

TABLE OF CONTENTS

- [Do you know these people](#)
- [Gambling with your money](#)

IN OTHER NEWS

Here's a question?

What happened to the million dollars in accumulated industry funds that the old ITO held?

The money belongs to the industry and we would hope it hasn't just been thrown into a bigger pool of gold for the new ITO.

This certainly needs to be looked at further.

It was our understanding that this was to be ring fenced for the plumbing, gasfitting, drainlaying and roofing industries only.

We want to know where it is and what is going to be done with it.

Everyone seems to want our money and don't want to supply us with anything.

The Board has about \$1.8 million in reserves and the ITO is holding \$1 million from the merger.

That's about \$400.00 per licensed person in the industry.

Meeting with the Minister



Do you know these people



This was the Plumbers Gasfitters and Drainlayers Board until recently when two of them completed their term of office.

Amongst this Board are the practitioners who are appointed for their trade skills, for what we believe is the purpose of representing your views, and making decisions on your behalf.

Yes - we believe six of these people represent the industry. Two plumbers, two gasfitters and two drainlayers.

Why do we believe these people should be representing your interests? Because Section 134 of the Plumbers Gasfitters and Drainlayers Act 2006 states one person from each of the trades must hold a practicing license which would imply the government wanted people who were in touch with the industry, the other four people consist of one person who may be registered, one person who the Minister considers has appropriate experience in relevant tertiary or vocational education and, here's the clincher for our belief, - the Minister must consider the other two he appoints must be able to represent consumer interests.

Now look at that - two must represent consumer interests - so we believe the intent of the Act was for the six industry qualified people to represent the interests of the trades while helping the Board fulfil its purpose. If this was not the case surely the Act would simply say the Board members represent the interests of the consumer or are a consumer protection Board as the current Chairman continually tells us it is.

The Board's last Annual Report stated:

"The Board consists of ten ministerially-appointed members representing both the trade and the public"

So what representation are the trades getting? What access do we

Four representatives from the Federation attended a meeting with Minister Maurice Williamson, Building and Housing Group representatives, the Chairman of the PGDB Board and the CEO.

The meeting couldn't really be termed a friendly tea and sticky buns meeting but it was a meeting.

In general there were no surprises for either side.

Mr Bickers made it clear that his job is to keep the Minister happy – end of story.

Not much can really be achieved in an hour (and in fact the meeting lasted 1.5 hours) – we touched on several of the issues our members wanted raised, but none could be gone into in depth.

A couple of points are going to be checked out for legal opinions – so we will wait on the outcome of them.

Frustratingly the standard line was that neither the Minister nor the Board wanted to revisit any decisions from the past – including yesterday and the previous two years.

The first lesson of history of course is that evil is good. A great man, Sir Winston Churchill had some wise words about history and what you can learn from it – “The farther backward you look, the farther forward you are likely to see.”

The past has a lot to do with how the industry perceives the Board, it is where the trust broke down and the problems started.

Until the wrongdoings of the past are acknowledged and atoned for, we cannot move forward with a clean sheet.

Some of the issues raised got the standard

have to these people? The Board had this to say in it's last “Info Brief”:

"It was apparent at the meetings that many people are still unclear about the Board's role within the industry. Quite simply the Board is the Government appointed regulator for the plumbing, gasfitting and drainlaying trades. Our role is to protect the health and safety of the public by ensuring that tradespeople are competent to carry out their work in a safe and effective manner.

We are not here to represent or advocate for the interests of tradespeople like other membership organisations do for their members. Nor do we write the Act. That is done by Government through Parliament and the Government's advisor in this regard is the Ministry of Business, Innovation and Employment (MBIE)".

It seems to us the Board has gone “Over Board” with its consumer protection role and has been focusing on enforcement rather than participative collaboration. If the Board was there simply as a Consumer Protection Board as they would have us believe, why are six people appointed from the industry and two are appointed to represent the consumer.

You would think that after ten years of trying to impose their will upon the industry that they would realise it just isn't working and would try to get the industry on side.

Will they get the industry on side by:

- being a closed organisation
- increasing fees
- pouncing on honest trade's people
- making everything so difficult that we need lawyers for everything
- using bully tactics
- belittling people
- not listening
- doing what they want not what the industry thinks is best, given their expertise and experience

And the list goes on.

We believe a better way to achieve the purpose of the Act would be to get the tradespeople working with the Board as part of the Board.

It seems to us the leadership in the Board has directed the Board in one single direction - that of protecting the interests of the consumer and forgetting about the interests of the trades.

Perhaps six people on the Board should read the Act and see why they are actually there. Of course it is in the interests of tradespeople that the consumer is protected, they are of course our reason for being, but the WAY this is done is the key to bringing everyone to the same page.

It appears that many seem to have forgotten that trades people have rights too. Here's what some of the Board said and have failed to achieve:

“There is no doubt that the Board has had an unfortunate history and

response....

- We can't talk about that as it is under threat of legal action.
- We can't talk about that as it breaches the Privacy Act.
- We are doing that now.
- That's under review now.
- We interpret that differently to you.

Mr Bickers did make it clear on a couple of occasions that he is answerable to no one except the Minister.

The Minister made it clear that he speaks to plumbers all the time and they all tell him things are good. That's not what we are told and experience.

Perhaps if you don't think things are "good" you might like to let the Minister know – just so he gets a fair picture.

The big theme was that if it happened in the past it doesn't count as the past is the past and that seems to apply even if it was done under this current Board's watch.

How many of these fresh starts do we have to put up with?

Out of 10 how would we rate the meeting with 10 being exceptional? Probably a 3, maybe a 4 once we get the legal opinions.

The meeting didn't really do anything to enhance the relationship between the Board and the Federation.

More next week once we've had a chance to talk about what was said.

Golden Shovel Charity Update

The Golden Shovel Charity has had a request from another Charity wanting shovels with

a grim legacy. This Board needs to repair the damage and restore and maintain the trust of the industry and it is my observation that all the current Board members are working hard towards that goal."

"There is a constant tension between the resources required to deliver Board services to a high standard and the imposition of costs on practitioners. I also fully support the Chair in his clearly stated objective to rebuild the standing and professionalism of the Board."

"There is no denying the dysfunctional past relationships among the Board and stakeholders in our trades. The challenge is to repair those relationships, restore confidence within the trades, consult thoroughly and thoughtfully, make quality decisions, and communicate them appropriately. Those are the requirements of a quality governance system; that is the challenge for our industry,"

"As a collective, tradespeople need to take ownership of the industry and recognise that it belongs to them. Above all, as an industry we must recognise that the health and safety of the consumer is paramount to everything we do,"

Look at that final paragraph regarding taking ownership – isn't that exactly what we have been trying to do? What have we been met with, a stone wall that prevents us from stepping up, while the Board takes more and more ownership away from us. If the Board wants us to take ownership then let us do it.

Gambling with your money



Is the Board addicted to gambling with industry funds and are we funding that addiction?

In our opinion the Board is simply trying to survive from licensing period to licensing period and they don't achieve a lot that makes sense in-between except put out pretty coloured charts.

Have you thought about the risks the Board takes? The Office of the Auditor General had this to

say in November 2011:

"It is obviously unfortunate that the Board was not properly attributing costs and had included inappropriate costs in its calculations of the disciplinary levies. That reflects the Boards past tendency to give insufficient attention to the legal basis for its actions".

When Master Plumbers and others lobbied the Government in support of disallowing the recommendations made by the Regulations Review Committee and the House decided not to disallow the notice - that removed one of the two avenues for challenge. It effectively left the Board with a notice that was still valid, but there was a risk of it being challenged in the court, and a risk that such a challenge could result in the notice being struck down.

So the Board gambled that no one would challenge the fees but they did, and we are waiting for the final decision.

Another example is the Charities Commission decision where they decided to revoke the Board's Charitable status. For some reason the Board believes it is a Charity and have already risked over \$24,000.00 in lawyers fees fighting the Charities Commission decision.

loner handles so they can dig a deeper hole for themselves.

Protest Action

As nothing positive was achieved at the meeting we feel we to press on and let the community know what is really happening.

Thanks to all of those who offered to help with the protest at Government House on the 14 November 2012.

Unfortunately we can't accommodate everyone without causing major disruption so we have limited the numbers but feel free to drive past between 11.30AM and 3.30PM and give your support to those who will be there.

All those involved will be contacted with the final arrangements.

Remember this is not an "in your face protest" to upset everyone but is a peaceful protest to draw attention to our cause.

Media will be there and we will have our opportunity to speak with them.

We now have an unconfirmed report that the Board are appealing the decision to the High Court to retain their charitable status. More of our money risked and for what?

It seems this Board has an attitude that they don't like being proven wrong and will do anything, and pay any price to show they are right.

We believe they are not taking "reasonable or due care" with the running of the Board and seem to be gambling that no one will take action against them personally. We are presuming the Board does have insurance which we also pay for.

A couple of weeks ago the Board made comments regarding the Charities Commission decision. As a result, this was part of a letter sent to Mr Bickers the Chairman of the Board:

"This letter is in relation to comments made by you in the October 2012 issue of the Plumbers Gasfitters and Drainlayers Board "Info Brief" posted on the Board's website 25 October 2012 and notified to persons on your distribution list on that same day. From the evidence available it is clear that you have allowed the publication of a number of disparaging and potentially defamatory allegations about Wal Gordon (the writer) and the Plumbers Gasfitters and Drainlayers Federation (the Federation), those statements which have been promulgated under your signature.

I require that you immediately remove the false and potentially defamatory material of the kind identified in this letter from the Plumbers Gasfitters and Drainlayers Board website. I also require that you provide me with an undertaking that a written apology covering the facts as detailed later in this letter is put on your website and promulgated to the same distribution list as the offending letter.

Failure to do so may result in the taking of legal action against you"

This was the Boards reply:

"The Board refers to your letter to its Chairman, Alan Bickers, of 28 October 2012.

You have asked for the confirmation of various actions by 2 November 2012. The Board will be addressing your requests substantively but, practically, is unable to do so by 2 November. It will have its substantive response to you as soon as it is able"

We'll be waiting - but not for long.

You are receiving this email as a member of PGDF or because you signed up online.

[Edit your subscription](#) | [Unsubscribe instantly](#)

Plumbers Gasfitters and Drainlayers
Federation 3 Jupiter Grove Trentham Upper
Hutt 5018 Ph (04) 5277977 Mob 0276564811
Fax (04) 5277978 information@pgdf.co.nz