

# Host employers/clients

Managing the safety of workers under a group training arrangement

September 2008

*This publication outlines the occupational safety and health responsibilities of host employers/clients.*

## Introduction

A host employer, or client, is an organisation that uses workers supplied by a registered group training organisation.

A registered group training organisation employs apprentices and trainees under a training contract and places them with a host employer for the duration of their training contract. The registered group training organisation is responsible for the quality and continuity of the apprentices' and trainees' employment and training and also provides additional support, as required, to ensure successful completion of the training qualification.

Under the *Occupational Safety and Health Act 1984* (the Act) a 'labour hire arrangement' is characterised by:

- an agreement for remuneration between the client and the registered group training organisation regarding supply of a worker;
- an agreement, which may be a contract of employment, between the registered group training organisation and the worker; and
- a lack of contract of employment between the client and the worker.

Registered group training organisations and other employers who provide workers to clients are also known as agents. Workers include apprentices and trainees.

This bulletin is designed to assist clients prepare for and manage apprentices and trainees supplied by a registered group training organisation. It provides information and tools to assist you to:

- clarify your occupational safety and health (OSH) responsibilities;
- identify risks to occupational safety and health;
- match apprentices and trainees to tasks that are relevant to the training being undertaken;
- complete induction and training; and
- supervise and monitor the safety and health of apprentices and trainees at the workplace.

This bulletin should be read in conjunction with the Commission for Occupational Safety and Health *Guidance note: General duty of care in Western Australian workplaces* and the *WorkSafe bulletin 1 / 2008 Registered group training organisations; Managing the safety of workers*.

WorkSafe bulletin 2 / 2008

## WorkSafe

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Department of Consumer  
and Employment Protection  
Government of Western Australia



## Why do clients need to manage the safety of apprentices and trainees supplied by a registered group training organisation?

If you as a client use workers supplied under a training arrangement or by a registered group training organisation, your OSH obligations as an employer extend to these workers through section 23F of the Act.

The same general duties of care that apply to an employer under section 19 of the Act apply to both registered group training organisations and clients, in relation to matters over which each has the capacity to exercise control. The legal responsibilities to your own employees to provide and maintain a safe work environment also apply to you in relation to workers hired through a registered group training organisation.

An apprentice or trainee supplied by a registered group training organisation has the same general duties of care that apply to an employee under section 20 of the Act. Workers must take reasonable care of their own safety and health and that of others in the workplace.

Effective consultation between the client, a registered group training organisation and their apprentices and trainees is essential to provide a safe working environment. As a client, you have a legal obligation to consult with workers on OSH matters and this responsibility is ongoing.

## What do you need to do as a client?

As a client with apprentices and trainees supplied by a registered group training organisation, you need to take the following actions:

- Treat workers supplied by a registered group training organisation as though they are your own workers by providing and maintaining a safe working environment and conditions. Define the job, tasks or roles that apprentices or trainees will do, keeping in mind the training needs and supervision requirements of each worker.
- Identify hazards associated with the work, and assess and control risks in consultation with safety and health representatives and workers.
- Identify the skills and knowledge, including any supervision, licensing and certification requirements that apprentices or trainees need in order to do their work safely.
- Advise the registered group training organisation of the job requirements, working environment, organisation arrangements, risks associated with the work, and the skills and knowledge required for the work. Refer to the Job description checklist in this bulletin.
- Verify that the apprentices or trainees selected have the necessary skills and knowledge to perform their work safely.
- Clarify who will provide any equipment, including personal protective equipment, to enable the apprentices or trainees to do the work safely. If equipment is brought into your workplace, ensure that it meets OSH standards.
- Conduct workplace inductions for all workers. Provide training that enables apprentices and trainees to perform their work safely. Where induction forms do not exist or are not provided by the registered group training organisation as part of the client/registered group training organisation agreement, use the selection, induction and training record from this bulletin.
- Support and encourage apprentice and trainees rights to be represented in relation to OSH issues.
- Establish an open communication process and encourage workers to participate in workplace consultative arrangements. Introduce apprentices and trainees to safety and health representatives and the person with OSH management responsibility in the area where they will work.
- Verify that workers understand the OSH requirements of your workplace.

### Regional offices

South-West	(08) 9722 2888	Mid-West	(08) 9964 5644
North-West	(08) 9185 0900	Kimberley	(08) 9169 2811
Great Southern	(08) 9842 8366		

**National Relay Service: 133677**

- Provide adequate supervision to monitor whether the work is being done safely.
- Encourage apprentices and trainees and the registered group training organisation to participate in hazard management specific to the tasks the workers are performing.
- If there is a change to your workplace that impacts on apprentices and trainees under a training arrangement, then inform the registered group training organisation. Do not transfer these workers to other tasks until the registered group training organisation responds. You should provide any further training, instruction or information to the apprentices and trainees as necessary.
- Encourage apprentices and trainees to maintain contact with the registered group training organisation and cooperate with the registered group training organisation to help it meet its legal OSH obligations.
- To identify hazards to which their apprentices and trainees could be exposed allow the registered group training organisation access to the workplace and to relevant documents; conduct risk assessments and consider control measures in consultation with the client.

Many registered group training organisations will actively assist you to manage the safety of all workers at your workplace.

### What should you expect from registered group training organisations?

Registered group training organisations should:

- gather information about the job, including the qualifications, skills and licences needed so they can match the right candidate to the training position;
- gather information from the client to determine the potential for injury to workers;
- consult with the client on ways that identified risks can be controlled;
- have a written agreement with the client that clearly outlines OSH expectations and responsibilities, including the channels to quickly communicate information;
- provide OSH induction and training. They will also require induction and training for new apprentices and trainees or on new tasks to ensure work is done efficiently and safely;
- regularly visit the worksite to ensure safe systems of work are in place, in consultation with the client;
- have effective consultation processes in place with their apprentices and trainees;
- have a documented system for managing safety, including staff trained in OSH; and
- have a workers' compensation insurance policy and fulfil their duty to provide return-to-work pathways and rehabilitation to injured workers.

Registered group training organisations should not provide workers when their safety assessment finds that the client does not provide a safe place of work.

### Further information

Further information can be obtained from the WorkSafe website at [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au) or by contacting WorkSafe on **1300 307 877**.

**Group Training Association WA** - Email: [gtawa@grouptraining.com.au](mailto:gtawa@grouptraining.com.au) Telephone: (08) 9284 4704

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This bulletin is available on request in other formats to assist people with special needs.

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# REGISTERED GROUP TRAINING ORGANISATION APPRENTICES AND TRAINEES SELECTION, INDUCTION AND TRAINING RECORD

The host employer and apprentice or trainee should complete and sign this form.

Job title:
Hours of work:
I am satisfied that the registered group training organisation has provided the person(s) capable of performing the work as described on the Job description checklist.
<b>Signature and date (host employer):</b>

Induction and training checklist	
<i>Checklist</i>	<i>Tick if completed</i>
Supplied worker matches host employer requirements.	
Pre-placement induction provided by the registered group training organisation that is relevant to the industry.	
Site-specific induction training completed, including reporting arrangements.	
Task-specific training provided.	
Initial task supervision completed.	
Task-specific hazard identification and risk assessments completed, eg <i>Job safety assessment</i> (JSA).	

<b>Host employer</b> (print name):	<b>Worker</b> (print name):
<b>Signed:</b>	<b>Signed:</b>
<b>Dated:</b>	<b>Dated:</b>

Induction and training checklist			
<i>TASK / JOB</i>	<i>TRAINING PROVIDED Yes / No</i>	<i>HOST EMPLOYER Signature / Date</i>	<i>WORKER Signature / Date</i>

<b>Safety issues at this worksite are to be reported to</b> (name of person and job title) :
<b>How are safety issues to be reported?</b> <input type="checkbox"/> Spoken <input type="checkbox"/> Written