

# Fellow Practitioner Issue 169 Dated 23 August 2013

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#### **IN OTHER NEWS**

Plumbers Gasfitters and Drainlayers Amendment Bill Update

Well another sitting week of Parliament has gone by and yet again the Amendment Bill, so hurriedly thrown together and chucked at Parliament under urgency, has been shunted down the Orders list on Wednesday.

It looks like the stall tactics of Flip Flop Williamson are working as the Regulations Review Committee has not made a ruling on the fees complaint laid. This is nearly 12 months after having sufficient information to make the ruling.

No judge will make a ruling as it is before Parliament so another avenue for justice in New Zealand is blocked.

Perhaps the PGDB being a Charity doing so much administration in the licensing of trades people gets special treatment;

## Do we need training or assessments?



It really does our heads in how groups and organisations associated with our industry have "taken over" the so called training but are not actually providing any to the industry! There seems to be very blurred lines between training and assessment. The function of the ITO (now called SKILLS), is now very questionable and does not appear to be value for

money - in fact it looks like a total waste of money. From what we have seen this year, the new ITO is no better than the last, in fact it may be worse because now there are even more people to try and deal with.

We talked recently about "Industrial Exclusion" and see prime examples of exclusion on the basis of opinions and financial ability to attend workgroup in the work around the new qualification due out in 2015. Rather than a good cross section of the industry making decisions, we have a situation where those who can afford to attend workgroups, and are "selected" by the ITO, do what they think best.

The Federation does have a representative on the Lead Group, but we are concerned that there is such a small representation of practitioners on the subject matter expert groups. From what we can gather there is generally only a couple of practitioners on the plumbing and drainlaying SME and one (sometimes two) on the gasfitting SME. This is simply not good enough. The ITO can travel the length and breadth of the country having small "consultation" meetings but the hard work and "guts" of the qualification is worked out at these SME and Lead Group meetings. It is here, at the heart of the decision making that practitioners MUST be.

It appears to us the industry is again going to be the victims of educationalists who want to get their "quota" of apprentices passed so they can get their funding from the government. This leaves a situation of preparing apprentices to pass assessments rather than training them to be tradespeople. It also means that we have a situation where we ask "Are the trainees competent to pass assessments or competent to do their chosen profession?"

Is the aim of the exercise to have unit standards to ensure Skills get paid by Government, or have a robust qualification that ensures the public of New Zealand have confidence in their plumbers, gasfitters and Drainlayers going forward and that the PGDB have enough confidence in the qualification that they will consider National Certificate will equal registration. In other words — who is calling the shots? Industry - who have a vested interest in wanting good training for the future of their livelihoods, or Skills whose vested interest is in getting paid by Government to ensure their future, but

after all they look like they are becoming a "charity case" in their own right.

Invitation for trainees and others to speak up

The last few weeks have seen exam results sent out so congratulations to those who have passed and commiserations to those that didn't.

This can be a very torrid time for some who have worked so hard to get to the stage of sitting the exams to find they haven't passed.

We have spoken to a lot who weren't happy with the nature of some of the questions but a lot more we have spoken to mention cost as a barrier to their success.

Quite a few feel paying for good preparation and refresher training and paying the \$400.00 to sit the exam is beyond them.

Most say they were left with a decision of paying for refresher training or paying the \$400.00 to sit the exam.

We have spoken to some already who have said they can't afford to re-sit the exam and are looking at dropping out of the system.

This could be devastating for the industry and reinforces what the Federation has been saying that there should be more focused TRAINING, not assessments.

Remember we are 11% down on the number of people who licensed this year so we need all these apprentices to be well

not necessarily ours? At present they have virtually a monopoly on training in the industry.

The Federation is a firm believer in training as long as it is relevant, necessary and affordable. We are doing what we can to get a fair deal for the industry but we are also fighting against a mindset and a culture of self preservation. We ask that you make your views felt when given the opportunity, as silence is a vote for those pushing their own agendas.

## New Qualifications for Plumbers, Gasfitters and Drainlayers.

Soon you will see notices inviting you to a meeting with Skills (ITO) where you can comment on the new qualifications for plumbers, gasfitters and drainlayers. We urge you to attend and provide feedback.

The Federation continues to be deeply concerned at the lack of practitioners that are on the Subject Matter Expert Groups (SME's). As previously stated, we believe there are only three of four across both SME's. The remainder of the members seems to be staff from Polytech's, consultants, private trainers, or others who are not working at the coal face or employing apprentices. We have raised this concern more than once, and Skills seem to think it will be addressed by the "roadshow" around the main centers to get feedback.

We don't think that this is the same as being involved from the ground up — and this is something that affects all practitioners as if the future of our industry are not trained correctly then this will follow right through their careers.

The main barrier seems to be cost. If you are travelling from, say Auckland, then you are expected to provide your own transport - for one bloke on the Lead Group this means he is paying \$1000 just to get down and back to attend a meeting. The whole project was not budgeted to offer widespread coverage of employers – and this is of concern. The Federation is considered to be "high risk" - and stone wallers - probably because the Federation is clear about how this process should work. We invite our colleagues from other organisations to stand up and be counted – are you happy with the industry buy in to the new qualification development?

The Federation is very much of the opinion that if there is even the slightest hint that the outcome may not be suitable for the industry then it should be rejected. Enough of this garbage of accepting something and then trying to fix it later.

## Investigators writing their own cheques.



Is it the system that is wrong or is it the people? More and more the Federation is being contacted by people who are at the mercy of the PGDB. You know the "charity" that claim to protect the public but do nothing for the industry except claim to help us by giving the public confidence in our industry.

So for all those out there that passed or didn't pass we would like your feedback. We want to know how to get more people to pass without dumbing down the traders.

Letter to the Editor

#### **Dear Editor**

Just a quick note that I thought your readers may be interested in.

Recently I was checking my old records and found a pile of the old paper gas certificates that I hadn't used so I thought I would cash them in and would you believe it the PGDB paid me the refund - so if you have any get them into the Board for your refund.

Bye now I'm, off to the pub.

### Ed:

Well done. What an excellent piece of advice and what a great way to spend the refund.

Thanks for the Donations

Thanks very much to all those people who responded this week with donations and hopefully in the future if will be a tax deductible donation.

The Federation Board are exploring the option of becoming a Charitable Entity.

**Current complaints** 

We were going to give you an update on current complaints but it seems the Government Departments are on a go slow and there isn't much to report, but we are in the process of Now we say mercy of the PGDB as we appear to have a system where you are guilty until you prove you are innocent. The investigation could take months or even years and may end up in no charges being laid but in that time you go through the stress and trauma of the unknown.

If charges are laid then you go through the trauma of making a decision of defending yourself to prove your innocence or pleading guilty even if you are innocent. The PGDB help in your decision by making it well known what the costs will be to you if you plead guilty and if you defend the allegations. Most make the decision based on money, not what is right or wrong and to us this isn't justice.

Now don't get us wrong, we are not saying everyone is innocent and the Federation's stance right from the start has been "get legal or get out". There is an old saying of "do the crime, do the time" and most people are happy with that if the process is fair and equitable and that's what the Federation will push for but unfortunately we are seeing more investigations where this is not the case.

The investigators appear to have blinkers on and seem to prolong the investigations. Now we ask ourselves, is this so they can make sure they are right, or is this so they can collect more money from the system that pays them over \$100.00 per hour on contract to do the investigations? The investigators have been put in a situation where they can write their own cheques.

There doesn't seem to be any accountability so even if they get it wrong they still get paid and likewise for the lawyers. What we see is a lot of double standards by the PGDB. Generally the issues tradespeople are held accountable for are not deliberate acts. They are genuine mistakes, oversight or misinterpretation, unlike the actions of the PGDB with regard to fees where it was deliberate, calculated and unlawful but they are not held accountable.

Is what the investigators look for to do with discipline or offences? The levy we pay is called a Discipline Levy but perhaps it should be an Offences Levy as that seems to be all that is looked i.e. the offence not the circumstances. An offence is a violation of law or rule whereby discipline is training expected to produce a specific character or pattern of behaviour, a state of order based on submission to rules and authority: punishment intended to correct or train.

We believe the lack of investigative training is the cause of a lot of animosity. Just because a person is a qualified tradesperson doesn't make them an investigator, neither does attending a course run by lawyers as they, in our opinion, are the worst investigators out.

We see examples where the investigator has "investigated" but the witness statements are recorded by the prosecuting lawyer. A lot of double up in an investigation at our expense. So after saying all that we believe investigators have been given the authority to write their own cheques by stretching out investigations and even continuing them when it is clear there is no case to answer. If you were getting \$800.00 plus dollars a day and expenses what would you do?

updating our complaints register to see what hasn't been addressed.

It may interest you to know the Office of the Auditor General has stated they will have the report on the review of the PGDB out by about April 2014.

How surprising another licensing period gone!

#### Recruitment

If you are reading this you are part of - to quote Flip Flop Williamson "a small group of malcontents" that now number 1066, give or take a few that are sitting on the fence or spying for the government.

We welcome all the new supporters and for those of us that have been at this for a while it's great to see the support growing rather than diminishing.

We owe it to ourselves and to the industry to get out and recruit even more. Let's get the numbers and put a stop to all the bullshit being shoved down our throats.

Licensing is only seven months away so let's act now, get recruiting.

Sign up at www.pgdf.co.nz

# The right of reply

Very soon the Federation will be upgrading its website and part of that upgrade will be a section where tradespeople will have a right of reply for action taken against them by the PGDB.

As it stands the PGDB list any disciplinary action taken against an individual on their website under the individual's name for the public to view. This can affect business and reputation and this is one of the reasons we advise people to think carefully about pleading guilty based on a financial decision.

What we are going to provide is a section where affected tradespeople can put their side of the story forward so the public can get a full picture of events rather than only the PGDB view.

## The Government does listen to our point of view



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