

# PERFORMANCE MANAGEMENT POLICY

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## **PURPOSE**

Apprenticeships Are Us Ltd Apprentice Employment Managers are responsible for the monitoring, mentoring and performance management of all apprentices/trainees employed by Apprenticeships Are Us Ltd. This process is designed to provide clarity for Apprentice Employment Managers in the application of disciplinary processes in order for Apprenticeship Are Us Ltd apprentices/trainees to be treated fairly and equally regardless of the assigned Apprentice Employment 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 Ltd provides the following instruction to assist Apprentice Employment Managers to address apprentices/trainee performance issues.

## **SCOPE**

Apprentice/trainee 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 Apprenticeships Are Us Ltd.'s Code of Conduct.
- Failing to comply with Apprenticeships Are Us Ltd, Host Businesses 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/trainee 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 Ltd, Host Businesses 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 Apprentice Employment Manager may issue up to two Verbal Warnings to an apprentice/trainee for any of the performance issues listed above during the course of the Training Contract. Any issue considered by an Apprentice Employment Manager to be a performance issue should be discussed with GTO Team Leader.

### **Delivering Verbal warnings**

- Must be in person i.e., at the worksite or at Apprenticeships Are Us Ltd Office.
- Must allow the apprentice/trainee 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 Apprentice Employment Manager in the Internal Database.

## **WRITTEN WARNINGS**

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

### **Delivering Written warnings**

- Must be in person i.e., at the worksite or at Apprenticeships Are Us Ltd Office.
- Must allow the apprentice/trainee 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 Apprentice Employment Manager or GTO Team Leader.
- Should be signed by the apprentice/trainee.
- Must be given to the apprentice/trainee original and a copy returned to Apprenticeships Are Us Ltd office; and
- Must be recorded (scanned, saved and linked) by the responsible Apprentice Employment Manager in the Internal Database.

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

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

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

- Are preceded by a briefing from the relevant Apprentice Employment Manager to the GTO Team Leader 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 Apprentice Employment Manager.
- Must include the apprentice/trainee and their parent/guardian (if applicable).
- May include a support person for the apprentice/trainee (this should be offered prior to the meeting).
- Must be in person at the worksite or at Apprenticeships Are Us Ltd Office.
- Must allow the apprentice/trainee the right of reply to explain their account of events.
- Must include the relevant Apprentice Employment Manager who is to note all discussions, actions, outcomes of the meeting and any other information to be recorded in the Internal Database.

The decision for final written warning or an application being made for suspension or termination is at the sole

discretion of the GTO Team Leader in attendance.

### Warning escalation

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

- If two verbal warnings have been issued to an apprentice/trainee, the following performance issue will result in a written warning.
- If one written warning has been issued to an apprentice/trainee, the following performance issue will result in a written warning.
- If two written warnings have been issued to an apprentice/trainee, 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/trainee, the following performance issue will result in an application being made for suspension or termination.
- If an apprentice/trainee fails to adhere to Apprenticeships Are Us Ltd Uniform and PPE policy, the Apprentice Employment Manager is to issue the correct type of warning as per the above and will re-visit this apprentice/trainee within ten working days to confirm the apprentice/trainee complies with the policy. If during this re-visit the apprentice/trainee 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 Ltd and/or the relevant State Training Authority.

## AUTHORISATION

Michael Wentworth



**Chief Executive Officer**  
Apprenticeships Are Us Limited

## DOCUMENT CONTROL

Version	Authorized by	Authorization Date	Sections	Amendment
1.1			All	N/A
1.2	M. Wentworth	01/02/2018		Change of CEO
1.3	M. Wentworth	25/05/2023	All	Cover Page and content update