act – 2001

<https://www.comlaw.gov.au/Details/C2011A00012>

In assessing whether a person, who is an applicant for registration as an NVR registered training organisation, an applicant for renewal of registration as an NVR registered training organisation or who is an NVR registered training organisation, meets the Fit and Proper Person Requirements, the National VET Regulator must have regard to the following considerations:

- (a) whether the person has been convicted of an offence against a law of the Commonwealth or of a State or Territory and if so, the seriousness of the offence;
- (b) whether the person has ever had his, her or its registration on the National Register cancelled or suspended;
- (c) whether the person has ever had a condition imposed on his, her or its registration on the National Register;
- (d) whether the person has ever breached a condition of registration in Subdivision B of Division 1 of Part 2 of the Act;
- (e) whether the person has ever become bankrupt, applied to take the benefit of a law for the benefit of bankrupt or insolvent debtors, compounded with his or her creditors or assigned his or her remuneration for the benefit of creditors;
- (f) whether the person has ever been disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001*;
- (g) whether the person was involved in the business of the provision of courses by another provider who is covered by any of the above paragraphs at the time of any of the events that gave rise to the relevant prosecution or other action;
- (h) whether the person has ever provided a State or Territory registering body and/or the National VET Regulator with false or misleading information or made a false or misleading statement to a State or Territory registering body or the National VET Regulator, and whether the person knew that the statement made or information provided to the State or Territory registering body or VET Regulator was false or misleading;
- (i) whether the person has ever been found not to be a fit and proper person for the purposes of the *Education Services for Overseas Students Act 2000*;
- (j) whether the public is likely to have confidence in the person's suitability to be involved in an organisation that provides or assesses national qualifications; and
- (k) any other relevant matter.

Persons subject to Fit and Proper Person Requirements

- (a) an executive officer of the person referred to in FPPR 4;
- (b) a high managerial agent of the person referred to in FPPR 4; or
- (c) any person or entity which exercises a degree of control or influence over the management or direction of the registered training organisation.

Links to all Commonwealth legislation: <http://www.comlaw.gov.au/>

Commonwealth Act	Main Employment Related Topics
Age Discrimination Act 2004	<ul style="list-style-type: none"> ◆ It is generally unlawful to discriminate against a person due to their age in relation to employment or engagement as a contract worker including the offer of employment or engagement and for employment agencies to discriminate against a person due to their age in relation to their engagement.
Competition & Consumer Act 2010	<ul style="list-style-type: none"> ◆ Repeals and replaces the <i>Trade Practices Act 1974</i>. ◆ Prohibition of misleading and deceptive conduct in trade and commerce, including as to the availability, nature, terms or conditions of, or any other matter relating to, employment.
Copyright Act 1968	<ul style="list-style-type: none"> ◆ Definition and protection of copyright in certain performances and works, including original literary, dramatic, musical, artistic works, sound recordings and cinematograph films. ◆ Protection of the moral rights of the creators of performances and works.
Corporations Act 2001	<ul style="list-style-type: none"> ◆ Regulation of business and corporations. ◆ Employer is generally vicarious liability for conduct of employees.
Disability Discrimination Act 1992	<ul style="list-style-type: none"> ◆ It is generally unlawful to discriminate against a person or harass a person due to their disability in relation to employment or engagement as a contract worker, including the offer of employment or engagement and for employment agencies to discriminate against a person or harass a person due to their disability in relation to their engagement.
Equal Opportunity for Women in the Workplace Act 1999	<ul style="list-style-type: none"> ◆ Promotion amongst employers of the elimination of discrimination against, and the provision of equal opportunity for, women in relation to employment matters. ◆ Workplace consultation between employers and employees on issues concerning equal opportunity for women in relation to employment. ◆ Act applies to educational institutions and employers with 100 or more employees.
Fair Work Act 2009	<ul style="list-style-type: none"> ◆ Repeals and replaces the <i>Workplace Relations Act 1996</i>. ◆ Minimum entitlements contained in the National Employment Standards (NES) regarding maximum weekly hours, right to request flexible working arrangements, parental leave and related entitlements, annual leave, personal leave, long service leave, public holidays, community service leave, notice of termination and redundancy pay and the provision of a Fair Work information statement. ◆ Provision of modern awards and enterprise agreements. ◆ Regulation of industrial activity and union involvement including right of entry ◆ Contains employee remedies including unfair dismissal and general protections. ◆ Regulation of transfer of business.
Fringe Benefits Tax Assessment Act 1986	<ul style="list-style-type: none"> ◆ The assessment and collection of fringe benefits tax.
Privacy Act 1988 (Updated 2014)	<ul style="list-style-type: none"> ◆ Definitions of employee records, personal information and sensitive information. ◆ The National Privacy Principles, which provide for rules regarding the collection of personal information, the use and disclosure of personal information, security of records of personal information, the right to access and correct personal information and the collection of sensitive information. ◆ An exception from the requirements of the Act in relation to employee records.
Racial Discrimination Act 1975	<ul style="list-style-type: none"> ◆ It is generally unlawful to discriminate against a person due to their race in relation to employment or their engagement as a contract worker, including the offer of employment or engagement and for employment agencies to discriminate against a person or harass a person due to their race in relation to their engagement.

Commonwealth Act	Main Employment Related Topics
<i>Sex Discrimination Act 1984</i>	<ul style="list-style-type: none"> ◆ It is generally unlawful to discriminate against a person due to their sex, family responsibilities, marital status or potential pregnancy in relation to employment or engagement as a contract worker, including the offer of employment or engagement and for employment agencies to discriminate against a person due to their sex, family responsibilities, marital status or potential pregnancy in relation to their engagement.
<i>Superannuation Guarantee (Administration) Act 1992</i>	<ul style="list-style-type: none"> ◆ Contribution by an employer (as defined) of superannuation payments on behalf of its employees (as defined). ◆ Choice of superannuation fund by an employee.
<i>Superannuation Guarantee Charge Act 1992</i>	<ul style="list-style-type: none"> ◆ Imposition by the Australian Taxation Office of a charge (penalty) in relation to a superannuation guarantee shortfall of the employer relating to superannuation payment to be made on behalf of employees.
<i>Termination Payments Tax (Assessment and Collection) Act 1997</i>	<ul style="list-style-type: none"> ◆ Regulation of termination payments made to high income tax payers upon termination of their employment (golden handshake payments).
Commonwealth Regulations	Issues
<i>Disability Discrimination Regulations 1996</i>	
<i>Racial Discrimination Regulations 1987</i>	
<i>Sex Discrimination Regulations 1984 (Workplace Gender Equity Act 2012) employer reporting (100+ employees – incl. apprentices/trainees)</i>	
<i>Superannuation Guarantee (Administration) Regulations 1993</i>	
<i>Competition & Consumer Regulations 2010</i>	
<i>Fair Work Regulations 2009</i>	<ul style="list-style-type: none"> ◆ Responsibilities and obligations in relation to employee records and payslips, industrial action, right of entry and enterprise agreements. ◆ Application process for unfair dismissal and general protections.

Links to all Victorian State legislation

Victorian Act	Main Employment Related Topic For all Victorian legislation: http://www.legislation.vic.gov.au/
Accident Compensation Act 1985	<ul style="list-style-type: none"> ◆ Payment of compensation to workers (as defined) injured in the course of their employment. ◆ Rehabilitation and return to work of injured workers. ◆ Encourages the provision of suitable employment to workers who are injured to enable early return to work.
Accident Compensation (WorkCover Insurance) Act 1993	<ul style="list-style-type: none"> ◆ Powers of the Victorian WorkCover Authority. ◆ Compulsory workers' compensation insurance for employers (as defined). ◆ Payment of premiums for workers' compensation insurance policies.
Australian Consumer Law & Fair Trading Act 2012	<ul style="list-style-type: none"> ◆ Repeals and re-enacts with amendments the <i>Fair Trading Act 1999</i> (Vic). ◆ Prohibition of misleading and deceptive conduct in trade and commerce, including as to the availability, nature, terms or conditions of, or any other matter relating to, employment.
Crimes Act 1958	<ul style="list-style-type: none"> ◆ Prohibition of stalking in the workplace; which involves behaviour where a person engages in a course of conduct which includes: following the victim, making threats the victim, using abusive or offensive words to or in the presence of the victim, performing abusive or offensive acts in the presence of the victim or acting in any way that could reasonably be expected to cause physical or mental harm to the victim, including self harm or arouse apprehension or fear in the victim for their safety, with the intention of causing physical or mental harm to the victim, including self harm.
Dangerous Goods Act 1985	<ul style="list-style-type: none"> ◆ Regulation of handling and storage of dangerous goods (as defined), including explosives and certain combustible liquids.
Education & Training Reform Act 2006	<ul style="list-style-type: none"> ◆ Repeals and replaces the <i>Vocational Education and Training Act 1990</i> (Vic). ◆ Regulation and approval of approved training schemes. ◆ Minimum standards for training and employment agreements. ◆ Approval by the Victorian Skills Commission (previously the Victorian Learning and Employment Skills Commission) of entry by an employer into a training contract with an apprentice and the employer's obligations under that contract.
Electrical Safety Act 1998	<ul style="list-style-type: none"> ◆ Minimum safety standards for electrical equipment, electrical installations and electrical work. ◆ The licensing and registration of electrical contractors, and employees of electrical contractors including apprentices.
Equal Opportunity Act 2010	<ul style="list-style-type: none"> ◆ Repeals and replaces the <i>Equal Opportunity Act 1995</i> (Vic). ◆ It is generally unlawful to discriminate against a person due to their attribute (as defined) in relation to employment or engagement as a contract worker including the offer of employment or engagement. ◆ Attributes which a person may have in relation to which discrimination is unlawful are: age, breastfeeding, employment activity, gender identity, disability, industrial activity, lawful sexual activity, marital status, parental status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, and personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.
Equipment (Public Safety) Act 1994	<ul style="list-style-type: none"> ◆ Applies to certain workplaces. ◆ Obligations on proprietors, manufacturers, designers, suppliers, installers etc to take practicable measures to ensure that equipment is safe.
Long Service Leave Act 1992	<ul style="list-style-type: none"> ◆ The entitlement to long service leave of certain employees in Victoria.

Occupational Health & Safety Act 2004	<ul style="list-style-type: none"> ◆ Statutory obligations in relation to maintaining a working environment that is safe and without risks to health apply to employers, occupiers, managers and controllers of premises, employees (as defined) and other persons present in a workplace. ◆ Employers have specific duties including to: <ul style="list-style-type: none"> ◆ provide or maintain plant or systems of work that are safe and without risks to health; ◆ maintain each workplace under the employer's management and control in a condition that is safe and without risks to health; ◆ provide adequate facilities for the welfare of employees at any workplace under the management and control of the employer; ◆ provide such information, instruction, training or supervision to employees as is necessary to enable those persons to perform their work in a way that is safe and without risks to health; ◆ monitor the health conditions of workers; ◆ keep information and records relating to health and safety of workers; ◆ to consult with employees regarding workplace safety; and ◆ notify relevant bodies of incidents in the workplace. ◆ Employees have specific duties including to: <ul style="list-style-type: none"> ◆ take reasonable care for their own health and safety; ◆ take reasonable care for the health and safety of persons who may be affected by their acts or omissions in the workplace; ◆ co-operate with their employer with respect to any action taken by the employer to comply with the Act; and ◆ not intentionally or recklessly interfere with or misuse anything provided at the workplace in the interests of health, safety or welfare; ◆ Inspectors of the Victorian WorkCover Authority can enter a premises to inspect it. ◆ Penalties may be imposed in the event of a breach of the Act.
Payroll Tax Act 2007	<ul style="list-style-type: none"> ◆ Repeals the <i>Pay-roll Tax Act 1971</i> (Vic). ◆ Employer's liability in respect of payroll tax and the collection and recovery of payroll tax.
Public Holidays Act 1993	<ul style="list-style-type: none"> ◆ The days prescribed as public holidays in Victoria.
Racial and Religious Tolerance Act 2001	<ul style="list-style-type: none"> ◆ It is unlawful on the ground of the race or the religious belief or activity of another person or class of persons, to engage in conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons. ◆ Employers and principals will be vicariously liable for any unlawful contravention of the Act, unless the employer took reasonable precautions to prevent the workers contravention.
Surveillance Devices Act 1999	<ul style="list-style-type: none"> ◆ An employer must not install an optical surveillance device (i.e. a video camera) or a listening device to observe, listen to or monitor the activities or conversations of a worker in a toilet, washroom or lactation room in the workplace.
Working with Children Act 2005	<ul style="list-style-type: none"> ◆ Laws to protect children from sexual or physical harm including rules for determining whether a person is suitable to work with children.
Victorian Regulations	
Accident Compensation Regulations 2012	
Australian Consumer Law & Fair Trading Regulations 2012	
Dangerous Goods (Storage and Handling) Interim Regulations 2011	
Occupational Health & Safety Regulations 2007 (which revoke: the <i>Occupational Health & Safety (Asbestos) Regulations 2003</i> , <i>Occupational Health & Safety (Certification of Plant Users & Operators) 1994</i> , <i>Occupational Health & Safety (Confined Spaces) Regulations 1996</i> , <i>Occupational Health & Safety (General Amendment) Regulations 1998</i> , <i>Occupational Health & Safety (Hazardous Substances) Regulations 1999</i> , <i>Occupational Health & Safety (Issue Resolution) Regulations 1999</i> , <i>Occupational Health & Safety (Lead) Regulations 2000</i> , <i>Occupational Health & Safety (Major Hazard Facilities) Regulations 2000</i> , <i>Occupational Health & Safety (Manual Handling) Regulations 2004</i> , <i>Occupational Health & Safety (Noise) Regulations 1992</i> and <i>Occupational Health & Safety (Plant) Regulations 1995</i>)	
Working with Children Regulations 2006	