

Student placements

Student placements give learners the opportunity to apply the theory and skills they gained while studying in a professional workplace.

The placements can give students the chance to get the skills they need to transition successfully from study to work. At the same time, industry gets the opportunity to enrich student learning experiences and increase the number of work-ready graduates.

Placements that meet the definition of a vocational placement under the Fair Work Act 2009 (the FW Act) are lawfully unpaid.

What is a vocational placement?

Under the FW Act, a vocational placement is lawfully unpaid if it meets all the following criteria:

There must be a placement

This can be arranged by the educational or training institution, or a student may initiate the placement with an individual business directly, in line with the requirements of their course.

There must be no entitlement to pay for the work the student undertakes

Where a student's contract with the host business or organisation entitles them to receive money for the work they perform, the vocational placement will likely have turned into an employment relationship. Similarly, work arrangements covered by industrial awards or agreements are not vocational placements.

The placement must be done as a requirement of an education or training course

The placement must be a required component of the course as a whole, or of an individual subject or module of the course. It doesn't matter whether that subject is compulsory or an elective chosen by the student.

The placement must be one that is approved

The institution delivering the course which provides for the placement must be authorised under an Australian, state or territory law or an administrative arrangement of the Commonwealth or a state or territory to do so. Courses offered at universities, TAFE colleges and schools (whether public or private) will all satisfy this requirement, as will bodies authorised to offer training courses under state or territory legislation.

When all of the above criteria are satisfied, hosts are not required to pay students entitlements under the FW Act. However, a host can choose to pay the student at their own discretion if they wish.

If the placement doesn't meet all of the above criteria, it won't be a vocational placement under the FW Act. However, this doesn't automatically mean that the person is an employee and entitled to payment. The next step is to determine whether or not the person is in an employment relationship.

For information to help you tell whether someone is in an employment relationship see [Work experience and internships \(www.fair-work.gov.au/pay/unpaid-work/work-experience-and-internships\)](http://www.fair-work.gov.au/pay/unpaid-work/work-experience-and-internships) .

Example: Vocational placement

Mitchell is choosing electives for his undergraduate degree. One of the electives is a 3 month placement organised by his university at a host business. The placement counts as credit towards finishing his degree.

As the placement is part of his course, it meets the definition of a vocational placement. This means he's not an employee and not entitled to be paid wages or get other conditions of employment.

Example: Not a vocational placement

Stuart recently finished a Bachelor of Journalism and is looking for work as a journalist. He responds to an advertisement to write for his local paper for 3 months as an 'unpaid intern'.

He wants to get experience and increase his chances of employment. Since Stuart has already finished his degree and the placement wasn't required by his course, it isn't a vocational placement.

The paper tells Stuart that he'll be given specific tasks with deadlines and that he's expected to be at work in normal business hours. This suggests Stuart has been engaged as an employee and entitled to wages and other conditions.

Page reference No: 1776

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.