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| Apprenticeship Agreement Template | | | | | | | | | | | |
| TYPE OF TRAINING ROUTE | | **APPRENTICE SHIP ROUTE** | | | | | | | | |  |
| **LEARNERSHIP ROUTE** | | | | | | | | |  |
| **NQF 1** |  | **NQF 2** |  | **NQF 3** |  | **NQF 4** |  | **NQF 5** |  |
| LEARNER SURNAME | |  | | | | | | | | | |
| LEARNER FULL NAMES | |  | | | | | | | | | |
| ID NUMBER | |  | | | | | | | | | |
| CONTRACT NUMBER | |  | | | | | | | | | |
| LEARNER ENROLMENT NUMBER | |  | | | | | | | | | |
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| PART A: TERMS AND CONDITIONS OF AGREEMENT  1. Declaration of parties  We understand that this Agreement is legally binding.  We understand that it is an offence in terms of the Skills Development Act 97 of 1998 (‘the Act’) to provide false or misleading information in this Agreement.  We agree to the following rights and duties.  2. Rights of learners, employers and registered skills development providers  2.1 Rights of the Learner  The learner has the right to:  2.1.1 Receive an induction to the apprenticeship;  2.1.2 Be educated and trained under the apprenticeship;  2.1.3 Access to the required resources for the achievement of the specified outcomes for the structured learning component as well as the specified practical workplace experience activities of the apprenticeship;  2.1.4 Be assessed and have access to the assessment results for the structured learning component as well as the specified practical workplace experience activities of the apprenticeship;  2.1.5 Receive a written statement of results within 21 working days of the final assessment required in this apprenticeship agreement;  2.1.6 If successful, be awarded a certificate of achievement for the qualification associated with the apprenticeship within 45 working days of the learner’s final assessment;  2.1.7 In the case of a section 18(2) learner, receive the agreed apprenticeship allowance for the duration of the apprenticeship;  2.1.8 Raise grievances in writing with the SETA or the ETQA accredited for the qualification associated with the apprenticeship concerning any shortcomings in the quality of the education and training under the apprenticeship.  2.2 Duties of the Learner  The learner must:  2.2.1 Carry out all occupational related work for the employer required for the practical workplace experience activities specified in the apprenticeship;  2.2.2 Comply with the employer’s workplace policies and procedures;  2.2.3 be available for, and participate in, all structured learning and practical workplace experience activities required by the apprenticeship;  2.2.4 Attend all theoretical learning sessions and practical learning activities with the training provider;  2.2.5 Complete timesheets and projects and participate in any assessment activities that are required for the final assessment at the end of the apprenticeship; and  2.2.6 Undertake all learning related to the apprenticeship conscientiously.  2.3 Rights of the Employer  The employer has the right to require the learner to:  2.3.1 Perform duties in terms of this Agreement; and  2.3.2 Comply with the rules and regulations concerning the employer’s workplace policies and procedures.  2.4 Duties of the employer  The employer must:  2.4.1 Comply with all duties in terms of the Skills Development Act and applicable legislation including:  • Basic Conditions of Employment Act, Act 75 of 1997;  • Labour Relations Act, Act, 66 of 1995;  • Employment Equity Act, Act 55 of 1998;  • Occupational Health and Safety Act, Act 85 of 1993 (or Mine Health and Safety Act 27 of 1996);  • Compensation for Occupational Injuries and Diseases Act, Act 130 of 1993;  • Unemployment Insurance Act, Act 30 of 1996  2.4.2 Provide the facilities and resources required for the specified practical workplace experience activities of the apprenticeship;  2.4.3 Provide the learner with supervision, mentoring and coaching at work;  2.4.4 Provide the learner with appropriate education and training to competently perform the specified workplace experience activities required by the apprenticeship;  2.4.5 Release the learner during normal working hours to attend off-the-job structured learning required by the apprenticeship;  2.4.6 Conduct on-the-job assessment for the specified workplace experience activities, or cause it to be conducted;  2.4.7 Keep up to date records of workplace learning and periodically discuss progress with the learner and the training provider;  2.4.8 If the learner was not in the employment of the employer at the time of concluding this Agreement-  • enter into a contract of employment with the learner for the duration of the apprenticeship;  • advise the learner of the terms and conditions of his or her employment, including the learners allowance; and  • advise the learner of the employer’s workplace policies and procedures.  2.4.9 Pay the learner the agreed learner allowance for the duration of the apprenticeship;  2.4.10 Apply the same disciplinary, grievance and dispute resolution procedures to the learner as to any other employee;  2.4.11 Submit the signed apprenticeship agreement to the SETA for registration;  2.4.12 Submit records as required by the ETQA Body. | | | | | | | | | | | |
| PART B: DETAILS OF THE LEARNERSHIP AND THE PARTIES TO THIS AGREEMENT | | | | | | | | | | | |
| Please Note: | | | | | | | | | | | |
| 1 | This form should be used to register Learners in all apprenticeship including learners in apprenticeship culminating in a trade test as well as learners on apprenticeship culminating in an NQF qualification  registered by SAQA | | | | | | | | | | |
| 2 | This form must not be altered but completed as is. Insert certified copies as required in the Annexure provided for separately. Note that both documents must be completed and submitted  to the CHIETA (this apprenticeship Agreement Form and the required Annexure) | | | | | | | | | | |
| 3 | The Skills Development Amendment Act No. 37, 2008: Definitions:  # ‘apprenticeship’ means a apprenticeship in respect of a listed trade, and includes a trade-test in respect of that trade;\* ‘apprenticeship’ includes an apprenticeship; | | | | | | | | | | |
| 4 | All parties and their respective witnesses must initial each page of this Agreement and the Annexure and sign the relevant sections thereof: (learner, provider, employer and witnesses must sign and initial each page, where the learner is a minor then the parent or guardian must also sign and initial each page of this agreement and annexure). | | | | | | | | | | |