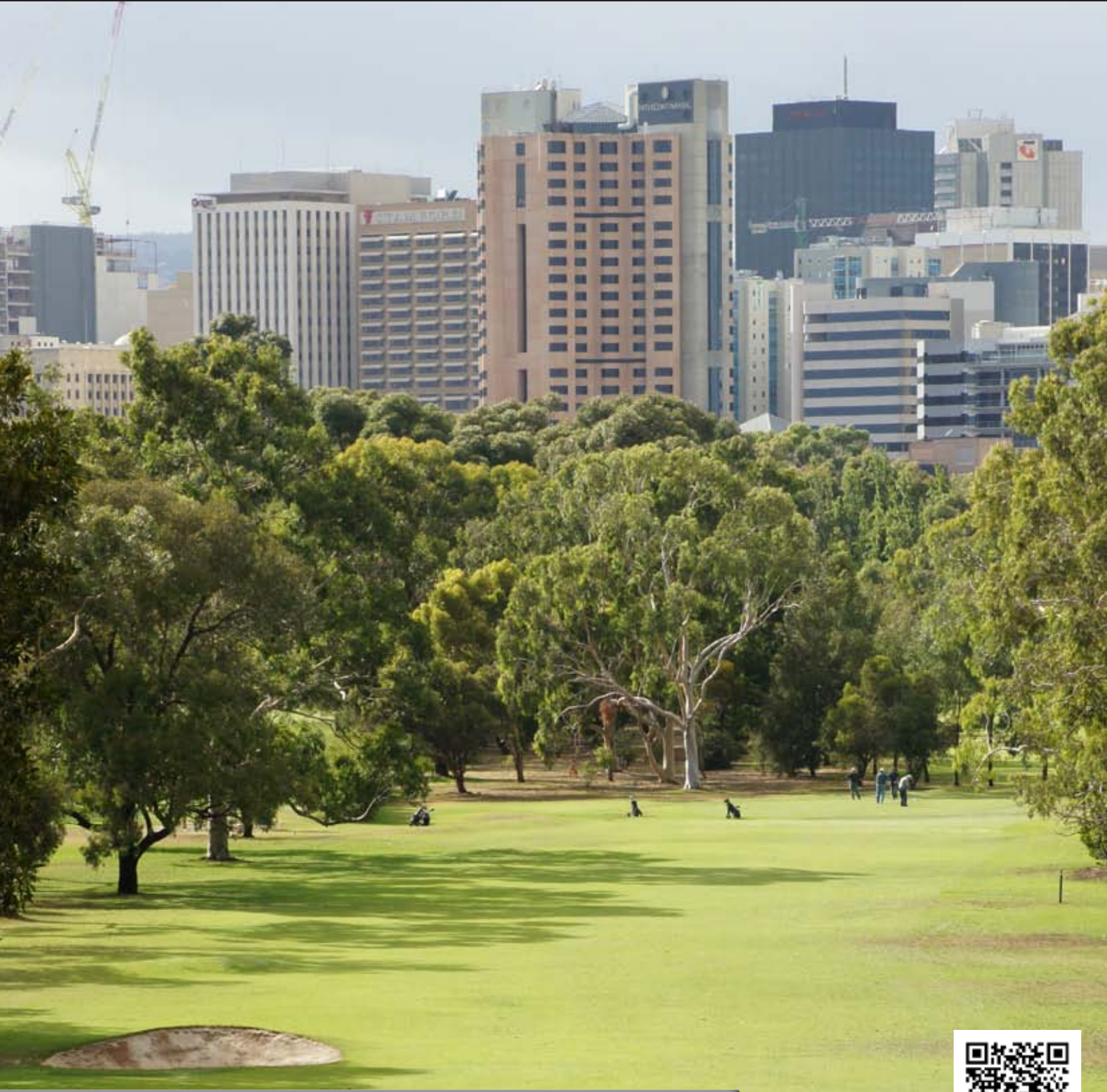


Plumbing SA

The Plumbing Industry Association of South Australia Inc.



March / April 2013



- Common Sense... What is It?
- Sham Contracting Exposed
- New PIA Training Courses Available



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Contents

March / April 2013

Inside this issue....

PIA Editorial	2
Filling A Gap	4
NOLS Final Industry Roundtable	6
Plumbing Problems	7
Maintenance Plumbing	8
Residential Plumbing	10
Increased Penalties for Sham Contracting Likely	12
GasTrain	13
In Brief	14
Starting Your Own Business	15
Insolvency & Bankruptcy - What's The Difference?	16
Legal Advice	17
Managing Facebook & Twitter	18
Financial Advice	20
Hot Products	21
SafeWork SA	22
JB's Soapbox	27
Apprentices	29
Member Benefits	30
Industry & Affiliate Members	33

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Cover: Adelaide from North Adelaide Golf Links serviced by the GAP Recycled Water

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ASBUILT

Welcome back from the Christmas holiday period. Like all industry stakeholders, let's hope 2013 provides an upward swing towards greater job prospects for young budding apprentices, an increase in work opportunities for plumbers and a smooth transition with the new Work Health and Safety Legislation.

Income Protection

The plumbing industry is full of tradespeople who venture into many sporting / recreational activities which assists in achieving that work, life and health balance.

I have heard of a number of instances where people involved within the plumbing industry have been injured whilst enjoying some of these leisure activities and although they range in severity and varying times to recover, there begs an important question that all need to consider.

Do you have adequate income protection should something go wrong?

Income protection is something that may not be high on everybody's agenda but if you are an active person who engages in activities that has historically resulted in some form of injury, it is worth considering the worst case scenario and look at how you would manage, if it happened to you.

I openly admit to joining fellow cyclists in riding around the Adelaide foothills, coast to coast rides etc, and have witnessed more crashes than I could have ever imagined.

I do have income protection and yes, if I go down in a screaming heap (let's not even contemplate that) at least I know the mortgage is being paid and the family has the protection of an ongoing income.

Should you consider going down the income protection path, the PIA has a number of contacts that are available for consultation.

Mates in Construction

The construction industry has a new program to assist all construction workers with life's challenges. The program has been very successful interstate and now thanks to the Building Industry Redundancy Scheme Trust (BIRST) in SA, plus with additional funding from the Federal Government, SA has begun its charter to assist all construction workers.

What is MATES in Construction?

The Mates in Construction (MIC) program aims to influence culture on site through raising awareness about the signs when a worker may be struggling with life issues.

The program provides access to help on site and links workers who are at risk of suicide to a network of professional help. MIC achieves three things when applied fully on site:

- Raised awareness of suicide as a preventive problem
- Making getting help easy
- Ensuring the help is appropriate

This is achieved through the various mechanisms put in place by the various training programs on offer and resources being made available whilst on site.

To read more about Mates in Construction, and to gain a greater awareness of the program, please refer to the article outlined in this magazine.

National Licensing - Submissions on Consultation Regulation Impact Statements and Amending Legislation 2012

On 13 August 2012, the COAG National Licensing Taskforce released its Consultation (RIS's) outlining the options for reforming occupational licensing in Plumbing, Gasfitting, Refrigeration and Air-conditioning occupations.

A Draft Amendment Bill and Regulations were released on 14 September 2012. Stakeholder consultations occurred in August and September 2012, and feedback was sought for each occupational area affected by the proposed national licensing reforms.

Around 3,600 submissions were received in response to the various consultations, RIS's, and amending legislation.

You are able to access the submissions here: <http://nola.gov.au/consultation-regulation-impact-statement-submissions-2012/>.

A small number of submissions were confidential, and these have not been uploaded.

The rumoured commencement date for implementation is 2014 (month to be confirmed) but with a Federal election looming in September 2013, there are doubts whether the Commonwealth could resolve such a major reform that effects the whole country.



Andrew Clarke
Executive Officer





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Filling A Gap



Above: Japanese Gardens on South Terrace

In 2012, some sections of the media reported significant salinity problems with the Glenelg Adelaide Project (GAP) Recycled Water.

After reviewing articles from the University of Southern California on the use of recycled water in the South Western United States, it seemed that there is a considerable body of knowledge around the world on how to manage any of these possible problems.

The prime end user of the GAP recycled water is the Adelaide City Council (ACC) and the PIA spoke at length with the ACC's Senior Consultant – Parks Water & Environment, Kent Williams.

It would appear that some in the media have been selective in their articles and have painted a picture that seeks to sensationalise at the cost of reporting factual information.

It is true that the Bent Grass used in our two parkland golf courses suffered due to the higher saline levels but it was not unexpected and the ACC understood before 1mm of recycled water was used that it is not a matter of just pumping water onto the parklands.

An adaptive management plan and Irrigation Risk Management Plan is in place that considers plant species, watering times, cycles, drainage, fertiliser application, soil structure, long term soil and groundwater monitoring etc.



Above: South Terrace Parklands



Above: Japanese Gardens on South Terrace

To ensure any potential harm is managed before it becomes a problem. The Bent Grass on the north course of the ACC golf course has been replaced with Santa Anna grass which is extremely tolerant of higher salt levels. Consultants who examined the south course have determined that the design of the tees and greens drainage is more of a problem for the turf types in use than the GAP Water.

Does the council spend significant funds upgrading this course or replace the grass with Santa Anna? It is these management decisions that will resolve these issues. 98% of the grasses in the irrigated sections of the Park Lands are Kikuyu which handle the GAP Water with ease.

The media coverage about the turf at Adelaide Oval is more specifically related to the turf wickets in use which are established on compacted soils and therefore the drainage issues similar to the golf course create turf management issues using GAP water.

The ACC has established test bores around the parklands and is testing the soil and groundwater at this stage, every six months. Since 2010, when testing began, there has been little change in these test bore results apart from seasonable variances which are to be expected.



Above: GAP Recycled water valve box cover

Filling A Gap



Above: North Adelaide Golf Links

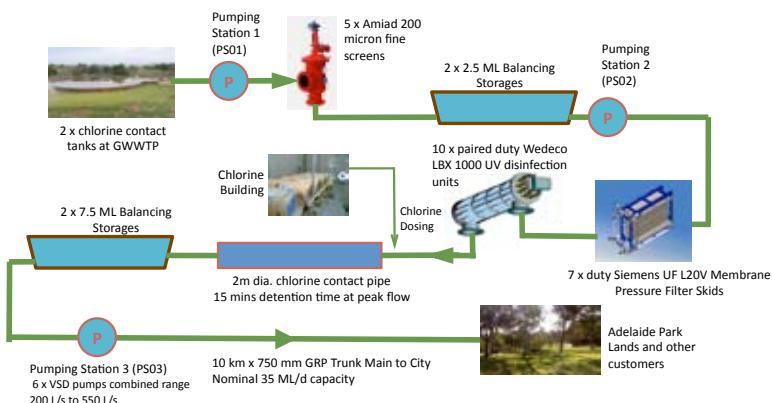
The Department of Health and the Environmental Protection Authority (EPA) has rigorous standards for the monitoring of GAP water as does SA Water. Irrigation of GAP watering is all undertaken at night as a best irrigation practice approach, to meet Department of Health conditions of use and to eliminate the risk of GAP water with its higher salt content causing possible foliar burning of sensitive trees, shrubs and grasses.

Fertiliser practices have been changed to accommodate the higher levels of Nitrogen and other chemicals present. This has generally meant less fertiliser is required and the type has altered. GAP water is only used during the summer dry season and Adelaide's natural rainfall should dilute and flush any salts over the winter months, that may accumulate during summer.

It's worth noting that GAP water is generally supplied at 900-1200ppm (salt/hardness level) and there are a number of bores in the parklands that historically exceeded 1500ppm, which have been used for decades by sporting and community groups in the parklands with no ill effects. A new purpose built recycling plant was built as part of the project to treat the effluent water after it was treated within the existing treatment plant.

The new plant incorporates ultra filtration, ultra violet treatment and chlorine disinfection making the water fit for dual reticulation

Glenelg Recycled Water Treatment Plant



Above: North Adelaide Golf Links with GAP Recycled water purple pipe on one of the tees

use. The water then goes to two balancing storages before being pumped via the trunk main to the city for delivery to the Adelaide City Council and other customers.

Finally it is worth noting that effluent water pumped to the Virginia Market garden area from Bolivar has not been treated to the same standards as the GAP Water and all around the world effluent water treated to varying degrees and is widely used in irrigation.

Adelaide City Council believes its Adaptive and Irrigation Risk Management Plans are working and there are good monitoring processes to adapt the management plan as and when it is required.



Above: New recycled water pipe in Victoria Park



Above: GAP Recycled main valve station

NOLS Final Industry Roundtable

Industry Roundtable



Above: Senators Chris Evans and Penny Wong meeting with industry participants

As a follow up to the industry roundtable, Senator Chris Evans, Minister for Tertiary Education, Skills, Science and Research and Senator Penny Wong, Minister for Finance and Deregulation, hosted a second industry roundtable in Canberra on 31 October 2012. Industry representatives reaffirmed their support for national licensing and identified areas where agreement had been reached across the relevant industries. While there are still a small number of issues to be resolved, the proposals put forward by three of the Interim Occupational Licensing Advisory Committees (OLACs) demonstrated industry consensus on an approach for national licensing.

Further work will be required to achieve a final position in relation to a national licensing model for property occupations. The ministers acknowledged the work that had been undertaken in reaching an agreed position. Recommendations arising from the interim OLACs are going to the Standing Committee on Federal Financial Relations and will provide input into the COAG decisions on the final policy model for national licensing of these occupations.

Representatives of peak industry bodies, employer groups, unions and consumer organisations were invited to participate in the interim OLACs for the first wave occupational categories. Regulator participation was sought through the Steering Committee. The NOLA Board approved membership for each interim OLAC and their first meetings were held in the week of 15 October 2012. Given the short timeframe for establishing the OLACs, it was decided that the groups would be set up as interim

OLACs with their functions and membership to be formally reviewed once the first wave of legislation had been finalised. Each OLAC discussed issues relevant to their industry:

Plumbing and Gasfitting

The key issues discussed were:

- three tier v two tier licensing model;
- retention of apprenticeships as the only pathway for a licence;
- business units of competency;
- deferral of roof plumbing and stormwater categories;
- continuing professional development; and
- single jurisdiction licence category eg medical gases.

Regulator Working Groups

Following the interim OLACs, NOLA convened Regulator Working Groups for each occupation, with nominations being sought from jurisdictional regulators. These groups provided an important opportunity to draw on the experience and guidance of regulators in responding to the proposals developed by the interim OLACs. The groups met by teleconference or telepresence during the week commencing 22 October 2012. They were chaired by the Board member who chaired the interim OLAC for the relevant occupation. Regulator Working Groups will continue to meet in 2013, in line with the establishment of the permanent OLACs.

Editor's Note: Progress is slow and we would be unlikely to see national licensing commence for plumbing until 2014. The fact progress is slow is a good thing because the Minister's have put the brakes on the bureaucrats who were pushing a "cost saving" agenda. The industry saw it as a watering down of the licence and cost shifting. The Minister's have a view that industry must agree to the terms of national licensing. We will have to wait a little longer before we see if the industry views are adopted. Certainly a great deal of effort has been expended by all states to ensure our views are clearly understood.

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Plumbing Problems



Plumbing has been identified as the biggest problem area in houses throughout the United States, with a ground-breaking survey of housing construction and conditions in the world's most powerful country revealing that more than 1.4 million of nation's 115 million homes suffer from severe plumbing problems.

Despite that news, Americans overall remain highly satisfied with the quality of their housing, while owners of newly constructed dwellings report fewer problems and higher levels of satisfaction with their homes than those living in older buildings.

In a move which provides unprecedented levels of insight into consumer experience regarding construction and condition of their homes across that country, the US Census Bureau and Department of Housing and Urban Development has, for the first time, released results of the 2011 American Housing Survey (AHS), a definitive evaluation covering more than 29 metropolitan areas.

The survey reveals high levels of overall satisfaction with regard to homes. More than 70 per cent of respondents ranked their overall level of satisfaction with their home at eight out of 10 or higher, a figure which rises to 84 per cent for occupants of newly constructed dwellings. Furthermore, with 'severe physical problems' being reported by less than two per cent of the occupiers of the nation's 114.9 million homes, the quality of dwelling construction and condition of housing throughout the States appears to be good.

However, plumbing appears to be the key area where serious problems occur, with the 1.435 million severe physical problems in this area accounting for more than half of the 2.125 million serious problems reported overall, followed by heating (602,000), electrical (65,000) and maintenance and upkeep (79,000).

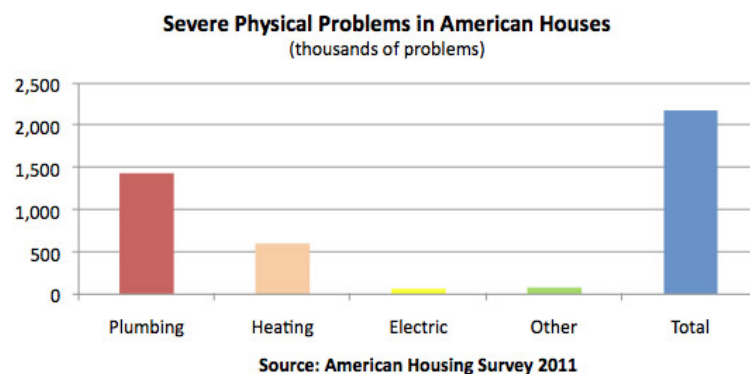
Furthermore, despite the good quality of housing overall, around 37 per cent of homeowners reported some form of external building

problem, with foundation crumbling, cracks and holes being the most common (4.685 million homes) followed by broken windows (3.641 million homes) and missing roof material (3,086 million homes).

Other key survey findings of relevance to building and construction are as follows:

- The average American home (built in 1974) is 38 years old
- Homes are getting larger, with newly constructed homes occupying 2,200 square feet (against an average of 1,800 square feet across all homes). 74 per cent of newly constructed homes having three or more bedrooms (against 64 per cent for all homes) and 83 per cent of newly constructed homes having two or more bathrooms compared with 52 per cent across all homes
- About two thirds of all homes and 87 per cent of new homes have central air conditioning
- Mould was reported in four per cent of housing units, with bathrooms (45 per cent), bedrooms (22 per cent) and basements (20 per cent) being the most common areas of mould sighting
- Adding or renovating a kitchen (average \$US27,353) was five times more expensive than remodelling (average \$5,000). By contrast, bathrooms on average cost \$2,342 to remodel and \$3,422 to renovate or add to
- Safety and accessibility are important, with common features in this area including floors with no steps between rooms (64 per cent), entry level bathrooms (48 per cent), entry level bedrooms (36 per cent) and handles or levers on sinks (28 per cent). Less common features in this area include raised toilets (seven per cent), handrails or grab bars, excluding on steps (two per cent), ramps (one per cent) and elevators (0.2 per cent).

By Andrew Heaton
Courtesy of Construction News



Maintenance Plumbing

Reading Your Customer

A member recently was called out to a cottage in the eastern suburbs of Adelaide to investigate a leak under concrete. The member repaired the leaking pipe but while he was there, the owner asked him why their new hot water service, installed by another plumbing company, was giving them such poor water flow.

The plumber had made a like for like replacement of an electric under sink water heater. He had just bent the existing pipes around to force them to fit. In the process he kinked the outlet pipe and this was causing the restricted flow.

But as you can see from the photos taken with by our member with his mobile phone this was not the end of the matter. An opportunity was lost by that plumber to correct previous poor plumbing.

A safety tray and terminator should have been recommended to the customer. Indeed the only reason the old HWS did not cause flood damage is because the owner happened to be home the day it failed.

The duo valve on the HWS was more than five years old and should have been replaced. The cold water valve was 1200Kpa and the correct rating valve is 850kpa, which should have been fitted. The pipe work could have been, and was by our member, replaced to do the whole job properly.

This customer could afford and wanted the job done properly. It is true many customers want it as cheap as possible. Most plumbers are good at working out their customers and meeting their needs. It may be the plumber was an employee who just did not care. The relief lines dipped into the drain and provided no air gap as required.

The silver discolouring of the copper pipe in the cupboard was being caused by sewer gasses that have been entering the property and reacting with the copper.

Our member on seeing the discolouration and after leaning into the cupboard realised their drain was not trapped and this is where the sewer gasses were coming from.

Shortly after inspecting the drain, the next door neighbour flushed the toilet pushing gases into the cupboard. The cottage shares a common drain with the adjoining cottage. Not only had the owner been putting up with a smell that sometimes got so bad they had to open all the windows in the cottage, this was a health hazard. Needless to say our member fitted a new sewer trap and made sure the HWS relief lines had the correct air gap.

Finally the plumber had used nylon olives on the hot connections on the HWS. The final wash up?

Our member's fridge magnet went up on the fridge and the previous plumber's went in the bin.





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Residential Plumbing

Widely-Used Building Material Linked to Obesity



Early childhood exposure to chemicals in a plastic commonly used for a range of building and construction applications such as plumbing, drainage and flooring has been linked to long-term obesity in a study, which may have far-reaching implications for building product selection from a health risk viewpoint.

An experiment by researchers at the University of California has found that exposing pregnant mice to low doses of the chemical tributyltin (TBT), which is used in PVC plastic as well as marine hull paint, can lead to obesity for multiple generations even without subsequent exposure.

After exposing pregnant mice to TBT in concentrations similar to those found in the environment, researchers saw increased body fat, liver fat and fat-specific gene expression in their children, grandchildren and great-grandchildren, none of which were exposed to the chemical.

According to study leader Bruce Blumberg, UC Irvine professor of pharmaceutical sciences and developmental and cell biology, the findings suggest early exposure to endocrine-disrupting compounds such as TBT can lead to permanent fat accumulation. See the sidebar on the next page about endocrine systems.

Essentially, Blumberg categorised TBT as an obesogen, a class of chemicals which promotes obesity by increasing the number of fat cells or the storage of fat in existing cells.

In plainer terms, young children who are exposed to the chemical, usually through house dust as a result of spending time on the floor, are more likely to be obese than those who are not.

This has significant implications for building and construction and the choice of materials used. Thanks to its relatively low cost, resistance to corrosion and good insulation properties, PVC is widely used in many countries instead of cast iron for plumbing and drainage. PVC is used in waste pipes, drain pipes, gutters and downpipes, as insulation

on electric cables, for applications such as siding and weatherboarding and as a substitute of painted wood in window frames and sills when installing double glazing. Exposure to TBT can occur through PVC plastic particles in dust and via leaching of the chemical and organotin compounds from PVC pipes and containers.

Significantly, from the viewpoint of young children who spend significant amounts of time on floors and carpets, PVC is also widely used in flooring applications and significant volumes of TBT have been found in house dust. The study appeared online in *Environmental Health Perspectives*, a publication of the National Institute for Environmental Health Sciences.

In building and construction, health issues as a result of exposure to harmful chemicals have always been a significant factor in choice of building materials. Now, the industry has another issue of concern – whether the materials are condemning children to permanent obesity.

By Ahn Jae Wook

Editor's Note: Research is in its early stages and because humans are exposed to multiple potential causal factors it will be very complex scientifically to establish this and it may even be other endocrine disruptors are involved.

Plumbing products whilst a possible contributor, are unlikely to be the main source of exposure to PVC given its widespread use in construction materials. Many have claimed for many years now that many modern health issues are related to our exposure to chemicals in our environment.

Scientists now appear to be beginning to map this out more accurately. An article explaining how the Endocrine system in the human body works and the role of Endocrine Disruptors produced by the United States National Institute of Environmental Health Sciences can be found in the technical section of the PIA website.



What is the endocrine system and why is it important?

The endocrine system is one of the body's main communication networks and is responsible for controlling and coordinating numerous body functions.

Hormones are first produced by the endocrine tissues, such as the ovaries, testes, adrenal, pituitary, thyroid, and pancreas, and then secreted into the blood to act as the body's chemical messengers where they direct communication and coordination among other tissues throughout the body.

For example, hormones work with the nervous system, reproductive system, kidneys, gut, liver, and fat to help maintain and control:

- Body energy levels
- Reproduction
- Growth and development
- Internal balance of body systems, or homeostasis
- Response to surroundings, stress, and injury

Endocrine disrupting chemicals may interfere with the body's own hormone signals because of their structure and activity.

How are people exposed to endocrine disruptors?

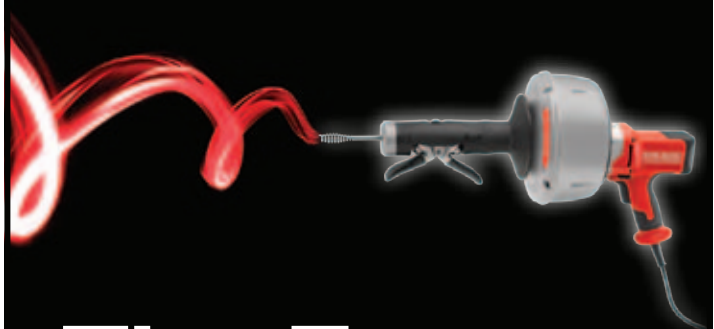
People may be exposed to endocrine disruptors through the food and beverages they consume, medicine they take, pesticides they apply, and cosmetics they use. So, exposures may be through the diet, air, skin, and water.

Some environmental endocrine disrupting chemicals, such as the pesticide DDT, dioxins, and polychlorinated biphenyls (PCBs) used in electrical equipment, are highly persistent and slow to degrade in the environment making them potentially hazardous over an extended period of time.

Four points about endocrine disruption:

- Low dose matters
- Wide range of health effects
- Persistence of biological effects
- Ubiquitous exposure

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Increased Penalties for Sham Contracting Likely



Fair Work Building and Construction (FWBC) Chief Executive Leigh Johns has released a research report which paints a clearer picture of the prevalence of sham contracting in the construction industry.

“Views on the level of sham contracting in the industry vary considerably and, until now, there has been no reliable research on the issue,” Mr Johns said.

“I commissioned this report to help give us a better idea about how widespread the problem is so we can come up with new ways to address it. The research identified that 13 per cent of contractors interviewed were likely to have actually been employees. Given there are approximately 385,000 contractors in Australia’s construction industry, this would equate to 50,000 contractors.”

Mr Johns said the study was conducted by independent firm TNS Research, with assistance from eminent academics in the workplace relations field. “The research was extensive, involving telephone interviews with 900 workers and 450 employers in the construction industry,” he said.

“One in eight of those surveyed who classified themselves as independent contractors were potentially misclassified because they exhibited practices and arrangements typical of an employee, rather than an independent contractor.

“Such practices and arrangements include employer-determined hours, using employer’s tools and equipment, working exclusively for one employer and wearing an employer’s uniform.”

Mr Johns said the research also revealed that awareness of sham contracting was low, with 54 per cent of workers and 77 per cent of employers having never heard of it.

“Low levels of awareness reinforce the important work FWBC is doing to educate and inform people working in the construction industry about sham contracting,” he said.

The FWBC in our last industry update we published an article to encourage workers to know their rights on sham contracting – this is just one of the many educative initiatives we have undertaken in this area.

FWBC is committed to educating people in the building and construction industry about sham contracting and prosecuting where appropriate.

The study also showed that workers from Culturally and Linguistically Diverse (CALD) backgrounds were particularly vulnerable to sham contracts. FWBC recently launched a campaign to help raise awareness among CALD workers about their rights.

Since October 2010, FWBC and its predecessor agency have:

- Commenced 193 investigations into allegations of sham contracting
- Commenced eight civil penalty proceedings, with a further 10 presently being considered for litigation
- Successfully litigated four civil proceedings in relation to sham contracting resulting in \$99,380 in civil penalties.

Mr Johns said FWBC is committed to raising awareness of sham contracting and stamping out unlawful practices.

“In response to this research, we will tailor our educative and compliance strategies with regards to the research,” Mr Johns said.

“We will convene a high level social partner working group to examine the outcomes of the research; including whether legislative amendments to eliminate sham contracting in the construction industry would be effective.

“We will also look at the advantages and disadvantages of a negative licensing scheme, in consultation with key industry stakeholders.”

Editor’s Note: Sub contracting is subject to seven different pieces of legislation. If you are unsure please contact the PIA for advice.

The penalties can be significant and two members have been prosecuted successfully under just one of these laws.





Following on from the article in the last edition of this publication, I would like to provide some important safety information in relation to LPG cylinder safety.

There are a few simple things you can do before installing an LPG cylinder or cylinders at a customer's property to ensure that they enjoy safe use of this convenient fuel.

It is important that before any LPG cylinder is installed that some basic inspections are performed:

- Inspect the cylinder for obvious signs of corrosion or visible damage such as dents etc
- Ensure that the cylinder is not out of date. An inspection is required every 10 years – each cylinder has a date stamp indicating when the cylinder was last tested. (see diagram)
- Check that the cylinder has the appropriate approvals. (see diagram)
- Ensure the cylinder valve is not leaking, this can simply be checked with a soapy water test. If you are required to isolate the gas in an emergency then it is important that the gas vapour will positively isolate

CAUTION: THE AMMONIA PRESENT IN SOME SOAPS AND DETERGENTS CAN REACT WITH BRASS FITTINGS AND CAUSE SUCH FITTINGS TO CRACK AFTER A SHORT PERIOD OF TIME. THEREFORE, CAUTION SHOULD BE EXERCISED WHEN USING SOAP SOLUTIONS ON BRASS FITTINGS, AND ALL CONNECTIONS SHOULD BE RINSED THOROUGHLY WITH FRESH WATER AS SOON AS POSSIBLE AFTER THE APPLICATION OF THE SOAP SOLUTION. (Reference: AS5601-2010)

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- Never lay the cylinder down when installed or when transporting as this could cause liquid propane to either relieve from the cylinder relief valve or become a hazard when the gas is in use. (Liquid LPG expands to LPG vapour approximately 270 times)
- Ensure that all LPG cylinders are installed with relief valves directed away from adjacent cylinder or any structure. AS5601-2010 Appendix J4.1 (g)
- Ensure that when connecting to cylinders with P.O.L. (Presto-lite) fittings that the surface is free from debris and that connection O-rings or boots are not cracked or perished
- Inspect any hose connections for damage and ensure that LPG vapour hoses are replaced regularly as directed by the component manufacturer
- Use soap or detergent and water to check for any potential gas leaks where connections are made to the cylinder
- Ensure that when cylinders are installed that the required securing chains and hoods are installed as per the requirements of AS5601 – 2010.

Note: It is important to refer to AS5601-2010 Appendix J to reference all legal requirements.

Author: Vince Monsigneur

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In Brief



Above: The Advertiser 5th January

Building Sector Reform in NSW

The NSW government inquiry into the building sector has recommended a number of reforms including construction trusts become mandatory for all projects valued over \$1m. The reform is to safeguard sub contractors and suppliers left \$1 billion out of pocket after a series of building companies failed in NSW. There are some 44 proposals in the 500 page report, which the PIA will be raising with the state government here after several construction companies have left PIA members and many others in a similar position. Government need to get tough on businesses who are effectively trading insolvent and making others take the fall for their reckless and criminal financial behaviour.

Fair Work Australia Audits

Fair Work Australia will be auditing construction industry sector employers of apprentices during March 2013 to ensure they are correctly employed and paid. As an employer of a significant number of apprentices we expect to be one organisation audited and we welcomes the audits.

Meeting with Ministers Koustantonis and Hunter

We were due to meet the ministers for water and energy in January. These were rescheduled to 22nd February 2013, after the cabinet reshuffle and the appointment of Minister Hunter to the water portfolio. We will report in the next magazine the outcome of that meeting to members.

Trade Waste Committee

The PIA now has two representatives on the SA Water Trade Waste Technical Committee, Jason Young from Tech²O and Paul Worthington. An email address tradewaste@piasa.com.au has been set up so that you can contact the representatives with any issues that you would like raised at the Technical Committee. We are pleased that SA Water has asked the PIA for representation to improve its communication with plumbers. The next meeting is on the 22nd March.

TRADIES WHO EMPLOY & TRAIN APPRENTICES MAY QUALIFY FOR FINANCIAL SUPPORT.



Even in challenging times we still need to hire and train apprentices in the building and construction industry. If you have an apprentice, or are looking to take one on, you may be eligible for a training grant. The Construction Industry Training Board provides funding support for apprentice training and employment within the industry to reduce costs to employers. This is in addition to any Commonwealth funding for apprentices. Employers must apply and there are conditions, but call CITB for full details.

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Construction Industry Training Board

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Starting Your Own Plumbing Business

Starting your own Plumbing Business?

One important issue to consider is how to structure your business. The business structure that you choose will have an effect on:

- how much tax you pay
- whether your assets are protected from creditors, and
- how you deal with your customers

There are many possible ways to structure a business. The 4 most common ways are:

- as a sole trader
- in a partnership
- as a company, and
- as a trading trust

Your individual circumstances will determine which business structure is best for you, but here are the basic features of the 4 most common business structures.

Sole Trader

A sole trader operates a business on their own. They are personally responsible for all business debts and a sole trader's personal assets are at risk if things go wrong. Income received is treated as personal income and is paid at personal tax rates.

The advantages of sole trading are that it is cheap to set up and you retain full control of the business.

Partnerships

A partnership is a group of people who operate a business together and share the income and expenses according to the partnership agreement.

Partnerships can be easy to set up and having at least two people operating the business means that each partner can bring different skills to the business.

The disadvantage with a partnership is that you are responsible for debts incurred by your partner on behalf of the partnership, even if you did not know about them.

Also, your personal assets are at risk if things go wrong, and creditors can and will chase you personally, especially if your partner does not have any assets.

Companies

A company is a separate legal entity, separate from the directors who run the company and separate from the shareholders who own the company.

The main advantage of carrying on business as a company is that, unless there are special circumstances, a creditor or customer cannot sue the directors or shareholders.

This means that directors and shareholders personal assets are protected. Also, companies generally only pay tax at 30% rates. It costs about \$800 to set up a simple company.

Once a company is set up, the company has to keep records, keep minutes of directors' meetings, lodge its own tax returns etc.

Trading Trusts

A trust can be created by a trust deed which sets out who the trustee is, what powers the trustee has, and who the beneficiaries are.

Most trading trusts are discretionary trusts meaning that the trustee has the power to choose whether to distribute assets or income to a beneficiary.

Properly set up and managed, a trading trust will protect trustee and beneficiaries from the risk of legal claims. Because trusts can be complex structures specific advice should be sought if you are considering using a trust to run a business.

Everyone's situation is unique. You should seek legal, accounting and/or tax advice before deciding which business structure is best for you.

If you want more details you can contact:
Christos Bouras at cbouras@oloughlins.com.au
or Brendan Hall at bhall@oloughlins.com.au



Christos Bouras



Brendan Hall



Nick Anderson now at O'Loughlins Lawyers

Nick has written a number of articles for our magazine over the past several years.

In January 2013 he moved to O'Loughlins Lawyers where he specialises in construction law and dispute resolution.

If you need legal advice on any issue you can contact:
Nick on 0400 367 618 or at nanderson@oloughlins.com.au

Insolvency & Bankruptcy What is the Difference?

Is your business Insolvent and what does that mean?

Is your business Insolvent and what does that mean?

In the next three magazines, Lynch Meyer will provide a brief article examining different aspects of insolvency and bankruptcy and the consequences of being insolvent, whether personal or corporate.

In this first article we give a broad overview of insolvency and an explanation of the difference between corporate insolvency and personal bankruptcy.

In the second article we will explore corporate insolvency in more detail, and its consequences, and in the third article we will explore the consequences of personal insolvency, known as bankruptcy.

What does it mean to be insolvent?

Strictly speaking, insolvency is the term we should use to describe the difficulties businesses face, whereas bankruptcy

refers to the position an individual faces when unable to pay their debts. The two terms tend to be used interchangeably, but the basic problem is essentially the same.

Some Key Terms

- **Assets** - all the things that a business owns that have some value. This could be equipment, buildings, machinery, land, a brand name or even an idea that someone is willing to pay for.
- **Liabilities** - all the things that a business owes to other people. This could be loans to a bank, payments for raw materials, tax owed to the government and so on.
- **Liquidity** - The ease with which an asset can be turned into cash. This is important to enable a business to have the flexibility to be able to meet its debts.

What is Insolvency?

All businesses have revenues coming in from sales and money going out to pay for raw materials, staff, insurance, administration, advertising, loans and so on.

The amount of money coming into the business, and when it comes in to the business, is crucial to allow a business to be able to continue operating in the longer term.

Expenses tend to be fairly regular in occurrence - insurance, staff salaries, rent and rates, for example. If a business faces an increase in demand for its services or products, it may have to order in more stock and it needs the funds available to be able



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Legal Advice

Is your business Insolvent and what does that mean?

to do that. If, for some reason, income is not coming in at the same rate as expenses need to be paid then the business can start to experience cash flow problems.

Without cash coming in, creditors (people who are owed money by the business) do not get paid and legally they can take steps to recover this money. If this happens then the business faces insolvency - an inability to be able to pay off their debts.

Cash Flow and Profitability

A business can be profitable in that, over a period, its costs are less than its income. However, if during that period it is unable to pay its debts, then it can face insolvency.

Profit, therefore, is not the same as cash flow. Anyone running their own business knows that one of the main challenges is in how to manage your cash flow.

Money received for supplying goods or services should ideally be used to pay creditors as soon as possible, but in reality this isn't the norm.

Juggling the money coming in with the payments going out is seemingly a never-ending battle and in lean times, when business income is low, making payments to creditors can be difficult.

If a creditor makes repeated demands for payment over time, and you can't find the resources to pay up, then your business could ultimately reach a position of insolvency.

If you are worried that your business isn't performing as well as it should, and if you think that insolvency could be a very real risk that you are facing then you should contact your accountant as soon as possible. The very worst thing you can do is nothing.

If you are a sole trader or a partner in a partnership then the insolvency of your business could potentially lead to your bankruptcy which may mean that your business won't continue trading.

When running a business as a sole trader or unlimited partnership, you have an unlimited liability towards the debts that your business accrues.

That means you have a personal liability for the debts of your business, and in a worst case scenario you risk having to sell your personal assets in order to pay your creditors.

If you think your business could be in a position of risk of insolvency then you need to act now. It's possible that with good debt advice, insolvency could be avoided and trading could continue.

In the next magazine we will canvass corporate insolvency and the consequences of having your company go into liquidation; how will this affect your licenses, and your personal assets.

Cathy Mayfield

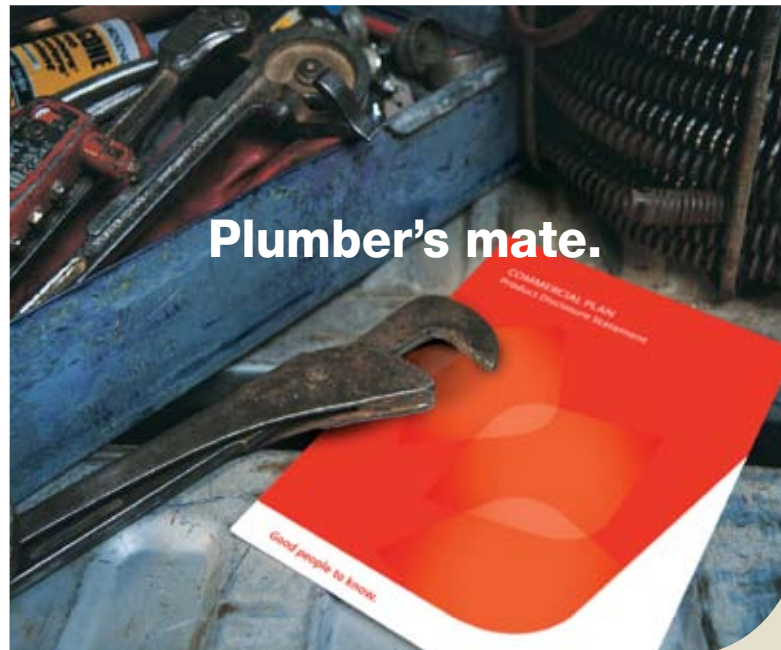
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Managing Facebook & Twitter

Commercial Dispute Resolution - Should You Police Your Business' Facebook and Twitter Pages



A recent decision of the Federal Court, together with several recent rulings of the Advertising Standards Bureau (ASB), have highlighted the need for businesses to monitor their Facebook and Twitter pages to ensure any comments posted by consumers or third parties do not breach advertising code or consumer and defamation laws.

In a recent Federal Court decision a satisfied customer of a natural health treatment sold by Allergy Pathway (AP) posted on the wall of the AP Facebook fan page a glowing, somewhat exaggerated testimonial regarding the qualities and potential effect of the AP treatment.

The testimonial was found to be a misrepresentation and, although AP was not responsible for the original publication, the court found that AP had accepted responsibility once it knew of the publication and decided not to remove it. AP and its director each received a monetary penalty and AP was required to publish corrective advertisements.

After receiving an increasing number of complaints about material posted or published on the Facebook and Twitter pages of businesses, the Advertising Standards Bureau has determined that the Facebook page of a business is a "marketing communication tool over which the advertiser has a reasonable degree of control" and is therefore a communication covered by the Australian Association of National Advertisers Code of Ethics (the Code). In the circumstances, it found

that the advertiser should monitor their relevant social media sites to ensure offensive material is removed within a reasonable timeframe.

The above determination was made following a complaint to the ASB about the Fosters VB Facebook page which contained posts from consumers or "fans" which included coarse language and sexual references.

The ASB determined that several of the comments were discriminatory towards women, derogatory of homosexuals, contained inappropriate sexual references, obscene language and were a breach of the Code.

Fosters agreed to remove the offending comments, implement regular monitoring and language filters and to remove any subsequently posted inappropriate comments.

Businesses are therefore advised to regularly monitor comments posted on their Facebook or Twitter pages and to remove them if they consider them to be a breach of the Code, or of consumer or defamation laws.

For more specific information on any of the material contained in this article please contact Alison Adair on 8210 1227 or aadair@normans.com.au.

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As discussed in previous issues of Plumbing SA, predictions about the economy are nothing more than guesses based on what has already happened. The good news is that China is planning to spend massively on infrastructure development and their manufacturing sector is growing again. Not great news for local manufacturing but good for our trade with China. The construction industry is certainly one of the three worst hit sectors of the economy, along with manufacturing and retail. Consumers continue to reduce their debt and sit on their money. Good news is that a number of members are reporting being busy in the maintenance sector which may be a sign consumers' who have delayed maintenance may be relaxing the purse strings a little.

We have been extremely fortunate in Australia in that we have largely dodged the economic bullet and its only when you go overseas and see, read and hear the level of recession many others are suffering to realise we are very lucky. The PIA believes we all need to remain very positive and upbeat. If everyone took this positive approach the most affected areas of our economy will start to see things improve.

Finally, it's worth noting that the construction industry like many other sectors has cycles of strong growth followed by a downturn. We had 10 years of very strong growth and we are close to or at the bottom of the down swing. Good companies are already planning for the upswing. The International Monetary Fund (IMF) is expecting a more gradual upturn in global economic growth during 2013 than forecast three months ago.

The IMF says policy actions in Europe and the United States have lowered the acute risk of a broader crisis. In its World Economic Outlook Update released in Washington on Wednesday 23rd January, the IMF says it is now forecasting global growth of 3.3 per cent this year, down 0.1 percentage point from a projection made in October, and after a 3.2 per cent expansion in 2012. "A further strengthening to 4.1 per cent is projected for 2014, assuming recovery takes a firm hold in the euro area economy," the global agency says. "If crisis risks do not materialise and financial conditions continue to improve, global growth could even be stronger than forecast."

However, significant downside risks remain, with the euro area continuing to pose the biggest threat if the reform momentum there is not maintained and causes a prolonged stagnation in the zone. The IMF has downgraded the near term outlook for Europe to a continued 0.2 per cent recession, instead of expanding 0.2 per cent in 2013. It says most advanced economies face two challenges – steady and sustained fiscal consolidation, and continued financial sector reform to decrease risks in the financial system. "In the United States, the priority is to avoid excessive fiscal consolidation in the short term, promptly raise the debt ceiling, and agree on a credible medium-term fiscal consolidation plan, focused on entitlement and tax reform," the IMF said. Advanced economies are expected to grow 1.4 per cent in 2013, rather than 1.6 per cent.

There was no specific mention of Australia in the report, but under the "other advanced economies" umbrella, the 2013 growth forecast has been downgraded 2.7 per cent from three per cent. It says Australia's number one trading partner, China, must continue structural reforms and rebalance the

economy toward private consumption to ensure sustained rapid growth. At the same time, while Japan – Australia's second largest partner – has slid into recession, the IMF expects stimulus to boost growth in the near term.

AAP

Land sales Sluggish in last quarter of 2012

A substantial slump in land sales has added to concerns that a recovery in South Australian housing construction is a long way off. The Residential Land Report showed residential land sales in South Australia fell 26.7 per cent in the September 2012 quarter. "Lot sales in Adelaide did not consolidate the increase we saw in the June 2012 quarter and unfortunately the downward trend appears to have resumed in the September quarter," the Housing Industry Association's local spokesman Robert Harding said. "Residential land sales activity is a key leading indicator of housing starts. This weak result suggests a material turnaround in new home building in South Australia may still be a long way off."

"This weakness in land sales precedes the increased government measures aimed at new home building, so hopefully we'll see these declines at the very least find a floor in the following quarters." The volume of residential land sales in Adelaide fell by 26.5 per cent over the September 2012 quarter. Adelaide's median residential lot price increased by 1.2 per cent over the September 2012 quarter to \$172,000 but remains the cheapest capital city in mainland Australia.

Source: Indaily 25th January 2013



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Common sense! What is it?



A frequent response when discussing Work Health Safety is: “It’s just commonsense.”

Cambridge English Online Dictionary Definition

The basic level of practical knowledge and judgment that we all need to help us live in a reasonable and safe way.

There lies the crux of the problem. Practical knowledge and judgement come with experience. A plumber with 20 years of experience should not expect the same “common sense” of an apprentice that they would be able to expect from a colleague with the same number of years working as a plumber.

A good example of this was when I was listening to breakfast radio one morning last year. Listeners were asked to call in with stories of stupid things they have done. A caller rang in to say she was walking past the laundry and heard the washing machine making a horrible noise. Thinking the washing machine was breaking down she went in and realised there was something in the machine.

She stopped the machine and rummaged around and found her mobile phone was the culprit. She took it out and started drying it on a towel before she thought, I’ll pop it in the microwave for a couple of minutes to dry the electrics out. After about 40 or 50 seconds her husband came rushing into the kitchen, by this stage the phone was arcing and there were loud noises. He screamed at her asking what was she doing. He raced to the microwave and turned it off before the battery exploded.

The caller had no idea of basic physics and chemistry, probably has never read any instruction manuals for products with batteries and therefore had no practical knowledge to recognise that it is “common sense” to never heat batteries, let alone in a microwave.

The other article in this issue about Eric Giguere is not one of common sense but of ignoring his own personal safety for a range of reasons. The photographs with this article were provided to the PIA by a member after our recent webinar on the new WHS laws. They were taken by our member of a paving sub contractor cutting paving bricks in his lap.

The photo quality is not great. Once again we have someone for whatever reasons undertaking his work using extremely hazardous practices. What is worse is involving another person in doing it. The courts don’t accept it’s just common sense as a legal defence and these simple illustrations demonstrate why. The increasing standards of WHS demanded by legislation are the result of the economic cost of worker injuries and deaths, not just in

Workcover costs but across the whole economy. It is consistent with government efforts to drive down the road toll. No legislation would be required if humans automatically conducted themselves in a safe manner.

This will never happen because humans to varying degrees are risk takers and when risk taking can affect the lives of others or result in a significant economic cost, then governments will eventually act. It’s interesting that when a soldier serving his country is killed or injured it receives widespread media attention but when a construction worker on an infrastructure project that will make a significant economic contribution to the country and enrich the lives of others is killed it rarely rates more than a few lines.

Both circumstances are a tragic loss but it seems almost accepted by our society that people will die at work or be seriously injured. The new WHS legislation is the next round in all Australian governments attempting to improve workplace safety and should be seen as a great opportunity to review how we all effectively manage work health and safety.

It’s the old story, a small minority force everyone else to pay for their behaviour. “It’s just common sense really!”



MATES In Construction

MATES = Men Actively Talking to Each other on Site

MATES in Construction is a genuine industry initiative; it's "industry helping industry".



Is the Major Sponsor of MIC – SA.

About The Mic Program

Mates in Construction in its simplest form is just "mates looking after mates". We spend many hours a week at work and in many cases we spend more time with our workmates than anyone else including our family. Mates can often notice or can sense when we are doing it tough because we send out signs or invitations telling them.

The Program

There are three parts of MIC's suicide prevention and awareness program. MIC's aim is for every construction site to be MIC accredited with the right mix of workers trained across these three areas of suicide awareness and prevention. All of the training sessions outlined below are about helping workers look after their mates and ensure they can easily connect to high quality help. A MIC Case Manager ensures that all help is appropriate for the worker and follows up to check it has been worthwhile.

Best Practice

The MATES in Construction program was developed in consultation with industry and with reference to global best practice in suicide prevention from:

- The Australian Government's national suicide prevention 'LIFE' (Living is For Everyone) framework, which has received global recognition; and
- Internationally recognised Living Works model. Living Works is widely used by Lifeline, Police and Armed Forces to mention a few.

The MATES in Construction program is widely recognised and has won Suicide Prevention Australia's LIFE Award for best business/industry suicide prevention program in Australia for 4 consecutive years running; 2009, 2010, 2011 and 2012. The program was also recognised with a Highly Commended award in 2010 at the Queensland Annual Premiers Mental Health Week Achievement Awards for suicide prevention.

ASSIST workers are easily identifiable on-site by a blue hard hat sticker. Fast facts: Others can recognise suicidal behaviour by:

- Knowing a person's circumstances
- Noticing subtle changes in appearance and behaviour
- Listening to the feelings expressed.

MIC Accreditation

To become a MIC Accredited site or employer the following standards must be met:

- All workers on site initially undertake General Awareness Training (GAT)
- One in twenty workers training as Connectors
- As the job progresses, follow up GAT is undertaken to ensure at any time at least 80% of the workers on site are GAT trained
- The site has access to appropriate and available suicide first aid resources (ASSIST)

MIC Accredited sites receive a number of promotional materials, access to other MIC programs and Field Officer and Case Management support.

The 24/7 help line 1300 MIC 111 (1300 642 111)

MIC also provides workers with this helpline which connects workers to counsellors or psychologists who can work through issues on the phone and set up future appointments.

During work hours, MIC staff answers this number with all staff at MIC trained to assist workers. In addition to this, some sites choose to send workers to a two-day course called ASSIST (applied suicide intervention skills training) which gives sites a worker with advanced skills in putting together safe plans for workers with suicidal thoughts.

Case Management

MIC provides case management to workers in the construction industry and their families. It aims to provide a bridge between the person seeking help and a broad range of services available to members of the industry.

Apprentices

It has been proven that life skills are a significant resilience factor in protecting young people from suicide. MIC Qld has been running Life Skills for apprentices since 2008. We are looking to run the Life Skills Program in SA commencing in 2013. Life Skills is accredited training mapped against the national employability skill set for construction apprentices.

This program was first developed by the OzHelp Foundation in Canberra in response to a cluster of suicides amongst apprentices. This is a course is delivered over the life of an apprenticeship/traineeship. The course aims to introduce young workers to a range of issues they will face in the industry and equip them with the life skills to deal with them. This will help them deal with life issues in a positive way and be a protective factor against suicide.



Fast Facts:

- Construction industry apprentices are the highest risk group for suicide
- Life Skills is a 3-day course over the life of an apprenticeship
- 1 in 4 apprentices who complete Life Skills ask for help

24/7 help line 1300 MIC 111 (1300 642 111)



AWARE

ALERT

ASSIST

ACTION



AWARE

General Awareness Training (GAT) (1 hr)

MIC aims to achieve 100% suicide awareness on-site by running this training on site regularly. The one hour session introduces workers to the problem of suicide and mental health in the industry and describes how some behaviours could indicate that a workmate may be at risk of suicide and how they may be able to help by following a few easy steps.

MATES in Construction's General Awareness Training (GAT) makes it clear to the industry that for some workers this culture is life threatening. Workers need space, opportunity and permission to discuss personal issues whilst at work.



ALERT

Connector Training (4hrs)

MIC provides training to a number of workers on site as Connectors. A Connector is "a mate who can keep you safe while connecting you to help". The Connector training has Safe TALK embedded into it. Safe TALK is an internationally recognised suicide prevention program. Connectors are easily identifiable on-site by a green hard hat sticker.



ASSIST

ASSIST Training: Suicide First Aid (2 days)

An ASSIST worker can be compared to a first-aid officer on site. Participants undergo a two-day Applied Suicide Intervention Skills Training (ASSIST) workshop. Using simple skills an ASSIST worker will listen to a worker's concerns and respond to them appropriately with the object of reaching a "contract" or "safe plan" for the suicidal worker involving extra help and safety.

SAFE WORK



On Oct. 4, 2002, Eric Giguere went to work. He was 27 years old and newly married, with plans to jet off to a Caribbean honeymoon that very night. But Giguere never made his flight. In fact, he almost didn't make it off the worksite alive.

In October 2012, in a room cast in silence at the National Safety Council (NSC) Congress and Expo in Orlando, Florida., Eric Giguere shared his harrowing story of being buried alive more than 6 feet deep in a trench.

Giguere was working with a small crew to install a sewer line in upstate New York. At first, their work involved installing pipe in 4-foot-deep trenches, a relatively safe operation that did not mandate special safety equipment.

As the job progressed and the terrain and work conditions changed, however, that 4-foot trench gradually deepened to 4-and-a-half feet, then 5 feet, and so on until Giguere was working in a 6-and-a-half-foot-deep trench with no safety equipment.

"I'm a guy who got comfortable doing things the wrong way," Giguere told NSC attendees. "I'm your average, hardworking guy. Essentially, I am any of you people in this room."

Because the crew had been at work on the line for a few months, hadn't experienced any problems and were making good money, they saw no need to address possible safety concerns. Oct. 4, 2002, "was just going to be another day at the job," according to Giguere.

But it wasn't just another day on the job. When a digging operation damaged a draining tile and dumped water in the ditch, Giguere and his fellow laborer jumped in to scoop out the water.

Giguere's co-worker then climbed out to retrieve a piece of equipment while Giguere remained in the trench and began cleaning around the sides of the pipe.

Less than a minute later, the trench collapsed.

In the Dark

"Without warning, in an instant – it was immediate – that trench caved in on me," Giguere said. "It was pitch black, I couldn't see, I couldn't move. I was 100 percent helpless."

For roughly a minute, Giguere remained conscious at the bottom of the trench after the dirt piled on him. When he exhaled, the dirt crushed his chest. He was trapped, and he could no longer breathe.

"I remember being down there kicking, scratching, clawing, fighting, and all that dirt kept packing in tighter and tighter," he recalled. "I couldn't move. I kept waiting to hear sound of a machine or a labourer calling my name, but I heard nothing. There came a point that I realised I was going to die right there at the bottom of that trench."

Fortunately, the other labourer had heard Giguere's initial scream when the trench collapsed. Now he and the other crewmembers had to make an excruciating decision:

They could use the backhoe to scoop several feet of dirt out of the trench to reach Giguere, or they could grab shovels and start digging.

Using the backhoe would remove the dirt much faster, but they risked striking Giguere with the equipment and killing him. Using shovels would allow for safer digging, but would take much longer, meaning they likely wouldn't reach Giguere in time to save his life.

"What choice do you make?" Giguere asked. "The bottom line is, that's a terrible situation to put someone in. We forced a guy who's working for \$100 to \$125 dollars a day to make a decision about my life. It's a terrible situation to put someone in, and we forced it on him."

In the end, the backhoe operator elected to remove the first few feet of dirt with the machine and, fortunately, did not strike Giguere. Next, the crew dug with shovels until they finally reached their buried co-worker.

"I had no pulse, I was blue in the face, I had dirt caked into my mouth," Giguere said. "Imagine putting someone here in that room in that position because you were trying to save time [by taking a safety shortcut]."

Giguere estimates he was in the trench for about 10 minutes. After receiving CPR from the crew operator and shocks from emergency personnel, Giguere recovered "a slight pulse," was put on life support and rushed to the hospital.

A Walking Miracle

The nightmare was not over yet for the crew on site. They had to call Giguere's wife of 6 days to give her the news that he had been involved in a serious accident and might not survive.

How 10 Minutes in the Bottom of a Trench Changed Eric Giguere's Life

"Think about calling someone's family and telling them that," Giguere said. "The doctor tells her they don't think I'll make it through this, and if so, I'll have severe brain damage. For what? To save a little time out there?"

At first, the doctors expected Giguere would not survive. If he did make it, they said, he'd suffer extensive brain damage.

What happened in the end surprised everyone – within a week of the trench collapse, Giguere walked out of the hospital. He left with painful bruises, cuts, cracked ribs and three holes in his brain, but he was alive.

"You are looking at a walking miracle," Giguere said. "People don't spend 10 minutes down there and talk to you. They die."

The Nightmare Continues

Giguere might have survived, but his life was never the same. From the first day home, when he was too terrified to have a blanket on top of him or to sleep in the dark, he suffered.

He endured sleepless nights, damaged memory and agonising therapy sessions that entailed sitting in a tiny, dark room that brought those devastating moments in the bottom of the trench flooding back.

"We take shortcuts [at work] to save time, but I lost two and a half years of my life," he said. "Imagine everything you do outside of work completely stopped for next two and a half years. I'm tired all the time because I can't sleep, I'm frustrated because can't remember anything. That shortcut has changed everything about my life."

A decade after the trench collapse, Giguere still can only sleep about 3 hours a night and continues to wake up with nightmares. He claims he came out of that trench a different person – so different, in fact, that he and his wife were not able to endure the stresses of their new life. They eventually divorced.

"Everything I was working my tail off for out there, everything that was important to me in my life is gone because I wasn't willing to make safety a priority. Are you guys willing to risk everything that's important in your life?" Giguere asked. "We're not some machine we can run out and repair. That's not the way it works."

"It's too late for me," he continued. "But it's not too late for you guys to make sure you do the right way and choose the safe way every day."

Taking responsibility

Despite the fact that the contractor Giguere worked for did not enforce safety rules and in fact encouraged improper procedures to save time or effort, he only blames one person in the end: himself.

"I don't completely blame my company for what happened to me that day. The truth is this: Every day we go to work and make adult decisions. I made a choice to do it and I take responsibility for what happened," he said.

This is Giguere's view even in light of the company's evidence of deceit: In the hours after the trench collapse, the contractor shipped a trench box to the site to make it appear that safety equipment was on hand but simply went unused.

An OSHA inspector on location witnessed the trench box's late arrival. (Giguere admitted that even if a trench box had been on site at the time, he and his coworkers would not have used it.)

The contractor, who had been fined six times by OSHA for previous safety violations, received one willful violation for \$54,000 for this incident. OSHA and the company later negotiated this amount down to less than half the original fine. For his part, Giguere received no settlement from the company.

Giguere's message today is simple: Don't take shortcuts. Respect safety requirements. Don't make a choice that could put yourself, your coworkers and your family in life-altering situations.

"Every hard decision that my coworkers were forced to make, every emotion my families and friends felt, everything I went through at the bottom of that trench happened in less than a second," he said.

"Less than a second is all it took to put people in that situation. Are you willing to put your families through that to save a little time out there? If it happened to me, it could happen to anyone. One second is all it takes to change your life if you don't make safety a priority."

Article reproduced from Fort Lauderdale newspaper.



Word is Spreading



New law tightens up work safety

The article published in the Advertiser is further promotion of the changes that businesses, no matter what size they are, will need to keep good records, implement written policies and procedures to comply with the new WHS legislation. Some requirements are subject to a transition period whilst others are not.

Businesses choosing to ignore the changes can expect to eventually be scrutinised by SafeworkSA. The legislation is primarily modelled on Victoria's WHS Act which has been in place since 2010.

Fines for breaches have steadily increased and the Melbourne Age reported in January 2013 that they are already recording a significant fall in workplace deaths and industries as more businesses improve their WHS practices to comply with the legislation.

We can expect the new WHS Act to result in similar changes here in SA and the NT. Without doubt few people in business have undertaken formal training in WHS and don't know what they need to do and where to start.

The PIA saw these changes coming three years ago. They just came about two years sooner than we had expected. It is these changes that led to the development of BusinessMate. BusinessMate Lite can ensure your compliance with the new WHS Act at a cost of around 40c/ hour for sole traders* and even less for bigger companies. Contact Paul Worthington at the PIA to arrange a demonstration.

*Calculation based on one person working a 40 hour week.

Stop Press: A PIA Member has just been informed by the Workplace consultants who assess sub contractors who are employed by a property management group that a letter from the PIA confirming he is using BusinessMate will satisfy their WHS requirements to enable him to continue to do work for the company.

The PIA is happy to meet with any of your customers to demonstrate the level of compliance BusinessMate delivers so that you are not needlessly paying out money for assessments in order to be able to work for companies.



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JB'S SOAP BOX



Statistics, Distortions and Damn Lies

I was reading the paper yesterday and came across the article about "Tradies cash in on scarce skills" and read how much plumbers are earning. I'd also read in a previous issue of Plumbing SA about the perception that plumbers are charging outrageous amounts for their labour because manufacturing costs have plummeted, whilst labour intensive tasks, which can't be done

by machines have remained at relatively the same cost proportionate to inflation. The article didn't feel right, the old grey cells were a bit slow to get moving but eventually the penny dropped the next day. Many plumbers would not receive overtime. Sure the big commercial companies do and the bigger maintenance companies would have plumbers on call, but many plumbers who are sole traders would not pay themselves overtime rates.

Many country members never charge their customers overtime. I next called Deirdre at the PIA and asked her what are most plumbing companies paying. Her response was that most seem to be paying \$25.00 - \$26.00 an hour with their really experienced plumbers being paid \$30.00 - \$32.00 an hour. One plumbing company that used to advertise on TV a great deal was rumoured to be paying up to \$38.00 an hour.

So if a plumber is being paid \$25.00 an hour and the vast bulk of overtime would be at time and a half then he would be paid \$37.50 an hour + a possible meal allowance. So the figure they are quoting is most likely

double time, which distorts the story. The next penny then dropped. The article is based on information from the Australian Bureau of Statistics and they can't lie but their statistics would be based on the whole of Australia and would include the eastern states and Western Australia who have been paying much higher wages for years.

Add in the mining sector who employ only qualified tradespeople and the relevance of this article in South Australia would be zero. Plumbers who read that article are possibly being given a false sense of what companies are paying and consumers are being given incorrect information about South Australian plumbers and that is assuming their plumber is even being paid overtime. It has never been truer that you should not believe what you read in the paper. I was a bit slow on the uptake but I don't think the journalist who put that piece in the paper thought about it at all.

Right: The Advertiser 24 January



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PIA TRAINING



NEW COURSES

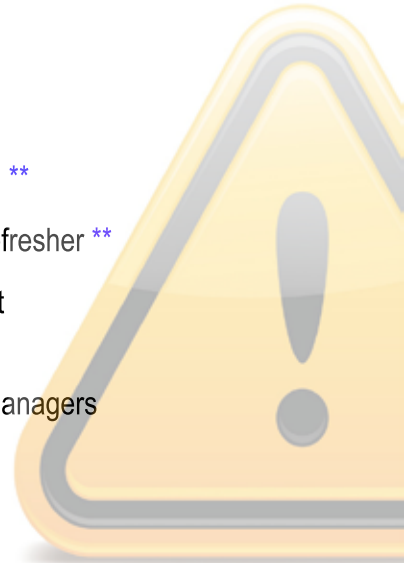
We are pleased to advise that new arrangements have been made to extend our current training scope. This has been designed in order to provide Members and Non Members with the most current and relevant courses to the industry possible.

WORK HEALTH & SAFETY TRAINING

The following courses have been updated to comply with the the New Work Health & Safety Legislation and will be provided in conjunction with the National Safety Council of Australia Pty Ltd.

- WHS Awareness for Managers and Supervisors
- Manage Contractor Safety
- WHS Harmonisation and Due Diligence
- Initial Five Day Health & Safety Representative*
- Health & Safety Representative Bridging *
- Commonwealth Health & Safety Representative**
- Commonwealth Health & Safety Bridging **
- Commonwealth Health & Safety Rep. Refresher **
- Participate in the Investigation of Incident (BSBOHS508B)
- Risk Management for Supervisors and Managers (BSBOHS404B / BSBOHS403B)

*Safework SA Approved ** Comcare Approved



GAS APPLIANCE SERVICING TRAINING

The PIA, in conjunction with Gastrain Pty Ltd will be offering the following training to PIA Members and Non Members:

- Commercial Appliance Servicing

- Domestic Appliance Servicing

** Please note that these courses are only open to South Australian Licenced Gas Fitters.*

FOR FURTHER INFORMATION

For our full list of training courses and for further information including course content and costs, please visit www.piasa.com.au

Alternatively, you can contact us on (08) 8292 4000 or at admin@piasa.com.au

Apprentices

Group Training now has more feet on the ground.

Andrew Clarke and the Executive Committee welcome Shane Blanden as the PIA's latest staff member. Shane will be quickly learning the Field Officer ropes in order that we can respond to the industry's needs for plumbing apprentices.

PIA is looking forward to providing an enhanced group training service to its members and hosts, as the need for additional plumbing apprentices grows in 2013.

We have a large pool of quality apprentice candidates available for hosts to select from, with most prepared through PIA's partnerships with TAFE and participating schools offering VET courses in plumbing.

Shane brings a wealth of experience as a qualified plumber, and technical sales consultant, and will be a familiar figure to many of you. Shane will be contactable on the PIA office number or his mobile at 0499 975 475 .

"This is an important addition to our capability in servicing the plumbing industry. Shane joins David Butcher and Marilyn Sheffield and is already developing some valuable business for the Association," said Andrew Clarke.

"We are ready for the next stage in the association's growth, which includes group training, work health and safety management with Business Mate, upskilling the industry through greater training opportunities, and representing members to government agencies in this election year.

We have a great team backing us in the office and out in the field and look forward to kicking some winning goals in 2013."

If you are looking for an effective and responsive apprentice service give PIA a call.



Above: Shane Blanden, Marilyn Sheffield and David Butcher



Back Row L-R Andrew Clarke, Rob Kavanagh, L-R Deirdre Boyd, Crystal Balazs, T L-R Siobhan James, Frances McCaffer, L-R Shane Blanden, Marilyn Sheffield and David Butcher



Above: Shane Blanden, David Butcher & Marilyn Sheffield

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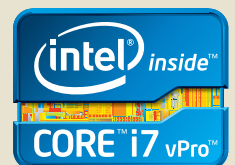


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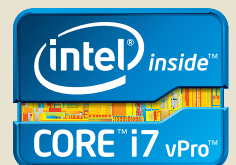
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* Motion CL910 Tablet PC has the latest Intel Atom processor technology.



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