

TABLE OF CONTENTS

- **LEGISLATION COVERUP AGAIN?**
- **WHAT ABOUT OUR RIGHTS?**
- **BREAKING NEWS COVID 19 AND ITS EFFECTS**

IN OTHER NEWS

INDUSTRY PERFORMANCE

You would think after all the years there have been plumbers, gasfitters and drainlayers and the establishment of government, boards and industry training organisations that there would be some emphasis on performance but it would seem there is a belief that performance will be forced upon the industry through regulation.

Is it possible that regulation is impeding performance in the industry?

The Government bleats on about industries and performance but what do they actually do to help the performance in an industry? We don't see anything in our industry and there is no accountability as we have discussed in previous editions of the Fellow Practitioner.

The fact that the

LEGISLATION COVERUP AGAIN?



How long should it take a Government Department to fill a vacancy? A vacancy they know will be coming up at least one to two years ahead? Not long right?

Well the PGDB has had a vacancy for several months that has remained unfilled. When the old PGDB chair Peter Jackson left his position remained vacant. This is despite the fact that MBIE knew when his time would be up and had ample time to call for and select replacements.

Additionally to this another Board member was not reappointed in February this year, but still remains on the Board. The existing Chair's tenure is up shortly as he has served the maximum nine years concurrently. Every vacant position is an opportunity missed by industry. It is a story of incompetence, lack of planning and negligence.

We checked the Plumbers Gasfitters and Drainlayers Act 2006 and found the following in the Act up until October 2019.

135 Term of office

(1) Each member takes office from a date specified for that purpose in the notice appointing the member or, if no date is specified in the notice, from the date on which the notice is published in the Gazette.

(2) Each member is appointed for a term of 3 years or any shorter term as is specified in the notice of appointment, and may be reappointed from time to time, but no person is eligible to be a member for more than 9 consecutive years.

The Act is administered by the Ministry of Business, Innovation, and

qualification and training system is set up so that individuals are not deemed workplace competent at completion of their apprenticeship and that there is no pathway in training to progress to the next level where they are not required to be supervised causes huge problems regarding performance in the industry.

It may be argued that performance is an individual responsibility but individuals still need the tools by way of incentive and training. They need to be able to trust what is happening around them in the industry particularly from those in positions that directly affect the individual's progression in the industry.

With so much division, dissention and exclusion going on it is no wonder practitioners lose interest and disappear. When we say disappear some leave the industry but others just keep their head down below the parapet and watch the circus of regulation and training go by.

These practitioners only do what they have to do to stay legal.

A lot of things affect performance of the industry and in the industry.

Forced compliance doesn't work and affects performance.

Exclusion doesn't work and affects performance and participation.

Fear of prosecution doesn't work and affects

Employment (MBIE), who incidentally are tasked with reviewing the Plumbers Gasfitters and Drainlayers Act 2006, but don't appear to have had time.

They also advise the Minister of Building and Construction on all things plumbing, gasfitting and drainlaying and recruit for membership of the Plumbers Gasfitters and Drainlayers Board.

When checking the Act to confirm our recollection regarding the nine year rule we saw an amendment to Section 135 Term of office, 135 (c), inserted on 24 October 2019. This is the amendment:

(3) A member continues in office despite the expiry of his or her term of office until—

(a) a successor is appointed; or

(b) the member is reappointed.

So here is another example of legislation being used to cover negligent, incompetent or other behaviour. We saw this when the Board unlawfully took money from the industry and the Government implemented retrospective legislation to make lawful that which was unlawful.

This time MBIE has failed in their responsibility to recruit appropriate people in a timely manner and now with the election upon us the issues gets even worse.

We find it amazing that MBIE can't find time to review the Plumbers Gasfitters and Drainlayers Act 2006 but they can find time to make amendments to the Act without consultation to meet their needs and to cover in our opinion negligence and incompetence.

WHAT ABOUT OUR RIGHTS?



A lot is happening throughout the country and there is a lot of debate about people's rights. Everyone wants to be safe but no one wants to pay.

This month there was a lot of debate in the media about a quarantine payment scheme for returning New Zealanders and that it may have to operate on a case-by-case basis to fit within the law.

The Government said it's "not a simple thing to work through", as Kiwis have the right to return home under international law, and

performance and the mental wellbeing of practitioners.

Lack of trust in the bureaucracy is a big one and the list goes on.

If practitioners aren't enthusiastic about the environment they work in, which extends beyond the physical work site, then they aren't supporting what's happening in the industry.

For example if they are in forced regulation, they're not participating in regulation, they're simply tolerating it and when people don't believe in the regulation it makes the regulation ineffective. That has a direct flow on effect to the performance of the industry.

We remember when this Government started its term it voiced a transformational message of hope and change. This doesn't appear to have happened. With so many in the industry keeping their head below the parapet the danger is that when the Government looks over the parapet there may not be anyone there.

Helping better performance in the industry would help everyone in the country but we would have to say everything in place at the moment indicates failure.

Ministers are being held to account for their behaviour but don't seem to be held to account for actually doing their jobs. How many years has our industry put up with ineffective Ministers looking after our industries and people they appoint?

charging them could impinge on that right.

One Human Rights lawyer said people in isolation are doing the country a favour, and it "doesn't seem right" they should have to pay. "The two-week quarantine operates to keep them safe, but also to keep us all safe. It doesn't seem right that people should basically have to pay for their detention to keep us all safe."

So it doesn't seem right that that people should have to pay to keep us **ALL** safe was the comment, but we would have to say that this has been happening for a long time in our country where the Government claims fairness for all. Yes we are referring to the Plumbing Gasfitting and Drainlaying Industry.

For decades now we have been paying to keep ALL New Zealanders safe by way of 100% funding the regulation of the industry and the investigation and prosecution of people who CHOOSE to do plumbing gasfitting and drainlaying work unauthorised.

Fairness for all, human rights - what a joke and we know the Government and Opposition know about it as it was a previous Government that enacted retrospective legislation to make legal that which was illegal to support the funding of the behaviour.

BREAKING NEWS COVID 19 AND ITS EFFECTS

Auckland has gone into Level 3 and the rest of the country into Level 2. What, we ask, will become of apprentice training during this time. We have already seen notifications that block courses in Auckland are cancelled or postponed.

Given that it's been a while since we were all in lockdown you would think some lessons would have been learned, and some planning by our ITO might have been done.

If we are looking to go into further restrictions i.e. Level 3 spreading over more of the country, or goodness forbid a complete lockdown – then our apprentices need to carry on their training.

Already their apprenticeships have been elongated by the cancellation of block courses during lockdown.

There is **ABSOLUTELY NO REASON** why on line or theory work could not be completed by apprentices who are required to work in restricted conditions so as not to disadvantage their learning progression.

Have our ITO made ANY plans at all for a digital online platform?

There has been plenty of time to do so. If you are an apprentice who has suffered with your training and assessments perhaps you might want to write to us and tell us how it has affected you and your career.

When was the last time you heard an enthusiastic practitioner say “what an excellent Minister, what an excellent chairperson, what an excellent Board”.

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 6
Tacoma Drive, Totara Park, Upper Hutt 5018 Ph
(04) 5277977 Mob 0276564811 Fax (04)
5277978 information@pgdf.co.nz