



May/June 2013

The President's Lunch

*An entertaining networking lunch
for plumbers, gasfitters and
the plumbing industry*



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FRIDAY 18th OCTOBER 2013



- Oxy Acetylene Maintenance
- New Working at Heights Video
- Why Bankruptcy is a Last Resort



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May/June 2013

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Cover: Dale Anderton inviting you to the President's Lunch

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Meeting with Government

Over the past couple of months, the PIA has been meeting with a number of government departments to discuss issues surrounding both regulation and licensing within the plumbing industry.

The PIA is hotly pursuing greater levels of compliance in both these areas, to ensure the plumbing and the gas fitting licence is protected and industry is advancing in its bid to rid plumbing of unlicensed tradespeople.

With the down turn in the construction industry and tougher economic times, the PIA is hearing of disturbing practices that are jeopardising the reputation of the industry and poses some serious safety risks to consumers.

The meeting with Consumer and Business Services was a very proactive meeting that should work towards a more stringent monitoring process to eliminate some of these activities.

The regulatory role which is now completely under the control of the Office of Technical Regulator (OTR) and who are working closely with the PIA will now act within the new confines of the Water Industry Act to prosecute those tradespeople who continually fail to work within the plumbing standards and guidelines.

Some of the issues that have sparked concerns are; installing plumbing products without 'Watermark' approval, working outside the Australian Standards, completing work without issuing of Certificate of Compliance notices (COC's) and plumbers signing blank COC forms and providing them to unlicensed tradespeople.

The PIA appreciates the tougher stand on policing the industry and will continue to strive to enhance the industry and ensure public health is the main priority.

We wish to advise that any information that could seriously jeopardise the industry or cause health risks to the community should be passed onto the PIA, OTR or Consumer and Business Services. All information will be kept confidential.

Working at Heights Training Program

The PIA has now completed the Working at Heights interactive video training package, which was funded by a grant provided by SafeWork SA in 2011.

The package was co-produced and directed by Jon Burke from Jon Burke Creative Digital Video as well as the PIA.

On behalf of the PIA, I would like to thank Jon for his tireless work, he certainly produces amazing results.

I would also like to thank other major contributors, SafeWork SA, MBA SA, TAPS, PEER, Sarah Constructions, Hindmarsh, GTA SA, Rheem, Laser Plumbing – Buckland Park, Hills Hire, Tagara, KLM Electrical, EWPA, Jordan Plumbing and Hindmarsh Plumbing for their support and time.

The training program is an important part of the overall duty of care that employers have in training of employees.

Brian Adams – Chief Officer, Strategic Services, Safework SA made this comment:

"For all employers, it is part of your duty of care to train workers in areas that are part of your working environment."

Training should be specific to the different types of work that your business conducts with an emphasis on the correct use of all equipment and following safe procedures.

The Working at Heights training program, which has been developed by the PIA and is supported by SAFEWORK SA, forms part of that duty of care."

To access the training package, please go to the PIA website (www.piasa.com.au), search in Training, Online Training and select.

Further information on the training package is outlined in this edition.



Andrew Clarke
Executive Officer



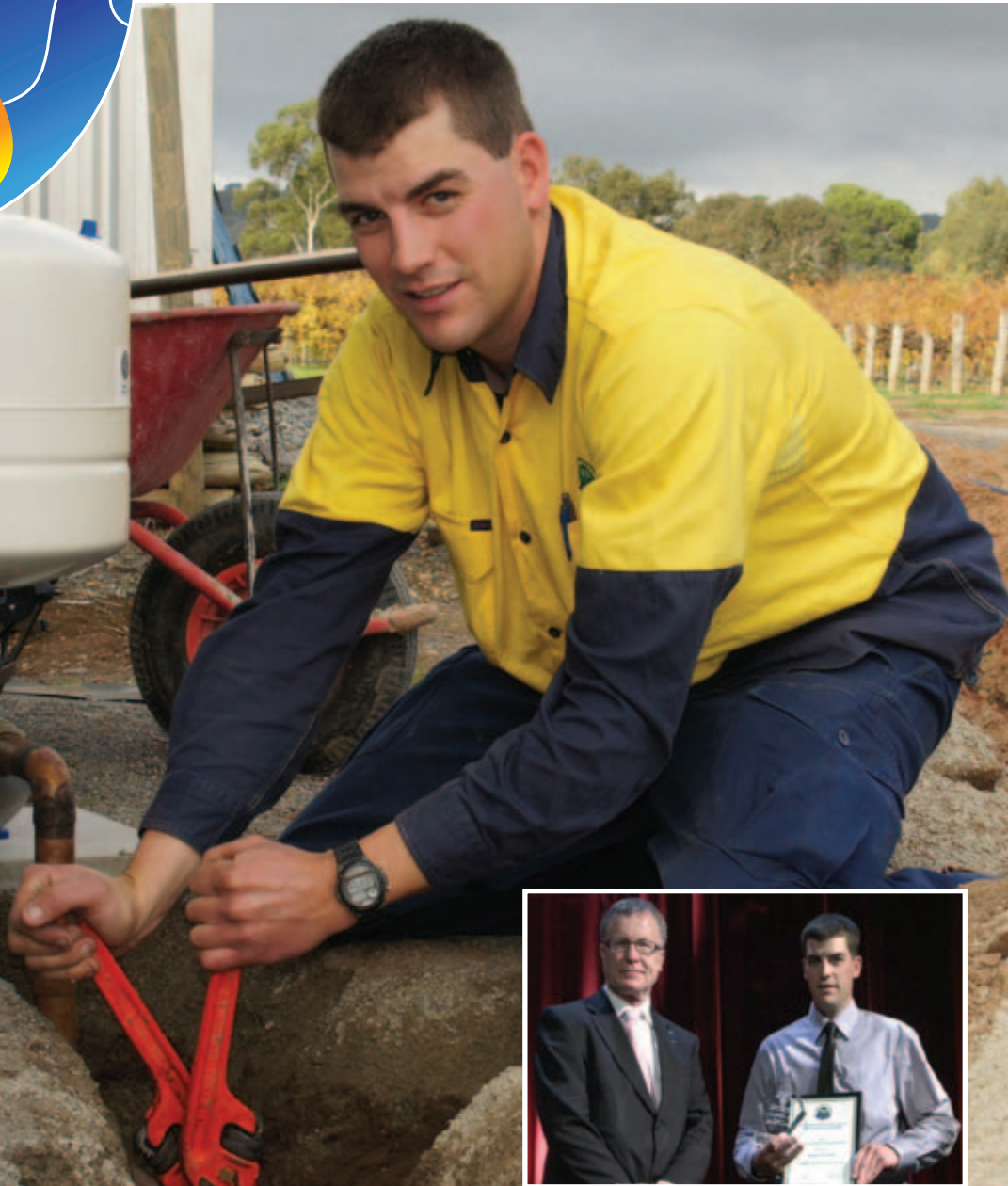


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Residential Plumbing

Domestic Tempering Valves

Does the kitchen and laundry have to be 50°C?

Let's unravel the confusion with Tempering Valves with domestic hot water installations.

Why are they fitted?

They are fitted as a safety valve to reduce the risk of scalding accidents. Tempering valves blend hot and cold water to deliver mixed water at a constant temperature.

They incorporate a temperature sensitive element, which expands and contracts, depending on the temperature of the water flowing across it.

The action of the element, in turn moves a piston which shuttles between the hot and cold ports. In doing so, the valve maintains an essentially constant water outlet temperature.

Note: The manufacturers require the tempering valves to be replaced every 5 years.

National Plumbing and Drainage Standard AS/NZS 3500.4: 2003 states:

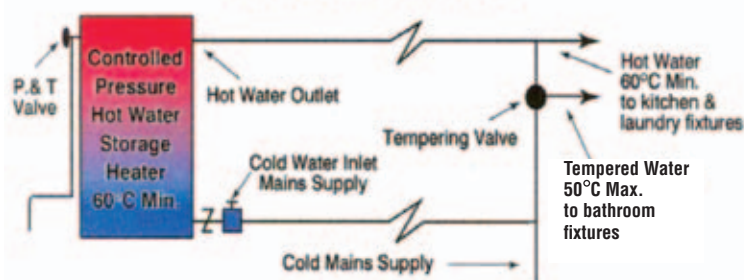
All new heated water installations shall, at the outlet of all sanitary fixtures used **primarily for personal hygiene purposes**, deliver heated water not exceeding –

- 45°C for early childhood centres, primary and secondary schools and nursing homes or similar facilities for young, aged, sick or people with disabilities; and
- 50°C in all other buildings

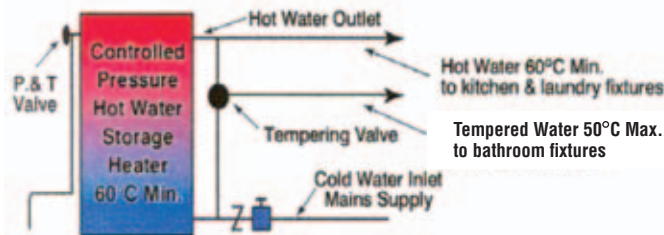
Does the kitchen and laundry have to be 50°C?

No. It is optional to supply tempered water to kitchen and laundry outlets. Most consumers prefer at least 60°C water at these fixtures. Method of installation is shown in the following diagram.

TYPICAL INSTALLATION OF TEMPERING VALVE FITTED AWAY FROM THE HOT WATER HEATER



TYPICAL INSTALLATION OF TEMPERING VALVE FITTED AT THE HOT WATER HEATER



The problem with new homes and renovations is that builders are not informing their customers that for a very small cost increase two hot water lines can be run into a home providing tempered and non tempered water.

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Maintenance Plumbing

The Best Man's Joke

Years ago at weddings the joke regularly trotted out in the best man's speech. "You should buy your bed from Myer because they always stand behind their product." Unfortunately many businesses these days run a mile to avoid their responsibilities despite the consumer protection laws in Australia.

One member was again a victim of this problem recently and has asked us to tell his story as a warning to others. His client purchased a new toilet suite from a discount warehouse. The plumber agreed to replace an existing suite with the new one.

The installation appeared to go well and tested correctly. The customer contacted the plumber within a few days to report it was leaking. He returned to the job and found that it did appear to be leaking. After conducting various tests, he reluctantly decided to lift the pan and re-seat it. He could find nothing wrong with any of their work and resealed it. All appeared fine, as before.

The next day he was called by the customer to be told that it was still leaking. He returned with a fellow plumber and after conducting varied tests, he concluded that there must be a fault in the pan. They asked the customer to not use the toilet for 24 hours and they marked the water level in the pan. Within a few hours the customer sent a text reporting that the water level had dropped several centimetres and there was again a puddle on the floor.

The plumber contacted the supplier who immediately knew the pan had a hairline crack. He informed the plumber that he sold hundreds of these suites each week and this was the first one that had failed. An odd contradiction by the supplier in his statement, that he immediately knew what the problem was even though he had never had a warranty claim before. He said he would contact the importer to organise a warranty replacement.

After hearing nothing for several days, the plumber rang the supplier to ask what was happening. He was told the importer had none in stock. Strange for a product, that sells in the hundreds each week, in Adelaide alone. After going back and forth for a few more days the supplier indicated he had a replacement pan.

The plumber asked what compensation he would get for his wasted time in identifying the product was faulty and to go back and install the new pan. He was initially told he would receive nothing. Further discussion resulted in an offer of \$100.00. The plumber refused to accept the money. It's easy to suggest that you don't install products purchased by your customer but that can have a serious impact on your business.

So what do you do? The first thing we recommend that you do is to check the product has a Watermark approval and that doesn't mean

just looking at the product itself but going to the Watermark website and checking the product is actually registered.

There is imported product on the market falsely stamped as Watermarked and WELS approved. Next if the brand is not a recognised brand, you need a product fault disclaimer that warrants your workmanship but clearly specifies that if the product is faulty that you will charge a fee if the call out is not related to your workmanship and there will be an additional fee for your time to reinstall a replacement.

Customers need to understand that you can't be held accountable if they want you to install poor quality products and when they fail that you will be charging a fee for your time to fix it. They need to understand that if you supply the product and the labour, then you are warranting the whole job.

Owner-Supplied Fittings

PIA has recently fielded calls about defective toilet pans. The defects in the toilet pans were not immediately apparent and the PIA member plumbers spent a lot of time and money investigating the source of a leak, only to determine that it was the pan supplied by the owner which was the source of the leak.

If you agree to install owner-supplied fittings, but do not specifically discuss who is responsible for the quality of the fittings, there is every chance that you will be responsible for the quality of those fittings. This might not seem fair; but there are ways to protect you and your business:

- have a written contract with a clause excluding or limiting liability for owner-supplied fittings.
- if your contract does not include such a clause, before starting any work ensure that you explain to an owner that you will not accept responsibility for defects, consequential investigations and/or repairs arising from defective owner-supplied fittings. Record that explanation in writing.
- insist, where possible, that you (not the owner) source and supply fittings. Use a good (and ideally a local) supplier or manufacturer, get appropriate product warranties and pass them on to the owner.
- check that you have appropriate insurance cover.

The PIA has contracts that members can purchase and are now included as a standard feature of the BusinessMate System. If you need legal advice on any issue, call Nick Anderson from O'Loughlins on 8111 4000.

Commercial Plumbing

Australia Creates 19,600 Construction Jobs in Three Months



The building market may be slow but if the latest data from the Australian Bureau of Statistics is to be believed, construction industry employment is on the rise.

Released 4th March, the figures show that the number of people employed in the industry rose from 1.0157 million in the quarter ended November last year to 1.0353 million in the three months to February, a rise of 19,600 jobs.

Even after seasonal factors are taken into account, employment numbers were up 14,100 compared to the February quarter last year and 17,800 over the three months to February 2011.

Furthermore, though many of the jobs created in the previous quarter were part-time, full-time numbers are up 9,900 year on year; an estimated 876,800 Australians were employed full-time in the construction industry during the quarter while a further 158,500 were employed part-time.

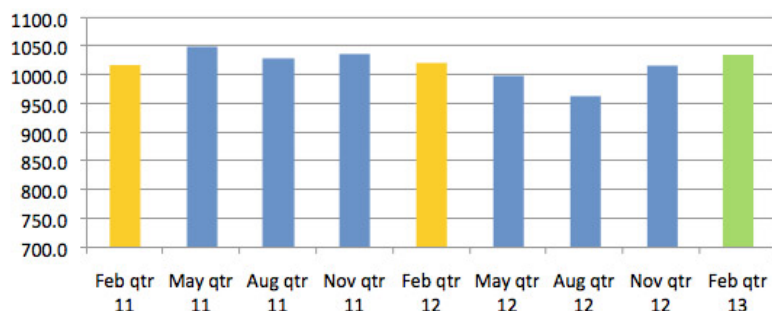
Master Builders Australia senior economist Peter Jones greeted the latest figures with 'cautious optimism', but warned much of the increase was linked to the slowing resources sector.

"The rise in employment is likely to be closely linked to the mining sector as anecdotal evidence from builders is that industry activity remains quite soft," he says.

"The question remains whether this recovery can be sustained given the mining sector is set to peak and the building sector remains weak, despite early signs of a muted recovery in housing."

In terms of states, Queensland led the charge, adding 13,310 jobs in the three months to February followed by Western Australia (3,930 jobs), ACT (2,480) NT (1,320) Tasmania (580) and Victoria (320).

Construction Industry Employment - Australia
(thousands of full time and part time workers)



New South Wales, meanwhile, shed 1,770 jobs while the head count fell in South Australia by 600.

Year on year, employment numbers are up 21,740 in Queensland, 14,320 in Victoria, 1,860, 880 and 100 in Northern Territory, ACT and South Australia respectively, while the head count is down 21,190 in New South Wales, 2,810 in the Tasmania and perhaps surprisingly, 840 in Western Australia.

In percentage terms, however, the Northern Territory is the clear standout, having added almost 14 per cent to its workforce year on year as work fires up on the Ichthys project.

By Andrew Heaton
Construction News

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Commercial Plumbing Cont...

Multi Storey Timber Buildings

For Lend Lease business development manager, of cross laminated timber, Andrew Nieland, there is no better way to summarise the significance of engineered timber in building and construction in Australia and beyond than by quoting drMM founding director and UK architect, Alex De Rijke.

If the 19th century was the century of steel and the 20th century was the century of concrete, De Rijke says, “then the 21st century is about engineered timbers.”

“Now he’s not a crackpot, he’s an architect of high standing,” Nieland told a Property Council of Australia conference on sustainability in Melbourne recently.

“When someone of his standing in the construction industry says that, it is incumbent upon all of us to stand up and take notice.”



Indeed, that’s exactly what Nieland and colleagues are doing. Only recently, Lend Lease used cross laminated timber (CLT) to construct the tallest timber building anywhere in the world – Melbourne’s Forté apartment building at Victoria Harbour.

Going forward, the company says it expects to use the material on 30 to 50 per cent of its apartment building pipeline.

Based on the results at Forté, there is plenty to be excited about. According to company estimates, the use of CLT provided similar levels of structural integrity as traditional concrete buildings while delivering better thermal performance and reducing the building’s projected life-cycle CO2 emissions by around 1,400 tonnes.

Being largely based on pre-fabrication, the CLT construction process involved less material on site and was cleaner, simpler and faster – four months faster, Nieland says.

Asked about the main benefits of CLT use from a project management viewpoint on the Victoria Harbour development, Nieland nominates two key areas.

“Safety is the most important from a Lend Lease perspective. That’s about a number of things: reduced high risk work, the elimination of injuries associated with formwork and reinforcing. It’s also a better work environment, so less dust, vibration, noise and obstruction,” he says.

“Commercially speaking, the biggest thing is speed. With it being pre-fabricated, all of the main penetrations were already taken care of, and fixing into timber is a lot easier than fixing into concrete, so for the electricians, plumbers, plasterers and others, it’s a lot easier job [working with a CLT structure] than working with concrete.”

Nieland says the biggest challenges in dealing with the first building of its kind in Melbourne revolved around the authority space, which involved making sure Lend Lease achieved structural certification and demonstrating compliance with building code requirements on issues such as durability, fire protection and acoustics – much of which was achieved through careful design detailing.

Being a timber-based product, fire protection was an interesting issue. Nieland says Lend Lease needed to do a lot of testing to achieve the fire ratings and work closely with the Melbourne Fire Brigade and the Building Appeals Board in Melbourne to demonstrate that CLT would meet the code requirements.

As a ‘mass wood,’ CLT is different than ordinary timber and has a predictable fire performance (it chars at 0.7 millimetres per minute). Moreover, in terms of fire engineering, required ratings can be achieved by adding additional layers of timber or supplementary materials such as fire rated plasterboard.

Asked about any advice he would give to managers embarking on a project using CLT, Nieland says it is imperative to get the right expertise in place.

“Consider timber as a material from day one and understand that it is not just about replacing other materials with timber, it is about a different construction process which is pre-fabricated,” he says.

“It’s really about understanding what all that entails up front.”

**By Andrew Heaton
Construction News**

In Brief



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The President's lunch

We're going to do something a little different this year. Instead of the PIA Gala Awards Dinner, we are going to hold a President's Lunch on Friday 18th October 2013. Manufacturers, suppliers and merchants will be inviting members to attend as their guests. If you would like to attend, please register with the PIA as we would like to invite as many members as possible. The lunch is a great chance to catch up, network and add your voice to our industry.

DPTI

Several members raised concerns with the PIA about the Department of Planning, Transport and Infrastructure (DPTI) Building Management Facilities Services Tender. The PIA met with DPTI staff to discuss the issues. The biggest problem seems to be that they are adopting a one size fits all approach without fully appreciating that this will impact on some of their clients and our members very negatively.

As a result of the meeting, DPTI has undertaken to communicate more effectively and to review a sample of contractors to determine that no disadvantage will occur. The PIA will keep you informed of developments.

Online Licence Renewal

You can now pay your plumbing and gas fitting workers registration and contractor licence renewal online. You will need your registration licence number and client ID which are listed on the annual/periodic return forms. Online renewal is fast, simple and secure. Visit www.cbs.sa.gov.au to make your payment by credit card (Visa or Mastercard only).

BIS Shrapnel Review

The BIS Shrapnel Review of the economic outlook is that Australia has reached the bottom of the downturn and that growth will be patchy across the country. SA will have growth of around 1% and that strong recovery is two years away. It's important to remember that this is a forecast based on historical data, much like weather forecasts used to be predicted.

Consumer confidence is the biggest inhibitor to our recovery and it is important that we project positive attitudes so that we are part of the solution not the part of the problem.



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In Brief Cont...

Working at Heights

Throughout the construction, building, maintenance and renovation sectors, workers are constantly required to work at heights, performing tasks from placing solar panels on roofs to plumbing and electrical fit outs on various sized projects.

The challenges of working safely at heights are always present, simply being aware of the hazards and understanding the threat they present is the first step of being safe at work.

The second is effectively controlling the risks posed by working at height and putting in place prevention strategies to keep yourself and others safe to perform their work.

In 2012, the PIA partnered with other leading group training organisations, industry participants and other industry associations to produce an interactive video program to help prevent incidents to those who perform work at heights.

The training package has been developed with the support from SafeWork SA through the SafeWork SA Small OHS Grant Program in 2011.

The training package meets the current WHS Legislation requirements and is aimed at providing guidance on best practice.

The program will highlight the following topics;

- What is high risk work
- Managing the risks
- Equipment used to work at heights
- Fall arrest systems

The PIA would like to acknowledge the support and time committed to the project by a wide range stakeholders, a special mention to Jon Burke from Jon Burke Creative Video on his commitment and passion in delivering a comprehensive training program.

The program would not be possible without the support of Safework SA and the assistance of Brian Adams and his team.

The aim of this project is to make people consider safety, identify hazards and risks and to ensure tasks are completed safely and to best practice.

This program is for all employers, employees and workers in the construction industry. The program can be accessed via the PIA website; piasa.com.au – training – online training.

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Interim Occupational Licensing Advisory Committees for first wave occupations

Additional meetings were held with the interim Occupational Licensing Advisory Committees (OLACs) in late January/early February. The OLACs include representatives of peak industry bodies, employer groups, unions and consumer organisations. Membership details of each OLAC are included on the NOLA website www.nola.gov.au under 'About Us' and 'Advisory Committees'.

This second round of meetings with the interim OLACs detailed the advice that the authority had been asked to provide to the Standing Council on Federal Financial Relations (SCFFR). This advice closely aligns with the proposals of the OLAC meetings held in October 2012. Following the most recent interim OLAC meetings, the authority also agreed to review or fine-tune a number of its recommendations in the areas listed below.

For plumbing and gasfitting occupations:

- the three tier sub option 2 licensing system for plumbing and gasfitting
- the differentiation of generic business skills from occupation specific skills
- the regulation of roof plumbing and stormwater work
- the licensing of ducting work
- the proposal for a restricted licence for disconnect/reconnect — urban irrigation.

This is what the industry lobbied for and it would appear that the legislation will pass through parliament this year to implement the regulations that control this option.

For refrigeration and air-conditioning occupations:

- the alignment of the ARCTick licensing regime with a national licence for refrigeration and air-conditioning
- the proposal for a restricted refrigeration and air-conditioning (heat pump and split systems installation) contractor licence.

For property occupations:

- the licensing of stock and station agents
- the licensing of livestock auctioneers
- minimum age requirements.

For electrical occupations:

- the licensing of cable jointers and lineworkers
- the exclusion of work on high voltage propulsion systems in electric vehicles such as dump trucks from the regulated work of electricians
- the differentiation of generic business skills from occupation specific skills.

The authority's report to the standing council was submitted to treasurers in the last week of February.

The process from here

As the policy development phase for Wave 1 occupations moves through to implementation, several steps still need to be taken before national licensing comes into effect.

The COAG National Licensing Taskforce is finalising the Decision Regulation Impact Statements (RISs) and drafting the Amending Legislation that will need to be approved by the Standing Council before the reforms can commence.

NOLS HAS been advised by the Taskforce that this work is ongoing and they will provide any updates on their website as and when they receive them.

Once the standing council approves the decision RIS and the amendment bill, these will be introduced into the Victorian Parliament, as Victoria is the host jurisdiction for the national licensing legislation.

Once passed in Victoria, each state and territory will need to pass its own legislation covering application and transitional and consequential arrangements, relative to their own licensing legislation.

Within the authority, one of our next steps will be to establish permanent OLACs that will continue to provide advice on the implementation, monitoring and review stages of national licensing.

Depending on the outcomes that will be detailed in the decisions RISs, the OLACs will also be tasked with providing top-level industry advice on issues such as training, competencies and best practice issues.

What will NOLS mean in practice?

Once the National Occupational Licensing System commences, licensees will automatically be transferred to an equivalent national licence, entitling them to use the licence to work anywhere in Australia without the need to apply for a further licence when moving across borders. There will be no need to undertake additional training or meet new criteria.

During a five-year transitional period, licensees can work between states and territories, as they are deemed to have a national licence and would not be required to obtain one ahead of the expiry of their current licence.

No commencement date has been announced as yet but we would anticipate that national licensing will take effect some time in 2014.



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Financial Advice

Pricing Yourself out of Business

Regrettably a number of our members have been pricing themselves out of business. No! They have not been putting their prices up.

They have been cutting their prices to the point where they have been working for less than the cost of doing the work.

This article is not about builders and developers who have failed to meet their liabilities and driven some of our members into insolvency, it is about the downward price spiral that has been occurring for some time and that includes builders cutting their prices to the bone and forcing their sub contractors to do the same.

Last year Adciv closed its doors. The receivers pointed out that their failure was due to cutting their margins to 2% in order to win contracts and it then took only a few adverse events for the company to reach a point where they could not continue to trade.

Philip Arnfield in his Build a Better Business Course has always argued.

"It's better to go broke quickly than go broke slowly, painfully and with a great deal of stress."

However, Philip also provides business owners with sensible strategies to ensure you will not go broke.

Just ask any of the members who have completed the Build a Better Business Training.

What we have is a number of members who are either buying work or cutting their prices below their operating costs.

Clearly this may be sustainable for a short period of time if you have sufficient cash resources or you can liquidate assets to stay in business but it is unsustainable in the long term.

I know. You are saying this is all very well but we live in the real world and if I don't cut my prices I won't have any work because someone else will cut his prices

So what do you we all do?

1. Enrol in Philip Arnfield's "Busting the Recession" training event and learn about the strategies that will help you through these tough times. Learn how to successfully compete against discounters! The training event is free to PIA members, and there are several sessions available at a time to suit you. Contact the PIA for details.
2. Thoroughly review your overheads and examine ways to improve your business operations.

3. Review your customer base and the range of services you offer.
4. If your pricing is lower than the cost of doing business put your prices up and stick to them.

Over recent weeks we have spoken to a number of members who have done the "Build a Better Business Course." Most were initially sceptical but gave putting up there prices a go. Without doubt they were all surprised when it worked. One member reports that not only did he not lose any clients or work, he actually increased his work load.

There are customers who believe in paying for good work and are naturally suspicious of too cheap a price. Just look at the solar industry. Sure you can get cheap systems but will the company be around long enough to install it and will it still be working in five years?

More plumbers need to sell the message you pay for what you get. As for customers who are totally driven by price. Do you really want them and will they pay you without hassles?

Why does it work?

Competing on price ignores all the other elements that most customers want:

1. Punctual and reliable service.
2. Quality workmanship and products.
3. Cleanliness - cleaning up a job, so it is at least as clean, if not cleaner than when you arrive.
4. Warranting your work without quibble when it is faulty.

If you have to cut your price below the cost of doing business it's time to go and sit on the beach somewhere or go work as a lifty in the snow until you can.



The President's Lunch

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the plumbing industry*



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FRIDAY 18th OCTOBER 2013

Allan
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SAFE WORK

Employees Burying Your Head in the Sand

SafeworkSA has advised that the legislative requirements for the carriage of Acetylene and LPG cylinders (Division 2.1 dangerous goods) under the Dangerous Substances (Dangerous Goods) Transport Regulations 2008 (the Regulations) and the Australian Dangerous Goods Code (the Code).

- Under section 7.1.4.5 of the Code, ventilation of a transport unit or compartment is required for a placard load of dangerous goods of Division 2.1 or 2.3, or subsidiary risk 2.1, or liquefied oxygen.

A placard load is a load of an aggregate quantity of dangerous goods of 250 l/kg or more that includes any quantity of Division 2.1 or 2.3 or Packing Group 1 of any Class or Division. (therefore the 2.1 DS diamond is only required on the van if the quantity is 250 litres or more)

- As Division 2.1 may be the only class of the above mentioned dangerous goods that is applicable to the members of the association, ventilation of a transport unit or compartment is required for 250kg/l or more of Division 2.1 dangerous goods.

Whilst it is envisaged that the majority of your members would not be transporting this amount, compliance with Section 11 of the Dangerous Substances Act it is still a requirement for smaller quantities.

General duty

11. A person must, in keeping, handling, conveying, using or disposing of a dangerous substance, or in transporting dangerous goods, take such precautions and exercise such care as is reasonable in the circumstances in order to—

- (a) avoid endangering the health or safety of any person (including himself or herself), or the safety of property; and
- (b) prevent the risk of environmental harm.”

Further information can be found at;

BOC chemicals put out practical advice on their website;
https://boc.com.au/boc_sp/au/downloads/reference_manuals/scientific/BOC_SGEM_S02-Safety.pdf

and SafeWork SA have a Hazard Alert

http://www.safework.sa.gov.au/uploaded_files/ha_portable_gas_cylinders.pdf

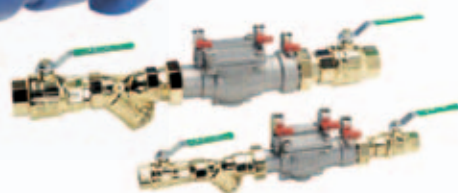
With regards to hoses, AS4839-2001, “the safe use of portable and mobile oxy-fuel gas systems for welding, cutting, heating and allied processes” does deal with maintenance of hose assemblies. It suggests three types of check:

1. A visual examination and leak test to be done weekly by the operator
2. A six monthly check to be done by a technically competent person.
3. Refurbishment

Please refer them to this standard for more information. This Australian Standard is not actually called up in regulation in South Australia, however it is a guide on how to achieve appropriate standards of work health and safety and therefore to meet your general duty.

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SAFE WORK

Safework Update on Maintenance of Oxy Acetylene Equipment

Below are the requirements under AS4839-2001 for maintenance actions for compliance and the maintenance schedule.

It is also important to note that you keep records of all such maintenance. Once again, BusinessMate can allow you to manage this easily.

8.2 Maintenance

Periodicity and details of maintenance actions shall be in compliance with Table I. Maintenance shall be carried out by a technically competent person. That person shall possess the following:

- (a) Sound knowledge of, and sufficient practical experience of, oxy-fuel gas equipment to carry out the duties required.
- (b) Sound theoretical knowledge of oxy-fuel gases used and their potential hazards when used in the workplace.
- (c) An understanding of the importance of integrity and safety in the use of oxy-fuel equipment.

Examine the blowpipe nozzle regularly and if it is becoming clogged, clean it in a manner described by the manufacturer. All oxy-fuel equipment shall be kept clean and free of oil and grease at all times inclusive of the cylinders.

NOTE: A high standard of cleanliness to be applied when the equipment is not in use.

GUIDANCE ON MAINTENANCE

Equipment	Maintenance		
	Weekly (if in constant use) or before every use (to be performed by the operator)	As nominated (to be carried out by a technically competent person)	Refurbishment or replacement intervals (Equipment condition determines whether refurbishment or replacement is required.)
1 Regulators (including their integral protective devices)	According to the manufacturer's instructions including—visual examination to determine suitability for service (e.g. gas, pressure rating, damage); condition of threads and sealing surfaces; and oil or grease contamination. Leak test all joints at working pressure.	Six monthly: Functional tests to ensure the correct operation of internal components	Manufacturer or supplier recommendation, but not exceeding five years.*
2 Flashback arrestors and other external devices (including non-return valves)	Visual examination to determine suitability for service (e.g. gas, pressure rating, damage); condition of threads and sealing surfaces; and oil or grease contamination. Leak test all joints at working pressure.	Yearly as detailed in AS 4603 or following a flashback: Proper functioning of the non-return valves and flashback arrestors. For pressure-activated valves, check there is no flow in the normal direction with the valve tripped.	Manufacturer or supplier recommendation, but not exceeding five years.*
3 Hose assemblies	Visual examination to determine suitability for service (e.g. gas, pressure rating, damage); condition of cover; and threads and sealing surfaces of the end fittings. Leak test all joints at working pressure.	Six monthly: Check for absence of cuts and excessive wear by bending the hose in a tight radius, to ensure reinforcement is not visible.	Determined by the hose assembly condition.
4 Blowpipes, mixers and attachments	Visual examination for damage of the threads and sealing surfaces of the hose connections and the attachment connections. Leak test all joints at working pressure.	Six monthly: Test control valve function, Blank the attachment connection and leak test for internal malfunction.	Manufacturer or supplier recommendation, but not exceeding five years.*

* Regulator elastomers and seals will wear and deteriorate in service and deteriorate out of service. Items stored for one year or over without use should receive inspection as per the annual maintenance inspection.

SAFE WORK

Around 80% Of Tradies Are Expected To Experience

Back In Business

“Lift with your legs not with your back. Bend at the knees, not at the waist!”

How many times have you heard this? Now, how many times have you heard this from a person who has never had to lift a bundle of three metre pipes, a washing machine or water tank? While using your leg muscles is the preferable method. This doesn't always translate in the world of over-sized pipes and appliances. It also works on the premise that the lifter has the leg strength to perform the lift — a lot of people do not.

With around 80 percent of people working in trade industries expected to experience back pain and muscular injuries during their career, learning to lift, lower and move objects safely should be a top priority.

The Causes Of Back Injury

As most plumbers know, overexertion injuries result from overloading or over-stretching muscles, tendons and ligaments. Overloading exceeds your strength and overstretching exceeds your range of motion.

Overuse injuries result from using muscles, tendons or ligaments so much they become damaged. For example, the task of installing waterlines using copper and PEX tubing systems may not be particularly hazardous. If you repeat the task endlessly for eight hours each day, using ABS cutters, crimping tools, and knives in an awkward body position and without allowing the body enough time to recover, you're probably going to end up with a back or muscular injury

Activity is your friend

Most people still believe that to reduce the risk of lower-back injury you have to eliminate all activities involving lifting, lowering and moving objects, however this is not actually the case. To stay healthy, muscles and other tissues need to be challenged. The trick is in making sure the challenge is sufficient — not too little, not too much.

The plumber installing ABS vent and drain pipes may need to reduce how much they work with their back while a foreman who sits at a desk all day without moving much might be better off with a mix of work activities that includes using his back.

Work Up Your Strength And Endurance

To avoid injuring your muscles, tendons and ligaments - especially in your back - you need to give them a chance to adapt to loads of increasing weight. You want to expose them to loads that challenge but don't damage them. You also want to give them time to recover between periods of strain.

Gradually building up the weight your muscles can carry and the length of time they are used improves your body tissues' tolerance to injury. Muscle endurance, which helps tissues work longer without tiring and losing their ability to work effectively, has more protective value than muscular strength.

Research shows that exercise programs combining cardiovascular exercise with lower-back exercise are more effective than programs emphasizing lower-back exercise alone. Cardio exercises like walking briskly, surfing or, playing football help build muscle endurance.

Clever tips for plumbers

- keep all cutting tools sharp to reduce strain on your wrists and arms. If you're using crimping tools, make sure that they are properly calibrated.
- Use the right-sized drill or boring bit and make sure that the cutting edge is sharp to reduce strain on your arms and the tool.
- Wear kneepads for work on the floor. Avoid prolonged awkward postures. Move between kneeling, squatting and standing.
- If working below knee level, use a stool such as a milk crate or a mobile stool with castors to reduce stress on your knees and to help keep your back straight.
- Set your work up at waist level using benches or tables.
- For a PEX tube system, using mechanical crimping tools can help reduce strain and injury.
- When lifting from the ground, limit the load to 23 kg and don't be a goose -always ask for help with heavy or awkwardly-shaped material.

While it's always advisable to talk to your doctor if you are experiencing pain, statistics show that most people with back pain simply get better, regardless of whether they receive treatment or the treatment methods used.

Most people who leave work return within six weeks, and only a small percentage never return to their jobs. More evidence suggests that people with back pain who continue routine activities as normally as possible do better than those who try either bed rest or immediate exercise.

However, as always, prevention is better than cure and it's usually down to more than just lifting with your legs. It is also important to reinforce through your Safe work Method Statements (SWMS) and Standard Work Procedures (SWP) the importance of correct practices.

Available in BusinessMate are world leading tools to create your SWMS and SWP's. Contact the PIA for further information.

Back Pain and Muscular Injuries During Their Career



How to lift

While employers should eliminate as much manual lifting and lowering as practical and possible, there will still be times when you need to put your back into it.

So what is the perfect technique for lifting? Well, there isn't one, but the four principles below are the latest advice from specialists.

1. Keep the natural curve in your lower back

When standing straight the lower back naturally curves to create a slight hollow.

Always try to maintain the curve when lifting, lowering or moving objects. The spine and back are most stable in this position.

2. Contract your abdominal muscles

Contact the abdominal muscles during lifting lowering and moving activities. This improves spine stability.

Sometimes describes as “bracing” contracting the abdominal muscles even slightly (as little as four to five percent) improves spine stability and reduces the likelihood of injury.

4. Avoid Twisting

Twisting the back can make it less stable, increasing the likelihood of injury.

Bracing helps reduce any tendency to twist.

5. Hold it Close

Keep the load as close to the belly button and body as possible. Doing so reduces the strain on muscles of the back and trunk.

If necessary, use protective clothing such as leather aprons so that sharp, dirty, hot or cold objects can be held as close to the body as possible.

Whose Lunch are you Cutting?

A member recently was called out by a regular client to look at her bathroom vanity. The client decided to replace it, rather than repair it. The member not wanting to be asked to install a piece of rubbish from a discount supplier, advised her to go to a merchant and to select a vanity unit. He would then order the unit and give her a discount on the full retail from his buy price.

There were a couple of specific requirements because some tiles in the bathroom close to the vanity had cracked. Selection of the right unit and some judicious manipulation of a few tiles meant the member could rid the bathroom of the cracked tiles. All good. The client whilst at the merchant store came into contact with another plumber. The exact circumstances are unclear. This plumber offered to buy the vanity on his account for her and opened up his pricing for the customer at a merchants counter, so that the customer knew the absolute lowest trade price. He made it clear he was a very nice plumber who could come and install it.

The lady accepted his offer to put it on his account and went back to our member who was now given the job to install it minus his margin on the vanity. The merchant has now sold a full retail customer a vanity at trade price through the nice plumber. He made nothing out of it, the retailer lost margin, the member lost margin and the only winner was the customer. The member's professionalism enabled them to retain the work whilst keeping the customer happy and satisfied.

Is this a sign of the times that some plumbers will try to cut another plumber's lunch, after the first plumber had won the job? Ethically, and we don't know how the customer and nice plumber came into contact with each other, it is not good for a plumber to intervene in this way to obtain work. The proper time to compete is at the quoting stage.

Competition is good but it should never be at the cost of maintaining ethical standards and on being the cheapest. Competition must be a combination of quality, customer service and price.



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Legal Advice

Why bankruptcy is a last resort option

In this second article of our three part series on insolvency and bankruptcy we explore the serious consequences of personal bankruptcy. Being declared bankrupt is a very serious step with wide-ranging consequences. It is not an “easy” way to get out of debt, but it does offer a fresh start to those who are in a hopeless financial situation.

What is bankruptcy?

Many years ago, if a person who owed someone else money (the debtor) failed to pay up, they could be arrested and imprisoned until the debt was paid - perhaps by a sympathetic family member. These days, if someone is owed money by a debtor (a creditor) they can seek the assistance of the court to be repaid from the debtor's assets or income.

This can be a stressful exercise for all concerned. To relieve this stress, it is possible for a person to become “bankrupt”. When that happens, all their assets and income are disclosed to a Trustee who, after allowing the bankrupt person enough money to survive, will give that money to the creditors. The Trustee may sell your assets, including your house - even if you only own half of the house. You are allowed to keep some things like:

- your clothes;
- one car (worth less than \$6,500)
- tools of trade up to a value of \$3,250; and
- ordinary household furniture.

The Trustee may in some circumstances take money directly out of your income to distribute to creditors. After a period of usually three years (which may be extended to 5 years), the debts of the bankrupt person automatically end and the bankrupt person cannot be required to repay their debts.

What are the negative effects of Bankruptcy?

There are a number of “downsides” to being a bankrupt person including:

- your passport may be confiscated and travel prohibited;
- your credit standing will be impacted;
- you will be unable to act as a director of a company whilst bankrupt;

There are a number of alternatives to bankruptcy. Many of these involve a process under which the debtor “does a deal” with their creditors to pay a limited amount of the debt rather than lose all of their debt.

How does bankruptcy specifically affect plumbers?

In addition to the negative effects listed above, plumbers who are undischarged bankrupts are not entitled to hold individual contractor's licences. This effectively restricts a plumber to working as an employee only. Bankruptcy is matter of public record. Credit reporting agencies will usually check this record and obtaining credit, even after bankruptcy, can be much more difficult.

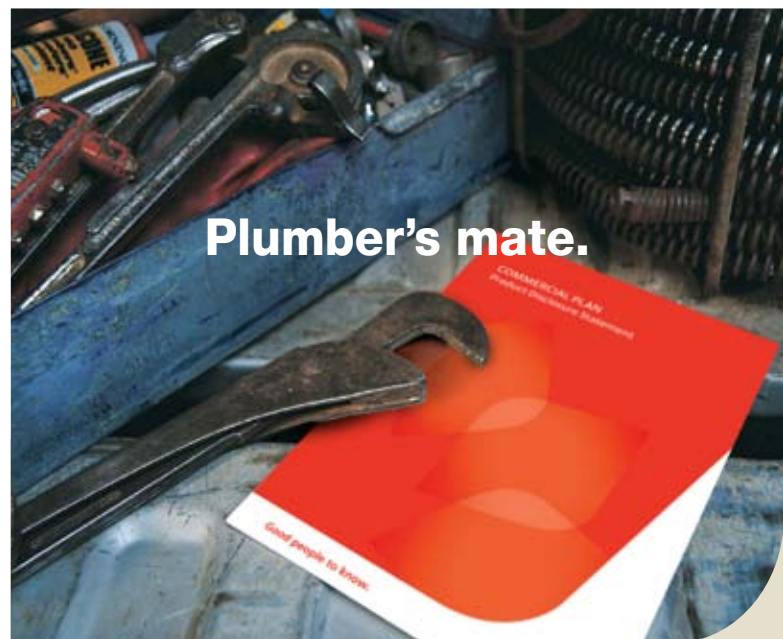
Summary

Bankruptcy Laws are designed to give a reasonable last resort option to those who are in a hopeless financial situation. They can't be used as an easy way out of financial difficulties and the consequences of bankruptcy will affect a bankrupt, particularly a tradesperson, for many years after.

If you are in a serious financial situation you should seek expert assistance from a lawyer or an insolvency specialist. In many cases there is likely to be a better option than bankruptcy.

Cathy Mayfield
Partner

Lynch Meyer Lawyers
T > 8236 7654
E > cmayfield@lynchmeyer.com.au
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Legal Advice Cont...

Employment and Industrial Relations – ‘Irrevocably Broken Down’: When to ‘Divorce’ an Employee

Fair Work Australia (FWA) recently found in favour of an employer that dismissed an employee on the basis that the employment relationship had ‘irrevocably broken down’.

Facts

The employer, BHP Billiton Iron Ore Pty Ltd (BHP), hired Mr Green (the Employee) as an electrician in Western Australia.

During an overhaul of safety practices brought about by multiple employee deaths, the Employee was elected as a Health, Safety and Environment (HSE) representative.

The Employee took his role as a HSE representative seriously. He started to take complaints directly to the state government, going over the heads of BHP and avoiding communication with BHP (including failing to attend meetings when summoned).

BHP became frustrated, and the Employee responded by lodging various complaints against managers.

The Employee became obsessed by the notion that managers were trying to ‘get rid’ of him because of his insistence on improving workplace safety. BHP noted that, at this point, the Employee’s behaviour became ‘erratic and irrational’.

The Employee was placed on restricted duties after indicating on a self-assessment form that he might lose concentration and be at risk because of stress and humiliation caused by being supervised by people against whom he had made complaints.

After repeated negative self-assessments, the Employee was told that he was not required at work. In the 18 months that followed, BHP made efforts to have the Employee psychologically assessed both out of a desire to have him back at work and concern for his welfare. BHP also formulated ‘return to work’ plans for the Employee, despite the fact that it was not required to do so.

During this lengthy absence, the Employee was financially supported by BHP but remained generally uncooperative and preoccupied with the notion that he was being victimised and harassed due to his role as HSE representative.

BHP dismissed the Employee, but only after numerous attempts to get him back to work.

Decision

FWA emphasised that it was the relationship between BHP and the Employee that was an issue, not the Employee’s conduct or performance. FWA was satisfied that the evidence established ‘that the relationship had irrevocably broken down’, and that this was ‘a valid reason for [the Employee’s] dismissal’.

While the Employee was not notified of the reason for dismissal, FWA found that it was sufficient that the Employee ‘was clearly aware of all relevant circumstances up to his dismissal’ and ‘was given ample opportunity to respond to the issues leading up to his termination of employment’.

FWA also noted that ‘in circumstances like these here, considerations of alternatives to the termination of employment might be considered.’

Here the relationship itself was the issue. It was not a single or multiple conduct or performance concern.

It was also not a minor relationship breakdown but a deep and fundamental breakdown that went to the very core of it. If the relationship could not be repaired, then there was no alternative available.’

Implications for Employers

This decision highlights the distinction between a dismissal based on conduct or performance and one relating to a relationship breakdown. However, it should be noted that the breakdown must be ‘deep and fundamental’ for it to be relied upon by an employer.

Crucial to BHP’s success in this case was its genuine and well-documented attempts to return the Employee to work. The failure of these attempts provided vital evidence that the relationship was irretrievable.

It is also worth noting that, although an employer may be able to access the ‘relationship breakdown’ defence, this ground cannot be used to circumvent an employer’s procedural fairness obligations.

If an employee is dismissed due to a relationship breakdown, the employer still needs to show that it genuinely attempted to restore the relationship before termination was contemplated and effected.

For more specific information on any of the material contained in this article please contact Sathish Dasan on 8210 1253 or sdasan@normans.com.au.

Sathish Dasan

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JB'S SOAP BOX



These days the listing opposite is called a job description but it is interesting to read the duties of an Inspector of Sewers written some time before 1970. The term Inspectors of Sewers was changed to Plumbing and Draining Inspectors in the late 1960's, but the duties remained very much the same. Was it Red Tape or an efficient system to protect plumbers and consumers?

The government has stated that it won't increase Red Tape by returning the inspection of plumbing to the levels that operated under the Engineering & Water Supply (E&WS - now SA Water). It's my understanding that about 44 inspectors were employed at that time. On today's costs this would probably be in the order of \$6million to operate.

Given today's technology of tablets and smart phones, you could probably cut that number of inspectors down. Plumbing inspectors inspired a degree of fear in plumbers and they quickly let you know if a job wasn't right and what had to be done to fix it. Not much passed by them. A key point of those days was that the inspectorate as a whole were educators of the workings of the regulations. What we've seen since those days is an ever weakening regime of compliance with plumbing standards. Plumbers tell me these badly thought out electric hot water regulations have increased the problem. I'm old school and believe that plumbers need to have their work checked to keep them honest and more importantly to make sure the consumer receives what they paid for, good plumbing. Having sat both sides of the fence I think another solution that would help improve standards is one that

will be violently opposed by the merchants, but if they had to send a list from their computers each week of key plumbing products eg, tapware, sanitary ware and HWS with the PGE number or the driver's licence details of non plumbers, the regulator could match those addresses with the COC's they receive then follow up on the one's that don't come back within three months. If a member of the public has not used a plumber, a suitable penalty could apply to them too and if the plumber has not submitted a COC, a suitable penalty would apply to them. The result would be more COC's but much greater compliance with notifying the regulator. An old E&WS inspector I know tells me that they always knew which plumbers needed to be watched to see they did the job properly. I suspect the same would apply today. If you know where members of the public are DIY'ing and where plumbers are working, it shouldn't be too hard to ensure it is done properly. Why not have all plumbing products? I think it would be unworkable and it's not necessary in my opinion because if they have to employ a licensed plumber to finish off a job and he has to submit a COC, he's not going to certify that something is right when it isn't, particularly if it's going to be inspected.

You're probably thinking JB is going soft in the head and you're probably right. If we don't need plumbing inspectors because self regulation works, why do we need police on the streets to make sure people obey the road rules? It's simple, if there is a short cut that gives me an advantage, it's human nature to take it. Can such a change happen? As they said in the movie, The Castle, "Tell him he's dreaming."

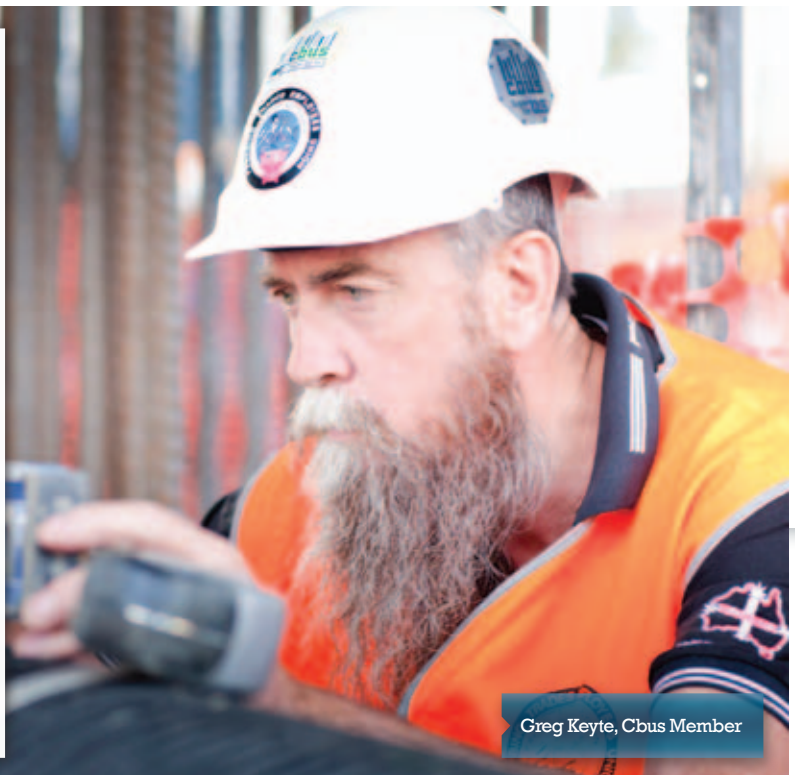
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DUTIES OF INSPECTOR OF SEWERS

1. Responsible to Senior Inspector of Sewers.
2. Control a district.
3. Interviewing Architects, plumbers and the general public with reference to any matter concerning the construction, alteration or repair of any part of the drainage system.
4. Designing plumbing layout for all plans submitted to or to be submitted to the Department.
5. Advising on the most economical and best methods of plumbing design.
6. Checking all plans submitted to the Department and authorising approval for same,
7. Record -all sewer connections, fees, plans and plumbers' notices.
8. Keeping a record of all dockets covering Departmental policies and approved Or rejected materials.
9. Co-ordinate with Sewer Design Section, Sewer Plan Section and Services Officer
10. Notifying Senior Sewer Draftsman of all work in progress for recording on Departmental plans.
11. Forwarding application forms for all sewer connections or alterations, to existing connections.
12. Compiling monthly and yearly reports.
13. Inspect all work in relation to workmanship and compliance with the Sewer Regulations of 1959.
14. Calculate depth and position of all sewer connections.
15. A thorough knowledge of Australian Standard Specifications relating to plumbing fixtures, fittings and materials.
16. To gauge the minimum acceptance of existing work prior to connection to sewers.
17. Liaison between plumbers and public.
18. Issuing a Departmental Certificate upon completion of sanitary plumbing work.
19. Co-operate with the County and Central Board of Health Inspectors and Council Building and Health Inspectors in relation to compliance with Health and Building Acts.
20. A knowledge of the soils and water tables of Adelaide and surrounding districts.
21. Arrange for the disconnection of sewer connections.
22. Co-ordinating with Construction Branch in relation to alterations to sewer connections and I.P's.
23. Protection of Departmental sewer easements.
24. Preparing reports of illegal plumbing and attending court when required.
25. Verifying deferred payment tenders and supervising the installation.
26. Issuing a Departmental notice to rectify faulty plumbing.
27. Following up House Inspection Notices.
28. Inspecting water services inside premises.
29. Checking reports of water wastage.
30. Police entry of stormwater to sewer.
31. Co-operate with the Trade Waste Chemist on all matters dealing with trade waste discharges.
32. Police illegal entry of trade waste discharges into the sewerage system.
33. Checking current registrations of Master Plumbers, Sanitary Plumbers and Drainers

*Editors Note - Missing from the list was the overall adage typical of such job descriptions, "and other duties as directed."

Safety Has Its Own Cost

A member of the PIA reflecting on the new Work Health Safety Legislation has written the following article because he is frightened for many in the construction industry, who do not seem to understand that the Work Health Safety (WHS) landscape has changed dramatically and no matter what size you are, the time has passed where you can ignore it.

Safety has its own cost

The cost of ignoring safety has as much to do with the loss of efficiency in your business as it does about the physical and financial cost of an incident or accident. Every business should have safety KPIs but not just for the safety stuff, there should be safety based KPIs for the performance of the business as a whole.

The purpose of KPIs and performance and development systems that measure and monitor them is to improve the performance of the individuals in the business, who as a collective will improve the performance of the business as a whole – you can't manage what you don't measure!

Astute businesses train their people in safety awareness, culture, and best practice. They take safety seriously and don't tolerate non-compliance or risky, foolish or ignorant practices or behaviour. They believe that they have a moral obligation first and foremost to ensure everybody's safety at work. They understand their legal obligations and they say that compliance will naturally follow the right attitude towards and proper resourcing of the safety effort. They understand that efficiency follows safety, and not the other way around, so they drive safety in striving for efficiency.

They know that a safe workplace is a happy workplace and employees who feel safe feel secure and will be committed and work productively. They will also recommend them as a good place to work.

- They put safety as the first and last item on every agenda
- They make safety everybody's responsibility
- They look for any reason to celebrate, they recognise and reward, they coach, rather than preach.

Any organisation that ignores these principles will pay a heavy cost as it lags behind those who embrace them!



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Time For A Fair Contracts Act For The Building Industry



A commission of enquiry is looking into construction insolvency in NSW. The inquiry aims to determine the cause of insolvencies in the building industry and of sub-contractors not being paid.

Whenever there is a downturn in new start activity, insolvency and building industry layoffs tick up. History has shown this to be a given because the money pipeline dries up.

Construction downturns also lead to more onerous market and contracting cultures.

As margins shrink, there is a tendency for canny developers to screw down prices, screw down margins and use the contract as a blunt instrument, all of which is perfectly permissible in the cut throat free market.

My firm recently acted for a contractor who had signed a contract that prohibited time extensions for events such as force majeure, inclement weather and flooding.

All of this conspired to make it virtually impossible for the contractor to claim time extensions.

The contract was inherently prohibitive and had all the characteristics of what is often parochially referred to as a “take it or leave it” contract.

A flood occurred that caused a three-month delay but little largess was afforded for the contractors’ predicament when it came to granting time extensions and the builder haemorrhaged.

This type of scenario is common and oppressive, with such one-sided contracts a major cause of insolvency. Bar the introduction of a Fair Contracts Act, they will continue to be so.



Contracts should be inherently fair. Unforeseen risks should be shared by both contracting parties. There is a need for a Fair Contracts Act that articulates the ground for the sharing of risk.

Factors such as force majeure, inclement weather, third party induced delays or industrial action that results in down time in circumstances where neither party has caused any IR disquiet should all be captured in such legislation.

Such legislation should impede a party’s ability to visit upon another the costs of third party actions or acts of God as the risks are too onerous, too conducive to insolvency and too perilous for those who are desperate for work but lack bargaining leverage. Work shortages should not be construed as grounds for commercial exploitation.

The concept of commercial fairness should underpin contractual cultural ethos. Having just returned from Japan, I can vouch for the fact that Japan is a “desert” for lawyers. Why? because the cultural ethos is about a fair go and not in the lip service sense.

Conflict is to be avoided at all costs in Japanese society and there is loss of face if matters have to be resolved by third parties such as lawyers.

The notion of entering into contracts that are heavily weighted in favour of one party is somewhat anathema in Japan as the blunt instrument approach seen in the west tends to damage commercial relationships.

Sadly, short of statutory intervention to impose the concept of “fair go contracts” the practice of oppressive contracting will continue and this will aid and abet insolvency in the building industry.

By Kim Lovegrove
Professor & Partner – Lovegrove Solicitors



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Reference Number: BH_Conf_18_03_2
Date: 18th March, 2013
Subject: Plumb SA Pty. Lt
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TO WHOM IT MAY CONCERN

Andrew & Judy

A sad good morning it is.

Reference Plumb SA Pty. Ltd. - Heath Hughes and his family.

It is with very much regret that I advise you that due to extraneous circumstances pertaining to contract performance and payments that regrettably Heath Hughes, the Managing Director has had to close down his vibrant and much loved company last Friday.

From a personal point of view Heath has put all of his belongings as one can relate to into the financial backing of the company and also I am aware that close family have kicked in. I also wish to record that Heaths' company carried out the major plumbing installation for the [REDACTED] and I wish to record that from BHPM Hydraulic Consultancy the workmanship, installation and dedication to performance for the main contractor [REDACTED] could be classified as very high quality installations and finishes.

Heath and family having lost everything are to restart their life. Judy and I have offered to assist anywhere possible and if any of our business associates and good friends could see their way clear, I am sure the family would appreciate a call.

In closing off now we personally want to congratulate Heath and his family, who have accomplished something in life, which will now allow them to recommence and rebuild. May Our Lord bless them and guide them through the coming days and nights.

Personal and Fond Regards

Bruce and Judy Harris

Bruce Harris Project Management Pty Ltd
Management & Enterprising Solutions Pty. Ltd.

The PIA would like to commend Bruce Harris for the support he has provided to Heath, his family and business. The PIA is ready to assist any business suffering difficulties. We can access professional advice and other support services to help you. Please do not hesitate in contacting the PIA if you need help.

Business Advice

QBE Withdrawal

The QBE withdrawal of Builder's Insurance, from SA on 1st July 2013, to protect clients from builders going broke on construction projects is very concerning.

Without doubt the state government will be forced to take up the role and it will have to charge more than QBE, given that QBE is withdrawing because it is unprofitable.

Construction costs must inevitably rise to pay for this insurance. Reduced demand will impact on all trades and place further downward pressure on the construction industry.

Builders will seek to lower other costs and subbies will be further in the firing line, on top of the cuts many builders have already forced upon them.

Indeed many plumbers report that they are refusing to bid for work because the price on offer is below the material cost.

It's a triple whammy for subbies:

1. Reduced construction demand.
2. Lower rates being offered by builders.
3. Builders going broke and leaving many subbies out of pocket.

It is time for a complete review of all construction industry insurance and financial transparency.

If builders had funds to construct a project held in trust, guaranteeing the money was there, clients would be assured that projects were successfully completed and subbies would be guaranteed payment.

It's time to look at what the NSW state government plans to introduce in their state. Once again, a minority who can't act with responsibility and decency impact on the majority.

Building insurance matters to all of us

BOFFINS in the back rooms of State Government offices are trying to sort out a complex piece of building insurance policy. Boring as it sounds, this has big ramifications for all homeowners, buyers and taxpayers.

Last month QBE Insurance announced it was pulling out of the South Australian market and would no longer offer building insurance, which covers people building homes should the developer go bust. On projects big and small, from a new suburban home to a major city office block, it is mandatory.

The policy ensures the insurer stumps up the cash to finish the job when no one else can. It is already an additional cost on the build, which flows on to the buyer, and prevents half-built projects sitting derelict.

QBE is the only company offering this kind of insurance in SA. From July 1, it no longer will. The ramifications of this are obvious and stark. Unless someone fills the gap, construction grinds to a halt.

This is where the Government is promising to step in. Clearly it has to, as the crippling economic effect of inaction is too great to entertain.

Unfortunately, the Government hasn't yet said exactly what it intends to do. There are a few options, all of which expose the taxpayer to the risk of millions of dollars in costs and threaten

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IN MY VIEW
DANIEL WILLS

to undermine confidence and affordability in the critical housing sector.

QBE's exit from the market is concerning enough, but its reason for leaving gently rings a few alarm bells. The company said in a statement that continuing operations in SA was "no longer viable" because "the current economic climate has led to significant builder insolvencies and home owner claims".

In other words, it is having to fork out too much cash to a growing number of businesses going bust.

It's a bit like offering flood insurance in Queensland. For a while, companies were making more from customers than they were having to hand back.

Then it rained. A lot. And they found themselves in big trouble.

One outcome that is virtually guaranteed when the Government takes over from QBE is an increase in premiums.

Already, QBE has increased its premium by Friday, April 12, 2013

50 per cent to cover losses from payouts. This means everyone pays more.

As the cost of housing construction goes up, so do purchase prices and rents. Fewer developers will be able to afford to build things, meaning there is less work for carpenters, plumbers, tradesmen and other workers.

The building industry has already reported a 47 per cent drop in activity over the past three years. Increased premiums will fix a short-term problem. It will close the gap between money coming in and going out.

However, in taking on the long-term responsibility for building insurance, the Government accepts a big risk. QBE has already told us it cannot stay in SA because it costs too much.

The Government inherits this problem. Depending on how it structures the new insurance policy, it could be exposed to hundreds of millions of dollars in payouts which you fund through taxes if there is sharp shock to the state economy.

It would be easy to reject this risk as a doomsday scenario which will never occur in practice. But, sadly, it has before. The Olympic Dam expansion delay put the brakes on housing demand. The State Bank collapse happened when the Government ran up a huge liability and then asked Joe Taxpayer for a bailout.

Daniel Wills is State Political Editor.

12/4/13

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PIA

The World is a Circle

*The world is a circle,
One end meets the other.
I am your sister,
I am your brother
The world is a circle,
One end meets the other!
The world is a circle
One end meets the other!*
Burt Bacharach

The lyrics are pretty cheesy but they certainly apply to plumbing regulation and licensing. It seems that for over 25 years now, the plumbing industry has been lobbying for better protection of the licence and enforcement of the regulations.

The PIA has arranged a meeting with Consumer & Business Services (CBS), The Office of the Technical Regulator (OTR) and the Health SA, in April, to discuss how we can stop going in circles and actually do something about it. We had a very productive meeting in March to discuss the reasons that CBS had not proceeded with prosecution of an unlicensed person conducting plumbing and gas work. We can briefly say that witnesses had refused to give evidence even after being issued with coercive orders.

This clearly demonstrates to us that CBS lacks the legislative teeth to gather sufficient evidence to stand up in a court of law. We've got a few ideas and we'll be putting them at the meeting and we will also be surveying members to support our proposals so that CBS and the OTR can approach their ministers for legislative change. We believe that is the only way we can make it workable to obtain prosecutions for unlicensed work.

Successful prosecutions will have a number of benefits:

1. Unlicensed persons will be wariar of doing so if the chances of being caught are greater
2. Licensed persons doing poor work are more likely to do the work properly and hence will need to charge more to do it properly
3. Consumers will be better protected if licensed trades people do the work and do it to a good standard

Why do our politicians do nothing? Because they don't understand the extent of the problem and it's largely hidden until catastrophe strikes, as in NZ when balconies collapsed due to poor workmanship and flawed building materials. The NZ Education Department is currently suing a major supplier and other contractors for \$1.3 billion of defective construction work in NZ schools.

The problem is not unique to South Australia. There is evidence that NZ, Britain and the USA all suffer from the same problems. DIY is and always will be a problem, which will wax and wane with the popularity of DIY shows which are currently in vogue.

Without doubt, achieving change is dependent upon convincing politicians that consumers are the big losers and we encourage members to email details and photographs of bad plumbing work of any kind as a number of members already do.

Building up this library of data will help our case that whilst plumbers are impacted by this problem, the biggest losers are consumers.

We need to propose reforms that will not increase red tape or restrict trade because state governments won't agree to this because of the political backlash. Also because federal legislation will over ride laws that restrict the sale of goods which is seen as anti competitive.

We can argue that vet pharmaceuticals and medical pharmaceuticals and guns are already subject to such restrictive sales processes, but unfortunately politicians do not see plumbing and electrical goods as being a threat to human life.

If politicians and public servants were logical it would not even be an issue.





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