



Fellow Practitioner Issue 210 Dated 13 June 2014

TABLE OF CONTENTS

- **Accountability is it a Two Way Street**
- **Pay no fees to the PGDB Update**
- **A look in the Crystal Ball**
- **Complaints about the Board**

IN OTHER NEWS

Letter to the Editor

Walking away from the industry

Ed, that's exactly what the Master Plumbers want - for all legally qualified tradespeople within the trade who have operated lawfully for years while always doing what's right and also doing the Board's bidding however screwed up and wasteful that maybe and then saying, "F#%k this I'm chucking it in" so we end up moving over for them and then they take over our work and customers.

That might be okay if you are a politician- do your 9 years in Parliament then get a guaranteed pension like soon to be convicted fraudster John Banks, but we don't have that luxury, we have to go on working for a living no matter how tough it gets.

Ed:

Yes we are getting the rough end of the stick but to get change we need to unite and speak up.

The Board and others know trades people would sooner go

Accountability is it a Two Way Street

Waking up every day to face more battles with the Plumbers Gasfitters and Drainlayers Board does nothing for productivity of the individuals or the industry. The Government set a target of increasing productivity by 20% and we don't know if that's been achieved or not, however what we do know is that the Plumbing, Gasfitting and Drainlaying Industry are the meat in the sandwich.

The qualified people in the industry have all worked hard to become the best they can, to become specialists in our chosen trades and yet we get no appreciation from the Government for a job well done. For over a decade we have had to fight to get even a sprinkling of fairness and equality.

The Auditor General's follow up report stated we are "unique". They were referring to the manner in which we are regulated and funded and the manner in which our fees and levies are spent by the Board. We are also unique in that a lot in the industry have two or even three trades as well as other valuable associated skills.

What we don't have is representation for the industry. As it stands the industry is the meat in the sandwich. We bare the cost of being in a regulated industry and are held accountable by the Board and the Government from the top, and then we are held accountable by the consumer through consumer protection law assisted by the Government, their appointed regulators and the legal system, so we are stuck in the middle with, apparently, no rights.

Look at the battles the industry has had over the last decade, CPD, fees, levies, vindictive investigations, poor practices in regulation, claims of poorly drafted legislation, incompetence at Board level, unlawful taking of money from the industry, an ITO who made unlawful claims and had to pay money back to the Government ...the list goes on. But who are the ones that suffered and are continuing to suffer?

We know training is suffering, we know industry practitioners haven't been happy, we know numbers are dropping, we know fees and levies are increasing with no increase in quality or service provided, we know we pay for everyone's mistakes and incompetence and we know no one has stepped in to help the industry.

We look around other Boards who influence the industry and a lot are having difficulties. Practitioners want accountability in all directions. Should we have to fight for accountability of those appointed to regulate us? Look at the consumers, we are accountable to them but have you ever tried to get money out of a bad debtor or tried to resolve a dispute – everything is in the favour

home and rest after a hard day than to spend time fighting them.

Only when they are overwhelmed by numbers will they change.

This is the time practitioners need to make a decision and start to take sides or they will forever and a day be trampled on and will be spending their hard earned money on a Board who holds the threat of taking your licence off you at every chance they get.

The industry needs representation and the only way we will get that is if people get off their arses and make a decision.

Dear Editor

Look at the demise of the people who voted for the Plumbers Gasfitters and Drainlayers Amendment Bill last year; Maurice Williamson who pushed the Bill, disgraced and moved to the back benches, Peter Dunne who stood down choosing not to speak when he should have and now John Banks who is close to being punished for a crime.

Perhaps when voting to legalise the activities of the PGDB they applied the same low standards as they have been living by.

Ed:

We agree with you writer. The so called honest and trustworthy people who the public should be able to look up to for leadership but simply get dictatorship; the people who are historically given the title "Honourable" and are far from that.

The Board used a piece of legislation "The Statute of Elizabeth" (otherwise known as the Charitable Uses Act 1601) to prove their charitable purpose. Claiming the intent and purpose

of the consumer.

For far too long the industry has been carrying the burden for everyone else and we believe it is time for that to change or for people to pay for the luxury of us being there 24/7 to meet their needs. We know some people say the more people who leave the industry the better as it leaves more work for them but really they are fooling themselves. Look at the last decade where hundreds, if not thousands have left the industry but has the workload increased - no it hasn't there are just more people operating in the black market, more people doing the work by themselves.

Pay no fees to the PGDB Update

During the course of the protest an Official Information Act request was submitted and some interesting information was supplied. The PGD Board stated 59 people supported the Federation's initiative. 2 withdrew, 2 were ineligible leaving a total of 55.

According to the Board 24 applications followed the Federation's campaign instructions correctly and the remainder didn't which meant their licences expired on 31 March 2014.

We know some of the of the 24 continue on with the battle and have as yet not paid a cent and are still licensed under last years license.

It would appear no-one's application for a waiver of fees and levy was considered on their individual merits or for the reasons on the application letters – but rather was refused on the basis that they were part of a protest action. The legality of this has been questioned.

Yet again it seems it was a shoddy policy without any stipulated purpose or any right of appeal, but in saying that the Auditor General seems to think the Board's Policies are okay. Perhaps we'll see in Court.

It would seem everyone's applications were rejected because they didn't meet the implicit purpose of the policy or the explicit considerations, in other words the PGDB believe they can do what they want and screw our rights.

The denial of the applications demonstrates yet again the bloody arrogance of the organisation and the Registrar who stated in a separate application for a waiver under hardship grounds that:

The Board does not have a primary responsibility for the redistribution of income and wealth. That is a role of Government agencies such a WINZ. It would seem to me that funding for licence fees to enable a person to work would be the priority for WINZ. I recommend that (name withheld)..... application be preliminary declined and .(withheld) ... be advised to approach WINZ to seek funding for license fees.

Very easy to say if you are on quarter of a million dollars a year. Now don't forget the Board has delegated licensing and registration

so perhaps the Government should look at the intent and purpose the use of the title Honourable.

We are sure the “intent and purpose” of the title was not there to be bestowed upon those who use devious or illegal tactics.

You can see why the PGD Board and Registrar get so much support and are never held accountable as their behaviour is deemed normal in the circles in which they operate.

Hold your head high tradespeople as we can be proud of what we do and the honesty and integrity we apply every day of the week (with the exception of a few).

You have the right to look down on those who attempt to govern us but you need to step up to affect change.

Rise above the low standards of the Government and their appointed Boards and be proud of who and what you are.

The country would stop if tradespeople downed tools but yet we still get treated as second class citizens and our rights are taken away at will.

Step up and claim your rights as productive members of society.

Financial Reserves Policy

We notice the Board is working on a Financial Reserves Policy which will be very interesting.

Policies cannot empower beyond the Act but can only administer what the Act states.

In all cases the Board is paid in advance by the

authorities to the Registrar so in most cases the Registrar has rejected applications and the Board have not even seen the submissions made by the applicants. One highly paid person’s opinion dictating the future of individuals in lesser situations.

Perhaps the Board and Registrar should concentrate on the reasons for the protest action rather than ways to justify opposing it. The Registrar has even gone to the extent of taking away one of the rights of appeal. This is what he reported:

The Board has delegated its licensing powers to me as the Registrar but in this instance it would be wise for the decisions to be made by the Board. This is because any decision that is made under delegated authority can be appealed to the Board which would provide a further opportunity to create further delay and unnecessary administrative process.

It was no secret the protest action was happening and the Board was even told how we were doing it so why didn’t they take action to prevent it. They chose to ignore the warning signs and put up with the consequences. Ignoring the industry is now their modus-operandi (mode of operation) and is proved in “a look in the crystal ball”.

A look in the Crystal Ball



Here are the predictions made by the Federation in Fellow Practitioner Issue 160 dated 23 June 2013. Still in no particular order:

- The Government will push ahead with its bully tactics and pass the Amendment Bill. **(Correct)**
- The Regulation review Committee will not look at the complaints made until the Bill is passed and will report the issue as resolved. **(Correct)**
- No one will be held accountable for the unlawful taking of nearly \$2 Million from the industry. **(Correct)**
- The Board will interpret the passing of the Bill as being a win and will continue on with its attempted intimidating tactics. **(Correct)**
- The Office of the Auditor General (OAG) will not start its review of the Board until at least the second half of the year. **(Correct)**
- The OAG investigation and final report will carry over until next year after annual licensing time. **(Correct)**
- Nearly all government agencies or departments that deal with complaints about the Board will use the OAG report as an excuse to do nothing. **(Correct)**
- The report will state there have been improvements in some areas and that the Board still needs more time. No one will be held

industry to perform its stipulated functions so where does the need for reserves come into the equation?

If there is prudent control of the money received in advance reserves wouldn't be needed.

In this case Reserves are really an insurance policy for poor financial control.

We can exclude discipline and prosecutions as they have memorandum accounts to control fluctuations.

This will be very interesting.

From the Media.

We picked this up from www.thebexness.com

It was in response to the Auditor General's Follow up report:

Let's be honest, it's not that hard to polish a turd if you have 4 years to do it!

They couldn't possibly have received a report any worse than the kindly written, politically correct wording of the last one.

We have been dealing with an organisation that through blatant corruption, double dealing, nepotism, inept policies and leadership, totally devoid of morality, has successfully ruined

accountable. **(Correct)**

- The Qualifications Review will go through without the support of the majority of the industry. **(Correct)**

- Apprentice numbers will drop as will the number of trade's people licensing. **(Yet to Confirm apprentice numbers but licensing numbers are down)**

- Industry will get sick of continual costs imposed on them and will increase prices accordingly. **(Starting to happen)**

- There will be a shortage of experienced qualified trade's people in the industry. **(Correct)**

- At licensing time 2014 there will be turmoil for all. **(Correct)**

- The Board will target individuals in an attempt to impose their will on the industry. **(Correct)**

- Master Plumbers will continue to support CPD offering discounts and other enticements to help increase or maintain membership. **(Correct)**

- Master Plumbers will continue to support the Board in order to influence decisions in their favour. **(Correct)**

- Master Plumbers will open up their membership in an attempt to boost numbers. **(Correct)**

- Master Plumbers grass root members will get sick of its direction and demand change from their executive. **(Correct)**

- More and more people will reject the regulation of the industry. **(Correct)**

- There will be continual attacks on the Federation as they are seen as competition and a handful of malcontents. **(Correct)**

- There will be the establishment of a coalition between the Federation with similar organisations or the establishment of a political party to fight the corrupt tactics used to regulate the industry. **(There have been discussions and this occurring is closer than some may think)**

- The Federation will increase in numbers and will continue fighting for fairness and equality. More people will become outspoken. **(Correct)**

If the Federation can identify these with such accuracy why can't the people who get paid to govern the industry do the same – we suspect simply because it doesn't fit in with their agenda.

The Federation is sick of waiting for improvement and working to others schedules so they can use delay tactics.

From this point on we will set our own timetable.

*numerous people's
business's and careers,
and has still been
allowed to continue its
reign of incompetence.*

*What possible benefit
do they honestly think
they bring to the
people of New Zealand
– they are a carbuncle
on the arse of society!*

*I long for the day when
their expensive offices
are finally closed and
they are resigned to
the Great
Circumlocution Office
in the sky!*

*I don't think we could
have said it any better
ourselves!*

Complaints about the Board

The Office of the Auditor General report released a couple of weeks ago stated complaints about the Board were down.

We wrote to them and asked if issues we brought up during the follow up inquiry were going to be dealt with as complaints. This was the response:

“Before I give you some specific feedback, I need to point out to you that The Auditor-General's office is not an avenue for resolving individual complaints, or concerns about how a public entity has handled a particular matter. So sending us a complaint, or a series of complaints, isn't really an option”.

So what options do practitioners have for laying complaints now? The Regulations Review Committee isn't interested and the last complaint submitted over twelve months ago still hasn't been dealt with (the person who said the wheels of government move slowly wasn't kidding!!). The PGD Board doesn't accept complaints of a general nature but there are always the Courts where you need to pay for a lawyer and then via your fees you will pay to fight your own complaint - so that's not really an option unless you have a bottomless wallet.

You could go to the Ombudsman but the last complaint laid with them is nearly twelve months old. The Ministry of Business Innovation and Employment have a hand's off stance. Complaints to the Prime Minister get handed on to the Minister of Building and Construction for a standard “who cares” answer.

Go to your local MP and listen to the standard “I'll speak to the Minister of Building and Construction for the standard “who cares” answer”. So if the Board's success is gauged by the number of complaints against the Board we suggest you keep the complaints going to everyone and send a copy of your complaint to the Minister of Building and Construction. Eventually someone will get sick of the resources being wasted and will take action. If not we let the public know.

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