
FACT SHEET

Assignment of a training contract to a new employer

A training contract entered into between an apprentice* and an employer may be transferred from one employer to another; provided that the current employer, the new employer and the apprentice agree.

Suspended and ended training contracts

Any suspension over a training contract ceases as soon as the contract is approved to be assigned to a new employer. The new employer and the apprentice are required to submit a suspension notice to the Department's Apprenticeship Office if they wish to continue the suspension arrangement.

Assignment requests cannot be accepted for training contracts that have ended, for example; if they have expired or been cancelled, completed or terminated.

Seeking approval of assignment

An employer must not assign a training contract to a new employer unless prior approval has been obtained from the Apprenticeship Office.

In seeking such approval, the current employer (as indicated in the training contract) must give the Apprenticeship Office written notice of the assignment details, which include:

- the details of the new employer;
- written consent of the new employer;
- written consent of the apprentice (and parent/guardian if required); and
- the date the apprentice starts work with the new employer.

Employers can download a *Notice to assign training contract to a new employer* form from the Apprenticeship Office website at dtwd.wa.gov.au/apprenticeship-office.

Alternatively employers may email the Apprenticeship Office at apprenticeshipoffice@dtwd.wa.gov.au with the required information.

Signing a new training plan

Where a training contract has been approved to be assigned to a new employer, the nominated training provider, apprentice and new employer must negotiate and sign a new training plan. The training plan should reflect training and assessment already undertaken with the previous employer.

Apprenticeship Office

T: 13 19 54

E: apprenticeshipoffice@dtwd.wa.gov.au

W: dtwd.wa.gov.au/apprenticeship-office

Employer's obligations

The current employer should provide the new employer with a copy of the training contract obligations, which can be found on dtwd.wa.gov.au/apprenticeship-office.

The new employer should read, understand and accept these obligations before consenting to the assignment of the training contract.

Sale of business

When a business is sold, the new business owner is not required to continue with the training contract. Where a new business owner chooses to continue with the training contract, the employer (as indicated in the training contract) must provide the written notice of the assignment as per the requirements above.

Where the new owner does not agree to the assignment, the training contract should be terminated between the existing employer and the apprentice.

Assignment probationary period

The apprentice is on a one month probationary period with the new employer from the date on which the apprentice starts work with the new employer.

**The term 'apprentice' covers apprentices, trainees, cadets and interns*