

TABLE OF
CONTENTS

- [Section 52](#)
- [Regulations Review Committee](#)
- [Reflection?](#)

IN OTHER NEWS

How true is this?



20 Meters of
Separation

Attendance at the Regulations Review Committee (RRC) recently showed us that the distance between the Board and the Federation is growing daily.

Two members of the Federation Committee were seated outside the RRC hearing room in a 50 meter long corridor with no one in sight.

The Board Registrar and Legal Counsel enter the corridor and stop about 20 meters down the corridor.

Enter the Master Plumbers delegation that stopped with the Registrar and Legal

Section 52



The Americans have Area 51 which is a secretive research facility where only the people working in the area know what's happening. No one knows if the activities are legal or what's spent on them. All the American tax payers know is that it exists.

We have section 52 of the Plumbers Gasfitters and Drainlayers Act 2006. This section gives the Board power to grant an exemption from registration and licence requirements and conditions. The Board have been telling practitioners they are required to get double CPD points, but is that legal? The Act states that the Board may – by written notice to a person, exempt that person from compliance with... blah, blah, blah or by notice in the Gazette, exempt any class of persons from compliance with ... blah, blah, blah. It goes on to say the Board may grant an exemption subject to any terms and conditions that it sees fit.

The Board's Registrar has stated to the Minister that the Board has complied and letters were sent to each person. The Federation thought it may have missed this letter and asked for a copy at the meeting with the Minister but a month later it still hasn't arrived. The Registrar was also asked for a copy recently but it hasn't arrived yet. Perhaps our suspicion that the letter doesn't exist is correct.

What we are trying to establish is if the Board have followed the Act in telling practitioners they are required to get double points. Have they extended their statutory authority because we don't recall seeing "written notice to a person" and we know there was no Gazette notice to a class of people?

Think of this, if you didn't get points for the 2012 licensing year does that mean you were incompetent that year and the Board have failed in their responsibilities; and if you get double points for the 2013 licensing year does that mean that you are twice as competent that year? This seems more like appeasing those who have blindly followed the Board.

You may be able to help us though - if you have received written notice to you regarding the section 52 exemption then please send us a copy – and if you didn't get a written notice – then let us know that too.

The truth is out there

Counsel and have a good old chat before entering the hearing.

Was it shame that they were again being fronted for alleged breaches of their statutory authority and they couldn't face their accusers?

One impression was that alliances are well and truly formed.



We had numerous letters, well not really letters, more like abusive comments directed at the Board regarding the fees review.

It is now up to the Minister to do something about the allegations and hold the Board accountable - but has the Minister painted himself into a corner?

He has publicly backed Mr Bickers and after all he has appointed him to his Board position and to another regulatory Board.

One of them must be responsible or is it the CEO/Registrar who is responsible?

At the end of the day they are all signing off on the issues debated.



The Federation is planning for action next year but we can't do it

Regulations Review Committee



As there has been no change in the behaviour of the Board, and the Minister is not prepared to hold them accountable, the Federation is again forced to take action, but not before a letter warning of this pending action was sent to the Minister.

By now you would think they would realise that

when the Federation says it's going to do something then it does it.

This week the Federation submitted a complaint to the Regulations Review Committee regarding the legality of the Continuing Professional Development (CPD) scheme. The essence of the complaint was that the CPD scheme was not a "competence programme" but a "mechanism for implementation" of a series of courses, and that the Board had removed the industry's protection afforded by section 32 of the Act.

As part of the complaint, the Federation submitted the Board had applied section 32 to the mechanism against the intention of the Act.

We know this won't get dealt with until the New Year but we have other issues to move on to.

The Federation believes if there was communication between the Board and the Federation a lot of these issues the Board continually get wrong could be avoided, but they are the ones who severed the communication because they didn't get their way.

Speaking of getting their own way - did you see this in the Plumbers' Journal:

"With CPD finally confirmed by the Plumbers, Gasfitters and Drainlayers Board (PGDB) as a condition of licensing for plumbers, gasfitters and drainlayers, the upskilling courses offered by Master Plumbers could only gain in value, said Fiona, particularly as the organisation is currently the only national provider. So far 31 courses had been developed, with health and safety and associated electrical tradesperson training recently added to the mix. Feedback had been '99 percent positive', according to training manager Bev McKay, with 3,994 people participating to date.

The 50 percent subsidy on course fees was considered a major member benefit, as was the switch to"

Have you really thought of the impact of THIS CPD scheme on your qualifications? You have a scheme that requires you to get points to relicence. No points - no licence and how do you get the points – you attend a course where in most cases it is

alone.

We need your voice and the voice of others in the industry.

Who has the strength to change things as it's easy to go with the flow and agree to illegal activities especially if you stand to benefit from it?

The future is in your hands so help create it, get others involved and get them to join the Federation.

We as an industry trusted others for more than a decade and look where we are now. We must change the situation.

Look at the activities of the Board that aren't adhering to statutory authority or recognised guidelines - if the boot was on other foot as far as statutory authority or recognised guidelines go, we would be persecuted by the Board and shut down by now.

Whatever happened to leading by example?

Enough serious stuff. Have a rest and laugh a while ...

There I was sitting at the bar staring at my drink when a trouble-making Board investigator steps up next to me, grabs my drink and gulps it down in one swig.

"Well, whatcha' gonna do about it?" he says, menacingly, as I burst into tears.

"Come on, man," the investigator says, "I didn't think you'd CRY. I can't stand to see a man crying."

not necessary, and the course is run by an unqualified person who is going to rule on your competence to over ride the New Zealand qualification you hold.

We note that training providers are starting to text people offering their courses as time is running out to get CPD points, and this is exactly what we have been saying. Training providers will take advantage of a captive audience. No mention of courses being necessary, no mention of it being new technology, simply running out of time to get **POINTS**.

Reflection?



At this time of the year a lot of people reflect on the year gone by, but for us it has been business as usual continuing with the fight to hold the Board accountable so we thought we would tell you what's on the agenda for the Federation next year.

Obviously we will keep a watchful eye on what the Board is doing to ensure as an industry we are getting treated with fairness and equality. We fully realise this will be a lone task standing up for the industry as true colours and allegiances are showing through.

The NZQA will be looking at the qualifications for the industry and we will be advocating for what our members say they need, not what training organisations and others want to provide. The changes to the qualifications are supposed to be "from" the industry, but we feel the system has been high jacked. We will be following through to ensure we get good, relevant training for our apprentices as what we have had for the last few years is shit. If it opens up another battle front then so be it. There has been enough pussy footing around over the last few years.

Continuing Professional Development will no doubt hit centre stage again if the Regulations Review Committee accepts the most recent complaint and if it doesn't then we will be fundraising for court action. CPD is a hot issue and there are lots of opinions about what should happen. Other industries are starting to realise the impact that similar schemes are having on them so the Federation is looking to approach these other regulated industries and hold a conference to discuss the issues and to have a united front to ensure we all get a fair deal.

The legality of how the Boards is attempting to implement double CPD points under section 52 will continue into the New Year, as will the issue of the Minister arranging for a couple of the Board's decisions to be reviewed by an independent person.

The Plumbers Gasfitters and Drainlayers Act 2006 is up for review and we will be heavily involved to ensure the Board and Building and Housing Group don't try to legislate even more power that they can't interpret.

Legal action is underway around a couple of defamation issues

"This is the worst day of my life," I say. "I'm a complete failure.

I was the subject of discipline action from the Board, and now my business has folded.

When I went to the parking lot after the hearing, I found my van had been stolen with all my tools and I don't have any insurance.

I left my wallet in the cab I took home.

I found my wife with another man and then my dog bit me."

"So I came to this bar to work up the courage to put an end to it all,

I buy a drink, I drop a capsule in it and sit here watching the poison dissolve; then you show up and drink the whole thing!

But enough about me, how's your day going?"

.....

In this world you can be anything you want. It's strange that so many people choose to be stupid

so in the new year this will be dealt with too. We will also be pushing for a review of some of the disciplinary and investigative action taken by the Board as we are sure some cases should be reviewed.

We will be recruiting with a vengeance and want to get around the traps to find out what the industry wants.

We could go on all day about things we need to do, but we want to remind you about what we started out to do and that was to:

- Make the Board and Government accountable
- Increase industry participation
- Tackle excessive expenditure
- Ensure better decisions
- Ensure past issues are addressed
- Strengthen the industry
- Ensure relevance in Training and
- Make your opinion count.

There is no way we are going to say we have succeeded in achieving all of these but what we will say is we are still here and working hard for the industry. We constantly face the criticism that we are a "very small group", but last time we looked we had about 270 more members than Master Plumbers, and we don't pretend to speak for those who are not direct member's e.g. the people employed by our members or the people who work alongside our members.

Sticking to the truth, principles and what is right can have benefits as the following shows:

A former plumbing department head has won \$33,000 in compensation after he was fired for publicly questioning the standards of a new plumbing apprenticeship.

He took his case to the Employment Court where the Judge ruled he had been unjustifiably dismissed.

The Judge said the issue between both parties concerned a matter of public safety, as the training of plumbers, gasfitters and drainlayers was "of the utmost importance".

We agree with the Judge and will be pushing for better training for apprentices as we mentioned above.

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