

TABLE OF CONTENTS

- [Where has the Fighting Instinct Gone?](#)
- [Yes Woody](#)

IN OTHER NEWS

From the Media

Urgent bill fixes 17-year-old mistake

Peter Wilson, Political Writer

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Parliament has passed a bill under urgency to fix a mistake made 17 years ago that meant thousands of beneficiaries were underpaid by one day.

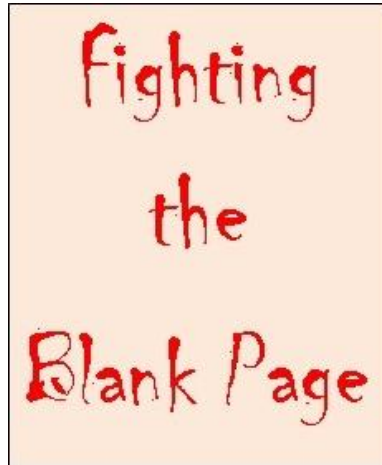
The government says it was a 1998 technical drafting error.

It meant that by law beneficiaries should have been paid from the day their stand down period ended.

Work and Income didn't interpret it that way, and continued to pay them from the day after the stand down period ended.

The error was discovered in May last year, and in September Work and Income

Where has the Fighting Instinct Gone?



Dear Editor

I have read every one of your news letter's over the years with interest but lately I have noticed they fall a bit flat and there is not as much aggression to fight for the change needed.

You can't tell me you have run out of things to fight for. I can think of a list of things such as cheaper fees and

levy, the abolishment of the prosecution fee, the dropping of CPD, proper industry representation and industry leadership.

Before the Federation showed aggression but now you seem to have gone a bit flat. What's happening?

Concerned Practitioner

Well Concerned Practitioner, you have asked a very good question so hopefully we can give you an answer which is deserving of your support. Firstly, thank you for your support and interest in getting what is best for the industry.

As we have stated a number of times, the Federation set out to ensure practitioners were getting fairness and equality in plumbing, gasfitting and drainlaying regulations and legislation.

Whilst fighting for that we have taken on other projects along the way like helping individuals, voicing our opinions about apprenticeships and training - in fact we have taken on anything we have disagreed with. The scope of our activities has extended beyond our original purpose but we have always kept our goals in mind and all that we have pursued has been linked in some way to our purpose and goals.

Not only have we fought the bureaucracy, but also personalities pushing the bureaucracy and their ideas. As personalities have changed so have the tactics of the Federation. Remember when we started people stated we were a "flash in the pan" and wouldn't last, a "couple of disgruntled plumbers", a "disorganised rabble", you name it – we were called it. Well we think we can clearly say we have proved them wrong.

started paying on the day stand down ended so it could be sure it was complying with the law.

Following publicity, beneficiaries who had missed out began applying for a payment review.

Some are reported to have been paid out, with sums ranging from \$40 to \$300.

Social Development Minister Anne Tolley says between 8000 and 10,000 have applied for a review, and those applications will be processed despite the bill retrospectively fixing the drafting error to make it clear payments start the day after stand down.

People who went on a benefit after the error was identified in May last year have seven weeks to lodge an application for a review.

Mrs Tolley says the policy position of successive governments has been to start benefit payments the day after stand down.

"This policy never changed," she told parliament.

"The legislative error was a technical error - there was never intended to be an extra day."

Mrs Tolley says the protections she's put around review applications have been made in good faith.

"They don't negate the original policy intent that a

What we didn't want to become was a "Bitch and Moan" organisation, because that would only detract from the real work that needed to be done, so we have kept our voice factual to the best of our knowledge, based on the information available. That hasn't always worked - with a few threats of defamation action having been made to us - but that is a risk we have taken.

We have always attempted to pit fact against fiction and that has worked very well along with changing tactics as personalities have changed, and yes there have been some real clashes but as time has gone by the Federation has survived, unlike some of our adversaries.

You would have noticed of late that the Federation has been targeting the Government more because the Plumbers Gasfitters and Drainlayers Board are finally taking actions required for the progression of the industry whilst still meeting the requirements of the Plumbers Gasfitters and Drainlayers Act 2006.

We sincerely hope the Board continues to make smart decisions for the industry and becomes the truly Independent Statutory Board that they are legislated to be, hence the reason we are giving them space to make change. Communication has been improving at every meeting and the participation of practitioners and industry organisations in the Board's decision making process is achieving change needed.

So the Federation, industry and practitioners have put up with industrial exclusion, that is being excluded from the decision making process that affects the manner in which we operate. The silence and the imposition of regulation and legislation which we haven't agreed with. That exclusion is no longer an issue with the Board, so let's see where we all go with that.

That leaves the Government, Minister of Building and Housing and his advisers the Ministry of Business, Innovation and Employment but how do you fight against a BLANK PAGE? It's the bigger version of industrial exclusion where we get told nothing until it's too late and then it's full on battle again.

Yes Woody



So they don't communicate with us and get on and do what Bureaucrats do. The review of the Plumbers Gasfitters and Drainlayers Act 2006 is a prime example of bureaucracy at its finest.

benefit should commence on the day after stand down."

Labour and the Greens say the government isn't being fair.

"This was a legal entitlement and should be upheld," said the Greens' Jan Logie.

"Putting this bill through under urgency is a shameful misuse of parliament."

The bill passed all its stages on Wednesday night, voted through 75-46.

How familiar does that sound - except as an industry we got no opportunity to get the money unlawfully taken from us returned.

The jackasses in Government chose to use a sledge hammer to crack a walnut after being warned it would continually return to haunt them, and that is exactly what is happening and every time it happens we will remind them of the mistrust that now exists between practitioners and the Government.

No accountability and no refund amounts to no respect or trust of the Government. How long do they expect the practitioners in our industry to prop up their activities?

The Government tell us we live in a world of user pays so it's time for them to pay.

What will happen when people choose not to go into

There is a 2006 Act which came into effect in 2010. In the Act there was the requirement for the Act to be reviewed three years after commencement date and here we are approaching six years since implementation and the review apparently is still in progress.

The last we heard was when the Ministry of Business Innovation and employment did some consultation in early 2015 and this is why we say it's hard to fight a blank page. When was the last time you heard encouraging words from the Minister responsible for our industry?

After analysing the responses from plumbers, gasfitters, drainlayers and other industry stakeholders the Ministry was to provide a report on the operation of the Act to the Minister for Building and Housing. The Minister is to present a copy of the report to the House of Representatives as soon as practicable after receiving it. At the rate it's going at that may not happen in this term of government.

The question that needs to be asked is this – Is this good enough from our government? Should they be allowed to be so tardy in their delivery of promises? This Act needs a tidy up, and while they are dragging their heels we are left to deal with it on a day to day basis. WHY is there such a long delay in the review of this Act – surely it's not because there aren't enough people to do what needs to be done – MOBE is a HUGE Ministry – so big we suspect that this could be causing some of the problem. There are people within the Ministry who have their own agendas around empire building - and – it maybe that a failing plumbing, gasfitting and drainlaying industry could simply suit them down to the ground.

The Federation has effectively fought to go from an exclusive dictatorial Board to an inclusive Board and now we continue to fight a Government that doesn't care about the industry because they used the Board to impose legislation on the industry which is effectively requires us to be self funding for the good of the Government. We get taxed and levied to protect everyone else.

We get no gratitude or benefit from the Government and quite frankly their attitude could be termed as nothing more than stupid.

Twelve months ago the Government also started a review of Occupational Licensing and what have we heard about that? You have pen pushers who believe because they are government employees with their university reviews that they know best for the tradespeople in New Zealand.

It would appear this year they are doing "desktop research" - so they are probably looking for a system they can follow rather than creating a system that actually works for the New Zealand environment. Look at the mess they made of the Gas Certification scheme. This surely was a case of "if it ain't broke, don't touch it" – but no, some person sitting behind a desk someone buried deep in the Government had a brain fart and turned a perfectly simple

a regulated industry?

Where will the protection of the public come from when practitioners choose to turn their back on the regulation of the plumbing, gasfitting and drainlaying industry?

The changes in the Plumbers Gasfitters and Drainlayers Board's attitude has brought a reprieve but how long will that last?

They must also be feeling some of the frustration we feel when dealing with these Government departments.

Some of our actions going forward?

We will continue to talk to ourselves because we need expert advice.

Our people skills are just fine. It's our tolerance of idiots that needs work so we will be looking at that.

We need a government that is responsive to the needs of its people – and one that delivers on its own timelines. To do less is to short change the taxpaying public of New Zealand.

scheme into something complicated that people still don't fully understand.

It seems that the Government is forever looking for ways to protect the health and safety of the public by regulating people who carry out sanitary plumbing, gasfitting and drainlaying when perhaps they should be working with us and look for ways to protect the public from themselves, and the government officials who meddle with no real need to.

Is it not the public that choose to do their own plumbing, gasfitting and drainlaying that need stopping? Is it not the public that employ unqualified people to do work for them that are the problem? Is it not the public that want to pay cash for work, creating a black market? Is it not the public that employ unlicensed tradespeople so they can get a cheaper job done?

Should the government not be looking for efficiencies to make a more productive industry such as better training, rather than looking to impose more regulation and cost on those already qualified.

So Concerned Gasfitter we hope we have answered your question because in essence we haven't changed, and the fighting spirit is still there. We have changed focus to the next stage of obtaining fairness and equality for our industry and are open to any suggestions on how to fight a "blank page" - which is what the Government are showing us after years of work doing what they do. It seems years of prep and then a last minute rush to implement and then they fail to get it right.

Of course, Concerned Gasfitter – we are always looking for additional people on our executive and you may be interested in joining and having input in to our direction. If so, then please contact Wal Gordon.

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