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# PERFORMANCE MANAGEMENT POLICY

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## **Purpose**

Apprenticeships Are Us Account Managers are responsible for the monitoring, mentoring and Performance management of all apprentices employed by Apprenticeships Are Us. This Process is designed to provide clarity for Account Managers in the application of disciplinary processes in order for Apprenticeship Are Us apprentices to be treated fairly and equally regardless of the assigned Account Manager.

In addition to the requirements of the Vocational Education and Training Act 1996, the Department of Training and Workforce Development's Apprenticeship Policy, Apprenticeships Are Us provide the following instruction to assist Account Managers to address apprentice performance issues

## **Scope**

Apprentice performance issues that are addressed by this procedure include but are not limited to the following:

- Lack of progress in off-the-job training (includes completion of competencies and profiling requirements);
- Lack of progress in on-the-job training;
- Failing to comply with the Apprenticeships Are Us Code of Conduct;
- Failing to comply with Apprenticeships Are Us, host employer and site safety rules;
- Poor attitude, punctuality and attendance; and
- Misconduct;

## **Serious Misconduct**

Conduct that is serious misconduct includes the following (from the Fair Work Regulations 2009 section 1.07):

1. wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
2. conduct that causes serious and imminent risk to:
  - i. the health or safety of a person; or
  - ii. the reputation, viability or profitability of the employer's business.
3. the employee, in the course of the employee's employment, engaging in:
  - i. theft; or
  - ii. fraud; or
  - iii. assault;
4. the employee being intoxicated at work;
5. the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

## **Automatic Written Warnings**

Any apprentice who is injured in the workplace or involved in a workplace incident as a result of the apprentice failing to comply with Apprenticeships Are Us, host employer or site safety rule will result in a written warning as a minimum. This includes but is not limited to:

- Failing to wear uniform and PPE;
- Failing to report an injury or incident within 24 hours;

### **Verbal Warnings**

An Account Manager may issue up to two Verbal Warnings to an apprentice for any of the performance issues listed above during the course of the Training Contract. Any issue considered by an Account Manager to be a performance issue should be discussed with GTO Manager

#### **Delivering Verbal warnings:**

- Must be in person i.e. at the worksite or at the Apprenticeships Are Us Office;
- Must allow the apprentice the right of reply to explain their account of events;
- May be accompanied by a probation extension if issued during the probation period; and
- Must be recorded by the responsible Account Manager in CHIP.

### **Written Warnings**

An Account Manager may issue up to two Written Warnings to an apprentice for any of the performance issues listed above during the course of the Training Contract. Any issue considered by an Account Manager to be a performance issue should be discussed with GTO Manager.

#### **Delivering Written warnings:**

- Must be in person i.e. at the worksite or at the Apprenticeships Are Us Office;
- Must allow the apprentice the right of reply to explain their account of events;
- Must be accompanied by a probation extension if issued during the probation period;
- Must be signed by the issuing Account Manager or GTO Manager;
- should be signed by the apprentice;
- Must be given to the apprentice (original) and a copy returned to the Apprenticeships Are Us office; and
- Must be recorded (and scanned, saved and linked) by the responsible Account Manager in the Apprentice Database.

### **Final Written Warning, Suspension or Termination**

If performance issues continue (or new issues arise) with any apprentice who has already received two written warnings they must be referred to GTO Manager for final written warning, suspension or termination.

#### **Delivering Final written warning, suspension or termination meetings:**

- Are preceded by a briefing from the relevant Account Manager to the Manager who is to be involved, and should include a written summary of concerns and provide reasons for the final written warning, suspension or termination;
- Are arranged (time date etc.) by the relevant Account Manager;
- Must include the apprentice and their parent/guardian (if applicable);

- May include a support person for the apprentice (this should be offered prior to the meeting);
- Must be in person at the worksite or at the Apprenticeships Are Us Office;
- Must allow the apprentice the right of reply to explain their account of events;
- Must include the relevant Account Manager who is to note all discussion, actions, outcomes of the meeting and any other information to be recorded in to the CHIP.

The decision for final written warning or an application being made for suspension or termination is at the sole discretion of the GTO Manager in attendance.

**Warning escalation:**

Unless it involves serious misconduct, warnings should escalate as follows:

- If two verbal warnings have been issued to an apprentice, the following performance issue will result in a written warning;
- If one written warning has been issued to an apprentice, the following performance issue will result in a written warning;
- If two written warnings have been issued to an apprentice, the following performance issue will result in a final written warning or an application being made for suspension or termination;
- If a final written warning has been issued to an apprentice, the following performance issue will result in an application being made for suspension or termination;
- If an apprentice fails to adhere to Apprenticeship Are Us' Uniform and PPE policy, the Account Manager is to issue the correct type of warning as per the above and will re-visit this apprentice within ten working days to confirm the apprentice complies with the policy. If during this re-visit the apprentice still fails to comply with the Uniform and PPE policy, a written warning as a minimum must be issued.

**Dispute resolution:**

Any disputes arising out of this Guide should be settled in accordance with the Apprenticeships Are Us and/or the relevant State Training Authority.

Michael Wentworth

**Chief Executive Officer**

**DOCUMENT CONTROL**

Version	Authorized by	Authorization Date	Sections	Amendment
1			All	N/A
2	M Wentworth	01.02.2018		Change of CEO