

TABLE OF CONTENTS

- [Cut the Bullshit](#)
- [They just can't help themselves.](#)
- [Letter to the Editor](#)

IN OTHER NEWS

Does the Board fall into this category

The Law Commission wants to clamp down on vexatious litigants.

It's reviewing how people who repeatedly start unreasonable court cases are dealt with.

The threshold to be declared a vexatious litigant is too high, and is out of step with other jurisdictions.

The review is well overdue, and overhauling the legislation will have long term benefits.

It will save a lot of time, money, and angst for the defendants.

Letter to the editor regarding protest action

I read with interest that we may have to take action and protest against the actions and the Board.

That has been talked about before but most of the people in our industry are good law

Cut the Bullshit

This has been one of those weeks when we have sat back and asked ourselves how much more bullshit people are going to throw at us. Do they think we are thick, to believe some of the spin they put on things?

Why can't people be up front and honest – why can't they say "we cocked up and correct the situation?"

If we think its bullshit then we'll tell you. Welcome to the new world!

They just can't help themselves.



Last week we mentioned Licensed Building Practitioners and that you need to be aware of consultation that is underway at the moment regarding "Deeming" of registered plumbers and gasfitters as Licensed Building Practitioners (LBPs).

Registered plumbers and gasfitters do building work that is a necessary consequence of, and ancillary to, sanitary plumbing or gasfitting work, such as flashings, penetrations and sealing. Some plumbers also carry out wider roofing work, particularly light steel roofing.

As of 1 March 2012, such ancillary work is Restricted Building Work (RBW) if it is carried out on a new build, or the penetration and associated work is greater than 300mm in diameter in relation to an existing building.

Rather than requiring registered plumbers and gasfitters to be licensed as LBPs to do this ancillary work (that they are already licensed to do under the PGD Act), or have this work supervised and signed off by an LBP, the Building (Designation of Building Work Licensing Classes) Order [the Order] deems them to hold the roofing, external plastering and brick/blocklaying licences. Furthermore, the Act expressly forbids them from being able to apply for such licences.



abiding citizens who don't want to make trouble – it's just not in our nature.

We just want to be left alone so we can get on and earn a living but I think you are right that the time has come for us to stand up for ourselves.

Count me in for any action as I feel good law abiding citizens shouldn't be treated the way the Board and Government are treating us.

Keep up the effort.

Letter to the Editor
What does the Board do?

I was very disappointed to read your article about what the Board does.

You see, one of the busiest jobs in the world is doing nothing as you are continually doing it, even though you do it immediately.

One suggestion I would make to the Board would be to dress in accordance with the actions they take.

Here is my suggestion:



Well you guessed it - they cocked it up again and now they are stating the 'deeming' provision has resulted in a number of unintended consequences. Well first of all we have an issue with this "deemed bullshit" – we are actually qualified.

Here's the issues they are on about:

- The Act does not enable someone to be granted a 'partial licence'. For example, a roofing LBP holds a roofing licence and can undertake any roofing work within their individual competency. The Order therefore cannot deem registered plumbers and gasfitters to be 'deemed' to hold various licences for the sole purpose of carrying out ancillary work. This means that 'deemed' LBPs can carry out or supervise a much wider range of work than intended.

- The deeming provision raises potential jurisdictional issues between the Building Practitioners Board and the Plumbers, Gasfitters, and Drainlayers Board and potential constraints on what disciplinary action can be taken. For example, if a complaint relates to general roofing work, and therefore within the jurisdiction of the Building Practitioners Board, that Board has limited disciplinary powers in that they cannot cancel or suspend the 'deemed' LBP licence, nor can they take any action against the plumbers/gasfitters licence.

- Specialist roofers who have a specific and recognised qualification in roofing are required to get a roofing licence, while registered plumbers and gasfitters can undertake restricted roofing work based only on their qualification and registration.

- The carpentry licensing class was not included in the automatic licensing provision, which means that a large proportion of plumbers' and gasfitters' work that is covered by the PGD Act, and is also RBW, still needs to be supervised by a carpentry LBP. This work includes penetrations for pipework through weatherboard cladding, for example.

- The reference to 'registered' rather than 'licensed' plumbers and gasfitters means that a 'deemed' LBP may not be a practicing plumber or gasfitter.

- There is a concern that registered plumbers and gasfitters will carry out or supervise building work, such as bricklaying and blocklaying or external plastering under their 'deemed' licences', for which they have not been assessed as competent, and for which the statutory accountability mechanisms are limited.

So there is consultation going on about issues to do with LBP and there are 29 practitioner workshops being run throughout the country in July and August 2012 but one thing that really pisses us off is this statement:

*"At each workshop, you will be able to discuss each issue **(except for the deeming provision for plumbers and gasfitters)** with other practitioners, and fill in feedback sheets on the night".*

What sort of consultation is that? You can go to the meeting

Keep up your hard work
Federation

“Viva La Federation”

Defenders of the Guilty

The Federation must be upsetting people as it is rumoured the Federation are the “Defenders of the Guilty”

A great rumour to start but in reality we aren't.

If you ever listen to any Federation committee member talk to people about offences you'll hear them say “get legal or get out”.

But then you will be told how to become legal.

If you have offended you will simply be asked if you feel like you are being treated fairly.

If guilty or not people deserve a fair go and to be treated with equality.

Thinking



When you read this weeks issue you will be thinking about where all this is going – well it's all heading for a big collision and we are in the front row.

The front row always gets bashed about by the riot squad but they also get the best views.

We all need to stick together, keep going in

but you can't discuss the issues that are going to take away part of your qualification and part of your livelihood. The stroke of a pen could see a lot of us lose part of our qualification and business and if we want to retain it we have to apply and pay for another qualification and pay licensing fees for it. This is bullshit.

What is your opinion? The Federation appreciates your guidance, and we will be dealing with the Department of Building and Housing, in regard to roofing, flashings, gutters and penetrations. We ask you to open the link and read the entire contents. <http://www.dbh.govt.nz/consultingon-lbp-plumbers-and-gasfitters>

Our initial view is that yet again someone polishing a seat with their arse that has no understanding of the realities of our trades is attempting to create another method of removing our qualifications and then selling those qualifications back to us as a right to work, by the introduction of yet again a new license.

We find it arrogant that people within the DBH should even consider that we are "deemed" to be Licensed Building Practitioners as a method of undermining an existing qualification and right we hold. A registered plumber or gasfitter once qualified is competent and skill accredited to undertake roof work, new and replacement, flashings and gutters in his or her own right. Registration alone provides us that right.

What are we protecting is simple, it's our registration. Registration is paramount above a license and any other conditions, fees etc that others hope to impose. As a registered plumber/gasfitter, roof work we undertake is exempt from the interference and involvement of the Plumbers Gasfitters and Drainlayers Board as it is not sanitary plumbing.

We have no problem with a Licensed Builder doing roofs, or a Licensed Roofing contractor doing roofs. As a registered plumber/gasfitter we automatically are certified competent roofers. We must protect our registration and right to roof work.

Please respond in the first instance to Wal with your comments. wal.gordon@xtra.co.nz

One person has already written to us about this:

I have spent many months during my apprenticeship time in England doing lead and copper roof work on the - Imperial war museum, Lambeth London, the National theatre, Dury lane, London, the Tate gallery, Trafalgar square London, Brent cross shopping centre, north London, the war office, Whitehall London.

I was employed in Melbourne Australia in 2000, to complete a conservation order building in lead ornate flashing and roof work, because none of the tradesman in the companies employment was confident of completing this work to the Aussie governments criteria. I have like most other tradesman of my age spent thirty years cutting penetrations of all sizes in all types and roofs, and flashing them with lead, copper, buteynol, bitumen, and every other roofing material I can think

the same direction and donate that pie each week to build up our fighting fund.

To take a quote from the Government which we are getting sick of hearing is “doing nothing is not a option”

Next Week



The ITO and qualifications have been under scrutiny so next week we are going to tell you what we know.

We want your thoughts on the training issues so get them to us.

of, without problems.

Who the hell does the DBH think they are saying I'm not qualified? This just looks like another way of bureaucrats trying to suppress the people and pay them more money to keep their plus offices. They can go get stuffed - no matter what law they bring in I will do what I am qualified to do. That is my right.

Letter to the Editor

Dear Editor,

I was at the meeting with the Minister Maurice Williamson and the Board in Napier a few months ago, where he twice compared us qualified tradesman with a trade certificate, to unqualified builders.

He said “the days of a builder only needing a cell phone, ute and a dog” to practice in the building trade were over The Minister has now gone on to state this in the latest Master Plumbers journal, April/May 2012 edition.

Our trade certificates are equivalent to a degree; I am offended the Minister keeps comparing me and my fellow qualified tradesman to cowboys. I ask the Minister does he have a degree in the trade he practices, i.e... a degree in political science or political philosophy - no I bet he doesn't.

So Minister compare your unqualified self, to incompetent “only needing a cell phone, Ute and a dog” builder - as you only need a cell phone, tie, and a pin stripped suit to practice your unqualified trade.

The major problem in this country in this hard economic time is unqualified people leading the qualified, and installing their unqualified old boys' club mates in positions of guidance and decision making, which the Minister does every time the Board needs new personnel.

The Master Plumbers Society should be ashamed of themselves, allowing their publication to let an unqualified person like the Minister, compare qualified trained plumber tradesman, to untrained dodgy cowboys masquerading as qualified builders.

Every Plumber, Gasfitter and Drainlayer in the country needs to stop putting up with this trade eroding nonsense, and vote with our feet, don't put your vote to a party whom has the unqualified Minister in its ranks.