**Legal and Compliance Obligations:**

Every employer has legal responsibilities to provide a safe, fair, and respectful workplace.  
This includes meeting obligations under National and State laws, ensuring supervisors are trained and informed, and maintaining clear workplace policies that protect both the business and its workers.

Supervisors play a key role in meeting these obligations. They are often the first to see issues and must know how to respond appropriately, model the expected behaviour, and ensure all staff feel safe and supported.

**The Training Contract - Legal Obligations and Responsibilities:**

When you take on an apprentice, you will enter a Training Contract - which is a legal agreement between the employer, the apprentice, and the State or Territory Training Authority (STA).  
This contract outlines each party’s responsibilities and ensures the apprentice will receive high-quality training that meets the national standards.

When supervising apprentices **under the age of 18,** employers and supervisors often have specific **Mandatory Reporting obligations** under state or territory child protection laws. This legal duty requires you to report any instance or reasonable suspicion of serious harm, or risk of harm, to a minor. These obligations override confidentiality rules. It is essential that all supervisors are aware of the **specific thresholds, definitions, and reporting procedures** that apply in their jurisdiction.

**Employer Responsibilities-**

As an employer, you are legally required to:

* Provide paid employment under the relevant award or enterprise agreement
* **Conduct mandatory annual wage increases and classification reviews** as required by the relevant industry Award (e.g., the Furniture and Allied Industry Award or similar state instruments). Failure to correctly apply Award conditions is a **significant legal liability** and may result in penalties or back-pay obligations
* Ensure the apprentice has access to appropriate supervision, tools, and equipment to develop their trade skills
* Support and release the apprentice for training with the Registered Training Organisation (RTO) trainer. Apprentices must be paid for their time spent on formal training
* Maintain and monitor the Training Plan, ensuring that workplace tasks align with the units of competency
* Keep accurate records of apprentice training attendance, progress, and employment
* Notify your Apprenticeship Connect Australia Provider (ACAP) or STA if there are any changes, such as cancellations, suspensions, or contact details etc.
* Provide a safe, inclusive, and harassment-free workplace in line with WHS and Anti-Discrimination laws.

**Apprentice Responsibilities-**

Apprentices also have legal obligations to:

* Attend work and training as required
* Follow all lawful and reasonable instructions
* Participate actively in training and assessments. Complete assessments in accordance with the Training Plan or schedule as advised by the RTO/Trainer
* Maintain satisfactory progress and communicate openly with both the employer and RTO trainer.

Registered Training Organisation (**RTO) Responsibilities-**

The Registered Training Organisation (RTO) must:

* Develop and maintain the Training Plan in consultation with the employer and the apprentice in accordance with relevant state/territory and federal legislation
* Deliver and assess training in line with the Standards for RTOs 2025 and the Training Package
* Provide regular updates on the apprentice progress and assessment outcomes
* Notify the STA of any issues affecting the apprenticeship.

**Workplace Policies and Compliance:**

Having clear workplace policies ensures fairness, consistency, and accountability.  
Policies outline the expected behaviour, responsibilities, and processes for managing safety, conflict, or misconduct in the workplace.

Supervisors must be trained and confident in understanding and applying all key policies. They set the standard for how policies are followed in the workplace day to day.

**Core Policies Every Employer Should Have:**

* **Work Health and Safety (WHS) Policy (Sample provided in resources tab)**  
  Outlines the employer’s commitment to providing a safe and healthy workplace.  
  It explains the responsibilities for identifying hazards, managing risks, using personal protective equipment (PPE), and ensuring that all workers receive appropriate training and supervision.  
  This policy shows that safety is everyone’s responsibility and sets expectations for safe work practices.
* **Personal Grievance Policy**  
  This policy provides a clear process for handling personal concerns or disputes in the workplace.  
  It helps ensure grievances are dealt with fairly, confidentially, and without bias.  
  This policy reduces conflict and gives employees confidence that issues will be resolved respectfully and in a professional manner.
* **Workplace Bullying Policy**  
  This policy defines bullying and outlines how it will be prevented, reported, and managed in the workplace.  
  The policy makes it clear that bullying will not be tolerated and provides a step-by-step process for raising and addressing complaints.  
  This protects both the employer and employees from harm and legal risk.
* **Anti-Discrimination and Equal Employment Opportunity (EEO) Policy**  
  This policy will ensure all workers are treated fairly and have equal access to opportunities regardless of their gender, age, race, disability, religion, or background.  
  It promotes respect, inclusion, and compliance with anti-discrimination laws.  
  This policy supports a positive workplace culture and reduces the risk of claims under the Fair Work Act or state-based discrimination laws.
* **Workplace Drug and Alcohol Policy**  
  This policy outlines the standards of behaviour expected regarding alcohol or drug use at work.  
  It sets out the responsibilities, testing procedures (if applicable), and the consequences for breaches.  
  This policy helps prevent accidents, ensures fitness for work, and supports a safe and productive workplace.
* **Sexual Harassment Policy**  
  This policy defines what constitutes sexual harassment and outlines the employer’s commitment to the prevention, reporting, and fair investigation.  
  It explains the expected behaviour, reporting procedures, and potential outcomes for breaches.  
  This policy supports compliance with the Respect@Work Positive Duty and ensures all workers are treated with dignity and respect.

***Policies are only effective when staff understand and apply them. Supervisors should receive training at induction and refreshers annually to ensure consistency and compliance.***

**Legal Compliance requirements for all Employers –** Link to separate tabs (Information heavy)

**Work Health and Safety (WHS) Duties:**

Employers have a legal duty of care under State and Territory WHS laws to provide a safe workplace, systems of work, supervision, and training.

Since 2022, WHS regulations also require employers to manage psychosocial hazards, including bullying, harassment, workload stress, or poor role clarity.

These are as serious as physical hazards and must be addressed with the same priority.

**Supervisor Tips:**

* Conduct regular safety checks and raise any hazards promptly
* Ensure correct Personal Protective Equipment (PPE) is worn by all staff including apprentices including but not limited to safety glasses, hearing protection, a dust mask, steel-capped boots, fitted work clothing and Hi-Visibility shirt or vest
* Ensure apprentices are supervised and properly trained for each task undertaken
* Make it a priority to check in on your apprentice's wellbeing
* Lead by example - show that safety comes before speed.

**State Work Health and Safety Resources:**

* [**NSW – SafeWork NSW**](https://www.safework.nsw.gov.au/safety-starts-here/safety-support/your-rights-and-responsibilities-for-health-and-safety/employer-responsibilities)
* [**VIC – WorkSafe Victoria**](https://www.worksafe.vic.gov.au/ohs-responsibilities-and-duties)
* [**QLD – WorkSafe Queensland**](https://www.worksafe.qld.gov.au/safety-and-prevention/creating-safe-work/business-and-employer-obligations)
* [**SA – SafeWork SA**](https://safework.sa.gov.au/resources/online-activities/introduction-to-safety-tutorial/introduction-to-safety/safety-tutorial-whs-responsibilities)
* **WA – WorkSafe WA**
* [**TAS – WorkSafe Tasmania**](https://worksafe.tas.gov.au/topics/Health-and-Safety/hazards-and-solutions-a-z/hazards-and-solutions-a-z-pages/p/psychosocial-hazards2/rights-and-responsibilities)
* [**ACT – WorkSafe ACT**](https://www.worksafe.act.gov.au/health-and-safety-portal/managing-safety/workplace-rights-and-responsibilities)
* [**NT – NT WorkSafe**](https://worksafe.nt.gov.au/laws-and-compliance/business-rights-and-responsibilities)

**Further Information on Psychosocial Hazards:**

You can find more detailed guidance from Safe Work Australia on specific psychosocial hazards below:

* **[Job Demands - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/job-demands)** [How excessive workload, time pressure, or long hours can affect mental health and safety.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/job-demands)
* **[Low Job Control - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/low-job-control)** [How lack of autonomy or decision-making power can contribute to stress and burnout.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/low-job-control)
* **[Poor Support - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/poor-support)** [The importance of supportive management, team relationships, and communication.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/poor-support)
* **[Lack of Role Clarity - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/lack-role-clarity)** [How unclear roles or expectations can create confusion, stress, and conflict.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/lack-role-clarity)
* **[Poor Organisational Change Management - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/poor-organisational-change-management)** [Managing restructures, new systems, or leadership changes in a way that supports employees.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/poor-organisational-change-management)
* **[Inadequate Reward and Recognition - Safe Work Australia](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/inadequate-reward-and-recognition)** [The importance of valuing and acknowledging staff efforts to maintain motivation and morale.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/inadequate-reward-and-recognition)
* [**Poor Organisational Justice - Safe Work Australia**  
  How fairness, transparency, and consistent decision-making impact workplace wellbeing.](https://www.safeworkaustralia.gov.au/safety-topic/managing-health-and-safety/mental-health/psychosocial-hazards/poor-organisational-justice)

**Respect@Work - Positive Duty:**

Under Section 47C of the Sex Discrimination Act 1984, employers and supervisors must take proactive steps to eliminate workplace sexual harassment, sex-based harassment, hostile work environments, and victimisation.

Since December 2023, the Australian Human Rights Commission (AHRC) can audit workplaces - even if no complaint has been made.

Managers and supervisors play a critical frontline role in ensuring that workplaces are safe, inclusive, and free from unlawful conduct such as sexual harassment, sex-based harassment and discrimination.

To meet this positive duty, both managers and employees must be equipped to recognise, respond to, and prevent inappropriate behaviour. A key part of compliance involves mandatory sexual harassment prevention training that is:

* Tailored to different roles (e.g. managers vs. frontline workers)
* Practical, not just policy-based
* Ongoing, not a one-time task

Training helps to create a safe, respectful, and inclusive workplace, supports legal compliance, and protects the organisation’s people, culture, and reputation.

Employers should ensure all staff complete training as part of onboarding and regular refreshers - with managers trained to lead, role-model, and respond appropriately.

**More information:** [**AHRC Fact Sheet – Steps to Meet the Positive Duty**](https://humanrights.gov.au/sites/default/files/2310_fs_steps_to_meet_the_positive_duty_v2_0.pdf)

**Tips for Managers & Supervisors:**

**1. Lead by Example**

* Model respectful behaviour always.
* Don’t allow jokes or comments that marginalise others.
* Reinforce a zero-tolerance approach to harassment.

**2. Understand the Law**

* Know your obligations under the *Sex Discrimination Act*.
* Focus on impact, not intent - inappropriate behaviour doesn't need to be deliberate.
* Stay informed through training and leadership updates.

**3. Build a Safe Culture**

* Foster trust and openness in your team.
* Address risks like power imbalances or isolation early.
* Keep communication clear and values aligned.

**4. Respond Early**

* Act on low-level issues before they escalate.
* Take all concerns seriously and escalate when needed.
* Support staff who speak up, don’t dismiss or delay.

**5. Encourage Reporting**

* Make it easy for employees to raise issues safely.
* Protect confidentiality and prevent victimisation.
* Use feedback to spot and address recurring problems.

**6. Monitor Risks**

* Regularly check in on staff wellbeing and team dynamics.
* Assess risks in high-exposure scenarios (e.g. events, travel).
* Lead or support psychosocial risk reviews.

**7. Support Training**

* Ensure all staff complete training on respectful behaviours.
* Reinforce key messages during meetings and toolbox talks.

**8. Document Your Actions**

* Keep brief, accurate records of interventions and referrals.
* Document any adjustments made to address risk or concerns.

**Right to Disconnect:**

Amendments to the Fair Work Act introduced the *Right to Disconnect*, meaning workers cannot be required to engage with work communications after hours unless refusal is unreasonable or it is deemed an emergency.  
  
This applies to both large and small workplaces.

**Tips for Managers & Supervisors:**

**1. Respect After-Hours Boundaries**

* Avoid contacting team members outside of rostered or agreed working hours.
* Schedule non-urgent emails to be sent during standard business hours.
* If contact is required, ensure there is a genuine business reason and that it’s reasonable in the context (e.g., emergency, seniority level, on-call arrangement).

**2. Clarify Expectations**

* Discuss and document availability expectations in employment contracts or policies.
* Be clear during induction and team meetings about what urgent contact means, and when it might be necessary.

**3. Model Disconnecting Behaviour**

* Don’t send or respond to messages after hours unless urgent.
* Reinforce the message that disconnecting is encouraged and respected.
* Share calendar blocks for “no-contact” times or quiet periods.

**4. Review Rosters and Contact Protocols**

* Make sure workloads can be completed within working hours.
* Check if employees are being contacted frequently after hours - this may be a sign of under-resourcing.
* Establish escalation protocols (e.g. who to call in emergencies).

**5. Update Workplace Policies**

* Include “Right to Disconnect” clauses in:
  + Communication policies
  + Flexible work arrangements
  + Hybrid/remote work policies
* Align rostering and contact procedures with the new legislation.

**6. Manage Exceptions Professionally**

* Some roles may require availability (e.g., IT support, on-call maintenance).
* Ensure these expectations are clearly outlined and compensated if necessary.
* Discuss and agree on after-hours contact as part of an individual flexibility arrangement, if appropriate.

**7. Support Wellbeing and Work-Life Balance**

* Encourage staff to take breaks, finish on time, and not check emails after hours.
* Watch for signs of burnout, fatigue, or stress.
* Offer wellbeing check-ins or EAP (Employee Assistance Programs) where available.

**More information:** [**Fair Work Commission – Right to Disconnect Fact Sheet**](https://www.fwc.gov.au/documents/resources/right-to-disconnect-fact-sheet.pdf)

**Diversity, Inclusion, and Cultural Safety:**

Anti-discrimination law prohibits unfair treatment based on gender, race, disability, age, religion, or sexual orientation.

Supervisors must also manage psychosocial hazards under WHS, including exclusion and harassment. Inclusive workplaces improve morale and retention.

In the Australian workplace and broader community, diversity, inclusion, and cultural safety are interconnected pillars that underpin equitable, respectful, and high-performing environments, particularly for individuals from historically marginalized or underrepresented groups.

**Understand the Key Concepts:**

**Diversity**

The mix of people in your team - backgrounds, abilities, cultures, genders, identities, beliefs, and life experiences.

**Inclusion**

Ensuring every team member feels respected, safe, and able to fully participate without discrimination or exclusion.

**Cultural Safety**

Creating a space where people's cultural identity is not only respected but protected - particularly for Aboriginal and Torres Strait Islander peoples.

**Australian Human Rights Commission: Age Discrimination**

<https://humanrights.gov.au/our-work/age-discrimination>

**Australian Human Rights Commission: Sex Discrimination**

<https://humanrights.gov.au/our-work/sex-discrimination/about-sex-discrimination>

**Australian Human Rights Commission: Race Discrimination**

<https://humanrights.gov.au/our-work/race-discrimination>

**Australian Human Rights Commission: Disability Discrimination**

<https://humanrights.gov.au/our-work/disability-rights/disability-discrimination>

**Australian Human Rights Commission: Freedom of Religion**

<https://humanrights.gov.au/our-work/rights-and-freedoms/projects/freedom-religion>

**Australian Human Rights Commission: Sexual Orientation, Gender Identity and Intersex Status & Positive Duty**

<https://humanrights.gov.au/our-work/sex-discrimination/positive-duty-sex-discrimination-act>

**Supervisor Tips:**

* Respect cultural and religious practices (e.g., prayer times or dietary needs).
* Promote equal access to opportunities and fair treatment for all employees.
* Address exclusion or harassment immediately and document your actions.
* Encourage open discussion about inclusion and workplace respect.

**Further information:**

* [**Age Discrimination – AHRC**](https://humanrights.gov.au/our-work/age-discrimination)
* [**Sex Discrimination – AHRC**](https://humanrights.gov.au/our-work/sex-discrimination/about-sex-discrimination)
* [**Race Discrimination – AHRC**](https://humanrights.gov.au/our-work/race-discrimination)
* [**Disability Discrimination – AHRC**](https://humanrights.gov.au/our-work/disability-rights/disability-discrimination)
* [**Freedom of Religion – AHRC**](https://humanrights.gov.au/our-work/rights-and-freedoms/projects/freedom-religion)