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IN OTHER NEWS

CONTINUED FROM THE MAIN COLUMN

11 July 2006

*Government acts to resolve plumbing industry issues
The government is moving to increase the number of qualified and registered plumbers, gasfitters and drainlayers following an independent review, the Minister for Tertiary Education Michael Cullen announced today.*

Dr Cullen commissioned the review, carried out by lawyer Hazel Armstrong late last year, after concerns were raised regarding the relationship between the Plumbing, Gasfitting and Drainlaying Industry Training Organisation and the Plumbers, Gasfitters and Drainlayers Registration Board.

“Plumbing, gasfitting and drainlaying are crucial trades for a wide cross-section of New Zealanders, from homeowners to large industry.

“That is why the government acted to deal

THE FEDERATION VISION (continued)



Last issue of the Fellow Practitioner we started looking at the regulatory governance of the industry and will continue with that subject this week as it appears the Government and others only hear what they want to hear and have a false perception of what is true and of value to the industry.

Last issue we finished off where the Federation believes the industry needs to look carefully at the regulations, legislation and regulatory polices imposed on the industry and see if it is creating anticompetitive behaviour or unfair advantage on some groups operating within the industry.

For example we could look at the so called “Accelerated Apprenticeship” which was mooted as an answer to the skills shortage. The weight of the industry was used to restrict what could be taught on pre-trade courses prior to this as they had become a longer course and were more expensive, while saving no money to anyone who signed up to an apprenticeship, nor reducing their time. In essence they were a money clipping event for the polytechnics.

Industry said they wanted people that were work ready, i.e. had a drivers licence, had site safe, had first aid, had working at heights and confined spaces and knew the names of tools – some basic plumbing knowledge, some maths and an understanding of the industry – about three months worth in all. Yet the cartel of the Board, Skills and Master Plumbers renamed a pre-trade (and we say pre-trade as it involved full time study prior to going on a work site) as an accelerated apprenticeship for their own organisational gain when as an industry we had restricted what the other polytechs could deliver in an attempt to stop pre trades becoming dangerous in so far as teaching pre traders too much so that those that completed it sometimes went out and did plumbing on their own

with a number of issues affecting the industry after it became apparent that the issues could not be resolved by the industry itself," Dr Cullen said.

The report found that training and registration systems in the plumbing, gasfitting and drainlaying industry were not well aligned. As a result, trainees have not been provided with appropriate support, and this has not served the interests of the industry and consumers.

Importantly, however, the report noted that there was no evidence of a current problem with the quality of workmanship or significant health and safety issues arising from the work of qualified persons. A cross-agency working group – led by the Tertiary Education Commission – is being established to ensure all the review's findings are acted upon.

"I am confident the issues between the Plumbing, Gasfitting and Drainlaying Industry Training Organisation and the Plumbers, Gasfitters and Drainlayers Registration Board can be resolved.

"It is vital that organisations work together to train people with the skills this country needs, and match the government's commitment to countering skill shortages through industry training and the Modern Apprenticeships programme."

The report can be found at:

account and put the public at risk.

The scope of the Accelerated Apprenticeship scheme was withheld from the industry and the Board did not supply it when it was requested under the Official Information Act. This is still the subject of a complaint to the Ombudsman and the Board has asked for an extension to respond to preliminary findings (it's only been 6 months since the complaint was made).

If we were operating in an open and transparent environment all information would have been released but it wasn't. This is another example of the legislation being used to control the flow of information to the industry. If it was a legitimate scheme backed by the industry, as Skills claim, why was there a need to keep secrets from the industry? Also the question is – should industry generally have had an opportunity to comment on this? Is it something we want to see happen i.e. a shorter apprenticeship because a year of it is spend in a classroom front ending the theory? We fail to see how it is an accelerated apprenticeship scheme when the trainees are not apprentices.

The powers used by a regulatory body must be fair, reasonable and affordable. We could use the punishment imposed on Paul Gee for the two offences, out of 44, that he was found guilty of. The Board imposed a punishment on Paul that required instruction on a set unit standard. No unit standard training was available for that subject so Paul had to pay to have a course written, have it approved by the Board and then attend the training. This should have rung alarm bells into a failure of trade training in the industry but alas it didn't. It was just punitive punishment to save face for the Board who had got it so wrong and to this day have still not pursued the real offender/s.

Are people being found guilty of offences where there was a possibility there was no training provided? Supervision is a prime example where no training is provided but people are being prosecuted for a role they didn't ask for and for something they probably haven't been trained in. It is just stated they should know. This is a failure in the training system as there is a big difference between technical knowledge and applied technical knowledge. Legislation is again at fault for allowing this type of persecution to occur.

Do you know if you are supervising correctly? Are you following the legislative requirements? Do you do site and sound supervision for first year apprentices and for the first TWO years of an exemption holder? After that are you providing adequate supervision according to the competency of your tradespeople and apprentices? If you aren't then you run the risk of disciplinary action should things to wrong.

Occupational Safety and Health is another area where legislation is written after desktop research based on other legislation and the practicalities of its application and costs are ignored in the "interest of health and safety". Industries such as ours then incur the loss of productivity and costs. A simple solution is better trade training and having people responsible for their work and work ethics. The use of common sense is gone and been replaced with what does the

<http://www.tec.govt.nz/>

ENDS

PGD problems: “a potential time bomb”

Posted by Raymond Huo on July 20th, 2013

The PGD sector, and inevitably the Plumbers, Gasfitters and Drainlayers Board, have a colourful history and their problems are only getting worse and worse under the watch of this National-John Banks’ Government.

Concerned tradespeople describe the issues as a “potential time bomb”, not only for tradespeople, but also for future apprentices and the public. Worse still, we continue to lose experienced and competent tradespeople to overseas.

Tradespeople are claiming that the “serious mismanagement” of the Board and its refusal to comply with legislation are destroying the industry. Minister Maurice Williamson’s answer is to give the Board a piece of legislation to validate its unlawful ultra vires acts, retrospectively. What the Board and the industry need is solution not head-in-the-sand legislation which will create more problems.

The table below, sent to MPs, sets out a comparison of the number of licenced plumbers, gasfitters and drainlayers in 2003 versus 2013 per head of population in New Zealand.

DRAINLAYERS In 2003:

legislation say? Look at the huge costs imposed on employers by the legislation for safety and health, yet the costs from injuries by e-scooters are ignored.

We could use the requirement to train people to work at heights as an example. It wasn’t that long ago that practitioners attended training and got qualified in working at heights but then were required to re-qualify after a couple of years even though there were no changes to the unit standard. It was more cost for no gain but apparently now there is NO legal requirement to retrain unless you feel that you are not competent.

The Federation believes that the regulatory governance at the moment causes issues for the industry and having a cartel of the Board, Skills and Master Plumbers leaves scope for anticompetitive behaviour or unfair advantage for some groups operating within the industry. They appear to be protected by the policies, regulations and legislation. Only the members of the cartel know what is discussed on overseas “fact finding missions” or other meetings held where other industry groups are excluded.

To put it into context here are some excerpts from the Chief Executive’s Report for Board Meeting 322 on 18 June 2019 obtained under the Official Information Act:

5. Accelerated Apprenticeships Skills advise that they are currently developing a programme of study for the course. Once this is completed it will then be sent to NZQA for approval. Once it is approved they can then look at operationalising the course

6. Plumbing to Drainlaying transition Skills, alongside Murray Cummings and Rick Thomas have undertaken a significant amount of work but are still working on fully recording the transition gaps. They are expecting to have this work completed by the end of June.

7. Skills recommendations for registration and Skills Recognition process I have arranged to meet with Skills, Murray Cumming and Rick Thomas together with Peter and Nick from the Board and Greg Wallace and Rod Miller from Master Plumbers to discuss the above two programmes.

8. Master Plumbers Conference, Sanctuary Cove, Gold Coast. Along with the Chairperson I attended the Master Plumbers conference in Sanctuary Cove, Gold Coast. I participated in an industry facilitated forum session alongside Garry Fissenden from Skills and Greg Wallace from Master Plumbers. I will provide a verbal update on the conference.

We fully realise some of the issues mentioned above may not be proceeding now but they were at the time and it seems a lot is discussed without real industry input, only that of the cartel.

Should the industry (not just the industry recognised by the Board) be able to believe what is being claimed by the Board as being the truth? We believe that we should be able to and also that should be our right to have the truth as we fund the Board and the regulation of the industry. There will be more about the truth and alternate

4258 Drainlayers serviced 4,000,000 people, this equates to 1 Drainlayer per 939 people.

In 2013 1808 Drainlayers service 4,468,000 people, this equates to 1 Drainlayer per 2471 people.

GASFITTERS *In 2003: 2129 Gasfitters serviced 4,000,000 people, this equates to 1 Gasfitter per 1878 people.*

In 2013 1426 Gasfitters service 4,468,000 people, this equates to 1 Gasfitter per 3133 people.

PLUMBERS *In 2003: 5094 Plumbers serviced 4,000,000 people, this equates to 1 Plumber per 785 people.*

In 2013 2845 Plumbers service 4,468,000 people, this equates to 1 Plumber per 1570 people.

It would be reasonable to assume on the figures above that there could be the same or more tradespeople working without a license as those that have. Getting the qualification (registration) is the respected and important indicator. Those qualified tradespeople who are "forced to work" without a licence of course means there will be no Council records of drainage plans or gas installations. Further, these un-licensed (but registered) tradespeople cannot take on an apprentice.

Have the problems caused any concerns to Minister Williamson and his National-John Banks

truths in the next issue of the Fellow Practitioner.

Is there a possibility the industry is funding the career aspirations or a retirement fund of Board members, as it appears they are operating with impunity? Are they simply signing off on decisions made by the Chief Executive who has delegated authorities in the vicinity of 95% of the Board's functions? The perception is the regulation of the industry is based on the opinion of the Chief Executive and the cartel and the Board are there to confirm the decisions once they are made.

The criminal justice has the three strikes policy. Maybe the regulatory governance system should have the same. Our industry has endured more than most with an entire Board being fired, a Chief Executive being fired, a scathing Office of the Auditor General report and the list goes on and in fact one acting chief executive who appeared at select committee to defend the Board's actions nearly a decade ago is now the Chair of the Board.

Are the Board and Government acting in bad faith or in a negligent manner and are they allowing the legislation to be used in an anticompetitive manner?

The current system is broken and needs change. Practitioner's livelihoods and futures are at risk but the Board and the Government don't seem to care. How long have the issues been going on and nothing has changed.

In September 2008, the then Minister for Building and Construction wrote to the then Auditor-General to ask whether he would inquire into the way the Plumbers, Gasfitters, and Drainlayers Board was carrying out its statutory functions.

In 2010 the OAG issued its findings and here is one of their comments:

There is a great deal of writing on the importance of voluntary compliance in regulatory systems. In any regulatory context, it is too hard to achieve high levels of compliance through force or coercion – effective systems depend on people choosing to participate and follow the rules. For people to want to comply, they have to trust the system and see it as providing an overall benefit. The evidence this inquiry gathered showed that many tradespeople do not have this view of the Board at present.

If more people drop out of the regulatory system or choose to ignore it, the system will not be effective in protecting public safety.

In our view, the Board needs to maintain a clear overall focus on the need to build and maintain trust in the Board. To build trust, it needs to behave fairly and reasonably at all times, and make sure that this is apparent to all those interacting with it. It needs to build the values of openness, accountability, integrity, and fairness into all aspects of its work. It is important that the people the Board regulates, and who fund its work, are able to see and understand what it is doing and why.

Government?

Politics aside, we all will have to wake up and see what the harm is doing to the industry and the impact this has on everyday New Zealanders who require these services

Nothing has really changed and recent actions by the Board have put them back a decade.

**REMEMBER
PRACTITIONERS YOU ARE
NOT AT FAULT AND YOU
ARE FUNDING THE MERRY-
GO-ROUND.**

It is our opinion that you could take the 2010 report and change the dates to 2019 and it would all still apply.

As a reminder here are a couple of releases from the Government:

Govt acts to resolve plumbing industry issues

Tuesday, 11 July 2006, 2:09 pm Press Release: New Zealand Government

CONTINUED IN THE SIDE COLUMN

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