

Post-Secondary Education (Practical Placements) Bill

EXPLANATORY MEMORANDUM

Outline

This Bill provides TAFE students undertaking courses of study which are equivalent to years 11 and 12 of secondary education with the opportunity of engaging in practical placement as part of their courses. "Practical placement" is the equivalent expression in the TAFE system to "work experience" in secondary education.

Notes on Clauses

Clause 1 gives the short title.

Clause 2 provides for the commencement of the Act.

Clause 3 cites that the *Post-Secondary Education Act 1978* is the Principal Act.

Clause 4 inserts a new Division 5A into the Principal Act.

New Division 5A comprises the following proposed sections:

New Section 129A which provides for the interpretation of terms, including "arrangement", "college", "disabled student" and "practical placement".

New Section 129B provides that any Act or law restricting the employment of young persons does not apply to TAFE students participating in practical placement.

New Section 129C sets out the conditions to which arrangements for practical placement must be subject. These include a maximum number of 30 days during which a student may be employed on practical placement and provision for a maximum number of students which an employer may employ on practical placement at any time. The conditions also provide that practical placement may only take place during a college year.

The proposed section allows for the Chairman of the TAFE Board to suspend certain of these conditions with respect to disabled students.

New Section 129D provides that an action for breach of duty of care cannot lie against the governing body of a college or any teacher or principal in respect of a student while the student is employed on practical placement.

New Section 129E provides for minimum rates of payment.

New Section 129F provides that consultation with the secretary of the Victorian Trades Hall Council must take place before practical placement in employment affected by an award or industrial agreement made under the *Commonwealth Conciliation and Arbitration Act 1904* may take place.

Clause 5 amends the *Workers Compensation Act 1958* so that participating employers shall be deemed to hold an appropriate policy of insurance covering liability under the Workers Compensation Act and any other liability arising out of the death or injury of a student in practical placement.

