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IN OTHER NEWS

Letters to the Editor

Dear Editor:

Was the merger of the ITO's into Skills an epic failure?

We all know PGDRITO was a total failure before it was merged into Skills NZ but we don't see any marked improvement.

This week we heard of two apprentices in the Wellington Region who started in August and October 2013 and they have not attended any assessment course yet and are not scheduled to do so until May 2014.

That's 9 months and 7 months wait and that's not good enough! The initial block course was to have taken place within the first 3 months of sign up to get the best benefits, after all assessments are meant to take place around

Paying for failure



Is the departure of the previous Chair of the Plumbers Gasfitters and Drainlayers Board, Mr Alan Bickers, an opportunity for the Minister and the Board? The blame for the current predicaments of the Board can't lie solely with Mr Bickers as he is only one of ten who voted on issues currently affecting the

industry, so the other nine members, the Minister and the CEO have to share the blame.

As stated above failure isn't falling down its remaining where you have fallen, and it appears to us the Board have stayed where they fell four years ago. The Board had two goes at Continuing Professional Development consultation and the schemes were rejected by a lot of the industry so now they have a scheme which is still believed to be unlawful like the previous scheme was proved to be.

There was no complaints process to deal with general complaints, so on the recommendation of the Auditor General the Board implemented a complaints process but in reality it doesn't accept general complaints. How good a deal is that?

The Board unlawfully took close to \$2 million from the industry and the Government had to intervene because the Board did not have the respect or credibility with the industry to deal with the issue.

Now they are repeating the mistake with Competency Reviews, where their own failure to operate under the PGD Act caused an issue, so they seek to give themselves more power so they don't fail again. There is sufficient scope in the Act for the Board to carry out Competency Reviews, using a process that is documented, without making it a term and condition of licensing. We hope industry isn't hoodwinked into thinking that this proposal is good for them in any way.

After the Auditor General's report into the Board, the Board implemented a "Historical Complaints" process and when we look at the historical complaints we see the large majority were upheld in the favour of the complainants. Do we need to have the historical complaints process reinstated to deal with some of the problems of the last three years?

The big question is "ARE YOU PREPARED TO CONTINUE TO PAY FOR FAILURE, AND AS AN INDUSTRY, TAKE THE BLAME FOR OTHERS

numeracy and literacy so that supports can be put in place if necessary, and also so that queries etc can be answered at a relevant time in the apprentice's career.

The reboot initiative of \$2k to the apprentice and \$2k to the employer would have been better channelled into ensuring training was taking place on a regular and consistent basis. Where are the improvements we were promised?

It looks to me we have been ripped off again. The success of the ITO merger is questionable at best. After enquiries it appears that the polytechnic has more capacity – so why aren't Skills contracting more courses if there is a backlog?

It isn't acceptable. Hell, only a small percentage of industry actually put their hands up to train apprentices – is it a good idea for Skills to put them off, and what about what this delay does for the apprentices involved?

Ed: We wish we could answer some of your questions but like you we haven't seen any improvement and in fact our feedback is the situation is getting worse.

What we have noticed is a lot of industry money gets spent on people patting themselves on the back saying how good they are doing, but at the coal face nothing has changed except for there being more people to deal with who have even more excuses and less answers.

FAILURES?"

There will be legal administrative protest this licensing period and you will still be able to operate legally.

Will you make a stand?

Is the Government Listening?



We know the GCSB listen but does the Government have the balls to listen using other means? Statistics, which are a favourite of the Government when in their favour, should be used to help monitor the success of the Board's actions. We

believe there are statistics out there to indicate the Board and Government are failing in their duty to protect the health and safety of the public and their property.

Look at the statistic of fewer tradespeople per head population than there was five years ago after hundreds of thousands of dollars have been pumped into training. How about the number of people licensing being down 8.4% in one year. What about the number of complaints made against the Board that have been upheld?

The Government did a cost benefit analysis to implement the PGD Act 2006, which we believe was questionable, but have they done one since to see if what is being imposed on the industry is actually worth the claimed benefits?

Are there in fact any measures of success of the Board's actions with regard to the health and safety of the public or is it all about the governance of their own little legal empire? There is another statistic they should look at, how many Regulation and Licensing Boards require 25% of their staff to be lawyers?

Training and Upskilling Arse About Face



There has never been any argument about the value of training, and the importance of "relevant" training to help the Board achieve its purpose, but there has been debate about the manner in which the Board and ITO

have been going about the implementation, processes and procedures around training. We can see what both organisations are trying to achieve but in our opinion they are doing it all arse about face.

How can there be consistency in training if the responsibility for training is laid at the feet of certifiers in the industry who have come through under four or five different apprenticeship schemes?

Dear Editor

Why is it that even when you complete the required courses and get your allocated points, the PGDB can then take the points you have accumulated and make them expire???

I have 38 points in my account and need 24 for this year's licensing but the rest of the points will expire due to the fact they were gained in 2012.

So because I got off my arse and applied myself and did some courses to get the required points that I needed and more, I am being penalised again by the Board "deeming" my hard earned points invalid.

I wonder how often this is happening in the industry and if it is indeed allowed to happen? Just another kick in the teeth for the average Plumber, Gasfitter and Drainlayer. I'd like your comments.

Ed: Well this is yet again proof that it is about points and not competence.

A "point" is no measure of competence and as you stated, they are taking away your points but does that take away what you learned or your competence? – No it doesn't, it simply takes away the points and means you have to go and buy some more.

The Board has placed it in its Gazette Notice that points can be carried over to the next licensing year but not beyond that.

The entire system is a scam. The Board has the power to make courses

We have got to a stage of middle down training. What that means is the requirements are set at a higher level by people who don't really understand the industry, and then handed to an ITO who don't provide training courses but set requirements for assessments.

The onus is on certifiers to provide supervision and instruction for the apprentices but not all trades people in our industry cover all aspects of the industry, so apprentices miss out on certain trade skills but get assessed on their knowledge of the skill. The result is a watered down industry.

All this happens at a time in the career of certifiers when their time should be divided between training, supervising and making the industry more productive and innovative.

Our vision is for a system where there is bottom up training. This is a system where apprentices are trained in core skills on block courses so there is consistent training of skills and knowledge. They in turn bring their new knowledge and skills into the industry (the student becomes the teacher). This upskills the industry and allows for a broader range of skills and knowledge.

This is a shift in the responsibility for a lot of the training from the certifiers to the training establishments and last time we looked polytechnics were training establishments - not assessment centres. On the job training continues for practice and experience.

The ITO in turn would be doing what it should be doing and that is ensuring the training is consistent throughout the country, ensuring the requirements of the industry are integrated into the training system and facilitating the career management and course attendance of the trainees.

The Board's role would be to liaise with the industry to ensure the competencies they set meet industry needs and that trainees completing their training at whatever level meets the requirements of the Board's purpose. This would result in National Certificate equalling registration requirements – something we all want to see, because without this the National Certificate on its own is worth absolutely nothing.

The big obstacles are the empires that have been built around training in our industry. It is more lucrative for them to accuse trades people of being incompetent and require training "after" we are qualified whether necessary or not, whether identified or not and whether cost effective or not than to sort out the training system right at the beginning – i.e. the apprenticeship.

The question is "WHY ARE WE PAYING FOR A SYSTEM THAT ISN'T WORKING?"

The training in our industry has been destroyed over the years, and is putting pressure on the financial viability of having apprentices and the productivity of the industry.

Where is the Measurable Benefit?

We heard at the Regulation Review Committee Hearing into the

mandatory so imagine the scenario where you have got your current CPD points and enough to carry over to the next year. The Board comes along and since one of their cronies has written a course they make it mandatory. What happens then?

Simple – you wasted all the time and money you spent to get the points and that is it.

Dear Editor Re last week's article on "Wasteful Training." How stupid are these people to think all this training is actually relevant and increases competency?

One of the first things you get taught as a teacher or instructor is that people won't learn and retain the information unless they want to. Forced instruction leads to dissent or resistance.

It seems to me our training is disjointed and failing at a lower level and now people are trying to put band-aids on the skill level higher up the chain.

Ed: We couldn't agree more. Over the last decade relevant, identified, formulated training has stopped and has been replaced with attendance and points purchasing.

The \$19 Million spent by ACC is a prime example of a system that started on a whim and continued on until someone had the balls to step up and stop it.

It is exactly what needs to happen in our industry and they had the ideal opportunity to do so with

Plumbers Gasfitters and Drainlayers Amendment Bill that they felt tradespeople in our industry benefited from the regulation of the industry and the prosecution of the non licensed or registered people.

That was about all they said, there was no discussion about if it was cost effective, were the requirements all relevant and most importantly was there any measure of success.

In good business practice goals are **Specific, Measureable, Achievable, Realistic and Timely**. It would be interesting to view the goals imposed on the industry by the Board to see if they are S.M.A.R.T.

The benefit to the industry must be measurable, as any economic growth will depend on the industry translating its knowledge into tangible measurable benefits not just paying for lip service regulation.

WHAT ARE THE CURRENT BENEFITS TO THE INDUSTRY – ARE WE PAYING FOR A BENEFIT THAT DOESN'T EXIST?

Where is the Singing from the Roof Tops?

Time and time again we have heard the Board singing their own praises when they have successfully prosecuted someone in the Courts and this is generally the same day the decision comes out. We have been waiting for the announcement of a loss in the Oamaru District court but we haven't seen it yet. Perhaps the new working at heights rules prevents them from singing from the roof tops?

This is what we know:

An individual was charged with doing or assisting in doing drain-laying work while not authorised.

It would appear a senior building inspector for Waimate District Council encountered the defendant near a van marked with a trade name. Attached to the van was a trailer containing pipes.

At the back of the van she could see elbows and bends for pipes. She asked for his licence and the defendant said he did not have one. She then directed him to cease work. She photographed the site showing a trench from the new dairy shed, with pipes lying in the bottom.

She understood the purpose of the trench was to contain a drain to remove effluent from the dairy shed. She spoke to the defendant's employer who denied the defendant was laying drains. She refused to accept that response and said she had issued a stop work notice. She reported her findings to the Plumbers Gasfitters and Drainlayers Board.

The Board investigated and laid charges at our expense. The defence successfully argued the defendant did not lay a drain.

The judge in a reserved decision discussed what constitutes laying a

the current qualifications review but they have continued on with a failing system with a different coloured bow on it in the hope a change in colour will convince everyone that it is a new and successful scheme.

It wouldn't surprise us if we are having this same discussion in ten years time but then there will be even less well trained trades people to bring it all into line.

Do we have Freedom in our Industry?

New Zealanders have the most freedom in the world, according to an international index that ranks 123 countries.

New Zealand was ranked number one for offering the highest level of freedom worldwide, followed by the Netherlands then Hong Kong. What degree of freedom do we enjoy in our industry?

Are we free to enjoy classic civil liberties- freedom of speech, religion, individual economic choice, and association and assembly.

If we speak up we are called malcontents.

If we prove the Board wrong or complain about them we are called stirrers.

We feel we are discriminated against because we are trades people. What are your thoughts?

drain and disagreed with the Board that placing pipes in a trench is drainlaying.

The judge stated in part: *"Therefore, 'laying a drain' must mean deliberately putting pipes in a selected position with the intention at that time of joining them together in that position so as to create an artificial conduit for waste water"*

There is too much information for us to detail but it is a very good judgement. A copy can be read at:

<http://www.plumbers.co.nz/forum/pgdb-new-zealand-plumbing-gasfitting-and-drainlaying-board/30/a-very-relevant-legal-decision/1606/>

With such a huge legal team at the Board's disposal, and to have a loss of this nature we ask:

- Are we getting value for money from the Board's appointed investigators who seem to have the right to tell the Board to proceed with a prosecution? Are they doing their job well?
- Are we getting value for money from the Board's in house legal advisers? Just how well are they interpreting the Act? What advice are they providing to the Board?
- Are the investigators acting in a competent manner? Are council inspector's competent to make a judgement in regards to plumbing, gasfitting or drainlaying given that many of them now do the pressure cooker 5 – 6 week course and do not have a trade background at all? Should the Board be listening to them when they lay a complaint?
- What does this judgement mean going forward for trades people and non trade's people?
- What is "intent" – and how will the Board prove it in the future?
- How much did this all cost?
- How are the Board held accountable for those case they "lose"?

How far do we fall before we do something?

We will attempt to get some answers to the questions above but in the mean time send us your views of this case.

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