

PPTEU

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Journal



**INCOMPETENT VBA
PUTTING PUBLIC &
INDUSTRY AT RISK**

**THE GRENFELL
TOWER FIRE TRAGEDY**

**COULD WE
BE NEXT?**



CASE DISMISSED

~ A GREAT VICTORY FOR OUR UNION ~

**SEE BACK
PAGE**



**IT'S TIME FOR THE
TOOTHLESS TIGER
TO GROW TEETH**

**THE VICTORIAN BUILDING AUTHORITY (VBA) IS FAILING
THE PLUMBING AND FIRE PROTECTION INDUSTRY.**

The Grenfell Tower fire in London - which killed and injured dozens of innocent people – is a clear and tragic example of what happens when non-compliant, combustible building products are used, and the relevant authorities ignore the problem.

We almost had the same scenario here in 2014, when a fire broke out on the exterior of the 23-storey Lacrosse Building in Docklands. That fire was caused by combustible cladding, just like in London. It was only good luck and great work from the MFB that prevented that fire becoming a London-style catastrophe.

And what did the VBA do in response? They did a desktop audit – relying on paperwork and not physically inspecting apartments. That audit found a rate of non-compliance of more than 50%. So more than half of the apartment towers in the CBD are using non-compliant, unsafe, cheap and combustible cladding on the exterior of the buildings and the alleged regulator, the VBA, is doing nothing about it. It would be laughable if it wasn't so bloody dangerous.

By its inaction, the VBA is **exposing consumers to unnecessary and serious risks.**

By refusing to do its job the VBA is **putting the health and safety of the community at risk.**

And by turning a blind eye it is putting **our members and our entire industry at risk.**

**PEOPLE WILL BE INJURED OR KILLED
BECAUSE THE VBA IS NOT DOING ITS
JOB.**

Not only are we and the community being put at risk by the indifference and incompetence of the VBA, we are also being ripped-off.

Consumers are being duded because they are not being protected against shoddy operators, and are exposed to unnecessary and sometimes life ruining remedial costs or commercial legal action.

The industry is being ripped-off because we are the mugs funding the VBA, and they are basically taking our money and laughing at us.

The VBA receives approximately \$50M per annum in revenues, about a third of which comes directly from our Industry through Compliance Certificates lodged by licensed practitioners and License and Registration fees. And what value does our Industry or consumers get from tipping in all these funds? Right now, the answer is, bugger all.

VBA audit rates are now so low as to be meaningless. Inspection rates are also very low, and even when they are carried out there is no guarantee the VBA Inspector knows what they are looking at anyway, they're not plumbers. Not only are they not actively going out into Industry to do audit and inspections, even when they are made aware of shoddy work or unlicensed or unregistered operators doing work only Licensed or Registered practitioners can do, they don't want to know. They simply don't act.

We have identified several instances where unlicensed workers were doing sprinkler fitting works that they were not Licensed to do.

**WE REPORTED THESE INSTANCES
TO THE VBA. THEY DID NOTHING,
ZERO, ZIP.**



The lack of presence by the VBA in the Industry means there is a growing sense that “nobody’s watching”. Increasingly, dodgy operators are prepared to take the risk – to use unlicensed or unregistered workers, to do things the cheap way and not the right way, and to cut corners – and the community is going to pay the price.

In Fire Protection Installation, Inspection and Testing for example, the VBA has lost all control over industry entry standards, and is doing a good impression of a regulator that has given up.

Inadequately skilled or experienced operators from other States are busily installing sub-standard systems in schools, hospitals, shopping centres and apartment buildings and those same systems are then being inspected and tested by under qualified workers.

We have included some pictures of just one of dozens of examples – across the metropolitan area and in regional Victoria – of sub-standard work going on in the sector right under the noses of the “regulator”.

In the example included here, the risks to life and property are clear. Able to be seen are an incorrectly assembled sump box, with no brackets supporting a trafficable walkway. A worker that stood on that unbracketed sump box would fall straight through. In the other pictures we can see safety mesh and fire blanket installs that are clearly sub-standard, putting building occupants and the community at great risk in the event of fire.

The VBA either doesn’t understand or doesn’t care about the public safety implications of non-compliance but when a catastrophe occurs – in a CBD apartment tower, a school, or a hospital—the State Coroner will.

WE THINK IT IS HIGH TIME THE VBA TOOK ITS ROLE AS REGULATOR OF OUR INDUSTRY SERIOUSLY.

We want to work with other stakeholders and the VBA to develop a way forward that:

- **upholds quality standards**, by ensuring that one high standard applies to all plumbing and fire protection work done in Victoria;
- **reduces the instances of non-compliance**, by implementing a meaningful audit, inspection and enforcement regime;
- **reduces levels of risk**, both in terms of public safety and commercial/consumer risk; and most importantly
- **protects the safety and integrity** of Victoria’s water management and sanitation systems.





CASE DISMISSED

A GREAT VICTORY FOR OUR UNION! AND A **PUNCH** IN THE FACE FOR THE ABCC!

In June the Federal Court dismissed false allegations made against a PPTU Organiser by the ABCC. The trumped-up charges - alleging that the Organiser made threats against a Bendigo plumbing business in order to coerce its owner into signing an Enterprise Agreement in 2013 - were thrown out as untrue, exposing the ABCC's malicious agenda.

The Australian Building and Construction Commissioner alleged the Organiser told the company director the business would not receive a plumbing contract unless they signed a union EBA; and that he allegedly made threats including that "We will force the builders not to take you on their works".

Federal Court Justice David O'Callaghan ordered the proceedings be dismissed.

"I am unable to accept that the applicant has proved, to the standard required, that the [union organiser] made the disputed threats," he said. "I am, on the contrary, of the view that he did not make those disputed threats."

**FROM OUR UNION'S PERSPECTIVE,
AND FOR OUR ORGANISER, IT WAS**

**A GREAT VICTORY. BUT IT WAS
VICTORY WE SHOULD NEVER HAVE
HAD TO HAVE.**

The ABCC is strategically targeting some Unions - ours included. More alarmingly, and as shown in this case, they are directly targeting individuals within those Unions. In this case, our Organiser did absolutely nothing wrong. He was doing his job. And for that has had the threat of significant penalties hanging over his head for months, putting enormous stress on him and his family. It's a disgrace.

Defending these malicious prosecutions chews up time and resources that should be devoted to keeping workers safe. Every day that our Organisers spend in court defending themselves from these

prosecutions is a day they can't be on site doing their job.

In his judgement, Justice O'Callaghan was critical of the ABCC, and lawyer Daniel Victory - who represented the Union and the Organiser said he had "serious questions about the ABCC's investigation processes".

The ABCC came for us and missed. But they will come again, and we will stand staunch because we know how important our work is in making workplaces safe and improving pay and conditions of our members. We will always stand up for a Union Organisers' rights to go about their work without having to worry about being prosecuted for doing their job.



PLUMBING & PIPE TRADES EMPLOYEES UNION

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