

# Fellow Practitioner Issue 308 Dated 1 July 2016

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#### **IN OTHER NEWS**

**Letter to the Editor** 

#### **Dear Editor**

I too congratulate PGDF for its tenacity. Where you get all the statistics from beats me. I have two major gripes.

When an apprentice does his minimal time and starts out in business without his registration and gets a phantom to sign off his jobs. I know off several in this category.

After years of taking on apprentices (10 at any one time), I have found they are lacking in practical applications mainly because of a shortened apprentice time span.

They really need to be committed to a full 5 years minimum and perhaps night school once a week. I believe Plumbing is more complicated than it was in my day and needs more intense training.

I am now retired and haven't bothered to keep up with the points system and health and safety. So many plumbers are in

# **BREXIT**



### **Dear Editor**

Well who would have thought the UK vote would go in favour of exiting the European Union? Looks like the power of the people can't be underestimated.

The Media reported Prime

Minister John Key is not buying the line from NZ First leader Winston Peters that the UK vote to leave the European Union is a wake-up call for democracies everywhere, including New Zealand. Is there any impact on us as an industry?

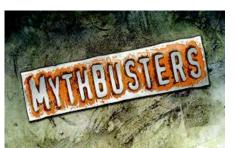
#### Ed:

It would seem that for most of us nothing will change, but we tend to agree with Winston Peters in that it is a wake-up call as more and more people are standing up for their rights and pushing for change, and we put ourselves in that group. We have an environment where more rules and regulations are implemented without gain. The Government appears to want more control over us than ever before. Perhaps they should realise slavery and dictatorships have ended in most parts of the world.

It seems to us that this Government is too comfortable and relying on small business to carry the country. There appears to be a reliance on Kiwis wanting to own their own business and as such, there is a continual turnover of businesses closing and new ones opening. This keeps the wheels of industry turning and it's been that way for years, but what is different are the demands put on the small to medium businesses.

Legislation is continually cutting into the margins and adding more administration into the operation of most businesses. The next article is a prime example.

# Busting six myths about health and safety reforms



Last week the following article was posted on the www.business.govt.nz web site

Six myths were stated to be false. We have added our

retirement mode with no concessions available, the powers to be must be losing a lot of revenue. I look forward to the weekly.

# ED:

Yes, supervision is an issue that everyone is becoming aware of but people are still taking the risks.

We know the PGD Board and investigators are keeping an eye on those that aren't supervising properly.

This is one of the reasons the Federation has been pushing for changes to the qualifications so everyone, upon qualifying, is responsible for their own work.

If you know of people who are running plumbing businesses and are not registered or licensed then we encourage you to report it to the PGDB, or use the Report A Cowboy phone app to report it.

We have always subscribed to the get legal or get out philosophy.

# **Dear Editor**

With regard to your comments about Standards NZ using the industry to develop standards and then selling them back to us, I believe the problem goes further than that.

Look at Skills. The Government pays them millions of dollars to be a "for non profit organisation" and organise the training for some industries but yet the response to their comments on each myth.

## Busting six myths about health and safety reforms

Paper cuts don't equal workplace hazards, and other myths around health and safety reforms debunked and demystified.

**Myth one:** The new health and safety (H&S) law won't apply to small businesses.

**False** It applies to all businesses in New Zealand, regardless of size. But it doesn't necessarily mean that your business will need to do anything differently, if you already take a considered approach to H&S.

**Our Comment:** So what is "a considered approach"? Where is it defined or is it one of those comments which we will only know the true meaning once someone is prosecuted in court.

Myth two: Paper cuts are now a big deal

False The new law emphasizes proportionality. What you need to do will depend on the level of risk and what you can reasonably control. What you need to identify, and take practical steps to manage, are critical risks to the people in your workplace – including visitors and customers. These can range from noise levels to slippery floors, heavy machinery to hazardous substances.

**Our Comment:** So what is "proportionality"? What we may see as being reasonable may not seem reasonable to the investigator or persons whom wrote the legislation, where are the definitions defined and are they comments which we will only know the true meaning once someone is prosecuted in court?

Myth three: It'll be expensive to comply.

**False** The most important thing to do costs nothing. Talk with your employees about how to work safely. Expert advisors may be useful if the risks you need to manage are detailed and technical – see these tips on choosing the right advisor if this applies to your business. You can also contact WorkSafe for advice.

**Our Comment:** So talking to your staff costs nothing? Let's look at a business in our industry. A one hour talk would cost \$85.00 per man in lost charge out, \$32.00 per hour in wage, the lost opportunity of profit on materials let's say \$20.00. So based on those three items it just cost \$137.00 for a one hour talk, but did it, because it takes two people to have a talk so that would boost the price up to \$274.00.

For arguments sake let's say there are 4,000 practitioners in the industry and we have a 1 hour toolbox talk every week. That's \$548,000.00 for that toolbox talk. That doesn't seem like nothing to us.

Myth four: I need to do something now, or face big fines.

**False** High penalties only come into play for employers who recklessly or persistently flout safety management steps. If you

industries still have to pay.

All these organisations are thrust upon us by the Government and are absolutely nothing without the industry and our experience and you are right they simply sell the information we provide them back to us.

Time for the industry to wake up. It wouldn't be so bad if these organisations were doing good for the industry but I don't see any value added by their efforts.

Keep up the fight there are more out there behind you that you could even imagine.

#### Ed:

Thanks writer. We have been told a number of times that we live in a world of user pays.

Perhaps the organisations you have mentioned and others should be paying for our expertise as after all they make money out of it.

Yes, they are making money because how else do they pay for their flash offices, high wages and travel throughout New Zealand and the rest of the world.

already have sound H&S policies and practices in place, you're in a good position to stay compliant when the law changes. If not, there's plenty of time to fix this – and keep those in your workplace safe and healthy.

**Our Comment:** More definitions here for the courts such as recklessly, persistently, flout and sound. Note that it only places you in a good position it doesn't say you are compliant.

Myth five: If someone gets hurt, I'll go to prison.

**False** Again, penalties such as hefty fines and imprisonment are only imposed in extreme circumstances. For example, if an employer removes safety measures put in place after a WorkSafe inspection, and a worker is seriously injured as a result. In general, WorkSafe aims to support those who show a genuine willingness to comply.

**Our Comment:** Extreme to desk jockey may not be extreme to the practitioner and what is a genuine willingness to comply? Does that mean the person accepts everything that is dictated to them?

Myth six: This means LOADS of paperwork.

False Paperwork does not equal managing risk, and managing risk does not equal paperwork. You only need documents if this is the best way to manage and minimise critical risks. Putting things in writing is a useful tool for good communication, but what's most important is for you and your employees to discuss safety management.

**Our Comment:** Will a practitioner stating they "told staff" stand up in court or will there be the obvious question? Where is your proof, do you have minutes, have you recorded the training? Paperwork is the biggest cover arse tool ever invented.

Therefore, were the Myths Busted or were they downplayed in an attempt to make people more acceptable of what has just been imposed on us? More costs imposed on practitioners which are very difficult to hand on to consumers, but not impossible and you need to really consider HOW you pass these on to your customers. What are your thoughts?

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