



November / December 2015



"Time is more valuable than money.
You can get more money, but you
can't get more time." - Jim Rohn





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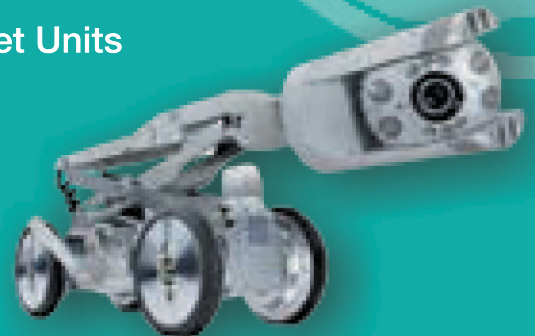


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Editorial

Time management – how well do you manage your time?



Effective time management has many positives that not only increases efficiency within the business but it also provides you with an improved sound “work – life” balance. It is about getting control and making sure that your day (or week) is structured and managed appropriately.

Plumbers are naturally task focussed. The time needed to carry out jobs often means that business structures are

neglected. The MPA SA's goal is to work with its members to ensure some of these structures are implemented into your business.

The amount of time spent on chasing outstanding debts, resolving disputes over payment and worrying about whether you will ever get payment is a stressful and very time consuming process. The article written by Natasha Hemmerling on page 6 is one that all should read.

The foundation of any subcontractor business is to ensure the terms and conditions for clients are both transparent and accountable. By the time this magazine reaches you there will be a new short version Terms and Conditions Contract – available for members to purchase.

Increasing productivity is an obvious process that delivers results up front, so avoiding interruptions, establishing a daily / weekly schedule, measuring the time tasks take, and cutting out procrastination are all simple but obvious points that need highlighting.

Reviewing your afterhours work load (administration work) is an important area that needs closer investigation.

MPA SA has now switched over to Xero Accounting and we are budgeting a 20% increase in 2 staff members' productivity within a six month period, with additional cost savings over time.

There is definite time savings in Cloud based accounting packages. There is an article with a case study of one of our members businesses showing that having a suite of other options available brings additional savings into your business.

A financial health check is another process that can assist you in minimising financial hardship as well as keeping your debt under control.

The article by Phil Tubb, a consultant for MWP Financial, explains how this can give you the best outcomes.

Other key foundation building blocks that can save you time and increase money opportunities by alleviating poor time management practices are being prepared as you read this article.

They include the following;

- Debt recovery information kit (90% complete – due December)
- Policies and procedures for your business (90% complete – due early 2016)
- HR forms and documents (90% complete – due early 2016)

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Editorial

We will also be announcing over the next few months a new initiative that will provide members with the opportunity to meet and discuss burning issues with key industry stakeholders and have access to a number of our key business stakeholders.

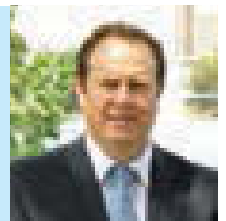
MPA SA has prepared a plan that will be rolled out over the next 12 months and some of the key elements include;

1. Business management processes for members that incorporates best practice
2. Technical information that will enhance members industry knowledge
3. Resource management processes for members to maximise efficiency
4. The 3 C's – Connect, Collaborate and Communicate
 - MPA SA will be Connecting more with stakeholders
 - MPA SA will be Collaborating more with members
 - MPA SA will be Communicating a better value proposition with members.

I hope 2015 has been an enterprising year and that 2016 brings greater stability and opportunities. I thank you for your ongoing support and welcome the chance to discuss any topic that creates a better industry.



Andrew Clarke
Executive Officer



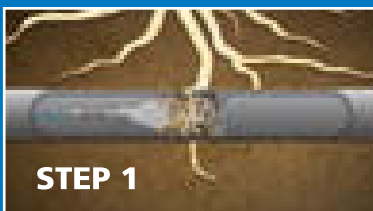
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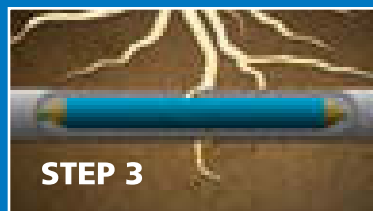
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GET THE FOUNDATIONS OF YOUR BUSINESS RIGHT!!!



Terms and Conditions of Trade – The Essentials!!

One of the most critical aspects in business when dealing with your clients (both individuals and businesses) are your terms and conditions of trade. Why is that?

Terms and conditions set out the relationship and responsibilities between your business and your client in writing so that both parties have a clear understanding of the contractual relationship.

Terms and conditions of trade should be considered an important part of your business as they govern the interaction with your clients, the basis on which you supply your goods/services and the terms for payment to your business for providing those goods/services.

If your business does not have written terms and conditions at all, or they are NOT up to date, your business is at risk of uncertainty, misunderstandings and disputes between it and your client.

This can be easily avoided by having properly drafted terms and conditions that are made available to your client at the beginning of your contractual relationship with them.

The avoidance of misunderstandings and disputes can save your business both time and money.

It is prudent to engage a lawyer who specialises in terms and conditions in the building and construction industry in order to ensure that they are tailored specifically to best protect the needs of your business.

What should be included in your terms and conditions

There is no “rulebook” for what a business should include in their terms and conditions....and certainly terms and conditions are not favourable to a “one size fits all approach” if you want your business to be properly protected.

Your businesses terms and conditions should be clear and concise and contain terms on how you wish your business to operate and what is to happen in situations should this go wrong or should one party wish to end the relationship or be unable to continue the relationship.

Some examples of things which should be included in your terms and conditions of trade are:

- A clear definition of what goods and services will be provided;
- Payment terms – How much is payable and when payment is due;
- What happens if payment is not made on time – provisions for interest, suspension of work etc;
- Delivery times and terms including what happens if a product is not received in time;
- Ability to sub-contract;
- Term of the agreement and what notice is required to get out of it;
- Any guarantees or warranties offered;
- The consequences if either party doesn't deliver or pay;
- What is to happen if a party wants to end the relationship; and
- Which law shall govern the contract??

Whilst it is important to include the items listed above, your terms and conditions of trade cannot include terms which provide for:

- Exclusion of all and any warranties; and
- Exclusion of all liability even for defective goods or services.

Terms and conditions set the foundation for your actual business relationship with each and every client and therefore it is important that you get this business foundation correct.



They should be specifically tailored to the goods and services that your business supplies and provides.

Having a strong foundation with clear terms and conditions can provide considerable protection to your business in the event of any disputes either by clarifying the position with a client or being able to produce the document in court.

Get the foundations of your business right and ensure you have tailored terms and conditions for your business.

Don't ever assume another business's terms and conditions will cover your business or that another business has the same needs or concerns with its clients as your business has.

Consult a lawyer and obtain advice to ensure you have the proper protection for your business.

A small investment up front is a wise choice to prevent costly disputes that are likely to occur without specialised written terms and conditions for your business.

For further details or a quote on tailored terms and conditions for your business contact:

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Partner

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Time and Money Savings in the Cloud

Most small business owners struggle with “work-life” balance. In the plumbing industry, statutory compliance requirements are exhausting and competition is ever present. When times get tough, there is a tendency as a business owner to work harder in the business, resulting in less free time or at the expense of necessary administration. Some of the pain points that a plumbing business is likely to experience include:

- Processing administrative work after hours
- Slow to invoice causing cash flow issues
- Stressed and time poor resulting in simple admin mistakes (e.g. under quoting)
- Losing track of contacts, job information and associated paperwork
- Misplacing receipts, diary and other necessary paperwork.

Life can become a lot easier and less stressful for the plumbing industry with the assistance of cloud technology. Many of the manual, paper-based administration and job management tasks can be replaced with online, cloud based tools that are accessible anywhere, anytime on a phone or tablet. Cloud based software is stored on a service provider's remote servers instead of on your hard drive so you don't need a high-end computer to access information. In addition, cloud based programs are easy to use and can save you many hours by easily sharing information across multiple devices (e.g. PC, tablet & smartphone). Integrating business applications reduces the requirement to re-enter information.

Case Study: Priority Plumbing

Damien and Kate Thomas from Priority Plumbing have embraced cloud computing. Priority Plumbing run a successful business in Adelaide specialising in non-invasive & non-destructive leak detection. Whilst the business is successful, they struggled with work-life balance, working all day in the business and long nights and weekends to manage the paperwork that comes hand-in-hand with professional plumbing services. Damien was using a diary to manage the schedule of 3 vehicles and forever juggling customer needs with plumber availability whilst working in the business himself.

Priority Plumbing employed the services of Catalyst Cloud Solutions to educate them on the benefits of using cloud-based technology and assist in reducing the paperwork headache. After listening to the owner's frustrations and analysing the current business systems, Catalyst recommended:

- Establishing an integrated accounting/ job tracking/scheduling system
- Sourcing a paperless solution for OH&S compliance.

In March, Priority Plumbing converted their financials to Xero with the intention of integrating with job tracking software some time in the future. Xero is a cloud based accounting application that can be accessed from anywhere internet is available, on any device. It seamlessly integrates with hundreds of cloud based business applications, cutting down administration & double entry of data. Xero also gave Priority the ability to invoice immediately upon completion of work, raise quotes and (once successful) convert to an invoice.

From August this year, Priority Plumbing looked at options for job management software that integrated with Xero. Priority began trialling GeoOp: a cloud based job management and scheduling application that seamlessly shares information. Upon completion of a free trial, Damien's diary has been replaced with GeoOp a

real-time scheduling tool that allows Priority to manage both staff and clients to optimise productivity. The benefits of GeoOp include:

- Jobs update live so any change is published immediately
- Real-time jobsheets store every piece of information about a job
- Invoice & quote directly from GeoOp plus integration with Xero
- GPS tracking to minimise travel plus provide maps and directions
- Simple and easy to use & available on any device for staff to access on smart phone or tablet.

The remaining issue for Priority Plumbing is to introduce paperless OH&S documentation. There are numerous offerings available to the construction industry. One affordable solution comes from “Safety Culture”. A Townsville based company that have developed a tablet/smartphone based application that allows users to develop and complete any number of quality, safety & inspection reporting documents, without the need to print. Plus, it links with GeoOp, allowing users to save job related OH&S documentation for a specific job in one place.... In the cloud! Priority Plumbing are currently trialling this software. Priority Plumbing continues on their journey to make the most of their time. Maximising staff productivity to generate revenue and minimising the administration burden is an achievable and worthwhile goal. Cloud computing can help to achieve this goal.

Conclusion

Any small business owner will tell you there are not enough hours in the day.. most days! Cloud technology is helping thousands of companies streamline their everyday processes. Many of the manual paper-based business tools can be replaced with cloud based tools that are accessible on any worksite, at any time on a smartphone or tablet. These include:

- Terms and conditions documents
- Compliance documents
- Job tracking sheets
- Invoice books
- Quote books
- Diary & address books
- Inspection reports
- Timesheets
- SWMS/ risk assessment documents
- Receipts

Catalyst Cloud Solutions are an Adelaide based industry partner of the MPASA, specialising in Xero Ecosystem setup, conversion and training to SMEs. Our goal is to empower business owners to take control of their financial information to make informed business decisions.

All MPASA members are entitled to a free one hour consultation to review current business processes with a view to identifying frustrations and recommending opportunities for improvement. For further information or to make an appointment please contact the MPASA.

Scott Elder – Catalyst Cloud Solutions
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Who Says You Can't Charge Interest?



There are many great myths surrounding the ability of a contractor to charge the debtor interest on overdue claims/invoices.

The truth is that most contractors do it incorrectly, or not in keeping with the contract, or do it when there is no entitlement to do so. It also remains true that many contracts provide for interest charges and if you're not paid on time, you can charge interest.

So what can't you do in relation to interest charges?

1. You can't just stick an interest charge on your invoice unannounced
2. You can't have a little clause on the invoice to create your entitlement
3. You can't have a clause about interest as part of your terms and conditions that were never provided to the client
4. You can't have a crazy rate of interest
5. You need to avoid monthly compounding interest

In points 1-3 above, the central requirement is that your client be made aware of the interest provisions of any agreement and that they sign the agreement. Too many contractors have no written agreement and then decide to whack on an interest charge when they are not getting paid on time. You can't do that. Likewise you can't seek to impose interest charges once you're invoicing. By then it's too late. Either it's clearly agreed upfront or you can't do it.

In points 4-5 above, the central requirement is that if you can charge interest, the rate cannot be a penalty or 'punishing' amount. I realise that for many the whole point of charging interest is to punish your debtor for paying late (or not at all!) but you'll run the risk of having an unenforceable charge.

We once won an adjudication which included an interest charge of 10 per cent per month compounding, and the interest claim came to over \$100,000. The rate was clearly noted on the contract and the client had initialled and signed off on it, so it could be claimed but it could not be enforced.

The debtor took the matter to the Supreme Court and while the court decided the work had to be paid for, the interest rate was found to be 'unconscionable' and in breach of various provisions of the Trade Practices Act.

The rule here is to use a reasonable rate on a per annum basis. A good rate to use is the one used by the Supreme Courts around Australia for judgment debt; currently around 8.5 per cent, depending on which state you're in.

If you've got those boxes ticked, then you need to get two dates really clear. The first date to nail down is the day when interest starts to accrue. That is the day after the due date for payment. After all, you can't charge interest until the money is actually overdue. Assuming you have 30-day terms then on day 31, interest starts.

The second date to nail down is easier. That is the date on which you invoice or the reference date of your claim. Ultimately, interest will accrue up until the day you're paid. In each claim, you can update the total interest bill as you go.

Finally, when you add interest to your claim, make it a separate line item and include your full calculations and the dates between which you are charging interest. Also refer to the contract clause that provides the entitlement to charge interest. A number on its own means nothing. You need to show how you got to the interest amount.

But should you even claim interest?

Doesn't it just antagonise your client and make getting paid for the actual work much harder? This is a valid question.

From what I see, the answer lies in your particular situation, for while the letter of the contract means you can ask for interest, many contractors will feel that they may as well kiss their money goodbye if interest is charged.

On the other hand, some payment disputes get to that point where the relationship is so broken down that there is nothing to lose by charging interest on top of the value of the work and going your hardest for it.



Anthony Igra

Anthony Igra has recovered over \$28.6 million dollars for contractors using the Security of Payment Act across Australia. He has conducted seminars for many construction industry associations around Australia, and provides their memberships with an invaluable service.

CFMEU Calls for Insolvency Trust Scheme



Mark Stevens may not be known to many people, but the company that went bust and consequently changed the course of his life is well known in the construction industry.

Mention Walton Construction in Queensland and many people know all too well of the company's downfall that took too many people under. Stevens, who ended up homeless after losing everything as a result of the Walton Construction collapse, was featured on the ABC earlier this year. He lost his business, his home and his family as a result. He is one of the 1,300 unsecured creditors who are owed millions of dollars by Walton. As unsecured creditors, they stand a 90 per cent chance of receiving nothing.

Unfortunately, this is not an isolated case. Corporate insolvency in the Australian construction industry accounts for one in five insolvencies in Australia. The most conservative estimate is that insolvent companies in the industry had a total shortfall of liabilities over assets for their creditors of \$1.625 billion in the 2013-2014 financial period. The cost to the community in unpaid taxes (\$487 million in 2013-2014) the loss of wages and superannuation to workers (\$137 million) and the devastation on families and communities is why the Senate Economics References Committee decided to launch an inquiry into this problem. The committee was in Brisbane to hear personal stories from workers and subcontractors in Queensland – among them the victims of Walton's collapse. You might think the loss that many workers and small businesses in Queensland have suffered is simply bad luck in a tough industry, but upon scrutiny, it's clear that this is an area of unethical and unlawful behaviour that has been going on for many years.

Walton's is a case in point. The company continued to trade and obtain licences from regulators despite being in serious financial trouble for 12 months. In 2013, accounting firm Deloitte found that the company was holding onto money that it owed subcontractors in order to stay afloat. An investigation by the ABC uncovered that the Queensland Building and Services Authority (QBSA) threatened to suspend Walton's licence due to their failure to comply with their financial obligations and that they were technically in breach from May 2012. Days before the collapse of Walton, the majority of their assets were shifted to Peloton Builders, which happens to employ many former senior Walton officials and is in the name of former Walton's owner, Craig Walton. Meanwhile, the unsecured creditors, Mark Stevens among them, are still waiting for their money.

What this case demonstrates is that under existing laws, companies and their directors can and do breach civil and criminal laws with no accountability for their actions. Unscrupulous operators deliberately abuse the corporate form to defeat legitimate creditors. It is clear that the existing legal machinery and enforcement processes have failed the businesses and workers who do the hard yards and erect our buildings and infrastructure. There is an urgent need to reform the industry to deal with insolvencies at a national level. As a major contributor to the economy, this problem damages the industry and the effects reverberate across the economy.

The CFMEU is calling for a trust scheme similar to the one recommended in the 2012 Collins inquiry in NSW – where payments from the principal downwards must be made into separate bank accounts and then held in a series of trusts. The union wants amendments to the Corporations Act and supports the use of director disqualification measures in circumstances where there has been a deliberate use of the corporate form to avoid creditors.

We believe consideration should be given to the question of personal liability of directors for unpaid employee entitlements. The CFMEU also supports a law which requires mandatory capital investment or a security deposit for directors of new companies who have been insolvent in the past. Changes to the law are not enough. We need a well-resourced regulator. The federal government must increase ASIC's funding so the corporate regulator can do its job. The Economics References Committee report states that 'it would be unrealistic to expect that ASIC could be funded at a level where all breaches or allegations of misconduct were pursued.' However, the cuts to ASIC's funding in 2014 by around \$120 million and the loss of 209 staff will make matters worse as the regulator is forced to reduce proactive work.

Without a well-funded regulator and legislative change, unscrupulous operators will continue to rip off small businesses, workers and taxpayers without any repercussions. For many years, the union has assisted workers and small businesses alike in their efforts to recover money from companies that have gone bust. We have witnessed the intense pain and frustration by those who have carried out work and not been paid for it and the difficulties of recovering what they're owed. It is nothing other than theft. There is a basic principle that those who perform the work should be paid for it. It's not just the union, but the community that quite rightly expects that laws are in place to ensure that happens.

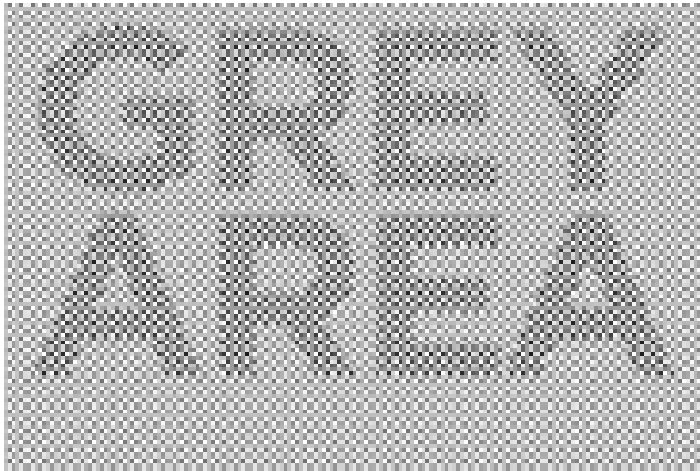


Dave Noonan

Dave Noonan is the National Secretary of Australia's largest construction union, the Construction, Forestry, Mining and Energy Union, (CFMEU) Construction and General Division. Dave has worked for the union for over 25 years.

Residential Plumbing

Grey Areas in Residential Building Contracts and Specs



If you want to see what 'grey area' means, you just have to look at a current standard residential building contract. The definition of specification in contracts is laughable when you think about it.

A specification "shows the full details of the building works and includes the details of the materials to be supplied" the HIA says in a 1997 document.

To fully describe the work, you must describe the materials and the labour. It is not fully describing the work to merely state that "the work comprises a 300 square metre tiled roof, rendered brick veneer and clad home with attached brick double garage." Labour forms about 45 per cent of nearly every project, and even a greater percentage of alterations and additions projects.

Most people involved with domestic building contracts (including the writers of current project specifications) don't seem to think that labour content is important any more. I'd say that's been the situation for about 30 years now. Talk about a fiasco! It's no wonder standards have fallen. The industry has been well and truly dumbed down.

Last year in Victoria, a large 20-plus storey Docklands 'Alucobest' externally clad apartment block proved the danger of materials and/or systems that fail to meet specifications.

The cladding caught fire and when it did, it didn't smoulder, it burnt fast. So now there will be a really expensive (and necessary) audit, likely court case(s), and huge expense, all because some or most of those involved didn't care enough.

It's shown us all that greater care is required when imports are involved, especially when those materials are tested under different rules. Let's not have a scapegoat; let's face up to the real problem. It wasn't just the building surveyor. He/she didn't specify the cladding, but in hindsight should perhaps have asked for more proof of fire test compliance. Someone else specified the cladding, and I wonder if we'll ever find out who?

That was not made apparent in the articles I read. Will they keep the public in the dark? Then there was the supplier and the manufacturer of the panels.

You would expect that their specifications stated that the panels to be used were compliant with the relevant testing procedures, codes and regulations for external cladding of high-rise apartments in Victoria, but this was apparently not the case. Was there any history of other fires with this cladding? If it can burn in Victoria, it can burn anywhere else, so will there be a world-wide investigation?

This example relates to the list of materials section of a specification, the section on which considerable time is supposedly spent by the specifiers for every project, as required by the standard contract definition of specification. Despite the detailed materials, this frightening debacle still occurred. What about the other half of every project, labour, the basic ingredient that requires workmanship clauses?

Way back in the good old days, there used to be quite a number of workmanship clauses at the back of publications of standard project specifications/project building specifications to name but two of them.

They were endorsed by the two main builder associations, a bank and an architects association. Those clauses contained specifics on what must be done to be termed 'workmanlike.'

These clauses appeared behind the detailed material lists and were termed 'general specifications.' The use of these specs started to peter out in the mid 1980s, and had virtually stopped by the time the privatised building surveyor era commenced in the early 1990s.

Today these specifications are still available but over time the writers have seen fit to reduce many of the workmanship clauses to fairly useless one-liners. In painting, for instance, instead of over 40 lines of specifics, we now have a list of options and a preparation clause telling workers to "ensure all surfaces are clean, dust-free and that all filling and sanding is carried out."

The important details that served to prevent short-changing were progressively removed from about 1985 onwards. In 2005 (no kidding), there were one-liners such as the following for exterior woodwork: "Apply two coats of stain or paint or as required by the contract documents."

If the woodwork is not durable (as is so often the case, even with Protim coating), at least three coats are required. There is no mention of this, nor the fact that oil-based primer is also required. In 1985, painting consisted of 55 lines; recently there were just 11, and these were mostly optional. That's only the half of it.

Residential Plumbing Cont...

Grey Areas in Residential Building Contracts and Specs

This really started dumbing down the industry to the level that virtually nobody seems to know anymore that non-durable external exposed timber has to be oil-base-primed all round including end grain or else it is a defect. Most homes have some exposed non-durable woodwork, and very few are oil-base primed.

An amazing 22 times in a row, building consultant (new house) reports I was asked to check on failed to report this defect. Is it any wonder that VCAT members seem to take so little notice of so-called 'expert' opinions? To make matters worse, the (still in use) current publication Guide to Standards and Tolerances, still basically says you cannot claim for paint defects after two years. What a load of codswallop!

If there was no oil-based primer applied to an exposed non-durable timber door frame, the peeling of the acrylic paint is very much claimable during the warranty period, as too is its removal, the preparing for and applying of the aforementioned primer, plus the re-doing of the acrylic top coats.

Worse still, not even the scant clauses in current (Victorian) specification booklets are included in the vast majority of specifications. Today there is nothing at all on workmanship in most current specifications.

Take a look at one. Why talk of changing powers of regulatory bodies and how legislation might be altered when it is the missing basics in specifications and the ridding our industry of the grey areas in contracts that really need to change?

The code AS4349.1 Inspection of Buildings – Pre-purchase Inspections – Residential buildings has four separate inadequate single sentence classifications and still fails to define defect adequately. The current Consumer Affairs definition and Contracts Guarantee Act 1995 come closer, but each of these definitions is incomplete too.

All fail to address life expectancy and inferior alternative solutions. Building contracts do not have a definition of defect at all, and together with an inadequate definition of specification, these contracts have permitted incredible short-cutting and have totally failed the residential building industry for decades.

What a ludicrous situation it is when home owners doing their final walkthroughs and building consultants reporting on the condition of new homes, are supposed to be looking for nothing but defects, and yet there is no contract definition. It needs to be a thorough one or there will still be grey areas.

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Residential Plumbing Cont...

Grey Areas in Residential Building Contracts and Specs

Remember the grey areas?

The dumbing down by lack of vital information in specifications and the lack of a definition of defect in contracts are major reasons why there are so many arguments in VCAT, and why much of the time neither side wins.

Very few building consultants seem to know the basics or the specifics. Add to that the commonplace substantial list of disclaimers and is it any wonder that most defects are never discovered?

This lack of discovery has meant that builders who don't take sufficient time to thoroughly supervise their tradesmen are actually shielded by the lack of detail in their specifications.

Short-cutting occurs in most trades when prices are screwed down and supervision is slack. There are dozens of commonplace short-cuts going on undetected under everyone's nose on nearly every house.

Builders, their supervisors, building inspectors and building consultants have seemingly ignored those defects, or don't even know about them or want to know about them.

It surely wouldn't hurt the builders to have an experienced eye look at their projects once every year or so, find these short-cuts and ensure their removal within each trade.

Perhaps builders could pay some of the screwed-down tradies more to do a proper job without the short-cuts. I'm certain it'll be a win-win situation. So it may well be that virtually no legislation changes are actually necessary.

Instead, what we really need are:

- detailed workmanship clauses in specifications for every trade
- a few up-graded definitions in contracts
- revised agreements between builders and 'tradies'
- upgraded supervision

That would solve a huge problem and lead to far fewer VCAT disputes! That's what we all want. There has been insufficient care for so long that few people seem to know what 'workmanlike' really means any more.

That is why so many defects occur (and are not discovered) and why ensuing costly arguments occur. Ask the Auditor General if he thinks workmanship is generally poor.

Add fairer building warranty insurance to the mix, and anyone caught repeatedly ignoring the basics could simply be removed from the industry by the existing authorities, provided they really want fairness.

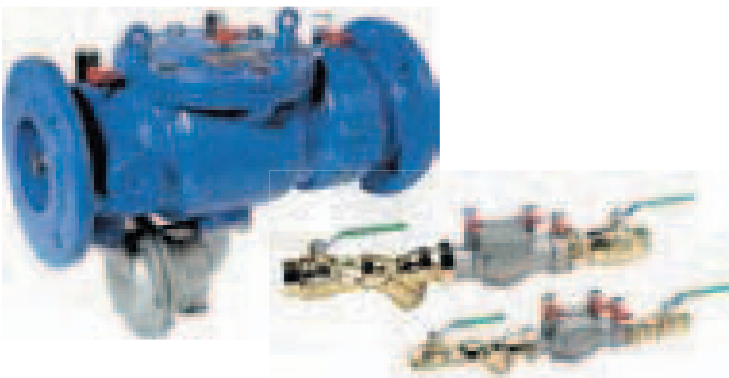


Mark Whitby

For over 30 years Mark inspected houses of all ages, researching why so many defects are occurring in new houses and additions, reaching some fairly basic conclusions in his book 'DEFECT'.

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Business Relations e-Bulletin

Issue 18 – July 2015

Technical Series

Pressure and flow supplied to your property

On occasions the Business Relations Group will receive enquiries regarding the pressure and flow being supplied to a customer's property. In this article we aim to give you an introduction into the relationship between pressure and flow and how it may impact your operations.

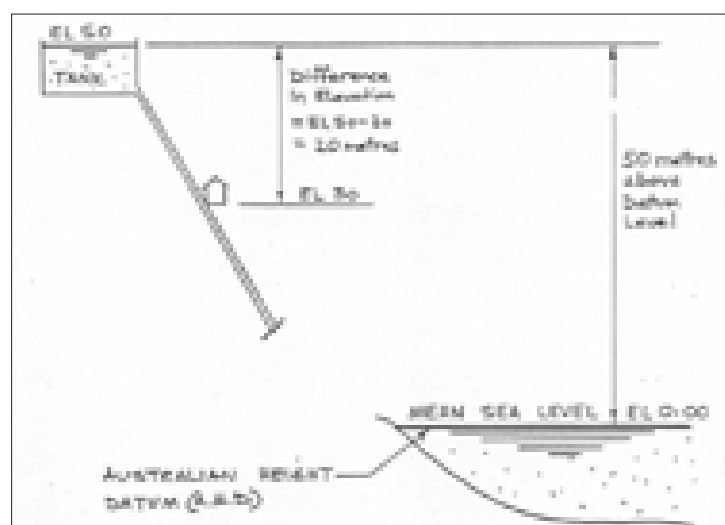
Flow:

The flow of water refers to the motion of a fluid, in this case water, and is commonly expressed in a volume over a defined time period such as minutes, e.g. litres per minute. The flow in closed pipes depends on the pipe diameter, length of pipe, roughness of the pipe wall (friction) and the upstream pressure.

Pressure:

Water pressure is the force acting on an area and is commonly expressed in kilopascals (kPa) or meters head (m). Within the SA Water water supply network the pressure at your connection will, in most cases, originate from an elevated tank upstream from your property. One meter of elevation (1 meters head) equates to approximately 10kPa of pressure. **Figure 1** is a typical example illustrating the pressure head created by an elevated tank. In this example the pressure supplied to the house is 20 meters which is approximately 200kPa.

Figure 1 – Example of the pressure being supplied to a property created by the elevation (EL) tank



Pressure and Flow Relationship:

The flow and pressure supplied to your property will depend on a number of factors. The size of your connection(s) and water main abutting your property, your location in the localised network from the elevation tank and whether there are pumping stations or pressure reducing valves near your property will all impact the supply to your property. The flow and pressure will also be impacted by the demand from other water users drawing from the same water main. If there is significant demand on the localised network you may notice a pressure reduction at your property during this time. Conversely, there will be greater supply conditions available during times where demand is lower. When we assess a new water connection application, we will consider the extent of demand already on the localised network and plan accordingly. In areas where the water demand is approaching the capacity of what the localised network can supply, we will propose augmentation solutions to allow for growth and potentially add these projects to our capital works plan.

SA Water's Obligations:

Whilst we will use our best endeavours to provide you with a water flow rate to meet your reasonable needs we do not guarantee specific values for either flow or pressure. We acknowledge that the flow rate and pressure may not be sufficient for all purposes without provision of additional onsite infrastructure. The customer will assume the responsibility of providing such additional infrastructure. For more information on this please refer to the SA Water [Standard Customer Contract](#).

How do you manage pressure at your property?

- Re-pressurise your supply by installing a tank. Water can then be pumped from the tank into your internal plumbing network. This allows you greater control over the pressure and flow of your water supply;
- Reduce the pressure by installing pressure reducing valves through your internal pipework;
- Maintain pressure by reducing pressure losses through better plumbing designs, reducing the number of bends and elbows and rising mains, reducing the distance water travels across your site as well as managing water consumption and efficiency across the your site; and
- Maintain appropriate pipe sizing and ensure pipes are clear of obstacles.

How do you manage flow requirements at your property?

- Installing a tank on your property and pumping from the tank;
- Increase the size of internal pipes at your property if your internal pipes are restricting flow; and
- Implement flow restrictors in the internals of your pipe to decrease flow.

It's important to remember to use a licensed plumber when making changes to your plumbing and ensure you are meeting all the appropriate regulations. Hydraulic Engineers are also useful to assist in the design and improvement of pressure and flow conditions at your property. If you'd like to know specific details regarding the pressure or flow at your property please contact us on the details in the banner below.

Business Relations

New Trade Waste Prices/Charges for 2015/16

As we enter a new financial year, it's important to stay up to date with any SA Water charges that may affect your Business. This week, we look at Trade Waste charges, some of which are stated below:

Fee Name – Trade Waste	Fee 2015-16*
Trade Waste	
Trade Waste Application Fee - Complex *	\$579.00
Trade Waste Application Fee - Non-Complex *	\$206.00
Trade Waste Audit Fee - Complex (per inspection) *	\$274.00
Trade Waste Audit Fee - Non-complex (per inspection) *	\$121.00
Waste Macerator Discharge (per macerator)	\$645.00 per unit
Trade Waste VLB - Volume	\$0.158 per kL
Trade Waste VLB - Biochemical oxygen demand (per kg) <1000 mg/L	\$0.259 per kg
Trade Waste VLB - Biochemical oxygen demand (per kg) >1000 mg/L	\$0.391 per kg
Trade Waste VLB - Suspended solids (per kg) <500 mg/L	\$0.230 per kg
Trade Waste VLB - Suspended solids (per kg) >500 mg/L	\$0.332 per kg
Trade Waste VLB - Total dissolved solids (per kg) >650 mg/L	\$0.131 per kg
Trade Waste VLB - Nitrogen (per kg)	\$0.405 per kg
Trade Waste VLB - Phosphorus (per kg)	\$1.971 per kg
Sampling & Monitoring Charges *	Estimated cost to deliver service
Trade Waste Administration Charges *	\$70.50
Trade Waste Cost Reflective	
Trade Waste Cost Reflective VLB - Volume	\$1.349 per kL
Trade Waste Cost Reflective VLB - Biochemical oxygen demand (per kg)	\$0.754 per kg
Trade Waste Cost Reflective VLB - Suspended solids (per kg)	\$0.826 per kg
Trade Waste Cost Reflective VLB - Total dissolved solids (per kg)	\$1.389 per kg
Trade Waste Cost Reflective VLB - Nitrogen (per kg)	\$2.951 per kg
Trade Waste Cost Reflective VLB - Phosphorus (per kg)	\$12.203 per kg

All charges have increased for 2015/16. An important change to note is the addition of 2 new Trade Waste Cost reflective charges: Nitrogen (per kg) and Phosphorus (per kg). If you are a business that discharges Nitrogen or Phosphorus in its trade waste, then please consider these new charges carefully. Please discuss any concerns or questions you may have regarding these new charges with your Business Relations Consultant, or Trade Waste Officer. Alternatively, please send an email to the SA Water Business Relations email address, and we will endeavour to respond to your query:

Gas Plumbing

Shortage of Inspectors a Challenge for Home Gas Safety



A shortage of qualified service personnel could make it extremely difficult to fulfil the gas safety inspection needs of consumers throughout Victoria, even where testing is made mandatory by the government. Concern over the hazards associated with the use of gas heaters has risen to the fore, following the revelation that as many as 12,000 of the devices installed in Victoria during the first decade of the new century could be leaking hazardous levels of carbon monoxide. Cannon Appliances recently issued a warning that Cannon Fitzroy or Canterbury inbuilt heaters installed between March 20, 2001 and October 8, 2009 could pose a hazard to home occupants under certain conditions.

The news prompted 3AW radio host Neil Mitchell to announce that Cannon Appliances should be "screaming it from the rooftops" due the potentially fatal nature of exposure to carbon monoxide. One anonymous industry veteran who spoke to Sourceable said that the key to ensuring the safety of such systems irrespective of their make remains correct installation and regular servicing.

"The main thing is installing these systems correctly. You've got to install them correctly and test them to make sure that there aren't any issues," he said. "The consumer should also be having these systems tested every two years anyway." According to the source, while Energy Safe Victoria is doing an outstanding job of apprising consumers of the dangers and servicing requirements of gas appliances, their efforts will only be limited unless inspections are made mandatory. "I think Energy Safe Victoria, if you look at the ads that they're running on television, are actually doing a good job," he said. "They're telling everybody that that's what you have to do – it's not the law here that you have to do it. It's just suggested in law that you get your gas appliances serviced. So at least they're out there running ad campaigns - how much more can they do?"

Despite the efforts that Energy Safe Victoria is investing into raising public awareness of the dangers of gas appliances and the need for regular servicing, this is still not a complete safeguard against mishap against giving the lack of mandatory requirements and the negligent attitudes of many owners. "You know what Australia's like – everyone has the attitude that 'she'll be right.'" You ask every hundred people if they get their gas appliances regularly serviced, and most of them will tell you that they don't. "They couldn't care less because they don't think anything's ever going to happen to them." They probably prefer to spend their money on other things aside from gas safety. Given the potential

danger to human safety posed by malfunctioning gas appliances, Victoria as well as other parts of Australia might well be wise to look at the example of other countries around the world – such as the UK, where regular inspections are mandated by law. Our industry source points out that even where regular gas inspections made mandatory within Australia, the prevailing lack of qualified personnel would make it difficult to adequately service such requirements in a rush. "We wouldn't be able to cope here with mandatory requirements – there's not enough trained gas service people." It would be impossible – did they have enough people to install insulation in roofs when the government made an issue?

"Nah – they just said to everyone when you get out of prison here's a job for you - you can install insulation." The pitfalls associated with the current shortage of qualified gas service personnel could also be creating a catch-22 situation, under which the government is deterred from making testing of appliance mandatory due to the potential fallout of shoddy inspections. "If inspections were made mandatory all the installation people would be changing the signs on their vans and saying that they now do CO testing – would the government want to make something mandatory when it could all go belly-up like pink batts?"

The very nature of the profession could also make it difficult to attract enough people to the trade to provide a sufficient number of qualified inspection personnel in the short-term. "You'll have to tell all these young people 'Don't get on building sites with your loud music and your revved up cars – become a gas service man and tinker with these little tools.' But young guys just don't go in for this kind of work."



Marc Howe

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Northern Territory

NT WorkSafe

The information below is an extract from AS5601.1 for the electrical connection of an LP Gas free standing behind cooker or cooktop appliance installation. It is hoped that gasfitters be familiar and understand the interpretation.

Gasfitters have been found to sign off on a COC while the GPO has been installed in the wrong location by the electrician, making the installation non-compliant. It is the responsibility of the gasfitter to ensure gasfitting and the GPO are installed in accordance with AS5601 before issuing a COC and attaching a gas plate. I hope the information is of assistance.

Ensure to use AS5601.1 – 2014 for any current installations/work and for electrical connection AS/NZS 3000. 2007 - 4.7 COOKING APPLIANCES refers.

AS/NZS 5601.1:2013

6.2.8 Electrical requirements

6.2.8.1 General

A gas appliance connected to the electricity supply shall be provided with a means of electrical isolation that is adjacent to the appliance location and is accessible with the appliance in the installed position. Where the appliance is installed in a location that is exposed to the weather, the electrical isolation shall be either a weatherproof type, or located in a position that is not exposed to the weather.

6.2.8.2 For Australian use only

In Australia, the means of isolation shall be—

- (a) a plug to a switched socket-outlet;
- (b) a plug to a socket-outlet that may be located in an inaccessible position but has a separate switch operating in all live (active and neutral) conductors located in a accessible position; or
- (c) a switch operating in all live (active and neutral) conductors.

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Next-Generation HiLux redefines toughness

Australia's favourite ute Toyota HiLux is set to take its 'unbreakable' DNA to new heights with the world premiere of an even tougher next-generation model. The global unveiling, staged simultaneously in Australia and Thailand, has taken the wraps off the eighth generation of a nameplate with a famed 47-year pedigree.

While the new HiLux, due in local Toyota showrooms from early October, is even tougher than its predecessor, the latest workhorse also features advanced comfort, safety and convenience – and is easier to drive than ever.

New HiLux expands the model's legendary prowess with an even stronger frame, four powerplants (including two new high-torque turbo-diesel engines), increased towing capacity up to 3.5 tonnes* and payloads of up to 1240kg.

Toyota Australia's executive director sales and marketing Tony Cramb said the first all-new HiLux since 2005 redefines the 'unbreakable' tag. "The next-generation Toyota HiLux inherits the core values of quality, durability and reliability – and takes those attributes to an even higher level," Mr Cramb said.

"The introduction of an even stronger frame, new engines, greater off-road ability and car-like features ensures the next-generation HiLux combines the best features of a workhorse ute and an SUV," he said.

"A highlight is the Australian-developed suspension that delivers increased wheel articulation, improved handling and greater comfort so owners can enjoy stress-

free driving, even with a full load." HiLux's two newly developed GD-series four-cylinder common-rail turbo-diesel engines are notable for their low-end punch and develop substantially more torque than the current model's 3.0-litre unit.

A 2.8-litre version offers up to 450Nm of torque, a gain of 25 per cent, while its 2.4-litre sibling generates up to 400Nm. In each case fuel use has been reduced by around 10 per cent#. Upgrades to HiLux's 2.7-litre four-cylinder petrol engine have produced greater power, torque and fuel efficiency due to lower weight, enhanced combustion efficiency and reduced friction.

The 4.0-litre petrol V6 engine continues. HiLux will arrive in Australia with greater customer choice – 31 variants (currently 23) with 4x2 and 4x4, three cabin styles (single, extra and double) and three equipment grades (WorkMate, SR and SR5).

Toyota expects the entire next-generation HiLux range to attract the maximum five-star safety rating with stability and traction control, anti-skid brakes, reversing camera, seven airbags, hill-start assist and emergency stop signal all standard across the range. Specifications are preliminary, based on pre-production information, and are subject to change.

* Towing capacity is subject to regulatory requirements, towbar and vehicle design and towing equipment limitations.

Fuel consumption varies depending on driving conditions / style, vehicle conditions and options / accessories. Source of fuel consumption data ADR81/02 combined cycle.

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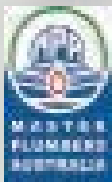
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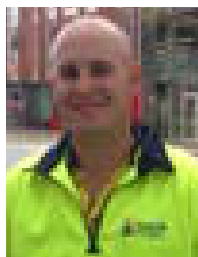


SR5 4x4 Double-Cab
model shown



TFM1857 MPA 10/15

Apprentices



Name: Trent Shields
Year Level: 3rd year
Start Date: October 2013
Host: Jordan Plumbing

Q1. What have you done prior to starting with Master Plumbers Group Training?

I previously worked in the Paint Shop at the Holden's plant in Elizabeth, I was employed there for 9 years. I had an interest in gaining a trade qualification and was always interested in plumbing. After leaving Holden's, I completed a Pre-Vocational course at Elizabeth TAFE.

Q2. Why did you choose plumbing as your preferred trade?

Found it to be an interesting trade while completing work experience.

Q3. How did you gain your apprenticeship?

I completed the Pre-Vocational Course at TAFE then gained work experience with plumbers. I was then lucky enough to start my apprenticeship under Jordan Plumbing and have been there ever since.

Q4. What do you intend to do once you complete your apprenticeship?

Gain my Certificate IV qualifications and continue working hard for my host employer.

Q5. What do you do after work hours?

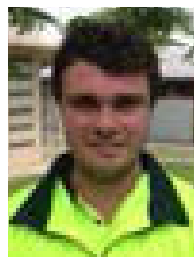
I like spending time with my mates. I am building a new house, so making sure this goes smoothly and we settle in quickly.

Q6. What are your goals for the coming year?

Continue to work hard for my employer and host.

Q7. Anything you've created gained or learnt you'd like to share?

In June 2015 I received a Safety Award from site managers of Lend Lease at the Adelaide Oval project. For gaining this recognition from Lend Lease, Trent was presented with a Big Dog tools Hoodie from Reece Plumbing.



Name: Ben Small
Year Level: 3rd year
(rollover in August 2016)
Start Date: 19th of August 2013
Host: Bowley Plumbing Services Pty Ltd

Q1. What have you done prior to starting with Master Plumbers Group Training?

Studied at St Patricks Technical College (Edinburgh North) and attended the Pre-Vocational Plumbing Course at Elizabeth TAFE.

Q2. Why did you choose plumbing as your preferred trade?

I liked the skills that you learn as an apprentice and love working with my hands.

Q3. How did you gain your apprenticeship?

By completing a few blocks of work experience while at school/TAFE with Phillip Bowley of Bowley Plumbing Services. My connection with Phillip began while playing soccer at Modbury Vista Soccer Club.

Q4. What do you intend to do once you complete your apprenticeship?

Continuing to work with Phillip at Bowley Plumbing Service and gaining my Certificate IV qualifications.

Q5. What do you do after work hours?

Fishing and 4 wheel driving. I will possibly be playing football next season for Salisbury West Football Club.

Q6. What are your goals for the coming year?

Learning more through the business with Phillip. Each day is different and gaining more knowledge from my experiences. Also beginning my Certificate IV qualifications.

Q7. What acknowledgement/awards have you received while working?

A few weeks ago, a client had sent through a letter of commendation to my host. Phillip then portrayed this to my field officer and I was awarded Big Dog hoodie as a prize for a job well done.

APPRENTICES

RECENTLY COMMENCED

Brodie Powell
Daniel Aebi

RECENTLY COMPLETED

Samuel Goldsworthy
Jared Seal
Christopher Cooper

Training

Connecting To The Industry

The Master Plumbers Association Group Training Scheme would like to acknowledge the outstanding support provided by James McNickle from Reece. Their ongoing contribution to the development and training of future potential apprentices within the VET schools that we are involved with and where we assist in the structure and delivery of courses is greatly appreciated.

In 2016, Reece and MPA Group Training will be conducting courses for the first and second semester intakes of the Doorways to Construction courses at the VET schools which include Hallett Cove, Unley, Seaton, Paralowie & Banksia Park High Schools.

We will also be addressing students that have enrolled in the Pre-Vocational Plumbing classes at Noarlunga, Tonsley & Elizabeth TAFE Colleges.

The content of these courses includes an overview of the industry and the career paths it offers, the attributes a student will need to successfully attain and complete an apprenticeship, updates on the latest innovations with new products and tools as well as practical exercises.

These presentations have proved to be invaluable in enhancing the student's knowledge, forming an integral part of their development and learning and complementing what are already exceptional programs.

The relevant background required to enter an apprenticeship cannot be underestimated and these programs provide another important component in preparing quality candidates for our industry.

Greg Lyng
Group Training Manager



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SAFE WORK

Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces

This Guide provides information on how to manage risks associated with vibrating plant in the workplace, in particular hand-held power tools. A summary is available in the information sheet on *Hand-Arm Vibration*.

This Guide is part of a series guidance material on:

- *Measuring and assessing workplace exposure to hand-arm vibration*
- *Managing risks of exposure to whole-body vibration in workplaces*, and
- *Measuring and assessing workplace exposure to whole-body vibration*.



What is hand-arm vibration?

Hand-arm vibration (HAV) is vibration transmitted to a person's hand and arm when using hand-held power tools and hand-guided machinery like powered lawn-mowers and while holding materials being processed by machines. HAV is commonly experienced by people who use jackhammers, chainsaws, grinders, drills, riveters and impact wrenches.



What are the health effects of exposure to hand-arm vibration?

Regular long-term exposure to excessive HAV can disrupt a person's circulation in their hand and forearm, and cause damage to nerves, tendons, muscles, bones and hand and arm joints. These conditions are collectively known as hand-arm vibration syndrome (HAVS) and include:

- Carpal tunnel syndrome – a disorder of the hand and arm which may involve tingling, numbness, pain and weakness in parts of the hand.
- Musculoskeletal disorders – muscular and vascular disorders like weakness, pain and stiffness in the joints of the hands and arms and little or no grip strength.
- Vibration white finger (Raynaud's phenomenon) – a sudden constriction of the blood vessels which slows blood flow to the extremities, most often fingers and toes. The skin will change in colour, usually accompanied by discomfort like pain, tingling and numbness. Severe cases can result in complete loss of touch sensation and manipulative dexterity which can interfere with work and increase the risk of acute injuries due to incidents.
- Dupuytren's contracture – fingers becoming permanently curled towards the palm and reduced grip strength.

Workers with HAVS may find it impacts their work, social and family life. Periodic attacks of reduced blood circulation may happen at any time and everyday tasks like handling small buttons on clothing, opening jars and turning door knobs may become difficult.

There is evidence to suggest that workers who are exposed to both HAV and noise are more likely to suffer hearing loss than workers exposed to the same level of noise alone. Exposure to both vibration and noise may also increase musculoskeletal problems.

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Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces



Who has duties under the law?

Everyone in the workplace has work health and safety duties. The main duties related to exposure to HAV are set out in Table 1.

Table 1 Duties in relation to hand-arm vibration

Who	Duties
A person conducting a business or undertaking	A person conducting a business or undertaking has the primary duty to ensure, so far as is reasonably practicable, workers and other people are not exposed to health and safety risks arising from the business or undertaking. This duty includes eliminating exposure to HAV, so far as is reasonably practicable, and if it is not reasonably practicable to eliminate exposure to HAV, minimising the risks so far as is reasonably practicable. This includes ensuring so far as is reasonably practicable the: ■ provision and maintenance of safe plant including hand-held power tools, and ■ safe use, handling, storage and transport of plant. The duty covers businesses and undertakings with management or control of plant including those which own, lease or hire out the plant.
Designers, manufacturers, importers, suppliers, and installers	Designers, manufacturers, importers, suppliers and installers of plant must ensure, so far as is reasonably practicable, the plant they design, manufacture, import or supply is without risks to health and safety. This duty includes carrying out analysis, testing or an examination and providing specific information about the plant. Information must, so far as is reasonably practicable, be passed on from the designer through to the manufacturer and supplier to the end user. Also see the <i>Guide to the safe design of plant</i>, <i>Guide for manufacturing safe plant</i> and the <i>Guide to importing and supplying safe plant</i>.
Officers	Officers, such as company directors, have a duty to exercise due diligence to ensure the business or undertaking complies with the WHS Act and Regulations. Also see the <i>Interpretive Guideline – model Work Health and Safety Act – the health and safety duty of an officer under section 27</i>
Workers and others	Workers and other people at the workplace like visitors, must take reasonable care for their own health and safety, co-operate with reasonable policies, procedures and instructions and not adversely affect other people's health and safety.



How can hand-arm vibration risks be managed?

The following steps should be used to ensure, so far as is reasonably practicable, workers and other people are not harmed by exposure to HAV in the workplace:

1. Find out what could cause harm. The following can help you identify potential vibration hazards:

- Observe the workplace and work tasks to identify where workers may be exposed to HAV and how workers interact with the plant.
- Visually inspect the plant before and during operation.

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Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces

- Ask your workers about problems they encounter at the workplace when interacting with plant including operation, inspection, maintenance, repair, transport and storage requirements.
 - Review your incident and injury records looking for any symptoms e.g. dropping tools or difficulty climbing a ladder due to an inability to maintain a strong grip.
- 2. Assess the risks if necessary.** When you have identified the hazards at your workplace you may need to assess the risks—**the likelihood of somebody being harmed by the hazard and how serious the harm could be**. Think about how incidents could happen and who might be harmed. The most important factors include:
- The vibration emission of the tool. To help other duty holders minimise exposure to HAV, suppliers of plant should provide information on the vibration emission of plant according to the relevant standards.
 - How long workers are exposed to vibration, both day-to-day and longer term.

The main factors influencing harmful HAV exposures are:

- Tool and task characteristics – high vibration emission, poor tool maintenance, minimal handle insulation, weight of tool, large amount of surface area in contact with hand and hardness of material being contacted.
- Work organisation – how long workers are exposed day-to-day and over their working life, length and frequency of rest periods, cold temperatures, awkward postures and overhead work.
- Individual characteristics – gripping of handle more tightly than needed, low operator skill and poor technique.

If a worker reports symptoms like tingling and numbness after using vibrating tools you should immediately modify work methods or organisation of work to reduce their exposure. For example, by reducing the time the worker uses powered tools.

A risk assessment can help you work out what should be done to control the risk and how urgently action needs to be taken. A vibration specialist or other competent person can assist in making this assessment.

3. Take action to control the risk. The WHS laws require a business or undertaking to do all that is reasonably practicable to eliminate or minimise risks.

The ways of controlling risks are ranked from the highest level of protection and reliability to the lowest. This ranking is known as the hierarchy of control. You must work through this hierarchy to manage risks.

You should consider if risks from using the vibrating plant can be eliminated, for example replacing hand operated jack-hammers with backhoes or other mobile plant-mounted breaking tools, or substituting manual fettling using hand-held grinders with robotic fettling machines or jig mounted grinders.

If it is not reasonably practicable to completely eliminate the risk then consider implementing the following options in the order they appear below to minimise risks, so far as is reasonably practicable:

- Substituting high-vibration tools with tools that have lower vibration emission levels and replacing older tools with new vibration-reduced tools.
- Isolating the hazard by changing the path the vibration takes to the worker's hand e.g. on a grinder a rubber bush can be added to the side handle to reduce vibration being transmitted to the supporting hand. The choice of material for the rubber bush will be important in working out which vibration is reduced.
- Using engineering controls by modifying existing tools to either minimise the vibration or prevent the vibration from moving into the handle of the tool e.g. directing cold air from the exhaust of air powered tools away from the worker's hand and maintaining tools regularly.

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Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces

If after implementing the above control measures a risk still remains, consider the following controls in the order below to minimise the remaining risk, so far as is reasonably practicable:

- Using administrative controls e.g. minimising how long workers use high-vibration tools by job rotation.
- Using personal protective equipment (PPE) like gloves to protect hands from cold and wet surfaces or working conditions which increase the likelihood of finger blanching.

Note: Anti-vibration gloves are not effective for minimising the transmission of vibration to the hands and depending on the frequency of the vibration may even increase transmission. Thick gloves should be avoided as the lack of feel can make workers grip tools more firmly than necessary which increases vibration transmission and fatigue.

A combination of control measures may be used if a single control is not enough to minimise the risks.

You should consider all possible control measures and make a decision about which ones are reasonably practicable for your workplace. Deciding what is reasonably practicable includes the availability and suitability of control measures with a preference for using substitution, isolation or engineering controls to minimise risks before using administrative controls or PPE. Cost may be relevant but you can only consider this after all other factors have been taken into account.

4. Information, instruction and training must be provided to workers who use vibrating equipment and should cover:

- health effects of HAV
- sources of HAV and how vibration can be minimised, like the choice of process or equipment
- how to recognise and report symptoms, and
- where necessary, training in how to use equipment to minimise vibration and how to reduce grip force.

5. Check your control measures regularly to make sure they are working as planned.

Control measures should be regularly reviewed so they remain effective, taking into consideration any changes, the nature and duration of work and whether the system is working as planned.

More information on the risk management process is in the [*Code of Practice: How to manage work health and safety risks*](#), and

More information on managing the risks of plant is in the [*Code of Practice: Managing risks of plant in the workplace*](#).



Who is involved?

You must consult your workers and their health and safety representatives (if any) when deciding how to manage the risks of using vibrating plant in the workplace.

If there is more than one business or undertaking at your workplace you must consult them to find out who is doing what and work together so risks are eliminated or minimised, so far as is reasonably practicable. This may involve discussing site-specific requirements including the type of plant to use and operator training.

Further information on consultation requirements is in the [*Code of Practice: Work health and safety consultation, co-operation and co-ordination*](#).

BEFORE USING VIBRATING PLANT



Choosing the right tool

You should consider vibration emissions when purchasing or leasing tools for your workplace. This information should be provided by manufacturers, importers or suppliers of the tools. You should get as much information about the vibration produced by the tool as possible.

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Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces

Information on the vibration produced by a specific tool can be provided by the tool manufacturer or supplier. Specifications and product data sheets for tools which are supplied to the European market are likely to contain information on the vibration emitted by the tool under standard conditions.

Tools that are too powerful for the job can expose workers to unnecessary high vibration. Tools should be selected for tasks based on their vibration emission, suitability and ability to do the work efficiently. Tools which are not designed for the job or not powerful enough are likely to expose workers to vibration for longer than is necessary due to the extra time and grip force required to complete the job.

When selecting tools you should also consider the worker, ergonomic and other factors including:

- tool weight
- handle design and comfort
- trigger mechanisms like whether the device has a locking button to reduce the force needed under the trigger finger
- grip forces needed to support and operate the tool
- ease of use and handling with consideration for posture and direction of force application
- hand heat loss from grip surfaces or from exhaust air on pneumatic tools
- noise, and
- dust.



Pre-start checklist

The pre-start checklist in Table 2 can help you identify work activities which may expose workers to HAV. It should be completed every time an operator uses a different type of power tool. If a worker answers 'yes' to a question in Table 2 this indicates they may be exposed to hazardous vibration levels and action may need to be taken to minimise exposure.

Table 2 Pre-start checklist for workers

Item	Yes	No
Do you operate vibrating tools for more than half the working day?	☐	☐
Do you need to be in awkward postures when using a tool?	☐	☐
Do the manufacturers of power tools you use warn of HAV risks?	☐	☐
Do you suffer from discomfort in the hand or forearm due to work?	☐	☐
Have you been provided with training on the work task and how it should be carried out?	☐	☐



Operating vibrating plant

The longer a worker is exposed to HAV the greater their risk of developing HAVS.

To minimise the risk, a person conducting a business or undertaking should make sure:

- vibrating plant or power tools are suitable for the work to be done and are in a safe condition
- work areas are designed, established and maintained for safe operation
- pre-start safety checks are completed, and
- safe work procedures for operation and maintenance are prepared and followed.

SAFE WORK

Guide to Managing Risks of Exposure to Hand-Arm Vibration in Workplaces

If a worker reports symptoms like tingling and numbness after using vibrating tools you should immediately modify work methods or organisation of work to reduce their exposure. For example by reducing the time the worker uses powered tools.



Is it necessary to measure hand-arm vibration?

If workers report symptoms, for example tingling and numbness after using vibrating tools, it is likely their exposure to vibration is reaching a level which may lead to HAVS. This may indicate a HAV problem and you should take steps to reduce exposure using information found in this Guide.

Measurement of HAV may be needed in situations where there is no information about the vibration emission of the tool, the tool is being used in an unusual way or if you are uncertain about the effectiveness of controls you have put in place to reduce exposure to HAV. This should be carried out by a competent person.

More information is in the [*Guide to measuring and assessing exposure to hand-arm vibration in workplaces*](#).



When to seek medical advice

Workers should seek medical advice or be referred to a medical practitioner if they experience discomfort, tingling, numbness or pain during use or following use of plant which exposes them to HAV. Seeking early medical advice may help identify:

- early signs of HAVS
- whether risk controls are effective, and
- workers at risk because of pre-existing conditions e.g. workers with Raynaud's disease or diabetes.

Workers can complete an annual questionnaire to identify if they should be checked by a medical practitioner.

An example of the questionnaire has been developed by the [Health and Safety Executive \(UK\)](#).



More information

- Safe Work Australia reports on vibration
 - [Implementation and Effectiveness of the European Directive Relating to Vibration in the Workplace](#)
 - [National Hazard Exposure Worker Surveillance: Vibration exposure and the provision of vibration control measures in Australian Workplaces](#)
- Health and Safety Executive (UK)
 - [Hand-arm vibration at work: A brief guide](#)
 - [Hand-arm vibration - Advice for employees](#)
 - [Hand-arm vibration - The Control of Vibration at Work Regulations 2005](#)
 - [Vibration solutions: Practical ways to reduce the risk of hand-arm vibration injury](#)

For more information see the [Safe Work Australia](#) website (www.swa.gov.au).

Legal Advice

Is swearing in the workplace acceptable?

A recent decision by the Fair Work Commission (FWC) has some people asking whether the standards of behaviour expected of employees are changing. In *Smith v Aussie Waste Management* [2015], the FWC found that swearing at a manager didn't warrant dismissal. We consider whether this is reflective of a wider trend in modern workplaces in which expectations are dropping.

Smith v Aussie Waste Management

In *Smith v Aussie Waste Management*, a garbage truck driver swore at his manager, saying "you dribble sh#, you always dribble f#&king sh#". The employer dismissed the truck driver for this conduct. Deputy President Wells, who presided over the matter, accepted that the garbage truck driver swore at his manager, but overturned the employer's decision. She found that while this type of conduct shouldn't be tolerated, it was not "sufficiently insubordinate" to justify dismissal. In making her decision, DP Wells considered that:

- the type of language was not uncommon in the workplace
- the conversation was not overheard by other employees, and
- the worker didn't intend to undermine his manager's authority in the workplace.

In her decision, DP Wells also indicated that attitudes towards swearing have changed over time:

"[t]here is no doubt that workplaces are more robust in 2015, as they relate to the use of swearing, than they were in the 1940s. Further, I would not consider it uncommon for bad language to be used in the workplace in this or other similar industries."

What are the implications of the decision?

This decision is important in that it signals that there has been a shift in what is considered to be acceptable conduct in the workplace. However, this shift doesn't mean that employees can now act poorly (by swearing or otherwise) without consequences. The generally accepted position is that bad language alone, or other single acts of misconduct, don't warrant dismissal: something more is needed.

Other swearing cases

A number of cases have dealt with the issue of swearing in the workplace. In one example, *Mr Roderick Macdougall v SCT Pty Limited T/A Sydney City Toyota* [2013], a car sales executive had his employment terminated for swearing at a potential customer.



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Legal Advice Cont...

Is swearing in the workplace acceptable?

In this case, the FWC emphasised the fact that the conduct of the employee could potentially have caused financial and reputational damage to the employer. For this reason, the conduct was considered to be more serious than swearing at a senior employer in a private conversation – and the dismissal was upheld.

In another case, *Rikihana v Mermaid Marine Vessel Operations Pty Ltd* [2014], the dismissal of a wharf worker for swearing was also upheld. The worker had repeatedly engaged in unjustified swearing, which was described as "contemptuous and aggressive". Although it was agreed that traditionally, swearing was part of wharf workers' everyday vocabulary, the FWC viewed this accepted, everyday behaviour as distinct from swearing aggressively and maliciously at another person.

In light of this, the FWC decided dismissal was the appropriate penalty. Significantly, in this case, the employer had recently attempted to improve the workplace culture by implementing a new code of conduct aimed at improving the standard of communication between workers. This factor strengthened the employer's case, as the FWC considered the employer had made a clear effort to improve workplace interaction and deter aggressive swearing.

The impact of workplace culture on appropriate standards of behaviour was also considered in *Paul Cronin v Choice Homes (Qld) Pty Ltd* [2013]. In this case, a financial controller "replied all" to a company-wide email announcement and insinuated, in his email, that the CEO was "a wanker". The FWC accepted that the email was offensive. However, it found that overall the conduct didn't justify dismissal.

The FWC said the employer tolerated, and sometimes encouraged, similar types of conduct and that in this workplace it was acceptable to send emails that "tick every box in the spectrum of highly offensive material including hard core pornography, sexism and racism".

The FWC commented that to uphold the dismissal of the financial controller was inappropriate as it would support an employer who "has dealt disproportionately with employees who have engaged in much more serious misconduct".

What can you learn from these decisions?

Workplaces today are undoubtedly more tolerant of swearing than they used to be, but this shift in standards does not apply to every industry or organisation. These cases illustrate that the question of whether swearing or other single acts of misconduct are valid reasons for dismissal will depend on the circumstances, and in particular, on the relevant workplace culture and context.

Employers must think carefully before dismissing employees for acting inappropriately at work. Some questions employers should consider before deciding to dismiss an employee include:

- Has the conduct caused us reputational or financial damage?
- Do we accept the conduct as part of our workplace culture?
- If the conduct is not appropriate, how have we dealt with it in the past?
- Do the worker's actions mean they have acted insubordinately toward senior employees?

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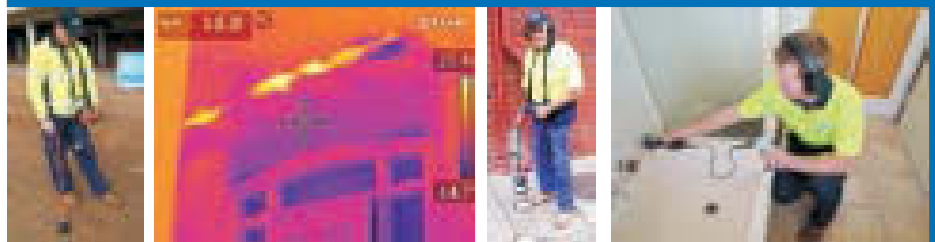


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Legal Advice Cont...

WHS Act: Project manager not an "officer" in due diligence test case

Mckie v Al-Hasani and Kenoss Contractors Pty Ltd (in liq) [2015] ACTIC 1

A recent decision by the ACT Industrial Court in Mckie v Al-Hasani and Kenoss Contractors Pty Ltd [2015] has clarified the definition of an "officer" under the new work health and safety (WHS) laws, determining that a project manager's role does not fall under the definition because the role's responsibilities are primarily operational, rather than organisational.

In doing so, the Magistrate has increased certainty surrounding who owes a duty of care within workplaces and has reaffirmed existing concepts of due diligence under the laws.

Background

As reported in our previous article "First Officer charged under Work Health & Safety Act", the case involved the death of a truck driver, Mr Booth, who was electrocuted after his truck came in contact with live power lines while tipping his load.

Mr Booth was an employee of David O'Meley Truck Hire, a company subcontracted by Kenoss Contractors, which had been contracted by the ACT Government to resurface roads in Turner.

On the day of the incident, Mr Booth was directed to take the truck's load to the main compound; however, he was not given any direction and instead ended up at the small compound.

Kenoss's workers had been previously told not to use the small compound due to its dangerous, low-hanging wires, yet the site was left unlocked with no visible warning signs regarding the presence of live power lines.

The power lines were also obscured by foliage. As a result, Mr Booth had little to no knowledge of the surrounding dangers when he drove his truck into the small compound, where the incident occurred.

Both Kenoss and its project manager, Mr Al-Hasani, were charged with committing a category 2 offence, which is contrary to section 32 of the Work Health and Safety Act 2011 (ACT) (the Act), and Mr Al-Hasani was charged as an officer of the corporation, under to section 27 of the Act.

The maximum penalty for a category 2 offence under the legislation is \$1,500,000 for a body corporate and \$300,000 for an officer. Industrial Magistrate Walker found that the risk of

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Legal Advice Cont...

WHS Act: Project manager not an "officer" in due diligence test case

electrocution was obvious and could have been eliminated or mitigated through the introduction of simple safety measures.

Some examples of these possible measures included not using the small compound site at all, having power turned off when a delivery was required, or by providing appropriate signage to warn of the risk of the power lines. Consequently, it was found that Kenoss had clearly breached their duty of care to subcontractors and their employees.

A project manager is not an officer

In determining whether there was a breach of duty, the magistrate first considered whether Mr Al-Hasani was an officer under the Act and, if so, whether he had exercised due diligence as required by the Act.

By examining the tasks performed by Mr Al-Hasani, the Court held that he did not meet the definition of an officer. In coming to this decision, the magistrate looked at section 9(b) of the Corporations Act 2001 (Cth), which defines an officer as a person:

- who makes, or participates in making, decisions that affect the whole, or a substantial part, of the corporation's business, or
- who has the capacity to significantly affect the corporation's financial standing, or
- in accordance with whose instructions or wishes the directors of the corporation are accustomed to act (excluding advice given by the person in the proper performance of functions attaching to the person's professional capacity or their business relationship with the corporation's directors).

The court examined Mr Al-Hasani's role in detail and took a broader approach than the definition of officer under the Corporations Act.

The court referred to the decision in *Shafron v Australian Securities and Investment Commission*[2012] where the high court stated that in determining whether a person is an officer, the enquiry should not be confined to just the "role that person played in relation to the particular issue in respect of which it is alleged that there was a breach of duty".

Mr Al-Hasani gave evidence that he had no authority to hire or pay any workers and further that he had to submit all prices to management and get their approval before he could go ahead with work.

However, he did agree that he undertook "all of the work one would expect of a project manager".

There was no evidence that he had control over the business or undertakings of Kenoss, he could not give direction over which contracts should be pursued and he was not responsible for hiring or firing employees or spending funds.

Magistrate Walker concluded that she was not satisfied that Mr Al-Hasani's role amounted to the level of an officer because the role was purely operational.

She did however indicate that he breached his obligations as a worker, but that a charge under this provision had not been presented.

The charge against him was dismissed.

It is also worth noting that the court heard that Mr Al-Hasani did not exercise due diligence because he was aware of the risks associated with the small compound but failed to take reasonable steps, as specified under s 27(5) of the Act, to address these risks.

His failures included using an inadequate Safe Work Method Statement, not ensuring all subcontractors were aware of the risk and the lack of a process to ensure safety compliance.

Where to from here

If the reasoning of this case is to be followed in the harmonised states, it appears that an individual's role must be organisational in order to meet the definition of officer under the WHS Act.

It was held to be significant that Mr Al-Hasani was not in charge of the hiring and firing of employees, tendering for projects or managing funds, which led to his role being interpreted as operational rather than organisational.

This is despite Mr Al-Hasani performing the other duties common to that of a project manager. These considerations may be determinative in future decisions where state regulators are looking to prosecute officers.

We would like to acknowledge the contribution of Georgia Wells and Josh Stewart to this article.

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Financial Advice

Take charge of your debt



Debt is part of modern life. It can be used to help you reach goals, but only when you are in charge of it, not when it is in charge of you.

A proven way to get on top of your debt is with a budget. Once you see where your money is going it is a lot simpler to find ways to reduce your spending and free up cash.

It doesn't have to be the stuff of dreams. There are several strategies that could help you pay off your home loan sooner. And it doesn't necessarily mean sacrificing the things you love doing today.

The first step towards paying off your home sooner is to understand your loan—how much you owe, how much you are paying and what other financial commitments you have. Once you know where you stand you can start getting smarter with your loan.

Consolidate your financial commitments

Over time, it's easy to build up small loans here and there. Individually, they may not seem like a lot but it could mean you're paying higher interest rates and lots of extra fees, which could keep you in debt longer and really impact your lifestyle today.

By bundling all your financial commitments into one loan you can get a clearer picture of what you owe and potentially save money too.

Make fortnightly repayments

If you can afford it (and you're not doing it already), consider changing your home loan repayments from monthly to fortnightly. This can make a really big difference to your loan.

Of course, by changing your repayment frequency you may need to be more mindful when it comes to managing your money. One way of doing this is to align your pay dates and repayment cycle.

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Use an offset account

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goals, and personal situation, we will be able to create a personalised plan that's right for you. With expert advice, you'll be on track to owning your home sooner while still enjoying the things you love today.

Debt consolidation example

Craig and Samantha are both in their mid-30s and have been married for four years. They want to put a big dent in their home loan and reduce their overall debt. Here is their situation:

- They have an outstanding home loan of \$350,000 (20 year term, 5.95% pa interest rate)
- They have combined credit and charge card debts of \$12,000 (19.55% pa interest) and a personal loan of \$15,000 (5 year term, 14.3% pa interest)
- They pay a minimum monthly payment of \$240 on their credit and charge cards
- Currently they are making repayments across all their loans of \$3,088 per month.

Strategy

Craig and Samantha speak to MWP Financial to look at ways to consolidate their debts.

- Consolidating their higher interest rate personal loan and credit cards into their lower interest rate home loan means they reduce their total monthly loan repayments by \$398.70
- If they maintain their total monthly payments at \$3,088.78, they will reduce their home loan term from 20 years to 15 years and 8 months saving them \$64,928.56 in interest. This means they will be home loan free by the time they are 50, giving them more freedom to build their retirement savings
- After speaking to their lender, Craig and Samantha decide to increase the balance of their home loan to \$377,000 and use the additional funds to pay out in full their combined credit cards, charge cards and their personal loan.

	Pre-consolidation			After-consolidation		
	Total Debt	Interest rate	Payment per month	Total Debt	Interest rate	Payments per month
Home Loan	\$350,000	5.95%	\$2,497.24	\$377,000	5.95%	\$2,690.08
Credit & charge cards	\$12,000	19.55%	\$240			
Personal loan	\$15,000	14.30%	\$351.36			
Total	\$377,000		\$3,088.78			\$2,690.08
				Savings		\$398.70

The case study on Craig and Samantha is an example to demonstrate the possibilities when consolidating debt.

The table is an illustration showing the financial outcomes of Samantha and Craig's debt consolidation and does not represent outcomes you may receive as a result of consolidating your debts.

debt

Factors such as interest rate changes can affect this strategy; however Craig and Samantha's implementation of the debt consolidation strategy has provided a substantial monthly saving.

They can use this saving to help eliminate their home loan debt, or alternatively put it towards other expenses or look to create an investment opportunity.

Establishing a plan specific to your circumstances can free up cash, save you thousands of dollars in interest repayments and drastically reduce the time needed to pay off your loan.

Spending time on developing a debt management plan can get you on a positive road to owning your home sooner and living your life debt free. Open the door to new possibilities by contacting Phil Tubb at MWP Financial today on (08) 8362 7144 or phil.tubb@mwpgroup.com.au.



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Hot Products



Boiling, Chilled and Filtered Water from Rheem

The new Rheem On-Tap boiling water units provide filtered boiling water and ambient temperature water from a choice of two stylish taps. Available in popular three-litre and five-litre capacities, the units are installed under the bench and have an inbuilt 5-micron filter and outlets for both boiling water (pumped) and cold water.

A separate three-litre or six-litre slave pumped chiller can be added to provide filtered chilled water from the same tap. For more info about Rheem On-Tap boiling water units, visit rheem.com.au or call 132 552.

Co-gen and tri-gen plants ideal for new Rheem heat exchangers

When it comes to co-generation and tri-generation plants, Rheem's new Brazen Plate Heat Exchangers (BPHX) have been designed to be used wherever waste heat from water sourced processes can be recovered and used to heat potable hot water. The WaterMark certified Rheem BPHXs have been designed to offer a high level of thermal efficiency and durability in a compact unit. They're suitable for water to water only applications, and are well suited for installations such as co-generation and

tri-generation plants, process heating or as a separator in circuits using PP-R piping. The heat exchangers provide high heat transfer efficiency and pressure capability and low pressure loss. Key features include:

- 316L stainless steel construction
- Single wall brazed plate heat exchanger
- WaterMark certified.



Milwaukee® Delivers Up To 1,016Nm of Max Fastening Torque with M18 FUEL™

For professional tool users there is no time for delay, reliability and durability are paramount. Milwaukee power tools continue to engineer innovative products that are built to increase productivity and minimise downtime between applications for demanding jobsite tasks.

Available at your authorised Milwaukee dealer, the cordless M18 FUEL High Torque Impact Wrenches are designed to deliver true cordless pneumatic performance for trades that specialise in heavy construction and powerful equipment such as front end loaders, bull dozers and excavators.

Delivering up to 1,016Nm of max fastening torque*, the M18 FUEL High Torque Impact Wrenches are designed to decrease downtime for the user when confronted with repetitive high torque fastening applications that tend to be tedious and time-consuming. For added convenience the Impact Wrenches feature a built in LED light to illuminate the work surface leading to a more productive and safe work area.

The M18 FUEL High Torque Impact Wrenches utilise Milwaukee's exclusive FUEL technology, which offers maintenance free performance and increased tool life as a result of reduced friction, less heat build-up and no wearable brushes that would require replacing.

The POWERSTATE™ Brushless Motor works harder and converts energy into power more efficiently, giving the tools the ability to deliver up to 1,016Nm* of max fastening torque to ultimately deliver the power and speed needed to minimise time wasted in heavy applications.

Backed by Milwaukee's 5 year warranty, the M18 FUEL High Torque Impact Wrenches are available now at your local authorised Milwaukee dealer. For more information on the Milwaukee M18 FUEL range please visit milwaukeetools.com.au/power-tools/cordless/m18-fuel/

JOIN US

in the fight against Men's
cancer and illness



The Movember Foundation is a global Men's Health Charity. The foundation raises funds that deliver innovative, breakthrough research and support programs that allow men to live happier, healthier and longer lives. The Movember Foundation focuses on 4 key areas of Men's Health - Prostate Cancer, Testicular Cancer, Poor Mental Health and Physical Inactivity.

The annual Movember campaign, held in November is the primary fundraiser for the organisation. The Movember Foundation challenges Men and Women to raise awareness and funds by growing a moustache, and / or making a donation to the Movember Foundation.



As we are passionate about supporting men's health and wellbeing, we are pleased to announce that we will be participating in Movember 2015!

Our Group Training Manager Greg Lyng has kindly agreed to participate in our Movember campaign and will be shaving off his much loved moustache to grow a new one for Movember! He will be joined by our Group Training Field Officer Steve Prisk who will also be participating in Movember!

DONATE NOW

Visit au.movember.com/mospace/11915233
or search for 'Master Plumbers' at au.movember.com

You can also scan the QR Code below to find our page

Alternatively, you can contact us on **(08) 8292 4000** and we will arrange a donation option for you.

***We thank you in advance for your support and helping us
to make a difference to Men's Health!***





Quality endorsed apprentices on tap.

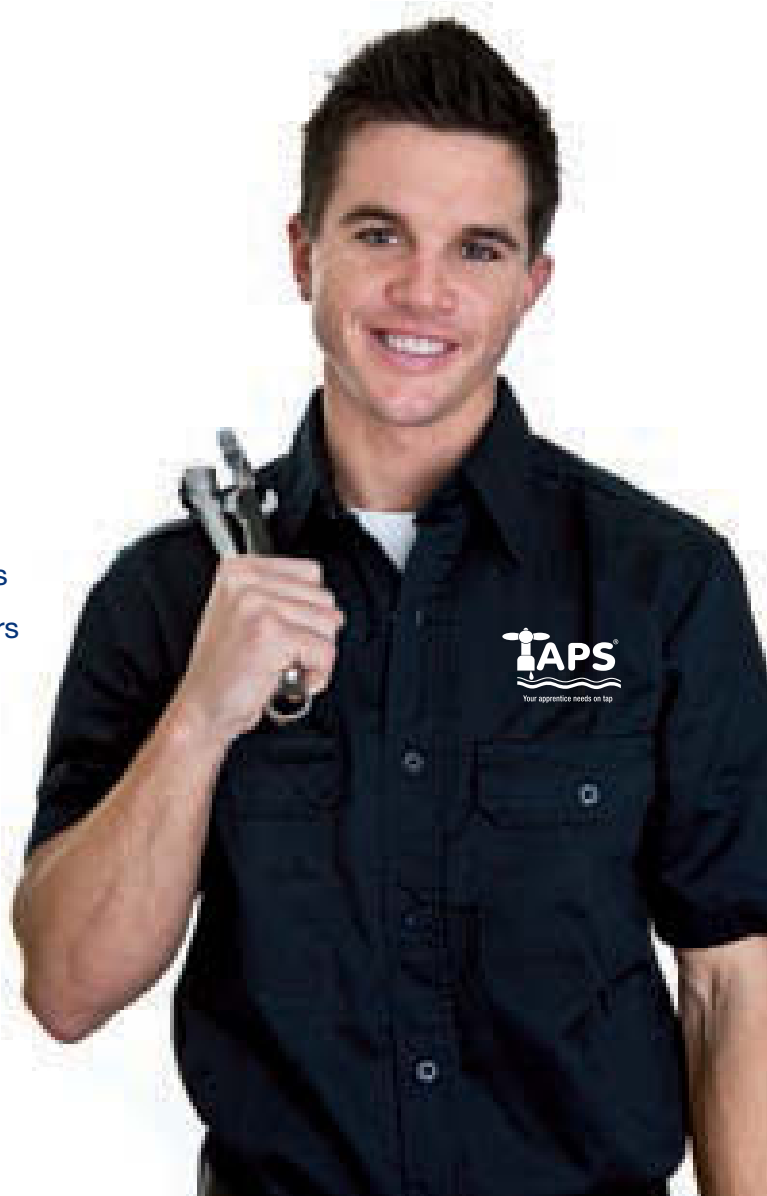
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**\$50
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REWARD**

**WHEN YOU
REPLACE A
NON-RHEEM
FOR A RHEEM
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- Purchase a participating Rheem water heater
- Replace an existing water heater with the new Rheem product
- Send us a before & after photo of each installation to claim your Rheem reward.

Photos must be taken of installed products. Valid invoice required.



Offer valid between 1 September 2015 and 11 December 2015. Claims close 18 December 2015.

To claim your reward scan the QR code or visit

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Terms and conditions apply: Plumbers must purchase during the promotional period 1 September 2015 to 11 December 2015 from a participating merchant/reseller and submit their claims by 18 December 2015. Claims will be paid via EFT. Not available as a point of sale discount. Claims must be lodged at www.rheem.com.au/bountyhunter. If an existing Rheem-branded water heater is replaced with a participating product, a \$50 reward can be claimed. If an existing non-Rheem branded water heater is replaced with a participating product, a \$100 reward can be claimed if photographic evidence is provided. The Participating Rheem Products are Rheem 125L & 160L electric water heaters (Model No. 191125, 191160, 192160) • RheemPlus 125L, 160L, 250L & 315L electric water heaters (Model No. 121125, 121160, 121250 & 121315) • Rheem 4 Star 135L & 170L gas water heaters (Model No. 347135 & 347170) • Rheem 250L, 315L & 400L electric water heaters (Model No. 191250/491250, 192250/492250, 191315/491315, 192315/492315, 191400/491400, 192400/492400) • Rheem Optima 250L, 315L & 400L electric water heaters (Model No. 411250, 462250, 411315, 462315, 411400, 462400) • Rheem Stellar 5 Star 330 & 360 litre vitreous enamel gas water heaters (Model No. 850330 & 850360) • Rheem 12L, 16L, 18L, 20L & 27L/min Continuous Flow gas water heaters (Model No. 874612, 876612, 874E16, 876E16, 874618, 876618, 874620, 876620, 864627, 866627, 874627, 876627) • Rheem Stellar Stainless Steel electric water heaters (Model No. 4A1125, 4A1160, 4A1250, 4A2250, 4A1315, 4A2315) • Rheem Stellar Stainless Steel gas water heaters (Model No. 8A0330).