



Fellow Practitioner Issue 390 Dated 7 February 2020

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IN OTHER NEWS

THE ACCELERATED APPRENTICESHIP SCHEME

You have heard the Federation talk about the Accelerated Apprenticeship scheme but few people know the details of it including the Federation.

The Skills Organisation claimed it was an industry lead project but yet they haven't given people in the industry any information about it.

As we have informed you before the Board won't release information about the now defunct project to the Federation and this was the subject of a complaint to the Office of the Ombudsman.

The following is what we have surmised so far.

The Accelerated Apprenticeship scheme was

WHAT IS FALSE AND MISLEADING ADVERTISING?



Last edition of the Fellow Practitioner we looked at anti competitive behaviour and had some great feedback including this which is from the performance agreement

between the Minister for Building and Construction and the Plumbers Gasfitters and Drainlayers Board:

2.2 In carrying out its statutory functions, the Board will take into account the Crown's broader objectives in regulating plumbers, gasfitters and drainlayers in New Zealand. These objectives include maintaining a regime that the public and the sector consider to be effective and balanced i.e. maintains standards without imposing anti-competitive entry barriers and conduct regulation.

Take from that what you will. This week we briefly look at false and misleading advertising that can affect competition or mislead the public.

False and misleading advertising is very simple and is defined as "Claiming you're something you're not".

Last edition we spoke about industry organisations and how members are reliant on the organisations to get it right. About 18 years ago a radio advertising campaign got it wrong where the advertisement stated "You are not a plumber unless you are a Master Plumber" or words to that affect.

This is a prime example of an advertisement that falls into the category of false and misleading advertising. In this case it was a mistake which was rectified very quickly once it was brought to the attention of Master Plumbers. We are not criticising Master Plumbers, in fact we commend them for their prompt action, but it is an example of how easy it is to make a mistake.

The Commerce Commission has this to say about false and misleading advertising:

in response to the Government's desire for more tradespeople and it was hoped that it would deter Government from wanting the plumbing, gasfitting and drainlaying industry to go down the path of partial qualifications like the builders have.

The proposed scheme did, in our view, have its limits – it was being targeted at school leaver's only, it was going to be Auckland based and it was chopping the required first year of supervision as it was considered that the year full time at tech and doing some work experience would cover off the normal "first year" where direct supervision is required.

There was to be no accommodation for apprentices in the system that may be outstanding, or mature and therefore much quicker at picking things up to have their apprenticeship shortened.

In our view it was a knee jerk reaction to a problem that needed a lot more thinking to be done.

What was strange was it was at a time when the apprenticeship had just been moved from four to five years to incorporate drainlaying.

We disagreed with it as a concept for reasons that we believe it had the potential to dumb down the system, it was not fair as it never allowed for apprentices already in the system who could well justify having a shorter apprenticeship

Claiming you're something you're not

Any claims made to bolster the image of your business, products or services must be accurate.

Sponsorships and endorsements

Claims your business makes about the success, skills, test results or backing you have, or which your employees, products or services have, must be truthful. These claims are usually made to convince potential customers of the merits of going to one business over another and can give an unfair competitive advantage if they are untrue.

Claims about qualifications and skills

You should not claim membership or approval of trade organisations unless that membership has been approved and is current. You must also be able to prove any claims you make about qualifications or skills. Claims should not be based on pending applications, certifications or part membership.

Claims about success

You must not make misleading claims about your own success. If a claim is made about the success of a certain product, service, or business, this claim must be current and accurate. Any claims you make about a past success, such as an award won two years ago, must clearly state the date of that award. For example, a restaurant claiming to be the 'best budget restaurant of the year', when it was awarded the title five years ago, would breach the Fair Trading Act unless the date of the award was clearly stated.

Sponsorship's and endorsements

To promote a product or service, your business may want to use an endorsement from a prominent person or organisation. Any endorsement claims must be true, and the person or organisation must agree that your business can make the claim. It is illegal to make false or misleading claims that a product or service has the support or endorsement of any person or organisation when it does not. Such endorsements include medical or product safety certification. Businesses must also not claim the endorsement of a fictitious or disbanded organisation. You should only make a claim that someone uses a certain product if they do. Any claims made by the person endorsing the product or service must also be true and current.

Tests and surveys

The results of tests or surveys which are favourable to a product or service may be quoted in advertising. If this is done, the results must not be distorted to make them appear more favourable. Businesses should be able to provide evidence to substantiate the

based on real competency, and it had not been consulted about with wider industry.

Even though it would appear the scheme has now been abandoned we ask why the industry wasn't involved in its development?

The Ombudsman has completed his investigation into this issue and has formed the final opinion that the Board was entitled to refuse the Federations request under section 9(2)(ba)(i) of the Official Information Act 1982.

This decision will be discussed in detail in a later edition of the Fellow Practitioner as it has far reaching implications of relationships within the industry.

WHERE IS THE MINISTER?



Another year has passed and we wonder if we still have a Minister of Building and Construction.

Is there a chance Jenny has taken advice given to Forest Gump "If you are ever in trouble, don't be brave. You just run, OK? Just run away."

When the Government changed at the last election the Federation had hoped that the new government would make change but alas it's all still the same if not

accuracy and relevance of the results, should they be questioned. Alluding to a non-existent test or survey will also breach the Fair Trading Act. It is also important that any statements made do not mislead consumers as to the nature, extent or standard of any test or survey.

Image advertising

Image advertising is when a business attempts to create a favourable image of itself or its products or services in the minds of consumers. For example, a business may try to convey an image of being environmentally friendly by using scenery in advertising or designs with dolphins or plants. Alternatively, you may use a well-known personality, with appropriate associations, to promote a product and strengthen its image.

If a representation has been made, it may be in breach of the Fair Trading Act if it is found to create an impression which cannot be substantiated. Likewise advertising should not create an image for your product or service which cannot be backed up by the facts.

Any claims made to bolster the image of your business, products or services must be accurate. Getting it wrong is as easy as putting on the side of your vehicle "Registered Certifying Plumber" when you are not.

What we, as an industry, tell the public can mislead them and the regulation of our industry doesn't make it easy for them or us.

Practitioners have gone from being apprentices or registered practitioners to a situation of apprentices, journeyman, exemption holders, registered tradesman and registered certifier. From simple to complicated.

The public don't know the difference and they are reliant on practitioners to tell them the truth about qualifications and supervision. This can only happen if practitioners believe and understand the system themselves. In our view a LOT needs to be done in this area of regulation.

The Ask for The Card Campaign was to help educate the public, but we don't believe the public are actually ASKING for the card at all. We have heard of only one instance where a gasfitter was asked for his card. Perhaps more members of the public are checking out their tradespeople on the PGDB website.

We hope so as a lot of practitioner money was spent trying to upskill the public, meanwhile, everyone has a card – so are the public educated enough to know the difference between a trainee, a journeyman, a licensed person and a certifier.

What do YOU think? Send us your views.

worse.

You may remember a performance agreement between the Plumbers Gasfitters and Drainlayers Board and the Minister of Building and Construction was implemented to ensure the Board was held accountable.

This was the result of recommendations made by the Office of the Auditor General and was implemented by the National Government at that time.

As part of our surveillance activities the Federation checked the performance agreement on the Board's website and found it is the same old agreement signed by Nick Smith of the National Government in March 2017.

It seems Minister Jenny Salesa has no expectations of her own and is relying on the ideas of the National party.

The Labour Government doesn't seem to be providing her with much support either as other Ministers of Parliament are aware of issues but nothing appears to be happening.

This is part of the agreement:

"The Board's accountability agreement is between the Minister for Building and Construction and the Board. The agreement establishes the Minister's expectations of the performance of the Board."

"The agreement enables the Minister to monitor the Board"

DOES THE FEDERATION BEING DIFFERENT MAKE OTHERS UNCOMFORTABLE



The Federation is different in a lot of ways to other organisations and we believe some are uncomfortable or even scared of that difference.

When the Federation was established there was an industry environment of deception, lies, collusion and the list goes on. In isolation the issues didn't really mean much but when things were happening so often the Federation just couldn't ignore them. Since inception we feel we have had some wins, and made a good contribution to the Industry.

One of the biggest changes we felt we had a great influence on was the change from a "points" based upskilling system to one that is based on "matters necessary to" - we now see subject matter that reflects weaknesses in practitioner knowledge or improved health and safety. Sadly, we see that there have not been as many changes in the system as we would have liked.

When establishing the Federation a number of decisions had to be made including our purpose, funding, representation and the organisation structure. The Federation opted to be innovative and moved away from the regular way of doing things. Hence the reason we are able to operate for an entire year for less than it costs the Board to operate for a day.

The Federation went electronic so there wasn't time and money expended on travelling around for regular meetings. There was no joining fee and there was no restriction on who could be a member. Representation of all in the industry was very important to the founding members.

One other very important issue was that the founding members didn't want to be indebted to anyone or any organisation. The Federation didn't want to be trapped in the "you scratch our back and we'll scratch yours" environment that exists. There were certainly sponsorship opportunities offered, but the Federation declined these.

Some people believe operating in that buddy-buddy environment allows for influence over decisions in the industry however there is a price to pay for having an influence over what goes on and that is, it opens up organisations to criticism.

The Federation isn't exempt from criticism as we get told all the time we are shit stirrers and obstructive, but when you get excluded from the discussions you have no choice but to draw the issues to the attention of others. The Federation has always had the attitude of people either being on our side, by our side or simply in our way.

and hold the Board accountable for its performance.”

The Federation hasn't seen any accountability at all. It makes you wonder what the Ministry of Business Innovation and Employment (MBIE) are doing as they are the ones making recommendations to the Minister of Building and Construction.

Perhaps their only advice has been "RUN JENNY RUN" as everyone seems to run away from any issue to do with the Plumbers Gasfitters and Drainlayers Board and the industry.

LETTERS TO THE EDITOR

Dear Editor

Have you noticed that the Board have been notifying us twice that their Info Brief is out?

It really gets to me that I log onto their site to see what is new and you find it is the same Info Brief I read a couple of weeks ago.

They seem to go on about how many hits they have on their website so is it possible they send it out twice so mugs like me log on again and it increases the number of hits they have thus making them look good?

Keep up the good work.

Ed:

You may be right. Bureaucrats seem to thrive on numbers.

If it is the case it would look

Being open about issues and saying what we think has been very important to the Federation. We have firmly stuck by the philosophy that it is easier to speak the truth as the truth is easy to remember. When you lie and mislead people it is hard to remember what lies you have told.

Margaret Thatcher once said:

“Standing in the middle of the road is very dangerous ; you get knocked down by traffic from both sides”

The Federation has pushed to win because if you don't then what is the point in fighting for what you believe is best for the industry? Being in the middle making compromises is simply putting band aids on the issues and accepting partial solutions. We believe that problem has plagued the industry for decades.

Being part of a perceived cartel is not on the Federation's radar either. Those that have formed cartels in influencing positions have taken over responsibility for success and failures.

A couple of prime examples are two projects the Federation have opposed being the Accelerated Apprenticeship scheme and the Level 5 Qualification. A cartel has been pushing these projects but as soon as the government announced changes to tertiary training in New Zealand these projects appear to have been dropped like a hot turd.

This poses the question about the real motives behind the projects. The Federation is ecstatic that these two projects appear to have stopped as we feel they should never have started in the first instance. We believe they were just more band aids to cover failures in the qualifications and regulations of the industry. There is more about the Accelerated Apprenticeship scheme in the side column.

If these projects were as beneficial to the industry as claimed, why haven't they continued? Apprenticeships and training should be business as usual according to the Government. This appears to be more industry money wasted.

Those controlling the regulation and training in the industry seem to operate with impunity, and to a certain extent we feel they treat the masses i.e. the ordinary hard working plumber, gasfitter and drainlayer with a lack of respect. They also seem to operate in an environment of apathy where it is easier to ignore, and mislead than it is to correct.

The Federation does admit to one mistake and that is in the course of conversations and consultation with the influencers we have asked "how stupid can they be?", well it seems this has been taken as a challenge

It's up to all of us to make sure we keep up to date with what is happening to our industry. We need to read everything and when

very good for their statistics about the engagement they have with the public and tradespeople.

In November last year the Board claimed they are engaging and connecting through innovative solutions so perhaps having increased numbers of people logging onto their site may make it look better than it actually is.

We'll find out in the next Annual Report.

asked for an opinion – be ready to give it – for if you don't then you have missed a golden opportunity and others will give theirs and help shape the decisions of our industry going forward. Then we have no one else to blame but ourselves.

We invite you to come on board with us – to join our committee and help shape the future of the industry for the betterment of apprentices, tradespeople and all those associated with plumbing, gasfitting and drainlaying businesses. We may not have the ear of the PGDB – but that won't stop us forging ahead with what we believe in.

2020 is going to be a huge year for apprentices - the ROVE Review outcomes are being put in place and a strong voice is needed to represent those new to our trade. Employers too need to understand what is going on in this space.

We welcome apprentice input and feedback! Perhaps you would also like to join us?

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