

Supervision of electrical apprentices and trade assistants: Discussion paper

Submission

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Introduction

Master Electricians Australia (MEA) is the trade association representing electrical contractors recognised by industry, government and the community as the electrical industry's leading business partner, knowledge source and advocate. Our website is www.masterelectricians.com.au

1) Do you support a mandatory supervisors training course for persons that will be responsible for supervising apprentices/trade assistants? If not, why?

Master Electricians does support a mandatory supervisors training course to educate and refresh electricians understanding of their role for being the supervisor of an apprentice. Members have expressed to us that this course should include aspects such as

- Safe work practices
- Testing procedures
- Adult education principals and learning preferences
- Mentoring skills
- Supervision requirements

2) Should an electrician be required to complete a refresher course in order to renew their licence?

MEA does support ongoing professional education and refresher training, however the exact make up and format of this should be the subject of detailed industry consultation. However, there does not seem to be a significant difference between question 2 and 3.

Both refresher training and CPD lead to an electrician remaining licensed and as such a combination of refreshing knowledge and learning new knowledge is required to renew a license.

3) Should electricians be required to complete CPD as part of their licence requirements? If not, why?

Yes, MEA has supported this initiative in Tasmania, Queensland and Victoria. It is imperative to ensure the ongoing safety of employees and the public.

MEA would raise that all state and territories must mutually recognise CPD from other states to ensure that electricians are not forced into a situation of having to comply with numerous different state systems. Mutual Recognition and Automatic Mutual Recognition systems need to address CPD as it is implemented in each state and that ERAC (Electrical Regulatory Authorities Council) should have these discussions and identify appropriate agreements to ensure a smooth implementation.

4) If you support CPD how much time should be required for an electrician to complete each year?

This question of time versus content versus modality of delivery is a complex issue however it is imperative that interstate CPD programs are recognised to ensure AMR and interstate red tape is not excessive. As we stated earlier, this should be the subject of a detailed consultation with industry. MEA does see that there are advantages and disadvantages in various systems currently used and proposed around the country.

5) Do you think a competency framework needs to be established for apprentices to ensure they are receiving all the skills they need? Why/Why not?

The Electrical Industry national training packages are competency based as defined by ASQA. If the paper is trying to communicate that on-the-job learning should be competency based and linked specifically to the unit of competence that an apprentice is undertaking at their RTO then we would agree. However, in some cases this is not possible due to the type of work that the employer is doing at the time. EProfiling provides the information to apprentices and employers about what is needed and we believe those should be a larger focus in the training course as identified in question 1.

6) What other ways can competency be assessed and demonstrated?

This area is dealing with apprentices showing competence apart from competency-based training from their employer. The suggestion of an independent assessor in each year is an expensive model and would lead to additional costs in the apprenticeship which should be met by the Government and not the apprentice or the employers.

An alternative may well be that the Capstone exam is undertaken by an independent assessor at the completion of the 4-year apprenticeship which would achieve a check on the quality of the training that RTO's have provided and is significantly lower cost to the industry. Again, this should be a cost of the Government and not apprentices or employers.

7) Do apprentices need to be visually identified on job sites?

No this is a site by site and employer by employer decision based on safety requirements, type of work, competence of supervising tradesman and supervision ratio.

8) Do electricians need to provide a declaration of work completed by apprentices or trade assistants?

Electricians need to provide a CCW at the completion of the work that they undertake. It is our understanding that the current number electronic lodgement of CCW do not reflect the level of reports compared to the number of electricians employed in NSW and the amount of work that should have completed.

The CCW is providing a declaration that the work undertaken is compliant with the relevant standards and rules. Rather than instigating a new form or process this declaration should also highlight those involved in the work (apprentices and currently trade assistants). We see no reason to provide additional paperwork however ensuring that Apprentice and or Trade assistants who assisted in the work are identified and who were supervised should be identified in each CCW, with the tradesman being responsible for the work and its correct completion.

9) Do you agree the legislation should prescribe the levels of supervision required for different tasks? If yes – please provide your comments on the example provided in Appendix B.

MEA proposes the employer is responsible for assessing and monitoring the supervision levels within a guide provided by the industry regulator after consultation. Certain tasks may require direct supervision such as testing or working near live parts etc.

10) Should the ratio levels also be prescribed in legislation to ensure compliance and impose penalties for breaching ratio limits?

MEA does agree that limits and ratios should be enforced through legislation. Some flexibility may be required to allow for the competence of the apprentice and the task being performed.

11) Do you think prescribing the levels of supervision and tasks is too prohibitive?

No, MEA does not think it too prohibitive. These systems work in every other state in Australia and are very similar across the country. NSW adding to this cohort of supervision will ensure an improved result is experienced by apprentices.

12) Should the guidelines be enforceable through legislation or only be provided as a suggested guide?

Enforceable through legislation however based on providing some level of flexibility.

13) What topics would you like to see covered in the guidelines?

Queensland, Victoria, WA and Tasmania have very similar guides and the topics in those should be covered. As you will from the examples the topics include

- Ratios, minimum and flexibility options
- Supervision level
- Safety
- Types of work
- Training and Competence
- Definitions and descriptions of supervision levels
- Indicative examples and expectations of supervision level based on progress through the apprenticeship

Queensland

https://www.worksafe.qld.gov.au/_data/assets/pdf_file/0017/20780/supervising-electrical-apprentices.pdf

Tasmania

https://cbos.tas.gov.au/_data/assets/pdf_file/0020/536105/Occupational-Licensing-Supervision-of-Prescribed-Work-Code-of-Practice-2019.pdf

Victoria

https://esv.vic.gov.au/wp-content/uploads/2018/11/ESV_YourResponsibilities_ApprenticeA5.pdf

Western Australia

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/safe_working_guidelines_and_assessment_for_electrical_apprentices_web.pdf

14) It is proposed to make the guidelines available on the Fair Trading website? Is this the best solution for the industry? If not, what is another option.

They should also be available on the NSW Worksafe website as well as they should be consistent across all trade apprentices as far as reasonably practicable. Other industry channels should be supported such as through the employee and employer representatives.

15) Do you support further categories of license for electricians? Which option do you believe should be implemented?

MEA supports none of the listed options. An electrician is a complete trade and should not be broken down by the complexity of the installation. There is a significant risk of giving people part of a qualification which may lead to them acting outside of their training and ability. MEA discusses in question 16 issues concerning skill sets in other industry's as being a deskilling of the trade.

16) Is there a requirement in the industry to separate commercial and residential licenses?

No. This proposal has a significant effect not only in NSW but also the National industry. By segregating this in the future we anticipate an actual deskilling and demobilisation of the workforce and an increased training costs for employees and contractors. If we examine the Painting trade whereby the skill sets have been introduced, we now see that industry suffers from too much segmentation, decrease in skill and a duplication of effort that consumers and industry now need to monitor and control distinct subsets within the industry.

17) Should a restricted class of license be implemented?

A restricted license should be available in very specific circumstances include those trades who have completed certain competencies to allow them to do like for like exchanges such as gas and plumbing, or limited work such as appliances.

MEA does not support restricted licenses for trade assistants as we do not support trade assistants doing electrical work.

18) Should supervisors be required to complete a course and demonstrate 3 years experience before being able to supervise others?

MEA does support supervisors completing a course however we do not believe it has to be 3 years of post-trade experience. The three years post trade may impact on the ability of the industry to train apprentices and provide enough opportunity particularly in tight labour shortages as we are experiencing in Sydney now and expect to increase as interstate borders open up.

19) Do you support unscheduled auditing and inspections for electrical work? If not, why?

Yes, It is MEA's experience that we see an increase of quality in the industry in states where they engage in three simultaneous strategies. Those states who have an active enforcement regime, an active educational regime, such as CPD, and a well defined apprentice supervision model have a better relationship and set a better expectation with industry to ensure that slack and non-compliant practices are reduced and eventually eliminated from the industry.

20) Should penalties be prescribed for supervisors that exceed ratios or are not providing appropriate supervision?

Yes, we believe that enforcement is necessary to ensure apprentices are trained and working in safe environments.

21) Should controls be put in place such as QR code that require supervisors to be on-site when apprentices are working?

No, this is a site by site and employer by employer risk assessment. There are no other jurisdictions that need these sorts of QR codes however rely on investigations audit and for cause inspections to police and prosecute breaches.

22) Would the visible identification for apprentices such as different coloured vests or hard hat work on job sites?

As previously answered no. This does not consider the breadth of the industry and may subject apprentices to bullying and hazing that is unwarranted. Also with the reduced numbers and higher one on one ratio or direct supervision it would not be necessary.

23) Do you support further categories of license for electricians? If so, which option do you believe should be implemented?

MEA is not supportive of any further licensed classes except those we have previously identified, those being restricted licenses for connect and reconnect in gas and plumbing and those for small appliance repairs

24) Should trade assistants be allowed to continue working with appropriate supervision but without a license?

Trade assistants should only complete nonelectrical work or assist an electrical worker in manual handling associated with electrical work under supervision.

25) Should trade assistants for electrical work be required to meet certain criteria and have a restricted license? What kind of work should require a licence?

NO, trade assistants should only complete non electrical work or assist an electrical worker in manual handling association with electrical work under direct supervision and direction.

26) What are some alternatives to licensing schemes that could work well to continue to carry out work currently done by trade assistants?

MEA's position that electrical work should not be undertaken by Trade Assistants and that there is therefore no requirement for them to have a license. TA's in construction, plumbing etc have no requirement or responsibility that would require them to be licensed or held accountable for their work. In all trades, Trade Assistants, as the name implies, assist a trade, they are not competent or accountable enough individually in their role or duties to require a licenses.

27) Of the differences identified between the two definitions, which do you feel should be retained due to the specialised scope of the different pieces of legislation?

Electrical Equipment needs to be defined based on type and use of equipment and risk to electric shock fire or other hazard such as explosion. Working on electrical equipment needs to be defined as electrical work and performing electrical work need an electrical license. Exemptions should apply at each level based on risk and skill.

The proposed definition needs further work to account for future developments in the electrical industry and to ensure it is fit for purpose for emerging technologies.

28) Are there other activities that should be explicitly included in the definition of 'electrical work' in either scheme but are not currently?

MEA would suggest that the definition needs to incorporate portable generation systems (PV/Gensets), and ELV (extra low voltage) comms control systems, instrumentation, which are used directly in a LV installation.

29. Should the definitions of electrical work be amended to provide greater clarity of supervision requirements? If so, what should be amended and why?

MEA believes that the issues of definition of electrical work and supervision of electrical work are two distinct issues. It is practical within the legislation to use the definition of electrical work to establish the supervision level required and apply supervision to different levels of electrical workers such as Apprentices, Restricted licenses holders, license holders, Supervisors and Contractors.

30. Does the definition of “electrical wiring work” in the G&E Act cover all types of work that should be performed by a licensed electrician? If not, what other types of electrical work should be included?

The proposed definition needs further work to account for future developments in the electrical industry and to ensure it is fit for purpose for emerging technologies. As an example of current issues we are experiencing in other states we see confusion over the interaction of ELV control systems where they control LV installations. The advent of emerging technologies such as Hydrogen and other small generation renewable systems have the potential to cause significant injury and or death when not completed by a well-trained person.

31. Are there any other issues with the current electrical work definitions under the G&E Act and WHS Regulation? If so, what are the issues?

MEA in previous submissions has stated that the NSW legislative landscape for Electrical safety is complex and confusing with multiple departments responsible for different aspects of electrical legislation operation and safety. It is our view that NSW should create a standalone electrical regulator with distinct legislative instruments that clearly define license and enforce electrical safety and requirements.

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