

# WORKFORCE PARTICIPATION IN GOVERNMENT CONSTRUCTION PROCUREMENT

## IMPLEMENTATION GUIDELINES FOR CONTRACTORS AND CONTRACTING AGENCIES

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## **INTRODUCTION**

These guidelines have been developed in order to assist with implementation of the South Australian Government policy on Workforce Participation in Government Construction Procurement (the policy).

The guidelines are to be read in conjunction with the policy to inform the procurement process for agencies, contractors and the community; however they form a standalone document.

### **1. SUMMARY OF REQUIREMENTS FOR TENDERERS, CONTRACTORS AND AGENCIES**

The policy encourages the employment of apprentices, trainees, Aboriginal people and local people with barriers to employment and up-skilling of workers through building and civil construction works. It rests on a partnership between Government and contractors and supports the long term employment and skilling needs of the construction industry.

The policy requires government agencies and contractors to work together to ensure that 15% of labour hours on specified contracts for building and civil works is undertaken by apprentices, trainees, Aboriginal people, local people with barriers to employment and for up-skilling (“the target groups”).

In summary the policy requires government agencies to:

- inform tenderers and contractors for building and civil works over the relevant thresholds of the requirement to allocate 15% of labour hours to the employment and/or up-skilling of target groups;
- place information about the policy in all tender documentation and a binding set of WPGCP clauses in the contract documentation, for contracts covered by the policy;
- monitor contractor performance against the 15% target; and
- assist contractors if non-compliance becomes evident.

The policy requires contractors to:

- agree to meet the 15% target within the relevant tiers;
- provide a Workforce Participation and Skills Development Plan (Tier 1) or Strategy (Tier 2);
- provide quarterly reports throughout the contract and on completion of the contract; and
- nominate a person responsible for the coordination of employment and training required under this policy (only for Tier 2 contracts).

## 2. CONTRACT TIERS

Under the policy building and civil works contracts are separated into two tiers:

- **TIER 1**-Contracts with a total value of \$5 million to \$50 million and of minimum six months duration; and
- **TIER 2**-Contracts with a total value of more than \$50 million and of minimum six months duration.

**All** government building and civil construction procurement contracts with a value over \$150,000 must include a formal statement of intent by the contractor to work in conjunction with the South Australian Government in meeting the 15% target.

Contractors that voluntarily meet the 15% target under contracts with a total value of \$150,000 to \$5 million will be in a stronger position to demonstrate ability and willingness to meet the policy targets when competing for future Tier 1 or Tier 2 government contracts or sub-contract work.

**Tier 1** contracts require contractors to:

- allocate 15% of on-site labour hours to the employment of people from the target groups and to up-skilling;
- submit a [Workforce Participation and Skills Development Plan](#) that contains an estimate of the number of on-site labour hours that will be worked by employees, broken down by target groups;
- provide quarterly reports, on their performance against the 15% target;
- provide a completion report,.

**Tier 2** contracts have the same requirements as Tier 1 contracts with the following **additional** requirements of contractors:

- submit a [Workforce Participation and Skills Development Strategy](#) that in addition to the information provided in a Tier 1 Plan, requires contractors to outline **how** they will meet the 15% target; and
- nominate a person responsible for coordination of a Workforce Participation and Skills Development Strategy required by this policy.

## 3. DETERMINATION OF LABOUR HOURS REQUIRED BY THE POLICY

The policy target for Aboriginal people, trainees, apprentices, local people with barriers to employment and up-skilling is 15% of total labour hours required for the completion of the contract, including a component of up to 2% of labour hours to be undertaken by Aboriginal people.

For works in Aboriginal communities funded through the Remote Indigenous Housing National Partnership Agreement the target is 20% Aboriginal people and no other workforce participation target applies. Negotiation and flexibility with respect to

this benchmark are possible in order to identify how the contract will contribute to achieving the community's development plan and longer term goals.

The following formulas are to be employed to determine the number of labour hours required to meet the 15% target for Tier 1 and Tier 2 building and civil construction contracts, referred to as "target hours":

**For building contracts the contract price (GST exclusive) is multiplied by 0.001071 to determine participation target hours**

**For civil construction contracts the contract price (GST exclusive) is multiplied by 0.0005357 to determine target hours.**

Where a contract has both a civil and a building component both formulas can be applied to calculate the total target hours. Further advice on use of the formulas can be obtained from Department of Planning, Transport and Infrastructure (DPTI) on 8343 2679.

Where the contractor considers that the nominated material to labour ratio and calculated total labour hours are not reflective of the actual or likely actual total labour hours for the contract, the contractor shall submit evidence to the principal/contracting agency in support of the utilisation of a different calculation of participation target hours to satisfy the 15% requirement.

Actual hours of work that can be counted towards the target percentage are calculated as hours of on-site work performed by people from the target groups under the contract. Hours of on-site work performed by the contractor's and sub-contractor's existing workforce from the target groups should be included as counting towards the target.

A maximum of 4% of the total labour hours can be allocated to up-skilling.

It is important to note that sub-contractors are to be employed under the same terms and conditions as the principal contractor. However responsibility for compliance with the policy cannot automatically be passed down the contractual chain without consideration of a sub-contractor's ability to comply. Monitoring of sub-contractors' levels of compliance is the responsibility of the principal contractor.

### **Building Construction**

**For building contracts the contract price (GST exclusive) is multiplied by 0.001071 to determine target hours.**

$$\boxed{A \times 0.001071 = \text{Target Hours}}$$

Where A is the contract price (GST exclusive).

The following formula is used to establish the 0.1071 per cent:  **$(A \times 0.30)/42 \times 0.15$**

- Remove GST component of contract price
- Calculate the total dollar value of labour for a contract using a material: labour ratio of 70:30
- Calculate total labour hours by dividing the dollar value of labour by a notional \$42 per hour conversion factor
- Calculate the target hours for a contract by multiplying total labour hours by 15 per cent.

Example: Given a contract value of \$1m (GST exclusive)-

Total labour hours =  $(\$1\text{m} \times 0.30)/\$42 = 7142.86$  hours

Target Hours =  $7142.86 \times 0.15 = 1071.43$  hours

Hours to be undertaken by Aboriginal people =  $2/15 \times 1071.43 = 142.85$

### **Civil Construction**

**For civil construction contracts the contract price (GST exclusive) is multiplied by 0.0005357 to determine target hours.**

$$\boxed{A \times 0.0005357 = \text{Target Hours}}$$

Where A is the total contract price (GST exclusive).

The following formula is used to establish the 0.053 per cent:  **$(A \times 0.15)/42 \times 0.15$**

- Remove GST component of contract price
- Calculate the total dollar value of labour for a contract using a material: labour ratio of 85:15
- Calculate total labour hours by dividing the total dollar value of labour by a notional \$42 per hour conversion factor
- Calculate the participation hours for a contract by multiplying total labour hours by 15 per cent.

Example: Given a contract value of \$1m (GST exclusive)

Total Labour hours =  $(\$1\text{m} \times 0.15)/\$42 = 3571.43$

Target Hours =  $3571.43 \times 0.15 = 535.71$

Hours to be undertaken by Aboriginal people =  $2/15 \times 535.71 = 71.43$

## 4. TENDER AND CONTRACT REQUIREMENTS

All government building and civil construction procurement contracts over \$150,000.00 must include a formal statement of intent by the contractor that it will work in conjunction with the government to meet the policy targets in relation to the employment of Aboriginal people, apprentices and trainees, local people with barriers to employment and up-skilling of the workforce.

Contractors are encouraged to seek to use sub-contractors with a commitment and demonstrated ability to effectively plan and implement workforce participation measures that will assist the contractor to meet the 15% target.

### 4.1 Tender and Contract Provisions – all Contracts over \$150,000

The tender documents will include the following conditions of tender:

#### **Conditions of Tender:**

##### **[XX] Workforce Participation and Skills Development**

The South Australian Government has a policy of ensuring the increased employment of people such as Aboriginal people, Trainees and Apprentices, Local Persons with Barriers to Employment and the upskilling of people involved on Government building and civil construction contracts in South Australia.

If any contract arising from this procurement process has a Contract Value\* of more than \$150,000, the [Principal] will require the [Contractor] to be subject to obligations relating to the employment of people in the Target Group\* and the upskilling of people engaged directly in connection with the performance of the contract. The requirements that will apply to the successful [Tenderer] will be determined by the contract value tier that the contract falls within (and whether or not the Contract Duration\* is six months or more) and may include a requirement to meet targets and to report on performance.

A key requirement for contracts with a value of \$5,000,000 or more is that the [Contractor] must ensure that the number of on-site hours performed by people in the Target Group (engaged by either the [Contractor] or its subcontractors) plus the number of hours of upskilling provided to people who have been engaged directly in connection with the performance of the contract (either by the [Contractor] or its subcontractors) is no less than 15% of the "Total Contract Hours"\*.

For this purpose, the Total Contract Hours will generally be calculated using a formula - see clause [XX(l)] of [*insert contract name*] attached to these [Conditions of Tender] which sets out the formula. The Workforce Participation in Government Construction Procurement Implementation Guidelines For Contractors and Contracting Agencies which can be accessed at [] provides details about how the formula was developed.

If the Contract Value is more than \$150,000, [Tenderers] are required to submit with their tender a declaration that if successful, the [Tenderer] will comply with the

applicable contractual requirements arising from the Workforce Participation in Government Construction Procurement policy.

In addition, if the Contract Value is \$5,000,000 or more (and the Contract Duration is six months or more), the [Tenderer] must:

- where it considers that the formula used to calculate the Total Contract Hours does not produce a result that reflects the total number of labour hours likely to be required to execute the work under the contract, submit an alternative proposed calculation, together with supporting information;
- demonstrate a commitment to meet the 15% target, including by setting out the high level plans and strategies it intends to adopt to achieve the target; and
- provide information and evidence supporting a demonstrated ability by the [Tenderer] to deliver and implement the contractual requirements arising from the Workforce Participation in Government Construction Procurement policy, including (if applicable) details of the [Tenderer's] performance against the 15% target (or similar targets) on other contracts, together with details of any extenuating circumstances which affected the achievement of the target.

Failure to provide sufficient information or evidence of these requirements may result in the tender not being considered.

\*Please see clause [XX(l)] of [*insert contract name*] attached to these [Conditions of Tender] for the definitions of “Contract Duration”, “Contract Value”, “Target Group”, “Total Contract Hours” as well as other capitalised terms used in this clause and not otherwise defined in these [Conditions of Tender].

Please note that the description of the target set out in this clause [XX] is by way of summary only and does not exhaustively describe all of the obligations related to the target or the contractual requirements arising from the Workforce Participation in Government Construction Procurement policy. [Tenderers] should ensure that they fully understand the contractual obligations that will apply to the successful [Tenderer] – these are set out in [*insert contract name*] attached to these Conditions of Tender. [Tenderers] should also review the Workforce Participation in Government Construction Procurement Policy and the Workforce Participation in Government Construction Procurement Implementation Guidelines For Contractors and Contracting Agencies which can be accessed at [ ].

**All Building and Civil Construction Contracts Over \$150,000 will include the following clause:**

**Contract Clause:**

**[XX] Workforce Participation and Skills Development**

**General**

- (a) This clause [XX] applies where the Contract Value is more than \$150,000.
- (b) An objective of this [Contract] is to increase the employment and training of Apprentices and Trainees, Cadets, Aboriginal people and Local Persons with Barriers to Employment (the “**Target Group**”) and to Upskill people engaged directly in connection with the performance of the [Contract].
- (c) The [Contractor] formally declares its intent to work in conjunction with the South Australian Government to meet the South Australian Government’s policy targets by employing and training people from the Target Group, including through on-site work by subcontractors and Upskilling people engaged directly in connection with the performance of the [Contract].
- (d) Without limiting other remedies available to the [Principal], the [Contractor] acknowledges that failure to comply in part or in whole with the requirements of this clause may be a factor that will be taken into account in the award of future contracts by the South Australian Government.

**Targets**

- (e) If this [Contract] is a Tier 1 Contract or a Tier 2 Contract, the [Contractor] must, subject to this clause [XX], ensure that:
  - (i) the number of On-site Hours performed by people in the Target Group (engaged by either the [Contractor] or its subcontractors) (the “**Target Group Component**”) is no less than 11% of the Total Contract Hours; and
  - (ii) the sum of:
    - A. the Target Group Component; and
    - B. the number of hours of Upskilling provided to people engaged directly in connection with the performance of the [Contract] (engaged by either the [Contractor] or its subcontractors) (the “**Upskilling Component**”),is no less than 15% of the Total Contract Hours (the “**Target Hours**”); and
  - (iii) the On-site Hours performed by Aboriginal people is equivalent to up to 2% of the Total Contract Hours.
- (f) In reporting performance against this clause, and in calculating whether the [Contractor] has met the targets in clause [XX(e)], the following provisions apply:
  - (i) hours cannot be double counted;
  - (ii) On-site Hours performed by Aboriginal people must be reported separately but also contribute to the Target Group Component;
  - (iii) Upskilling provided up to 6 months prior to the date of commencement of the [Contract] and within the Contract Duration can be included in the Upskilling Component;

- (iv) on-[Site] Upskilling provided to people in the Target Group should be included in the Target Group Component, rather than in the Upskilling Component. On-[Site] Upskilling provided to all other categories of worker engaged directly in connection with the performance of the [Contract] can be included in the Upskilling Component; and
- (v) off-[Site] Upskilling hours provided to all categories of worker (other than Cadets) engaged directly in connection with the performance of the [Contract] can be included in the Upskilling Component.
- (g) The [Contractor] will seek, but is not obliged, to achieve performance by Apprentices, Trainees and Cadets of On-site Hours equivalent to 10% of the Total Contract Hours or more.

## Reporting

- (h) If this [Contract] is a Tier 1 Contract or a Tier 2 Contract, the [Contractor]:
  - (i) must submit to the [Principal]:
    - A. for Tier 1 Contracts - a Workforce and Skills Development Plan no later than 10 Business Days after the [Date of Acceptance of Tender] and before it commences any on-[Site] work under the [Contract];
    - B. for Tier 2 Contracts - a Workforce and Skills Development Strategy no later than 15 Business Days after the [Date of Acceptance of Tender] and before it commences any on-[Site] work under the [Contract],

each of which must contain the information required by and be in the form set out in the Workforce Participation in Government Construction Procurement Implementation Guidelines For Contractors and Contracting Agencies from time to time which can be accessed at [ ] (the **"Implementation Guidelines"**) (unless the [Principal] has approved in writing another form);
  - (ii) must submit to the [Principal]:
    - A. a Workforce Participation and Skills Development Interim Report no later than 10 Business Days after the end of each quarter (with the first quarter commencing on the date the [Contractor] commences on-[Site] work under the [Contract]); and
    - B. a Workforce Participation and Skills Development Final Report no later than 20 Business Days after the [Date of Practical Completion/Completion],

each of which must contain the information required by and be in the form of the appropriately entitled spreadsheet which can be accessed at [www.DPTI.sa.gov.au/wpgcp](http://www.DPTI.sa.gov.au/wpgcp) (unless the Principal has approved in writing another form);
  - (iii) must (and must ensure that its subcontractors) keep records of compliance with this clause including (without limitation) records of the following information:
    - A. details of the On-site Hours worked by people in the Target Group;

- B. the total labour hours for all workers;
  - C. the total On-site Hours for all workers; and
  - D. details of the Upskilling provided to people engaged directly in connection with the performance of the [Contract], including the hours undertaken, the name and date of the course and the name of the training organisation;
- (iv) must report in accordance with the Implementation Guidelines; and
  - (v) must (and must ensure that its subcontractors) provide the [Principal] with such assistance, including the provision of information, as it may reasonably require in connection with it carrying out an audit of the [Contractor's] compliance with this clause [XX].

### **Additional requirements for Tier 2 Contracts**

- (i) If this [Contract] is a Tier 2 Contract, the [Contractor] must:
  - (i) appoint a person to be responsible for coordination of the Workforce and Skills Development Strategy; and
  - (ii) seek to use Aboriginal owned and/or managed enterprises where possible.

### **Other**

- (j) Where this [Contract] has a Contract Value of more than \$150,000, but is not a Tier 1 Contract or a Tier 2 Contract, the [Contractor] is encouraged (but is not required) to meet the obligations set out in paragraphs (e), (f), (g), (h) of this clause [XX].
- (k) The [Contractor] must not (and must ensure that its subcontractors do not) contravene the *Privacy Act 1988* (Cth). This may require the [Contractor] (or its subcontractor) to obtain a person's consent prior to disclosing that person's personal information in connection with this clause.

### **Definitions**

- (l) For the purpose of this clause:  
**"Aboriginal person"** means a person who identifies as being Aboriginal and/or is considered by members of his or her community as being Aboriginal. This definition includes Torres Strait Islander people;

**"Apprentice/Trainee"** means a person (who may be either an apprentice or a trainee) undertaking training in a trade or declared vocation under a training contract as provided for in the *Training and Skills Development Act 2008* (SA) whether full-time, part-time or school-based;

**"Building Contract"** means a contract for construction of residential, commercial, industrial or institutional facilities;

**"Building Work"** means any work required to be done by the Contractor under the [Contract] in connection with the construction of residential, commercial, industrial or institutional facilities;

["**Business Day**" means any day other than a Saturday, Sunday or public holiday in South Australia;]

"**Cadet**" means a person undertaking tertiary or post-graduate study linked to paid employment with the Contractor (or its subcontractor), provided that both the person's employment and study are linked to the building and civil construction industry (for example, employment and training in civil engineering, structural engineering, mechanic engineering, architecture, surveying or construction management);

"**CITB**" means the Construction Industry Training Board;

"**Civil Construction Contract**" means a contract for construction of earthworks, road works, rail works pilings, power stations, dams, drainage or other water resource management works;

"**Civil Construction Work**" means any work required to be done by the Contractor under the [Contract] in connection with the construction of earthworks, road works, rail works pilings, power stations, dams, drainage or other water resource management works;

"**Contract Duration**" means the period commencing on the date of commencement of the [Contract] and ending on the [Date of Practical Completion/Completion];

"**Contract Value**" and "**Contract Price**" both mean:

- (i) the lump sum price; or
- (ii) the sum resulting from calculating the products of the rates and corresponding quantities in the Schedule of Rates; or
- (iii) where both lump sum and schedule of rates apply, the aggregate of the sums referred to in i) and ii); or
- (iv) the anticipated Guaranteed Construction Sum, Guaranteed Maximum Price or Target Construction Sum together with management fees and all overheads at the time of acceptance of the tender as agreed by the parties; or
- (v) if none of the above is applicable, the amount agreed by the parties as the nominal price being an amount likely to approximate the total moneys likely to be payable to the [Contractor] under the contract, excluding GST;

"**Implementation Guidelines**" has the meaning given to it in clause [XX](h)(i);

"**Local Person With Barriers to Employment**" means any person residing in South Australia who is unemployed at the time of commencing employment with the [Contractor] (or its subcontractor). A Local Person with Barriers to Employment includes a person who is:

- (i) registered with Centrelink or a Job Services Australia provider;
- (ii) registered with the Disability Employment Network;

- (iii) a skilled migrant job seeker holding a General Skilled Migrant visa;
- (iv) a participant in a South Australia Works program (being the initiative of the South Australian Government which links people with skills and jobs through a range of learning, training and work programs).

A person maintains his or her status as a Local Person with Barriers to Employment for 12 months from the commencement of employment with the Contractor or subcontractor (as the case may be);

“**On-site Hour**” means an hour of work performed by a person on the [Site];

“**Target Group**” has the meaning given to it in clause [XX](b);

“**Target Group Component**” has the meaning given to it in clause [XX](e)(i);

“**Target Hours**” has the meaning given to it in clause [XX](e)(ii);

“**Tier 1 Contract**” means a contract with a Contract Value between \$5,000,000 and \$50,000,000 (both inclusive) and a Contract Duration of six months or more;

“**Tier 2 Contract**” means a contract with a Contract Value greater than \$50,000,000 and a Contract Duration of six months or more;

“**Total Contract Hours**” means:

- (i) the number of hours approved in writing by the [Principal] as representing the estimated total labour hours required to execute the work under the [Contract]; or
- (ii) in the absence of an approval under the preceding paragraph, the estimated total labour hours required to execute the work under the [Contract], determined using the following formula:
  - A. if the Contract is a Building Contract:  
Total Contract Hours = (Contract Value x 0.3)/42;
  - B. if the Contract is a Civil Construction Contract:  
Total Contract Hours = (Contract Value x 0.15)/42; or
  - C. if the Contract is both a Building Contract and a Civil Construction Contract:  
Total Contract Hours = (Building Work Value x 0.3)/42  
plus  
(Civil Construction Work Value x 0.15)/42,

where:

- (I) Building Work Value is an amount to be agreed between the Contractor and the Principal as representing that part of the Contract Value attributable to the Building Work;
- (II) Civil Construction Work Value is an amount to be agreed between the Contractor and the Principal as representing that part of the Contract Value attributable to the Civil Construction Work;
- (III) if the Contractor and the Principal fail to agree on the Building Value and/or the Civil Construction Value by the date that is 5

- [Business Days] after the [Date of Acceptance of Tender], the Building Value and Civil Construction Value are to be determined by the [Superintendent/Principal] and notified to the Contractor;
- (IV) for the avoidance of doubt, the sum of the Building Work Value and Civil Construction Work Value must equal the Contract Value;

**“Upskilling”** means training where:

- (i) the training is:
- A. on the list of courses eligible for CITB funding support;
  - B. provided by an organisation approved by the CITB (a list of eligible courses and approved providers is available from the CITB or by visiting [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)); and
  - C. is relevant to the employment and skills required for the performance of the Contract; or
- (ii) the training is otherwise approved by CITB as eligible to be included in the Upskilling Component.

Notwithstanding this definition, Upskilling does not include any off-Site training undertaken by Cadets; and

**“Upskilling Component”** has the meaning given to it in clause [XX](e)(ii)B.

## 4.2 Pre-tender Meetings

It is recommended that contracting agencies hold a pre-tender meeting for all Tier 1 and Tier 2 contracts to ensure that tenderers are adequately informed about this policy and skills development and workforce participation programs, local employment issues and other services to support the contractor in meeting the target. . If requested, an officer from the Department of Further Education, Employment, Science and Technology (DFEEST) can attend briefings to provide information about the programs and services contractors can use to help them meet the 15% requirement.

## 5. EVALUATION OF TENDERS OR OFFERS OF SUPPLY

The requirement to meet the workforce participation targets for Tier 1 and Tier 2 contracts is binding on the contractor and enforceable by the principal/ contracting agency. In assessing whether a Tier 1 or 2 tender or offer of supply is complying or non-complying, agencies are advised to consider the following:

- Whether the tenderer/supplier has demonstrated a commitment to meet the target, including through advice on high level plans and strategies
- The tenderer’s/supplier’s previous performance against the target, including as evidenced by information in previous interim and completion reports
- Other evidence supporting a demonstrated ability by the tenderer to deliver and implement workforce participation initiatives

- Any extenuating circumstances which affected the achievement of the target on previous contracts.

## **6. ASSISTANCE AVAILABLE TO CONTRACTORS FOR MEETING THE 15% TARGET**

There are services and support programs available to contractors to assist in meeting the 15% target. It is strongly recommended that government agencies and contractors commence workforce planning as early as possible in the procurement process to ensure skills and workforce plans and programs are in place. Further information on services and programs is available at [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent).

### **6.1 DFEEST Programs and Services**

DFEEST provides:

- information about workforce and skills development
- information that can assist contractors prepare their Workforce Participation and Skills Development Plan or Strategy
- Referral to services for the recruitment of apprentices, trainees, and potential employees from the target groups (local people and Aboriginal people); and information about the process for employing an apprentice or trainee.
- Connections to SA Works Regional Coordinators, who work directly with contractors on projects at the regional level;
- Connections to Aboriginal Community Employment Brokers, who help contractors recruit and support Aboriginal employees once in employment; and provide information on grants, funding and subsidies available for employing Aboriginal people
- information about Commonwealth Government programs, services and funding.

Website: [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent).

Contact: 8463 5636

### **6.2 Aboriginal People**

The policy requires up to 2 percentage points of the 15% component of labour hours worked on building and civil construction contracts to be undertaken by Aboriginal people.

Contractors are encouraged to exceed the target when circumstances allow, for example, when a project is located in an area with a higher than State average of local Aboriginal population, such as Port Lincoln, Port Augusta or Port Adelaide.

For contracts for housing construction and refurbishment on Aboriginal lands, under the National Partnership Agreement on Remote Indigenous Housing, a stand-alone

20% target applies in addition to a requirement to develop an Aboriginal Employment Plan. Further information on contracts in this category is available from Housing SA.

Further information on the programs and services contractors can use to recruit and retain Aboriginal employees include:

- Aboriginal Employment Brokers, who are located in metropolitan and regional South Australia, and provide information and advice to employers to help them recruit and support Aboriginal people in employment.
- South Australia Works - Aboriginal Apprenticeship Program which supports Aboriginal apprentices in the workplace and in training
- TAFE SA Aboriginal Access Centre – which skills and trains Aboriginal people for employment.

For further information, visit [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent) or contact DFEEST Employment Programs (Aboriginal Employment Initiatives) on 8463 5514.

Consultation with the local Aboriginal community will assist contractors in optimising the participation by Aboriginal people. Contractors are strongly encouraged to identify key Aboriginal and other community stakeholders as early as possible in the project planning process. This process may identify locally skilled Aboriginal people and enterprises available to work on the contract.

For larger contracts, consideration should be given to formalising engagement with the local Aboriginal community through a consultative process. This will assist Aboriginal employees to be supported in employment and have skills development for future contracts.

Working with Aboriginal communities should always be undertaken through appropriate channels and by respecting cultural protocols.

Further information on initiating discussions with Aboriginal communities and identifying potential employees is available from the Commonwealth Department of Education, Employment and Workplace Relations ([www.deewr.gov.au/indigenous](http://www.deewr.gov.au/indigenous)).

The Office of Consumer and Business Affairs lists **Aboriginal organisations** incorporated under state legislation: [www.ocba.sa.gov.au/Associations/](http://www.ocba.sa.gov.au/Associations/)

The Office of the Registrar of Indigenous Corporations lists Aboriginal organisations incorporated under Commonwealth legislation at [www.oric.gov.au/](http://www.oric.gov.au/)

### **6.3 Contracts for Housing Construction and Refurbishment in Aboriginal Communities**

A stand-alone target of 20% of on-site labour hours applies to the employment of Aboriginal people on housing and refurbishment projects delivered under the National Partnership Agreement on Remote Indigenous Housing. These contracts

require contractors to meet a separate set of requirements, including the development of an Aboriginal Employment Plan.

Further information on contracts for housing construction and refurbishment on Aboriginal lands is available from Housing SA on 8415 4119.

#### **6.4 Apprentices, trainees and cadets**

A traineeship or apprenticeship combines paid work and training that leads to a qualification. Trainees and apprentices are either employed directly by an employer under a training contract or through a 'hosting' arrangement with a group training organisation (GTO).

Employers who directly employ apprentices may be eligible for a range of Government and Construction Industry Training Board (CITB) financial incentives. Further information is available from the CITB on (08) 8172 9500 or a local Australian Apprenticeship Centre (AAC) (see below for more information).

GTOs employ apprentices and trainees and place them with host employers. The host employer provides the on-job training and supervision required for the apprentice or trainee to develop their skills and competencies. Under this arrangement an employer can retain the apprentice/s for as long as they are needed.

Information about GTOs, including the locations of South Australian GTOs, is available at the [GTA SA website \(www.gtasa.com.au\)](http://www.gtasa.com.au) or by telephone on (08) 8244 1919.

DFEEST Traineeship and Apprenticeship Services (freecall 1800 673 097) provides information on:

- the process for employing an apprentice or trainee
- registering to train an apprentice or trainee (all employers must be registered before they can enter into a training contract to train an apprentice or trainee)
- the process for transitioning an existing employee with some skills (but who is not formally qualified) into an apprenticeship or traineeship
- apprenticeship and training subsidies
- lists of Group Training Organisations that employ and host out apprentices and trainees
- travel and accommodation allowances for apprentices and trainees
- application forms for employer registration, employer transfer, training contracts and plans, and other standard forms
- publications, including fact sheets on South Australia's Traineeship and Apprenticeship system.

The Construction Industry Training Board (CITB) provides incentives to employers who employ apprentices directly under a training contract (direct indenture). For more information contact the CITB on 08 8172 9500 or visit [www.citb.org.au](http://www.citb.org.au).

Australian Apprenticeships Centres (AACs) provide advice on the process for employing an apprentice or trainee, and help with arranging a training contract (which is submitted to DFEEST [Traineeship and Apprentices Services](#) following selection of an apprentice/trainee). An AAC consultant can provide advice on financial incentives contractors may be eligible for (including the [Australian Apprenticeship Incentives Program](#)), apprentice allowances (such as [Tools for Your Trade](#)) and tax exemptions (such as the [Payroll Tax Exemption](#)). The [Australian Apprenticeships website](#) contains general information about AACs and a search engine for locating an AAC in a particular region (telephone 13 62 68)

## Cadets

Cadets undertake tertiary or post-graduate study linked to paid employment with an employer in the building and construction industry. Work performed by a cadet counts towards the 15 per cent target if their employment and study is linked to the building and civil construction industry, for example, in:

- civil engineering;
- structural engineering;
- mechanic engineering;
- architecture;
- surveying;
- construction management.

## 6.5 Upskilling

Upskilling is training or learning activity that counts towards the 15 per cent target. To be counted as upskilling, the activity must:

- be on the list of courses eligible for Construction Industry Training Board funding support (available by telephoning the CITB on (08) 8172 9500 or visiting [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)); and
- be provided by an organisation [approved](#) by the CITB (a list of approved providers is available from the CITB or by visiting [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)); and
- be relevant to the employment and skills used on the contract.

A contractor and/or principal/contracting agency can contact the CITB to discuss whether a particular upskilling activity (not included on the CITB list) may be recognised for the purposes of meeting the 15% target.

## 6.6 Local people with barriers to employment

**A person with barriers to employment** is considered to be any person residing in South Australia who is unemployed at the time they commence employment with a contractor. People in this category may also be:

- (i) registered with Centrelink or a Job Services Australia provider;
- (ii) registered with the Disability Employment Network;
- (iii) a Skilled migrant job seeker holding a General Skilled Migrant visa
- (iv) a participant in a *South Australia Works* program

People with barriers to employment maintain their status in this category over each subsequent engagement for 12 months following their first engagement with an employer in the building and construction industry.

An important program for linking employers with people with barriers to employment is *South Australia Works*. **South Australia Works** prepares people for employment through intensive skills building and matching with employers who can provide locally based employment; and assists people who are underemployed, and long-term unemployed to participate effectively in the workforce.

*South Australia Works* participants receive industry-relevant training in addition to foundation (reading, numerical, writing and communication) skills training, pre-employment, mentoring and post employment support. People are also assisted with gaining essential skills or qualifications expected by industry, such as a white card, or a driver's licence.

For further information, visit [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)

## 7. PREPARATION OF WORKFORCE PARTICIPATION AND SKILLS DEVELOPMENT PLANS AND STRATEGIES

### 7.1 Tier 1 (\$5 million – \$50 million) Contracts

A [Workforce Participation and Skills Development Plan](#) is required to be submitted to the principal/ contracting agency by the successful tenderer for a Tier 1 contract 10 business days after the date of acceptance of tender and before commencement of any on-site works on that contract. A template for a Tier 1 Workforce Participation and Skills Development Plan is available on the DPTI website and in these guidelines. The Tier 1 Plan should contain:

- the contractor's important details such as ABN number, address and contact details;
- the number of labour hours the contractor estimates will be worked by each of the target groups, for the duration of the contract, to provide the total target hours;
- an outline of the contractor's approach to achieving the 15% target.

Information that can assist a contractor prepare a Plan is available at [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent).

## **7.2 Tier 2 (more than \$50 million) Contracts**

A [Workforce Participation and Skills Development Strategy](#) is required to be submitted to the principal/ contracting agency by the successful tenderer for a Tier 2 contract no later than 15 business days after the [date of acceptance of tender] and before commencement of any on-site works on that contract. In addition to an estimate of the hours to be undertaken by the target groups, the Strategy will contain advice on how the target hours for the contract will be achieved.

The template for a Tier 2 Workforce Participation and Skills Development Strategy is available on the DPTI website and in these guidelines. Contractors wishing to prepare a strategy substantially at variance with this template are requested to seek advice from their contract manager. The Tier 2 Strategy should contain:

- the contractor's important details such as ABN number, address and contact details;
- the number of labour hours the contractor estimates will be worked by each of the target groups, for the duration of the contract, to provide the total target hours;
- information about how the contractor will meet the 15% target.

The Workforce Participation and Skills Development Strategy should address the workforce and planning issues specific to the contract. Contractors may wish to seek information from parties, such as employment brokers, potential training providers and the principal/ contracting agency before finalising their Strategy, to ensure it responds to the identified workforce and training issues.

Each Workforce and Skills Development Strategy will be contract-specific and informed by discussions with relevant stakeholders, including local employment brokers and training organisations and Aboriginal groups. Communications regarding employment of Aboriginal people could include discussions of opportunities for non-construction involvement on the contract, such as training for construction workers on culturally significant issues related to the site.

The Strategy should include the following information:

- name of the contract and the lead agency contact details;
- the name and contact details of the contractor and the contractor's nominated workforce participation and skills development strategy coordinator;
- explain how the contractor will engage sub-contractors that will contribute to the target, the approach to recruiting the various target groups and the up-skilling strategies and/or skills development areas that will be addressed throughout the contract.

The Strategy can be expected to change during the course of the project when circumstances change significantly. The latest version of the Strategy should, therefore, be identified with its release status in accordance with the document control procedure in the contractor's quality management system. It should be signed by the nominated coordinator.

## **8. CONTRACT MANAGEMENT AND REPORTING**

Tier 1 and Tier 2 contractors are required to provide quarterly reports on their performance against the 15% target and a final report on completion of the contract.

To assist in reporting, information and advice regarding the identification and measurement of the target groups is contained in these guidelines

For reporting purposes the contractor is encouraged to maintain a full record of the workers engaged on the contract. Reports should be prepared by completing the spreadsheet provided at [www.DPTI.sa.gov.au/wpqcp](http://www.DPTI.sa.gov.au/wpqcp), which is to be returned to the contract manager as provided in the tender/contract documents.

The government contract manager, with assistance from DFEEST, will monitor the information reported and identify any services or supports that may assist the contractor to meet the target. Contractors are encouraged to contact DPTI or DFEEST at any time to discuss issues related to compliance with the reporting requirements or achievement of the target.

### **8.1 Tier 1 (\$5 million – \$50 million) Contracts**

Every quarter, the contractor shall report to the principal/ contracting agency the total number of on-site labour hours undertaken on the contract during the quarter (by the contractor and its sub-contractors), as well as the hours of on-site work undertaken on the contract during the quarter by people from each of the target groups (i.e. Aboriginal people, apprentices and trainees, local people with barriers to employment and up-skilling). This information will be reported using the **Workforce Participation Interim Report** (spreadsheet template available on the DPTI website) submitted within 10 business days after the end of each quarter (with the first quarter commencing on the date the contractor commences on-site work under the contract).

At the end of the contract the **Workforce Participation Final Report** must be submitted within 20 business days after the [date of practical completion/completion. the final report will provide information on the total labour hours undertaken for the full duration of the contract by people from each of the target groups, compared to the target hours.

Quarterly and final reports may be accessed by contracting agencies for the purposes of assessing future tenders or offers of supply submitted by contractors.

Contractors are required to maintain evidence of the accuracy of the data provided in the Reports as the principal/contracting agency will undertake audits of quarterly and final reports.

## **8.2 Tier 2 (more than \$50 million) Contracts**

Every quarter, the contractor shall report to the principal/ contracting agency the total number of on-site labour hours undertaken on the contract during the quarter (by the contractor and its sub-contractors), as well as the hours of on-site work undertaken on the contract during the quarter by people from each of the target groups (i.e. Aboriginal people, apprentices and trainees, local people with barriers to employment and up-skilling). This information will be reported using the **Workforce Participation Interim Report (spreadsheet template available on the DPTI website)** within 10 business days after the end of each quarter (with the first quarter commencing on the date the contractor commences on-site work under the contract.

In addition to the quarterly reports, regular meetings between the contractor and the contract manager will provide an opportunity to identify and address issues affecting the contractor's ability to meet the 15% target.

At the end of the contract the **Workforce Participation Final Report (spreadsheet template available on the WPGCP DPTI website)** must be submitted within 20 Business Days after the [Date of Practical Completion/Completion. The Final Report will provide information on the total labour hours undertaken for the full duration of the contract by people from each of the target groups, compared to the Target Hours.

The Final Report for Tier 2 contracts should also contain comments on successful strategies used by the contractor to meet the target and any factors which limited the contractor's ability to meet the target.

Quarterly and final reports will be accessed by contracting agencies for the purposes of assessing future tenders or offers of supply submitted by contractors.

Contractors are required to maintain evidence of the accuracy of the data provided in the Reports as the principal/contracting agency will undertake audits of quarterly and final reports.

## **8.3 Agency Reporting**

Contracting agencies will be required to include in their existing contract management procedures a report which captures the workforce participation information. As a minimum, agencies will need to capture the number of hours worked on a contract by the various designated groups on a quarterly basis and the total hours on contract completion. This information will be made available through the [contract](#) manager to DPTI on request.

As the agency with lead responsibility for the policy, DPTI will report regularly on across government implementation of the policy to the Minister for Infrastructure.

#### **8.4 Audit**

Contractors and subcontractors must ensure that the information used to report against the policy targets is kept for auditing purposes.

An independent auditor appointed by the contracting agency will conduct verification of the data supplied in the reports. The audit will provide assurance that the information as presented in the reports gives a true and fair view in accordance with the undertakings made in the Workforce Participation Plan or Strategy.

The contractor/subcontractor will be informed by the contract manager when the audit is to be conducted and is expected to comply with requests for information from the auditor.

### **9. POST CONTRACT REVIEWS**

Agencies must conduct a post contract review to assess the contractor's performance against the 15% target immediately following receipt of the contractor's final report.

Contractors are also encouraged to review their performance to identify achievements with respect to workforce participation targets and opportunities for improvements on future contracts. The following issues should be considered:

- Did the contractor meet the 15% target for the contract?
- What strategies to meet the 15% target were successful? What strategies did not work and why?
- What strategies to meet the up to 2% Aboriginal employment target were successful? What strategies did not work and why?
- What strategies were used to encourage and support sub-contractors to contribute to the 15% target?

Contractors are encouraged to give feedback on the policy and its implementation to the principal/ contracting agency.

## 10. SUMMARY OF ACTIONS REQUIRED UNDER THE POLICY

Government Agencies	Contractors
<b>Pre Tender Stage</b>	
<ul style="list-style-type: none"> <li>Contracting agencies to discuss upcoming major contracts and associated workforce and skills requirements with DFEEST.</li> <li>DFEEST to nominate a single point of contact for each contract to facilitate communications and workforce planning with the contract manager and contractor.</li> <li>Contracting agencies to ensure that tender and contract documents refer to the policy and contain clauses regarding targets, planning and reporting required by the policy.</li> </ul>	<ul style="list-style-type: none"> <li>Obtain a copy and become familiar with the policy and guidelines.</li> <li>Visit DPTI and DFEEST websites to learn more about the policy and best practice and case studies</li> <li>Contact DPTI, the principal/ contracting agency, or DFEEST for any required further information.</li> <li>Contact Housing SA for information and guidance on contracts for work in Aboriginal communities under the NPA on Remote Indigenous Housing.</li> </ul>
<b>Tender Stage</b>	
<ul style="list-style-type: none"> <li>Contracting agencies to discuss the policy requirements in briefings with interested tenderers.</li> <li>Contracting agencies to check whether tenderers have provided a written undertaking to comply with the policy and assess evidence of their ability to meet the target.</li> <li>DFEEST to work with the preferred tenderer/supplier to commence workforce planning for the contract.</li> </ul>	<ul style="list-style-type: none"> <li>Read the requirements of the policy and guidelines and direct any questions to the principal/ contracting agency/DPTI (regarding contract compliance) and DFEEST (regarding workforce and training needs).</li> <li>Advise the principal/ contracting agency of commitment to meet the 15% target if awarded the contract and provide evidence of ability to do so.</li> </ul>
<b>Construction – initial stage</b>	
<ul style="list-style-type: none"> <li>Contracting agencies obtain the Workforce Participation and Skills Development Plan (Tier 1)/Strategy (Tier 2) from the contractor and forward a copy to DFEEST for information.</li> <li>DFEEST to work with successful contractor to assist implementation of Workforce Participation and Skills Development Plan /Strategy.</li> </ul>	<ul style="list-style-type: none"> <li>Submit a Workforce Participation and Skills Development Plan (Tier 1)/Strategy (Tier 2) to the principal/ contracting agency before commencement of on-site works.</li> <li>Ensure maintenance of contract workforce data for reporting purposes.</li> <li>Contact DFEEST if further assistance or information is needed to implement the Workforce and Skills Development Plan/Strategy.</li> <li>Make use of government services or programs for sourcing job seekers from target groups.</li> </ul>
<b>Construction – ongoing stage</b>	
<ul style="list-style-type: none"> <li>Principal/ contracting agency to record receipt of quarterly Workforce Participation Reports and provide them to DPTI on request.</li> <li>In the event of under-compliance, contracting agencies to initiate discussions with the contractor to determine reasons and develop a strategy for correcting under-compliance, linked to State and Commonwealth employment services.</li> </ul>	<ul style="list-style-type: none"> <li>Provide a completed Workforce Participation Interim Report quarterly within 10 business days after each quarter.</li> <li>Contact DFEEST or the contract manager if assistance or information is needed to implement the Workforce and Skills Development Plan/Strategy.</li> </ul>
<b>Construction - practical completion stage</b>	
<ul style="list-style-type: none"> <li>Principal/ contracting agency to obtain Workforce Participation Final Report from contractor.</li> <li>Principal/ contracting agency to forward a copy of the final report to DPTI and DFEEST for information.</li> <li>Principal/ contracting agency to discuss with contractor any reasons for non-compliance and possible mitigating circumstances</li> <li>Principal/ contracting agency to conduct random audits of quarterly and final reports.</li> </ul>	<ul style="list-style-type: none"> <li>Provide a fully completed Workforce Participation and Skills Development Final Report (Tier 1 and Tier 2), within 20 business days of the date of practical contract completion.</li> <li>Discuss any policy issues and outcomes with DPTI, DFEEST and the principal/ contracting agency.</li> </ul>

## 11. DEFINITIONS AND GUIDANCE ON MEASUREMENT OF THE TARGET

**Aboriginal person / worker** means a person who identifies as being Aboriginal and/or is considered by members of their community as being Aboriginal. This definition includes Torres Strait Islander people.

**Target:** The policy requires up to 2% of the total labour hours (ie up to 13.3% of the target hours) to be undertaken by Aboriginal people.

### **Measurement:**

- *Workers who self-identify as an Aboriginal person will be counted for the full hours he or she is employed on-site on the contract.*
- *These hours can only be counted once per contract, ie an Aboriginal apprentice should be allocated to either the Aboriginal target or the Apprentice target, but not both.*
- *It is recommended that contractors record Aboriginal workers in this category which attracts full hours worked on-site on the contract as this is the only category that will clearly identify the total Aboriginal workers engaged*
- *On-site up-skilling hours cannot be recorded under the up-skilling category as the total on-site hours are already recorded in this category.*

**Aboriginal Community** means communities living on the lands vested in the Aboriginal Land Trust pursuant to the provisions of the Aboriginal Lands Trust 1966, the Anangu Pitjantjatjara Yankunytjatjara Lands and the Maralinga Tjarutja Lands.

**Apprentice or trainee** - means a person (who may be either an apprentice or a trainee) undertaking training in a trade or declared vocation under a training contract as provided for in the *Training and Skills Development Act 2008* (South Australia) whether full-time, part-time or school-based.

**Target:** As a guide, contractors are encouraged to allocate at least 66% (or two thirds) of the target hours to the employment of apprentices or trainees.

### **Measurement:**

- *Apprentices and trainees will accrue their total hours worked on-site on the contract.*
- *Training provided to trainees and apprentices off-site can be counted in the up-skilling category*
- *Data about apprentices and trainees employed or hosted by contractors and sub-contractors is provided by DFEEST to the Construction Industry Training Board.*

**Building and civil construction** – for the purposes of the Policy means:

- (i) Building – residential, commercial, industrial or institutional;
- (ii) Civil construction – earthworks, road works, rail works pilings, power stations, dams, drainage or other water resource management works.

**Cadet** – a ” means a person undertaking tertiary or post-graduate study linked to paid employment with the Contractor (or its subcontractor), provided that both the person’s employment and study are linked to the building and civil

construction industry (for example, employment and training in civil engineering, structural engineering, mechanic engineering, architecture, surveying or construction management);

**Measurement:**

- *Only the hours of paid work by cadets on-site can be counted towards target.*

**Contractor** — the party (generally referred to as the principal contractor or head contractor) bound to execute the work under the contract.

**Contract Value** and **Contract Price** both mean:

- (i) the lump sum price; or
- (ii) the sum resulting from calculating the products of the rates and corresponding quantities in the Schedule of Rates; or
- (iii) where both lump sum and schedule of rates apply, the aggregate of the sums referred to in i) and ii); or
- (iv) the anticipated Guaranteed Construction Sum, Guaranteed Maximum Price or Target Construction Sum together with management fees and all overheads at the time of acceptance of the tender as agreed by the parties; or
- (v) if none of the above is applicable, the amount agreed by the parties as the nominal price being an amount likely to approximate the total moneys likely to be payable to the [Contractor] under the contract, excluding GST;

**Target Hours** – the number of labour hours required to meet the 15% policy target calculated by using the deeming formula/s in these guidelines or agreed with the contract manager.

**Measurement:**

*To be eligible to be counted towards the target, the hours must be worked on the construction site, by the contractor or sub-contractors, except in the case of up-skilling hours, which may take place off-site.*

**Local person with barriers to employment** – any person residing in South Australia who is unemployed at the time they commence employment with a contractor. People in this category may also be:

- (i) registered with Centrelink or Job Services Australia provider;
- (ii) registered with the Disability Employment Network;
- (iii) a Skilled migrant job seeker holding a General Skilled Migrant visa
- (iv) a participant in a *South Australia Works* program

People with barriers to employment maintain their status in this category over each subsequent engagement for 12 months following their first engagement with an employer in the building and construction industry.

**Measurement:**

- *The new workers can be recorded for the total on-site hours worked on the first construction contract under this policy and any subsequent contracts for a period of up to 12 months from the date commencement of work on the first contract.*

**Superintendent** means the government contract manager.

**Upskill** means

- (i) the training of workers engaged to carry out projects where such training is a prerequisite to those workers obtaining a nationally recognised building and construction competency or qualification; or
- (ii) the up-skilling of professional workers engaged in tertiary or technical qualifications, provided the up-skilling is provided by a registered training organisation, TAFE or university.

**Upskilling is** any activity that is:

- on the list of courses eligible for Construction Industry Training Board funding support ;and
- provided by an organisation [approved](#) by the CITB (a list of eligible courses and approved providers is available from the CITB or by visiting [www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)); and
- is relevant to the employment and skills used on the contract.

An upskilling activity that does not meet the above criteria may still be approved by the CITB for the purposes of being recognised under the Policy on a case-by-case basis.

**Target:** A maximum of 4% of the total labour hours can be allocated to up-skilling.

**Measurement:**

- *Up-skilling hours accrued up to 6 months prior to the commencement of the contract and during the contract are eligible to be recorded towards this target.*
- *Up-skilling that is undertaken outside of the CITB training funds and recording system must be reported by the contractor or sub-contractor in accordance with the definitions above – the contractors and sub-contractors must keep official records of the successful training (eg a statement of attainment or certificate issued by the registered or accredited training provider).*
- *Off-site up-skilling hours can be recorded for all categories of worker*
- *Cadets should be recorded for all hours worked on-site in this category*
- *On-site up-skilling hours cannot be counted for Aboriginal workers, local people with barriers to employment, Apprentices and trainees as their total on-site hours should already have been recorded*
- *On-site up-skilling hours can be recorded for all other workers.*

## 12. TEMPLATES FOR PLANNING AND REPORTING

### WORKFORCE PARTICIPATION AND SKILLS DEVELOPMENT PLAN

To be used for Tier 1 contracts with a value from \$5 million to \$50 million.  
 To be submitted [ONLINE](#) (on the DPTI policy page) 10 business days after the date of acceptance of tender.

Contract description:  
 .....

Tender / contract number: .....

Contract value: .....

Principal / Contracting agency: .....

Contractor trading name: .....

Contractor

ABN:.....

Contractor

address.....

.....  
 .....

Contractor contact person:

Name.....

Contact

details:.....

As the successful tenderer you have agreed to provide 15% of labour hours for the employment of apprentices, trainees, Aboriginal people (who must receive up to 2% of the total hours), local people with barriers to employment and towards up-skilling. To advise the principal/ contracting agency how you will meet this target, **after** you have calculated the Target Hours for the contract, please provide an **estimate** of the number of hours you will commit to each of the categories listed below.

Category	Target hours	Percentage of total target hours
<b>Total target hours for the contract (calculated using the formula contained in the Guidelines or by agreement with contract manager)</b>	<b>(eg 1,000 hrs)</b>	<b>100%</b>
Apprentices, trainees and cadets (as a guide this category should constitute 66% of the target hours)	(eg. 660 hrs)	66%

Local people with barriers to employment	(eg.80 hrs)	8%
Aboriginal people (Up to 2/15 of the target hours)	(eg 100 hrs)	10%
Up-skilling (a maximum of 25% of the target hours)	(eg.160 hrs)	16%
Up-skilling of other workers on and off-site	300hrs	

Briefly describe the approach or strategies that you will implement to meet the required labour hours (15% target). Additional information may be provided as an attachment to this form.

Signature of contractor contact person:-----Date:-----

**CONTACT DFEEST IF YOU REQUIRE INFORMATION ABOUT SKILLS AND WORKFORCE PARTICIPATION STRATEGIES, SERVICES AND PROGRAMS**

[www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)

## WORKFORCE PARTICIPATION IN GOVERNMENT PROCUREMENT POLICY

### WORKFORCE PARTICIPATION AND SKILLS DEVELOPMENT STRATEGY

To be used for Tier 2 contracts with value of more than \$50 million.

To be submitted [ONLINE](#) (on the DPTI policy page) 15 business days after the date of acceptance of tender.

Contract description: .....

Tender / contract number: .....

Contract value: .....

Principal/Contracting agency: .....

Contractor trading name:.....

Contractor ABN:.....

Contractor address:.....

.....

Workforce Participation and Skills Development Coordinator:

Name:.....

Contact details:.....

As the successful tenderer you have agreed to provide 15% of labour hours for the employment of apprentices, trainees, Aboriginal people (who must receive up to 2 of the 15 percentage points), local people with barriers to employment and towards up-skilling. To advise the principal/contracting agency how you will meet this target, **after** you have calculated the Target Hours for the contract, please provide an **estimate** of the number of hours for each of the categories listed below.

Category	Target hours	Percentage of total target hours
<b>Total target hours for the contract (calculated using the formula contained in the Guidelines or by agreement with contract manager)</b>	<b>(eg. 53,570 hrs)</b>	<b>100%</b>
Apprentices, trainees and cadets (as a guide this category should constitute 66% of the target hours)	(eg. 35,356 hrs)	66%
Local people with barriers to employment	(eg 5,357 hrs)	10%
Aboriginal people (up to 2/15 of the target hours)	(eg 6,964 hrs)	13%
Up-skilling (a maximum of 25% of the target hours), including: Up-skilling of other workers on and off-site	(eg 5,892 hrs) 8,014	11%

## STRATEGIES

1. Outline your approach to engaging sub-contractors that will meet the target
  - *How will you ensure that sub-contractors are fully informed of and committed to achieving the 15% target?*

2. Outline the approach or strategies that you will use to recruit:
  - *Apprentices*
  - *Trainees*
  - *Cadets*

3. Outline the approach or strategies that you will use to recruit:
  - *Local people with barriers to employment*
  - *Aboriginal people (including any consultation undertaken with Government agencies and Aboriginal organisations or businesses).*

4. Describe the up-skilling strategies and/or skills development areas that will be addressed throughout the contract
  - *These should relate to skills that can be utilised in the construction and building industry.*

5. List any barriers to achieving the 15% target and actions you will undertake to address these.

6. Provide any further information that demonstrates or explains how the 15% target will be met (additional information can be attached to this form).

Signature of coordinator:-----Date:-----

**CONTACT DFEEST IF YOU REQUIRE INFORMATION ABOUT SKILLS AND  
WORKFORCE PARTICIPATION STRATEGIES, SERVICES AND PROGRAMS**  
[www.dfeest.sa.gov.au/15percent](http://www.dfeest.sa.gov.au/15percent)