

## Monash Engineering Co-operative Education Program

### Terms and Conditions as of November 2023

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These terms and conditions are relevant for organisations participating in the Engineering Co-operative Education Program who wish to make available a position description to an eligible Co-operative Education Student.

For the purposes of the Co-operative Education program which is managed by Monash University that allows organisations to advertise paid employment opportunities to Monash University Co-operative Education students in line with applicable legislation and University policy.

Co-op Employers must comply with the requirements set out below. All references to generic terms such as 'we', 'our' or 'the University' refer to Monash University and its authorised representatives.

#### Applicant disclaimer

Whilst students within the Co-operative Education Program are selected in to the program via a competitive selection process and undertake employability skills training to help prepare them for the workforce, final selection of students is conducted by the employer through their own recruitment processes. We strongly advise that you conduct reference checks on successful candidates before employing them. Business Victoria provides online business tools which may assist to achieve good practice in staff recruitment and reference checking.

#### Advertiser Requirements

To participate as an employer in the Monash Engineering Co-operative Education Program, the following details are required:

#### For businesses, organisations, third party recruiters and agencies

Registered entity name and/or business name:	
Full postal and/or physical address:	
Full name:	
Direct email address:	
Direct phone number of at least one contact person:	
Australian Business Number (ABN) or equivalent:	

#### Position Requirements

Advertisements are subject to approval by authorised and trained staff of Monash University. Processing occurs during University business hours.

All advertisements must represent genuine, current employment vacancies and clearly describe the position, including: duties/responsibilities, location, working hours, required skills/experience and/or selection criteria. They must be written and published in English.

Advertisements must specify a pay rate as follows:

For work undertaken in Australia, the modern award pay rate or applicable enterprise agreement pay rate; base salary or wage rate offered; and frequency of pay in line with the [Fair Work Ombudsman guidelines](#). Alternatively, an acceptable alternative is to reference the official title or reference code of an applicable modern award, registered agreement or registered enterprise agreement (eg. [General Retail Industry Award 2010 \[MA000004\]](#)).

For work undertaken outside Australia, where lawful minimum wage/employment standards apply in the country where a position will be carried out, offered pay rates and conditions must specify

and meet these standards. Advertisers should seek advice from a relevant employment authority before submitting an advertisement.

For Australian based positions, legislation includes, but is not limited to:

[Fair Work Act 2009 \[Cth\]](#)

[Occupational Health and Safety Act 2004 \[Vic\]](#)

[The Competition and Consumer Act 2010 \[Cth\]](#)

[Equal Opportunity Act 2010 \[Vic\]](#)

[Racial Discrimination Act 1975 \[Cth\]](#)

[Disability Discrimination Act 1992 \[Cth\]](#)

[Age Discrimination Act 2004 \[Cth\]](#)

[Working with Children Act 2015 \[Vic\]](#)

[Independent Contractors Act 2006 \[Cth\]](#)

[Liquor Control Reform Act 1998 \[Vic\]](#)

#### Positions working with children

Advertisers are expected to follow their obligations surrounding child-related work.

Where students will be undertaking child-related work, we will add a statement to advertisements informing prospective applicants they may require a [Working With Children Check \(VIC\)](#) or other state-based equivalent.

#### Independent contracting

Independent contractor opportunities as defined by the [Fair Work Ombudsman](#) will only be advertised where:

1. we determine the opportunity is a skilled role that reasonably aligns with a Monash University study discipline
2. the advertisement states an hourly pay rate that equals or exceeds the current National Minimum Wage casual Adult hourly rate
3. the advertisement specifies that the role is for an independent contractor.

We will add a statement to advertisements encouraging students to research their obligations related to self-employment and Australian Business Numbers (ABN) or equivalent.

#### Scholarships

We only advertise scholarships that comply with relevant legislation and incorporate a work experience element that closely aligns with a Monash University study discipline.

#### Unacceptable positions

The Engineering Co-operative Education Program does not include and will not advertise:

1. unsalaried positions including:
  - a. unpaid positions or volunteering
  - b. remuneration by a suite of non-monetary benefits instead of a wage/salary
  - c. positions where participants themselves pay to engage in development projects/training. For example, voluntourism.
2. positions remunerated by:
  - a. commission only, profit share, royalties where workers' earnings are not guaranteed and payment relies solely on the success of a product, service or business concept
  - b. piece rate/piecework
  - c. unless an applicable modern award title and code or registered agreement is provided in the advertisement that meets the conditions outlined by the [Fair Work Ombudsman](#).

- d. positions that involve reduced pay or extended unpaid/reduced pay trial or training periods as defined by the [Fair Work Ombudsman](#)
- e. generic advertisements that do not detail specific vacancies
- f. positions that require applicants to register with an agency/organisation for possible opportunities.
- g. positions where applicants or workers must pay an application or registration fee, or purchase a product or service
- h. business opportunities, including but not limited to: franchise ownership, co-ownership, co-founder and start-up opportunities
- i. pyramid schemes
- j. research participant opportunities
- k. positions where applicants must contribute productive work or real business ideas (intellectual property) to apply
- l. positions involving illegal activity
- m. positions that may pose a serious risk to workers
- n. positions for Au Pairs and/or other live-in arrangements
- o. positions advertised by or in association with the tobacco industry in accordance with University policy.
- p. positions of a similar nature from the same organisation, advertised repeatedly or for lengthy periods of time.
- q. any other position that Monash determines in its absolute discretion is unsuitable

### Complaints

If you have a complaint about the Engineering Co-operative Education Program, the complaint should be phoned through to the Manager on +61 3 9905 1840 in the first instance. We may then ask for details in writing.

All complaints are documented. We will not disclose the identities of the parties involved except (1) with consent, or (2) we are required by law to do so, or (3) we believe that the parties involved, or anyone else, may be at serious risk, or (4) we determine this is necessary for the University to progress the resolution of the complaint.

If a Monash University student or graduate has a reasonable grievance with an Engineering Co-operative Education Program advertiser/organisation:

1. current advertisements from the advertiser may be suspended without notice and new advertisements will not be accepted unless/until the complaint is resolved.
2. if the complaint relates to advertiser conduct, we will advise the complainant of avenues of redress. We may investigate, in which case we will contact the advertiser/employer for a 'right of reply', or rely on another appropriate authority to investigate.
3. if the complaint pertains to content of an advertisement and investigation reveals false or misleading information has been supplied, the advertisement will be withdrawn immediately.
4. if a complaint is upheld, the advertiser may be given a warning, or for issues considered serious, may be refused further access to the Engineering Co-operative Education Program.
5. if a warning is issued in the first instance, a second substantiated complaint may result in suspension of service.

If an employer/advertiser wishes to complain about the conduct of a Monash University student in relation to an advertised position: Where we can identify the student(s) or graduate(s) concerned, we may investigate the complaint and contact the individual(s) concerned for a 'right of reply' where appropriate.

If a complaint is upheld, we may give a warning to the individual(s) or, for issues considered serious, the University may take further action under University processes and/or refer the matter to appropriate authorities.

#### Liability and reserved rights

Information provided by advertisers is their complete responsibility, however we may edit details at our discretion to meet these Terms and Conditions. We do not accept liability for inaccurate, misleading or false information provided by advertisers.

Advertisers agree to indemnify Monash University and its staff for any losses, costs or claims incurred in relation to advertised positions (except to the extent that such loss or damage arises as a result of Monash's fraud, negligence, breach of contract or wilful misconduct).

We may, acting reasonably, refuse service to any individual or organisation, or refuse or withdraw any advertisement for any reason, without explanation. This typically (but not only) occurs where:

1. non-compliance with the terms and conditions has occurred
2. inaccurate, false or misleading information has been provided
3. a breach of the law is reasonably suspected
4. a position is considered to be inappropriate
5. an advertiser's or employer's behaviour or activities are deemed unethical

We may, acting reasonably and at our discretion, make exceptions to our terms and conditions in individual circumstances, where they are not likely to pose significant, foreseeable risk.

We reserve the right to refuse any advertisement, and to suspend or terminate access to the Engineering Co-operative Education Program at any time in our absolute discretion.

#### Privacy

The information collected is used for the primary purpose of providing you with access to advertising paid positions to, or for, Monash University students and graduates. Other purposes of collection include system administration, preparation of statistical analyses, and correspondence with you. If you choose not to complete all the required fields in the registration or advertisement forms, it may not be possible for us to provide services to you.

You have a right to access Personal Information (as defined in any privacy law applicable to the arrangement under the Monash Engineering Co-operative Education Program) that Monash University holds about you, subject to any exceptions in relevant legislation. If you wish to seek access to, or enquire about the handling of your Personal Information, email the University's Privacy Officer at [privacyofficer@monash.edu](mailto:privacyofficer@monash.edu).

The full privacy collection statement is available at [Monash University Privacy Collection Statement](#). Staff should also refer to the [HR Privacy Collection Statement](#) and students to the [Student Privacy Collection Statement](#). For additional information regarding how your Personal Information is handled refer to the Monash University's [Privacy Policy](#) and [Websites Privacy Statement](#).

You must ensure that your employees, officers, contractors and agents who deal with Personal Information in connection with the Monash Engineering Co-operative Education Program are aware of and comply with its obligations under the arrangement, and enforce these obligations against any third party as required by Monash.

#### Our commitment to accessible websites

Monash University recognises the issues faced by the many and varied users of our website. We have a commitment to offer accessible communications and we are guided by recognised accessibility and government guidelines and policies when producing and developing web-based communications.

This website has been designed to meet Level A (Priority 1) of the Web Content Accessibility Guidelines 1.0 of the W3C (World-Wide Web Consortium). Testing against these guidelines is conducted as part of an ongoing process as the website continues to evolve. As our site is updated and enhanced, we will continue to improve accessibility.

If you have any accessibility problems with this system or suggestions for improvement, please email [eng.coop@monash.edu](mailto:eng.coop@monash.edu)

Terms and conditions last updated November 2023 and may need to be updated by Monash from time to time in line with reasonable and necessary legislative and operational requirements. Please refer to the Co-Op website for the most up-to-date terms and conditions  
<https://www.monash.edu/engineering/coop>.

#### Resources

<https://www.fairwork.gov.au/pay/minimum-wages/piece-rates-and-commission-payments>

<https://www.fairwork.gov.au/pay>

[https://www.fwc.gov.au/documents/documents/modern\\_awards/award/ma000004/default.htm](https://www.fwc.gov.au/documents/documents/modern_awards/award/ma000004/default.htm)

<https://www.legislation.gov.au/Details/C2016C00581>

[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/750E0D9E0B2B387FCA256F71001FA7BE/\\$FILE/04-107A.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/750E0D9E0B2B387FCA256F71001FA7BE/$FILE/04-107A.pdf)

<https://www.legislation.gov.au/Details/C2016C00267>

<https://www.legislation.gov.au/Details/C2016C00089>

<https://www.legislation.gov.au/Details/C2015C00252>

<https://www.legislation.gov.au/Details/C2016C00525>

[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/51dea49770555ea6ca256da4001b90cd/8f876779761031fbca25707b00249985/\\$FILE/05-057a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/51dea49770555ea6ca256da4001b90cd/8f876779761031fbca25707b00249985/$FILE/05-057a.pdf)

<https://www.legislation.gov.au/Details/C2016C00362>

[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/LTObject\\_Store/LTObjSt7.nsf/DDE300B846EED9C7CA257616000A3571/70AC1BBE193EBF8BCA257B10001DF528/\\$FILE/98-94aa067%20authorised.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/LTObject_Store/LTObjSt7.nsf/DDE300B846EED9C7CA257616000A3571/70AC1BBE193EBF8BCA257B10001DF528/$FILE/98-94aa067%20authorised.pdf)

<http://www.workingwithchildren.vic.gov.au/>

<https://www.monash.edu/careers/employers/hire-a-tutor>

<https://www.vcglr.vic.gov.au/resources/education-and-training/responsible-service-alcohol>

<https://www.fairwork.gov.au/find-help-for/independent-contractors>

<https://www.monash.edu/privacy-monash/privacy-collection-statements#monashuni>

<https://www.monash.edu/privacy-monash/privacy-collection-statements#privacy>

<https://www.monash.edu/privacy-monash/privacy-collection-statements#enrol>

[https://www.monash.edu/data/assets/pdf\\_file/0003/790086/Privacy.pdf](https://www.monash.edu/data/assets/pdf_file/0003/790086/Privacy.pdf)

<https://www.monash.edu/privacy>

I agree to the terms and conditions stated above on behalf of my employer/organisation.

Yes

Thank you for your support of the Monash Engineering Co-operative Education Program. Your position description will now be assessed for suitability and sent through to the Co-operative Education students. If we have any questions we will contact you. If you wish to contact us please do so at: [eng.coop@monash.edu](mailto:eng.coop@monash.edu)