



## Fact sheet

# Casual workers and apprenticeships

Under Western Australia's *Vocational Education and Training Act 1996*, an apprenticeship\* can only be undertaken on a full time or part time basis (including school based, if applicable). Casual workers are **not** eligible to enter into a training contract, regardless of the number of hours that a casual employee may work.

There are a number of reasons why casual workers are not suited to undertake apprenticeships or traineeships. For example; under a casual employment relationship an employer has no obligation to provide regular, ongoing work to a casual worker. This arrangement is contrary to the terms of the training contract in which the parties agree that the apprentice will undertake a certain number of hours of employment and training each week for the duration of the training contract.

In addition, certain training contract obligations are not supported under a casual employment relationship. These obligations include: serving the probation period; giving notice or obtaining apprentice consent to terminations; and paying for delivery of training.

Employers may consider converting a casual worker to a full time or part time employment arrangement for the duration of a training contract; however it is recommended that independent legal advice be sought before a decision is made.

It is recognised that certain industries may only be able to provide seasonal work or may only have provision for casual employment arrangement in their awards. Workers in these industries who wish to enter into an apprenticeship or traineeship in Western Australia should contact the Apprenticeship Office for further advice, as some exceptions may apply in these circumstances.

\* *Apprenticeship includes apprenticeships, traineeships, cadetships and internships.*

Disclaimer: The Department of Training and Workforce Development registers and administers training contracts and regulates the apprenticeship system in Western Australia consistent with Part 7 of the *Vocational Education and Training Act 1996* and Part 4 of the *Vocational Education and Training (General) Regulations 2009*.

Apprenticeship Office

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