

UNDER CONSTRUCTION

GET YOUR APRIL/MAY 2024 SKILLS MAINTENANCE POINT!



THE SUN IS SETTING ON POOR SAFETY

Why should we value health and safety in the construction industry? The answers make more sense than you think!

Check out page 38 for the details, and the rest of the issue for some great health and safety articles.

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New Zealand

KEEPING US ALL SAFE



// We are also pleased to share our own safety journey, in the hope that it might help you on yours. Read more about evaluating perceptions and priorities in PlaceMakers News

How has the industry’s approach to health and safety changed over the past five years? That’s the question we asked builders in this issue’s Builders’ Business column, and the question we asked ourselves when preparing this issue

For starters, this entire issue of *Under Construction* focuses on health and safety, including PlaceMakers own safety journey, and extends beyond the physical to cover mental wellbeing and even physiological reactions to different types of hazards.

In the third and final part of our WorkSafe-Duncan Cotterill series, we explore the intersection between employment law and regulatory defence when health and safety concerns — or even WorkSafe intervention — arise out of a bullying allegation. Read more on page 34.

Tempted to cull your Health and safety initiatives to save money? Check out the advice from our business coach before you do! Prioritising health and safety could have a greater influence on your business’ success than you might think. Read more on page 38.

Keen to insure yourself against mental health issues? It’s not straightforward, but our insurance expert Ben Rickard shares insights on mental wellbeing from a business risk and insurance perspective on page 20.

We are also pleased to share our own safety journey, in the hope that it might help you on yours. Read more about evaluating perceptions and priorities in PlaceMakers News.

In other news, the first Code of Ethics complaint was upheld and its publication highlights the Building Practitioner Board’s hierarchy of disciplinary measures – as well as some dubious LBP behaviour. We also report on the recently released consent consultation and an evaluation of work visa laws.

With sustainability a core focus for our business in all aspects and every issue, we share our initiative to reduce plastic waste and welcome a sustainability column from Auckland Council’s Mark Roberts.

As always, we hope you enjoy the read!

Shane Cornelius

General Manager Operations

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CHANGING ATTITUDES TO HEALTH & SAFETY

Builders' Business is a column by builders for builders. Its objective is to provide a forum, particularly for small business operators, in which to share knowledge, experience, tips and ideas

Q: *How has the industry approach to health and safety changed in the past five years – and has the right balance been struck?*

Firm: **David Reid Homes**
 Interviewee: **Ben Green**
 Role: **Franchisee / Director**
 Location: **Coromandel & Hauraki**
 Staff: **4**

Health and safety legislation is more serious than ever before, which is a good thing, as it means better outcomes for our staff. On the flip side, it has increased costs and slowed work down, as we need to ensure we're complying with H&S rules.

// I think we're at a place where the balance between keeping people safe and allowing building work to progress is about right

There has been an emphasis on stricter compliance. The first thing that comes to my mind is scaffolding, which has to be ticketed and checked every week, whereas it was a lot looser in the old days.

I think we're at a place where the balance between keeping people safe and allowing building work to progress is about right. Everyone deserves to go home at the end of the day and if it means the length of a build is extended by one or two days, that's fine by me.

It can be difficult to keep up to date with changes – even though organisations like PlaceMakers, Master Builders and MBIE publicise major changes. It's not easy, but we try and keep up to date as much as we can.

Firm: **Sentinal Homes Counties Franklin**
 Interviewee: **Will Batts**
 Role: **Managing Director**
 Location: **Waikato**
 Staff: **6**

The biggest change to how the industry has approached health and safety in the past five years is the increase in compliance and regulations, particularly in the amount of documentation you need.

I believe that's good for the industry, as the good builders are already doing a lot of what's required, so stricter rules force the rest of the industry to adopt better building practices.

A lot of what's required now should be standard practice for running an efficient site anyway – things like having good communication between trades, a solid idea of where people are working, and cordoning off dangerous areas as needed.

I look at it like this: regulation challenges builders to improve performance, and high performers should want to be challenged in that way.

I also think that current legislation gives builders a lot of flexibility to tailor requirements to their site, which comes back to having good planning and communication and solid processes in place.

Finally, I'm glad to see mental health given more of a focus. For example, MATES does an awesome job of making these conversations more visible and site culture is definitely changing as a result.

Firm: **Lifestyle Building**
 Interviewee: **Scott Siffleet**
 Role: **Director**
 Location: **Taranaki**
 Staff: **6**

Health and safety legislation has changed a lot, especially regarding scaffolding and nets. I've also seen a big culture shift within the industry. Five years ago, some builders didn't want to pay the costs to install more scaffolding on site, which made the tendering process unfair, as your pricing would be so different from a builder who wasn't as committed to health and safety. You rarely see that happen now.

I actually think that having more scaffolding has increased site efficiency. Now, there's a platform all around a roof, so builders can set up the house first before roofers come onto site, which saves time, as we don't have to work around unsafe scaffolding anymore.

// I actually think that having more scaffolding has increased site efficiency

That said, I think health and safety has gone a little too far. Traffic management, for instance, is a little over the top, as we now need six staff members to help back a truck up.

I'd say the balance was perfect two or three years ago.

WHY SKIPS ARE NOT JUST A LOAD OF RUBBISH!



It's important that you put the right waste in the right skip, advises Auckland Council Senior Waste Planning Specialist Mark Roberts



Around 40% of all waste to landfill comes from construction. With waste being a key measure of productivity and efficiency, clients are also demanding better performance from their builders. Auckland Council's Senior Waste Planning Specialist, Mark Roberts, explains how you can manage your skip waste more efficiently

A single skip is a typical go-to method for dealing with site waste. While this is effective, it comes with health and safety considerations.

You might not think that working around skips is a particularly dangerous activity, but there are some safety aspects in moving and managing skip bins that need to be considered.

Getting a skip onsite needs particular care and it's important that you ensure delivery drivers are inducted and guided during delivery and pick-up to prevent incidents. Keep site staff clear from bins being lifted.

To keep everyone safe on site, sub-contractors should also be made aware of expectations around waste management and health and safety considerations.

KNOW A SKIP'S LIMITATIONS

Make sure that someone on site is responsible for monitoring skips to prevent overfilling, ordering pick-ups, and stopping the area around skips being used to dump rubbish.

Overfilling your skip can prove hugely dangerous. The contents should be no higher than the sides of the skip itself. To improve the security of the skip, it's important that you load heavier and bulkier items first.

Use trolleys, hoists, telehandlers and other plant or equipment, so that manual lifting of heavy objects is kept to a minimum.

Smaller items should be piled on top to allow the skip to fill naturally.

SKIP FOOD SCRAPS!

Try to avoid getting food items into your skip, as this invites pests and makes recovery difficult.

Consider options to divert lunchroom waste going in your skip by providing a recycling bin. Some worksite addresses are entitled to put out a kerbside recycling bin. Check this with your local council website to see if you're eligible.

It's also important that you put the right stuff in the right skip. Where materials like scrap metal are

separated, ensure these are properly signposted.

Standardised, multi-lingual signage can be obtained from WasteMINZ to help you communicate with staff and sub-contractors on how to use them properly.

PUBLIC PLACEMENT

Consider the public when siting skips. If your skip is placed near the street, rather than on private property, you need to ensure that the ground is flat, stable, and free of any obstructions. Keep the public clear during skip delivery and pick-up.

Another thing to consider is that skips attract illegal dumping. Try to keep skips inside your site fence to discourage opportunists.

Report any instances of illegal dumping, so that the local council can deal with it.

Working with skip providers can help you manage them effectively, as well as ensuring that the skip doesn't introduce undue safety risks. ■

TAKING CARE OF YOUR MATES



MATES has delivered site-based suicide prevention training to more than 71,000 construction workers

We should all be talking more about mental health – and PlaceMakers is supporting MATES in Construction to ensure those going through tough times are getting the help they need

Working alongside industry partners such as PlaceMakers, MATES in Construction continues to raise awareness of the issue of suicide in our industry and encourage courageous mental health conversations among workers.

With one of the highest suicide rates of any industry in Aotearoa New Zealand, the construction sector is losing, on average, one person a week to suicide. In addition, we are nine times more likely to lose somebody to suicide than we are to a workplace accident.

The 2023 MATES Construction Industry Wellbeing Survey* of 2,000+ workers showed over a quarter of those surveyed found that the past 12 months had been among the most difficult times of their lives.

This is no surprise. Our industry continues to face persistent challenges – from extreme weather events and material shortages to

economic uncertainty, inflation and high interest rates. Coupled with homelife stressors, such as lack of sleep and little time for self-care, it really is no wonder that our workers have had a tough time this past year.

To make matters worse, we're not talking about it enough. The survey identified that two in five workers felt unable to talk to someone at work about their struggles.

There is an urgent need to promote suicide awareness and peer-to-peer support on work sites. That's where MATES comes in.

MATES IN ACTION

Since 2019, MATES has delivered site-based suicide prevention training to more than 71,000 construction workers, over 80% of whom are male. Through their training, these individuals have learnt to recognise when they or their workmate is struggling and how to connect themselves or their workmate to support.

One in four workers said their MATES training had helped them find support for one or more co-workers, or someone else in their lives. One in five said their training had helped them to find support for themselves. The same number had asked for a call back from MATES. That's over 3,500 workers who accessed support before reaching crisis point.

But the impact of training doesn't stop onsite. Workers take the knowledge into their daily lives, bringing attention to the issue of suicide and providing support to their whānau and community.

An incredible 2,082 PlaceMakers workers have taken part in MATES training. The PlaceMakers network also has 102 'Connectors'; people who have volunteered to be the connection point between those in distress and support resources.

One such resource is MATES Case Management; a team of clinical psychologists, counsellors, and social workers available via a support line for workers in distress. This service immediately connects those in need with someone who can help.

In response to increasing demand, the MATES team has grown to deliver the programme in five regions across the motu. However, the MATES team cannot be everywhere. Having PlaceMakers branches championing its message of hope assists MATES to continue building strength, courage, and critical peer-to-peer support in our workforce.

If you or your mate are struggling, the MATES Support Line is available on 0800 111 315.

**The MATES Wellbeing Survey Report will be available on our website in April 2024. ■*

PLACEMAKERS REDUCES PLASTIC WRAPPING



PlaceMakers is hoping to save 37 rolls of plastic wrap from landfill

Reduction is a win-win! PlaceMakers is also collaborating with key customers to assist with their sustainability initiatives to meet Environmental, Social, and Governance demands

PlaceMakers mission to be more sustainable continues with a trial to reduce the amount of plastic wrap it uses as part of a broader waste reduction initiative

Starting in Auckland, PlaceMakers will not wrap orders unless requested by customers, or if the product is in storage or rain is forecast.

If requested, PlaceMakers will charge a nominal \$5 +GST fee to wrap the product, which will be donated to Forest and Bird – New Zealand’s leading independent conservation organisation.

QUALITY REMAINS KEY

Ensuring that products arrive on site in top condition is still a priority for PlaceMakers and the reduction in wrapping won’t change that, says Nick Scott, PlaceMakers Head of Sustainability.

“PlaceMakers staff are regularly

checking forecasts to make sure that product always arrives in good condition, with weather updates sent out to our trial store locations.

“When it’s forecast for rain, our staff will be primed to start wrapping!”

CUSTOMERS COMMEND MOVE

Early reports indicate builders have been accepting of the move – in part because staff take great pride in ensuring product reaches site in great condition.

“The change has been fairly seamless and we’ve received no negative feedback,” says Nick.

“We estimate we’ve already reduced our plastic use by 60% in our Auckland stores; however, we

expect this figure to improve over time.

“Our target is to eliminate 37 rolls of plastic from entering our environment – but that may increase if the trial is extended to more stores!”

The new initiative isn’t only focused on improving the environmental sustainability of PlaceMakers own business. A large part of Nick’s sustainability remit is to assist customers with their own efforts.

“We’re looking to collaborate with key customers to see if we can assist with their sustainability initiatives, to help them meet Environmental, Social, and Governance (ESG) demands,” he says.



Ensuring that products arrive on site in top condition is still a priority for PlaceMakers and the reduction in wrapping won't change that



We're looking to collaborate with key customers to see if we can assist with their sustainability initiatives, to help them meet Environmental, Social, and Governance (ESG) demands

“That includes recycling as well as reduction.”

Currently, construction and demolition waste make up around half of New Zealand's total waste going to landfill. Part of PlaceMakers ESG goal is to help bring that number down over the next few years. To do so, it will work closely with the construction industry.

“We want to be a proactive organisation that works to reduce the

amount of construction waste, rather than let stats like that remain the status quo,” says Nick.

“Plastic wrap is a good place to start, given that the amount used to wrap one pallet is equal to hundreds of plastic bags. It's an easy win for us to start there.

“If we change the way we operate, we can potentially save over 15 tonnes of plastic from making its way into landfill every year.”

PART OF A WIDER PLAN

To save more waste from damaging New Zealand's environment, PlaceMakers is also partnering with Zero Plastic Oceans to trial the use of recycled Ocean Bound Plastic (OBP) as an alternative source of wrapping.

OBP is plastic waste at risk of ending up in the ocean and is estimated to generate 80% of marine litter.

During the trial period, OBP will be recycled into wrapping, and used when required.

The scheme is part of a wider waste reduction initiative, which is also looking into further opportunities such as a trial to use paper-based strapping that can be easily recycled, which could be coupled with a strapping chipper that would chip strapping and recycle it. ■

What is Ocean Bound Plastic?

OBP is 'Abandoned Plastic Waste' (microplastics, mezzo-plastics and macro-plastics), located within 50km from shores where waste management is inexistent or inefficient. When already located in a landfill or managed dump site, the plastic waste is not considered as OBP. However, when abandoned in an uncontrolled or informal dump site, this waste is considered as OBP.

PERCEPTION AND PREVENTION GO HAND IN HAND

Can injuries be prevented? Is safety a priority or a value? It's by asking questions like these that PlaceMakers went from having life-changing injuries every six to eight weeks to five years with none

Changing the company's approach to health and safety didn't happen overnight, says Fletcher Distribution's Head of Environment, Health and Safety Anthony Mitchell: "It was a pretty incredible journey".

It was only five years ago that, despite an industry shift towards the importance of health and safety, people were still being injured on PlaceMakers sites.

"We would have a serious injury – which normally means life-changing – every six to eight weeks and 80 to 90 recordable/lost time injuries per year. That's seven to eight times per month that employees would be injured badly enough to need some level of medical attention and time off work. It definitely wasn't okay, but it didn't seem out of the ordinary at that point."

That changed when, around that time, there were five fatalities in three months – not within PlaceMakers, but within the wider Fletcher organisation.

"That meant five people didn't get to go home to their families at the end of a day's work, and it really made us stop and think. We realised that 'we don't know what we don't know', because we thought we were making okay progress, but then this happened."

UNCOVERING UNFORTUNATE, BUT IMPORTANT, INFO

Looking to find out where the company had gone wrong, Fletcher partnered with an external company to carry out an assessment that helped determine people's perception of safety in the business.

"The results were overwhelmingly consistent, and disturbing. The

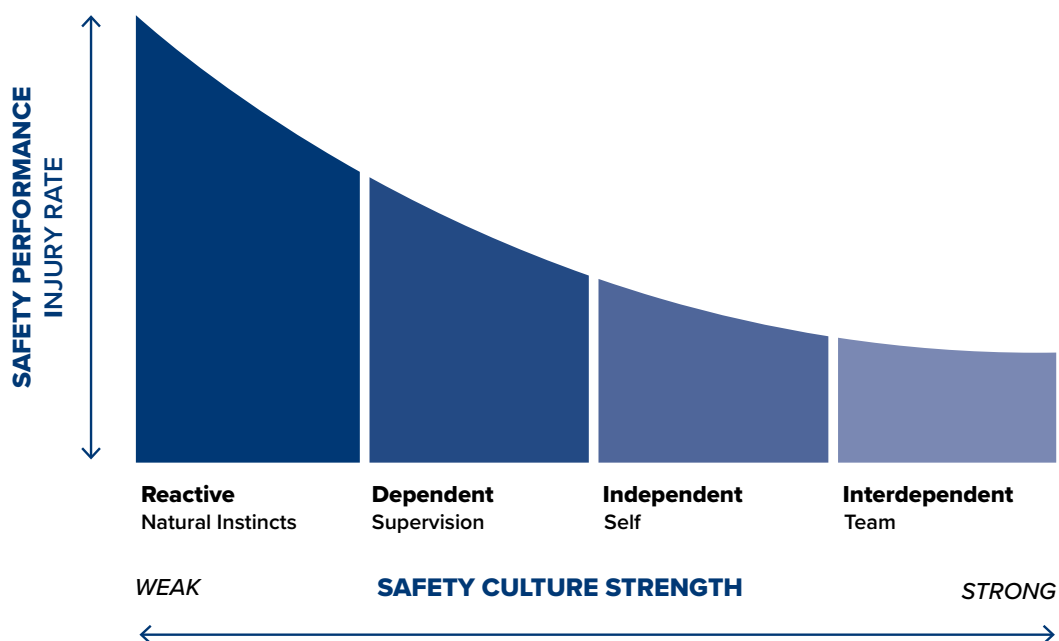
perception across all 38 Fletcher companies was about the same – that safety was a tick box exercise designed to cover people's asses if and when things went wrong, and that it was more about the paperwork than the people."

Anthony says presenting this information to the business leaders, including himself, was a bitter pill to swallow, but it was what they needed to hear.

"We realised that what underpinned this perception was that very few people actually believed injuries could be prevented – even subconsciously – and that it was up to people to protect themselves," says Anthony.

VALUES VS PRIORITIES

The first thing we did to tip this perception on its head was to stop talking about safety as a priority



The Dupont Bradley curve speaks to the four cultural stages of safety

TOP TIPS

These injury stats aren't limited to PlaceMakers staff – they encompass anyone doing business with PlaceMakers at the time of injury, including customers. For this reason, we've put together some top safety tips for our customers when you're in store and having supplies delivered.

FOR SITE DELIVERIES:

- Make sure you're ready to receive a delivery.
- We can't unload within 4m of a powerline without a permit, so select your placement accordingly.
- Get involved in the planning around lifting the materials from the truck, so that everyone is on the same page re. the loading/unloading process.

IN BRANCHES

- Take your time to look around and see what's going on.
- Keep out of exclusion zones – 3m around operating mobile plant + 8m around plant that has its forklift above 2m.
- Follow staff instructions – they are there to help, and also to keep you and themselves safe.

and start talking about it as a core value.

“On any given day, your priorities change or shift depending on what's going on, so by saying safety is a priority, you are saying to people that you can pick and choose when safety can be a priority.

“Values, on the other hand, guide decision-making every day.

“It doesn't sound that different until you think about it practically,” explains Anthony, using a relatable analogy.

“Priorities get moved up and down. If you think about preparing to leave the house, things like showering, shaving – even something like brushing your teeth – might go out the window if you're running really late.

“But there aren't many people in the world who leave the house without getting dressed, because being clothed is a core value and, as a result, a non-negotiable.

“If you categorise safety as a priority, you are always going to get caught short eventually.”

INJURY PREVENTION POSSIBLE

“Next, we wanted to make sure our leadership team was comfortable leading safety,” explains Anthony,

“and show them that injuries actually could be prevented.”

The team attended a two-day safety leadership programme with the idea that, when leadership is convinced there's a safer way to do things, they look for opportunities.

“The programme was incredibly effective and helpful,” says Anthony. “We went from about 24% of our leaders believing injuries could be prevented to over 90%.”

That was followed up with a programme called Power Up for frontline staff, which also focused on the belief that injuries can be prevented, and how everyone could contribute to keeping each other safe.

Anthony says once people bought into those ideas, and saw safety as a value, the next part of the puzzle fell into place.

“As outlined in the Dupont Bradley curve, which speaks to the four cultural stages of safety, people need to cross the bridge from 'reactive and dependant safety' to 'independent and interdependent safety'.

“It changes the reason people follow the rules from doing it because they need or have to, to doing it because they want to.”

LEARNING FROM INCIDENTS TO PREVENT INJURIES

The next step was how to advocate for zero harm.

“While, of course, it's the ultimate goal that we all hope to achieve, it can push reporting underground, which is the opposite of what we want. The only way to prevent injuries is to know about them.”

With that in mind, Anthony worked with leaders on how they respond to news of an injury.

“We all need to look at reporting in a positive light – whether it's an injury or a near-miss – so we can learn from what has happened,” says Anthony. “An incidence may happen, but that doesn't mean an injury has to.”

REWARDS

For Anthony, the proof is in the pudding, and he is proud of what everyone in the company has achieved.

“Our business has been serious injury free for more than five years. We still have recordable injuries, but we are sub 25 injuries a year, and that is a significant difference. Fundamentally, we injure less people every year, and with every incident there is the opportunity to improve.” ■

TAKING TRAILERS SERIOUSLY



While the driver of a vehicle is ultimately responsible for the load they're towing, the police say PlaceMakers should take reasonable steps to ensure builders get to and from their destination as safely as possible, and PlaceMakers agrees

It's said that driving a vehicle is one of the most dangerous activities people do on a daily basis – and pulling a trailer adds a further element of risk. That's why PlaceMakers ensures all trailers leaving its branches are loaded safely

PlaceMakers is pleased to provide free loan trailers to customers and, according to Fletcher Distribution's Head of Environment, Health and Safety Anthony Mitchell, its reasons for doing so are two-fold.

"Firstly, it's good service to help a customer transport the goods they've purchased to where they need to go," says Anthony.

"Secondly we can avoid issues around overloading, as we can be clear about how they're loaded when they're ours."

RESPONSIBILITY ALL ROUND

Anthony says the tricky bit in the past has been when customers bring their own trailer, as they feel that means the responsibility only lies with them.

"The driver of the vehicle is ultimately responsible but, as a business, we have a part to play. It's our product and they are on our site, so we're part of the chain," says Anthony.

'She'll be right, I won't sue you!' is a more common phrase than people might think. But, in addition to the fact that we want to protect our customers – not just our liability – we do share the responsibility."

Anthony says there have been a few instances where a trailer has been overloaded and flipped, making the driver lose control and sending product everywhere. In those cases, even if no one is hurt and the customer owns the trailer, police become involved and ask where and how the trailer was loaded.

"The police say we should take reasonable steps to ensure builders get to and from their destination as safely as possible, and we agree."

LINE IN THE SAND

Ensuring trailers don't exceed the maximum load limits is one way to do this.

Anthony has been working with branch staff to reiterate the importance of establishing the limit and sticking to it – even if the trailer belongs to the customer.

"It can be a tough conversation for some of them, especially when they have a good relationship with a builder, but they are committed to upholding this and it has made a real difference.

"You used to hear about a trailer flipping once every 8-12 weeks; it's

now once or twice a year.

"This is largely thanks to staff being on board with the stance and customers understanding instead of pushing back, which is fantastic."

DETERMINING LOAD LIMITS

Anthony says most people know the towing capacity of their vehicle but, if the driver isn't the vehicle owner, they might assume that all utes have similar ratings, which isn't true – it could range from 750kg to 4.5 tonnes! (The tow rating can normally be found on the tow bar).

"Trailers also have a maximum load capacity but, unlike vehicles, some come with a rating and others don't. If in doubt, our staff will err on the side of caution or suggest you borrow one of ours, so that you, and the others on the road with you, can get home safely."

He added that most products list their weight online and, if customers are unsure how much the load they want to pick up weighs, they can always call ahead to ask.

If a customer needs to move really heavy orders, they can use PlaceMakers delivery service instead. ■

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WHAT'S ON

PLACEMAKERS PRODUCT PICKS

CS FIXEDHEAD



Discover the ease and convenience of using CS FixedHead detail. Eliminate the complexities of removing head jambs. CS FixedHead detail streamlines traditional cavity door installation and removal for a sleek, minimal clearance aesthetic.

Key design features:

- Easy to install or detach the door leaf from the cavity pocket.
- Minimal above door clearance.
- Door can be height adjusted while installed.
- Compatible with CS SofStop Single (soft close) or Twin (soft open & soft close)
- Compatible with doors up to 240kg with standard carriages.

Engineered with precision and durability in mind, the CS Cavity Slider Track System is the premier choice for residential and commercial applications.



← Learn More

PANEL BRUSHED CONCRETE



James Hardie is excited to announce a new addition to the Axon™ Panel range. The new texture is inspired by the craftsmanship of brushed concrete and transforms with light and proximity. Axon™ Panel Brushed Concrete has the versatility to be used stand alone, or paired with other claddings from the James Hardie range.

With the embedded swept texture reminiscent of softly brushed concrete, these panels give your home a finish that's visually sophisticated and dynamic to the touch. For more information visit www.jameshardie.co.nz.

ASSEMBLED HALF MASK WITH A1P2 CARTRIDGES



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PRO CHOICE SAFETY GEAR

These masks feature it all!

- Durable thermoplastic rubber mask for superior fit.
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- Enhanced bolstered four-point cradle suspension harness for improved load bearing, better fit and comfort.
- Low-resistance exhalation valve to reduce heat and moisture build-up.

The twin filter design provides a balanced fit, lowers breathing resistance and improves the field of vision. *Certified to AS/NZS 1716:2016 Respiratory Protective Devices* by SAI Global and in conjunction with *AS/NZS 1715:2009 Selection, use and maintenance of respiratory*, it offers protection against risks associated with a wide range of applications in both workplace and recreation environments.



TRITON EYEWASH KIT

The new Titan range is designed for the demanding needs of the modern workplace, providing quick and easy access to Reliwash isotonic eyewash solutions in the event of eye injury. Titan boxes are 100% recycled and 100% recyclable. The eye-catching, heavy-duty box has a screen-printed lid with graphics that stand out from a distance, enabling quick identification in an emergency, especially in a busy workplace. Compact and convenient, the integral bracket allows for easy placement and fixing.

Most eye or skin incidents are caused by dust, dirt, metal and wood splinters, and chemicals such as oil and solvents. In these circumstances, rinsing the eye or skin with a solution of 0.9% sterile sodium chloride will be sufficient. The isotonic solution is suitable for rinsing and cleansing the eyes or skin as a means of first aid in case of injury.



ULTRA SIDEWINDER CABLE PROTECTION

Ultra Sidewinder Cable Protection is a new and innovative cable protection, which can turn corners while maintaining full protective cover of floor cables, thus reducing the hazard of tripping over them in the workplace, or at events. Plus, no tools are required!

The design offers flexibility, which allows the Ultra Sidewinder to curve around corners, while maintaining a completely flat profile. The modular design makes it easy to reconfigure, repair, and replace segments, while the cable remains connected.

Assembly is a simple 'snap-in', with no tools or cutting required. If you require more length, simply snap on another segment. There are three sizes available: 1000 x 76 x 19mm, 840 x 237 x 35mm and 864 x 346 x 54mm. The construction of this product is super-strong ABS plastic, which can be driven over.



RELIANCE TITAN FIRST AID KITS

The Titan First Aid kit is designed to be tough enough for the most demanding work environments and features a screen-printed lid and laser-etched base, removing the need for labels.

The integral bracket allows easy placement and fixing and is compatible with the Aurapoint bracket. There are several sizes available.

The size of first aid kit to be used in the workplace environment is determined by the number of people on site and the category of hazard they are exposed to.



MARSHALL INNOVATIONS FLASHING TAPE

Maxi-Butyl flashing tape offers exceptional performance and protection for exterior flashing installations, joinery openings and various rigid air barriers. Its durable and flexible nature ensures seamless protection against moisture, both during construction and once the cladding is in place.

With a requirement for just a single layer for sills and a split release liner for easy installation, Maxi-Butyl flashing tape provides a hassle-free solution. What's more, it boasts a 180-day UV exposure capability and is composed of 100% Butyl for optimal adhesion.

MBIE

THE CODE OF ETHICS AND WHAT IT MEANS FOR YOU — PART 3



If there is a dispute between an LBP and their client, the Code of Ethics requires that the LBP be respectful and act in a professional manner at all times during the process

This article is the third in a series about the LBP Code of Ethics and what it means to you. So far, we have looked at the first 3 principles of the LBP code of ethics, and now we will cover the final principle - Behave Professionally

The Code of Ethics (COE) applies to all LBPs regardless of whether they are an employer, a contractor, or working for wages. As an LBP carrying out building or alteration work, you risk having a complaint made against you if you do not behave professionally.

The Building Practitioners Board (the Board) noted in a recent complaint decision (CB26224) that the COE differentiates between LBPs who are in business and those who are employed. Employed LBPs are unlikely to be involved in certain affairs, for example pricing work or running a business, and their obligation is limited to the instructions of their employer.

The following seven standards which make up Principle 4 come down to the things most LBPs understand and adhere to, whether they are employed or use as the foundation in their own business.

BEHAVE PROFESSIONALLY

When carrying out or supervising building work, you must act professionally and treat the clients and your colleagues with respect.



If there is a dispute between you and your client, you should attempt to resolve it and be available to discuss it with them so that all parties can express their views and be heard

ACT IN GOOD FAITH DURING DISPUTE RESOLUTION

If there is a dispute between you and your client, you should attempt to resolve it and be available to discuss it with them so that all parties can express their views and be heard.

You must be respectful and act in a professional manner at all times during the process.

In the Board decision referred to above, the LBP was abusive and threatening towards the clients. The clients were so intimidated that they increased security measures at their home and made a complaint to the police.

YOU MUST PRICE WORK FAIRLY AND REASONABLY

You must not use inappropriate methods to win a contract, including accepting or paying bribes. Do not quote unrealistically low prices just to get the job and then add extras to make up costs once the work is underway.

If any issues arise during the work which will cause additional costs, you need to let the client know and get their agreement before those costs are incurred.

For example, you may find soft ground during foundation excavations that would need an Engineer to investigate. This would lead to additional costs, so you must let the client know so that they can make an informed decision.

DECLARE AND MANAGE ACTUAL OR POTENTIAL CONFLICTS OF INTEREST APPROPRIATELY

A conflict of interest exists when you, your whānau, or company have a personal or financial connection which may adversely affect your professional judgement or actions. This is not to say you cannot do the job, but it is important to declare it to an appropriate person, such as the client, and manage those conflicts appropriately.

For example, an LBP has bought materials from a company owned by his brother, knowing he will receive some perks further down the track. However, the quote he provided to his client said he would buy the materials from the company the client stipulated based on their ethical and sustainability standards. He does not tell the client he has done this. The LBP has left himself open to a complaint to the Board.

MAINTAIN CONFIDENTIALITY OF CLIENT DETAILS UNLESS THERE IS GOOD REASON FOR SHARING INFORMATION

If you become aware of a client's confidential information, you must take all reasonable steps to keep that information confidential, unless you are legally required or authorised to disclose it. This could include seeing a private document which the client inadvertently left in plain view.

ACKNOWLEDGE AND RESPECT THE CULTURAL NORMS AND VALUES OF YOUR CLIENTS AND COLLEAGUES

Make sure you act in a way that is respectful of the cultures and values of your clients and workmates and make an effort not to intentionally cause offence to others.

CONDUCT YOUR BUSINESS IN A METHODOICAL AND RESPONSIBLE MANNER

If you run your own business, make sure you maintain accurate accounts and records. Ensure the way you operate is honest, fair, and professional.

Charging the client for an item

a second time because your records are not up to date will not improve their confidence in your business practices.

SUMMARY

The COE upholds the integrity of the licensing regime to protect the public and maintain their confidence in LBPs.

The COE is not designed to catch people out. It is a plain language document that sets out the level of ethical behaviour expected of LBPs.

Further information on the COE is available on MBIE's LBP website. This includes resources to support your understanding of the COE. The resources include a detailed guidance document, a poster (including in te reo Māori, Chinese (simplified), Hindi, and Samoan) and an online learning module which can be claimed as a skills maintenance point once completed. ■

This article is an excerpt from Codewords Issue 117. Reading Codewords articles that are relevant to your licence class is a mandatory requirement for Licensed Building Practitioners. These questions can be answered through the LBP portal, online on the Under Construction website or recorded on the magazine, then provided at the time of renewal.

CODEWORDS QUIZ ISSUE 117



- ① Is it ok to provide a low quote just to get the job, with the intention of adding on extras during the work to make up the costs?
 - a) Yes, I have no work and must keep my employees busy.
 - b) Only if I know the client can afford it.
 - c) No, this is dishonest conduct, and may result in a complaint against you.
- ② What is a conflict of interest?
 - a) A disagreement with your client.
 - b) Where a potential personal gain may affect your professional judgement or actions.
 - c) Wondering whether to go to work today or go fishing.
- ③ Is it ok to make fun of your workmate's culture?
 - a) No, you must act in a way that is respectful of your workmates' culture.
 - b) Yes, it's only fun and we do it all the time.
 - c) It's ok if your workmate is out of earshot.

The Codewords article above is republished verbatim. As such, neither PlaceMakers or Under Construction magazine's publishers take responsibility for the accuracy of the article or its corresponding questions. Reading this article and answering the questions meets Skills Maintenance requirements.

MBIE

ENERGY-BASED HAZARD RECOGNITION

What if I said to you that people working on building sites up and down New Zealand are only able to identify up to 45% of the hazards that they are working amongst?

How about if I said that 35% of hazards are missed because of limitations in the way our brains process what we see, and 20% are missed because work is often unpredictable?

A recent US study measured hazard recognition in data collected from 4,800 worker-hours of field observations from 12 different construction trades and that's exactly what they found.



45%
of hazards
are identified



35%
of hazards are missed
because of cognitive
blind spots



20%
of hazards are missed
because they are not
reasonably identifiable
before work starts

HAZARD RECOGNITION

Hazard recognition is vital for nearly every safety activity, including pre-task safety briefings, safety observations, risk assessments, and design reviews.

Most safety practices are built on the assumption that workers can see hazards that are there and can anticipate those that may arise from work.

In fact, inadequate hazard recognition appears as a

contributory factor in around 50% of workplace incidents.

Because they appear so obvious after an event, people have often been wrongly blamed for being complacent or negligent.

WHY SOME HAZARDS ARE EASY TO IDENTIFY WHILE OTHERS ARE OFTEN OVERLOOKED

Let's start with an example. There are 2 scenarios on the right hand page:

Scenario A

- An unprotected exposure to a fall hazard over 5m.
- An individual is placed at the edge and is asked to look down at the ground below.

Scenario B

- An unprotected exposure to a 3m deep, clear-cut excavation wall of sandy-clayey soil.
- An individual walks to the bottom of the excavation and is asked to reach out and touch the soil wall opposite the roller.

In scenario A, nearly anyone would identify that they are in a dangerous situation, and many would experience fear, anxiety, elevated heart rate, weakness in the legs, or even feel sick.

In scenario B, although the scenario is potentially fatal if the soil wall were to collapse, an individual may fail to understand the seriousness of the hazard.

Even well-trained workers are unlikely to experience the same intense emotional and physiological response as in Scenario A.

SO WHY DO WE TEND TO HAVE A PHYSIOLOGICAL AND EMOTIONAL RESPONSE TO ONE BUT NOT THE OTHER?

The answer lies with our brain and how it processes information.

When we look at hazards that involve energy, such as gravity or motion, the instinctive part of our brain fires up.

That's because human brains have evolved short cuts over very long periods of time to quickly recognise things in our environment that are a potential danger to us.

That same part of our brain also is responsible for our 'fight or flight response', which is why when we instinctively see such hazards, we tend to feel something.

Alternatively, hazards that are most commonly missed (eg, mechanical, pressure, chemical, biological) are processed in more advanced locations of the brain and require much greater effort to process the information.

WHAT CAN WE DO ABOUT IT?

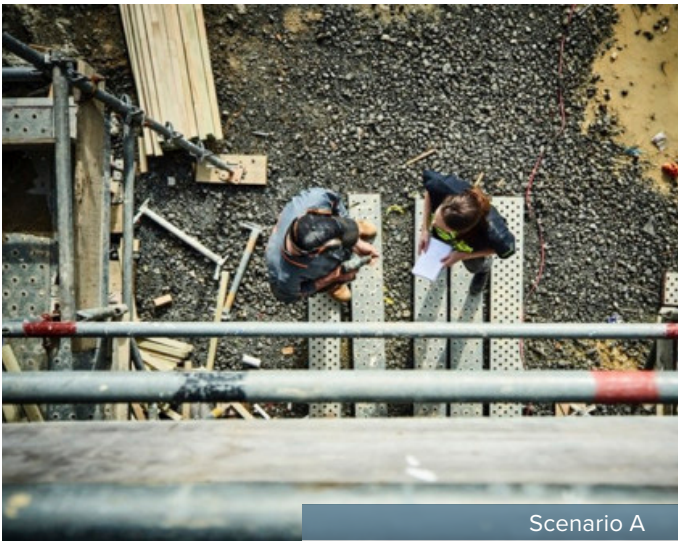
As every injury is the result of the unwanted release of, and contact with, 1 or more energy sources, we can use energy categories to prompt our thinking.

To do this, we use the energy wheel: Each of the 10 icons in the energy wheel represent a different type of energy. See page 18.

Although not strictly scientific, the icons represent the most common ways that energy is present at work.

EXAMPLES OF ENERGY HAZARDS

Gravity: Force caused by the attraction of all masses to the mass of the earth.



Scenario A



Scenario B

- Uneven work surface
- Work at height
- Unsecure materials

Motion: Change in position of objects or substances.

- Traffic
- Mobile equipment
- Projectiles

Mechanical: Rotation, vibration, tension, or compression.

- Augers
- Cables
- Grinder wheels

Electrical: The presence of an electrical charge or current.

- Wires
- Power lines
- Power tools

Pressure: Liquid or gas compressed or under a vacuum.

- Vehicle tyres
- Piping systems

- Hydraulic lines

Sound: Audible vibrations caused from the contact of 2 or more objects.

- Heavy machinery
- Power tools
- Nail guns

Radiation: Elements that emit ions or atomic particles.

- Welding
- Sun exposure
- X-ray testing

Biological: Living organisms that pose health or safety risks.

- Bites and stings from animals
- People (violence or aggression)
- Toilets

Chemical: Reactive elements in the environment.

- Cleaning products.
- Engine exhaust
- Silica dust

Temperature: Differences in thermal energy with the human body.

- Friction
- Engines
- Steam

HOW DO I USE THE ENERGY WHEEL?

You can use this simple 2 step process:

1. To start, put the energy wheel away and recognize hazards using your instinct.
2. Then go around the energy wheel to see if you missed any hazards.

Points to note:

- The energy wheel helps us to do what we already do better.
- Do not identify hazards then try to classify them.
- The name of an energy source (eg gravity) is not a hazard.
- The energy wheel adds structure and strategy to pre-job safety briefs.
- The energy wheel can help

MBIE

ENERGY-BASED HAZARD RECOGNITION - CONT

provide clearer understanding of hazards and when change is a factor.

- The energy wheel can support meaningful conversations and the sharing of knowledge experienced people gain over time, that isn't normally written down.

FURTHER INFORMATION

Construction Health and Safety New Zealand (CHASNZ) is an industry-led charitable trust working to improve the lives of construction workers by raising the standard of health, safety, and wellbeing in construction.

Energy wheel resources can be found on the CHASNZ website. The source material for this article has been developed by our friends at the Construction Safety Research Alliance, Colorado USA. ■



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CODEWORDS QUIZ ISSUE 117



- 4 Which energy source does sun exposure fit into?
- Mechanical.
 - Chemical.
 - Radiation.
 - Gravity.
- 5 What's the maximum percentage of hazards a person can reasonably be expected to identify on a building site using their instincts alone?
- 90%
 - 40%
 - 55%
 - 45%
- 6 35% of hazards are missed because of cognitive "blind spots". 20% of hazards are missed because:?
- Our fight or flight response is activated.
 - People can be negligent or complacent.
 - They are not reasonably identifiable before work starts.
 - These are processed in more advanced locations of the brain and require much greater effort to process the information.

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MENTAL HEALTH INSURANCE



Stress is a key cause of poor mental health for business owners, but having a risk management and business continuity plan in place can help reduce uncertainty and, in turn, stress

Insurance expert Ben Rickard shares insights on mental wellbeing from a business risk and insurance perspective

There are two sides to the mental wellbeing coin for business owners. That of their workers and that of themselves. Looking after both is equally important!

BUSINESS OWNER WELLBEING

Stress is a key cause of poor mental health for business owners. Ultimately, much of this is driven by uncertainty, or the potential for unexpected future events to disrupt the smooth operation of the business. For example, delays with a project or clients failing to pay their bills. If these events can be avoided, or if not avoided at least have contingency plans in place, a lot of this stress can be alleviated.

That's why we advocate for businesses, large and small, to

have an appropriately scaled risk management and business continuity plan in place.

This is a proactive approach to thinking about all the potential risks, by first identifying and prioritising them, then documenting the treatment plan. It involves working out how to minimise the chance of these unexpected events, then how to deal with them in the most efficient and cost-effective way if they do come up.

Having the right insurance is part of this plan, but so are many other things, like having good credit control processes and systems, back-up plans if things go wrong, well trained staff, a good accountant, a lawyer and business adviser on your side, proper contracts,

To avoid stress, which is a key cause of poor mental health, BuiltIn advocates for businesses, large and small, to have an appropriately scaled risk management and business continuity plan in place

payment claims and more.

WORKER WELLBEING

If staff are not happy this can lead to wider problems. Prevention is critical but let's assume that the sh*t has hit the fan and a worker has taken a grievance against the business.



Having a plan can ensure that these unforeseen events are minimised and be dealt with efficiently, reducing stress and improving business owner wellbeing

They allege bullying, harassment and the poor environment on site leading to stress and mental health issues. They may also claim to not be able to work as a result and need to go on ACC.

The first point is that ACC doesn't cover mental health claims in many common work scenarios.

According to their own guidelines, among other things ACC "...cannot provide cover for mental injuries caused by stress or other gradual processes at work..."

If that's the case, it leaves the business open to a claim by the worker for compensation for any lost income or other uninsured treatment costs. This is where your Employer's

Liability insurance comes into play. This covers your liability for accident or injury to staff that is not otherwise covered by ACC, such as mental health.

There is a second type of policy, called Employment Disputes Liability, which will pay the legal defence costs and compensation (if awarded) in the event of a dispute going in front of the Employment Relations Authority.

The average claim cost in these scenarios is around \$17,000 and they are becoming more common.

IN A NUTSHELL

Things go wrong – that's life and that's business. Having a plan can ensure that these unforeseen

events are minimised and dealt with efficiently, reducing stress and improving business owner wellbeing.

If workers are suffering, this can also have blowback on the business — and if this happens, there is insurance available to protect you from potentially significant financial costs. ■

Builtin are New Zealand's Construction Risk Management Experts. For more information visit builtininsurance.co.nz, email Ben Rickard at ben@builtin.co.nz or call the team on 0800 BUILTIN.

PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!



- | | | |
|---|--|---|
| <p>1) What are the two sides to the mental wellbeing coin for business owners?</p> <p>a) Employer wellbeing and worker wellbeing.</p> <p>b) Insurance and succession planning.</p> <p>c) Concrete pills and wokeism.</p> | <p>2) How can an employer try to ensure their own mental wellbeing in business?</p> <p>a) Have as few staff as possible.</p> <p>b) Do their best every day and hope for the best going forward.</p> <p>c) Have an appropriately scaled risk management and business continuity plan in place.</p> | <p>3) What does Employer's liability insurance cover?</p> <p>a) The legal defence costs and compensation (if awarded) in the event of a dispute going in front of the Employment Relations Authority.</p> <p>b) The employer's liability for accident or injury to staff is that otherwise covered by ACC, such as mental health.</p> <p>c) Have an appropriately scaled risk management and business continuity plan in place</p> |
|---|--|---|

NB: The questions and answers in this section have been produced by the publisher and do not necessarily reflect views or opinions of the contributing organisation.

HORIZONTAL TIMBER WEATHERBOARDS



A classic home with timber weatherboard cladding

Horizontal timber weatherboards have been a popular cladding material for houses in Aotearoa New Zealand for many years, with an excellent track record for durability when properly installed and maintained. Even when maintenance has been less than ideal, timber weatherboards have sometimes lasted more than 100 years

Apart from their durability and as seen by their long-term use in our housing, timber weatherboards have a range of other benefits, including availability of a wide range of timber and profiles, ease of installation and the ability to cope with seismic, thermal and moisture movement. They also have good impact resistance, good drying in both direct-fixed and cavity installations and a proven performance history.

However, they are slower to install than some other claddings, and as timber is hygroscopic, that is, absorbs moisture from the atmosphere, the boards move with changes in moisture content. Due to the large number of horizontal joints, there is an increased risk of water entry, and paint and stain finishes require regular recoating.

WEATHERBOARD PROFILES

Horizontal timber weatherboards are typically either a bevel-back

or rusticated profile (see Figure 1). Standard profiles are described in *NZS 3617:1979 Specification for profiles of weatherboards, fascia boards, and flooring* and *BRANZ Bulletin 411 Recommended timber cladding profiles*.

Weatherboards on older houses, however, are likely to vary in both profile and dimension, and sizes are generally imperial rather than metric.

DURABILITY REQUIREMENTS

Maintenance is an ongoing requirement with timber weatherboards. Under New Zealand Building Code clause B2 Durability, exterior wall claddings must have a minimum durability of 15 years.

Table 2 in *NZS 3602:2003 Timber and wood-based products for use in building* identifies timbers – and treatments where required – that meet the minimum 15-year durability requirement. For example, *Pinus*

radiata must be treated to at least hazard class H3.1 and it must be painted. If treated to hazard class H3.2, it may be used without a paint coating. Western red cedar, redwood



Timber boards move with changes in moisture content ... and, because of the large number of horizontal joints, there is an increased risk of water entry

and heart cypress do not require preservative treatment and may be uncoated or stain-finished, while larch, which does not require treatment, must be painted.

FIXING WEATHERBOARDS

All horizontal timber weatherboards are lapped and fixed using one nail fixing per stud along the length of the boards. The fixings allow

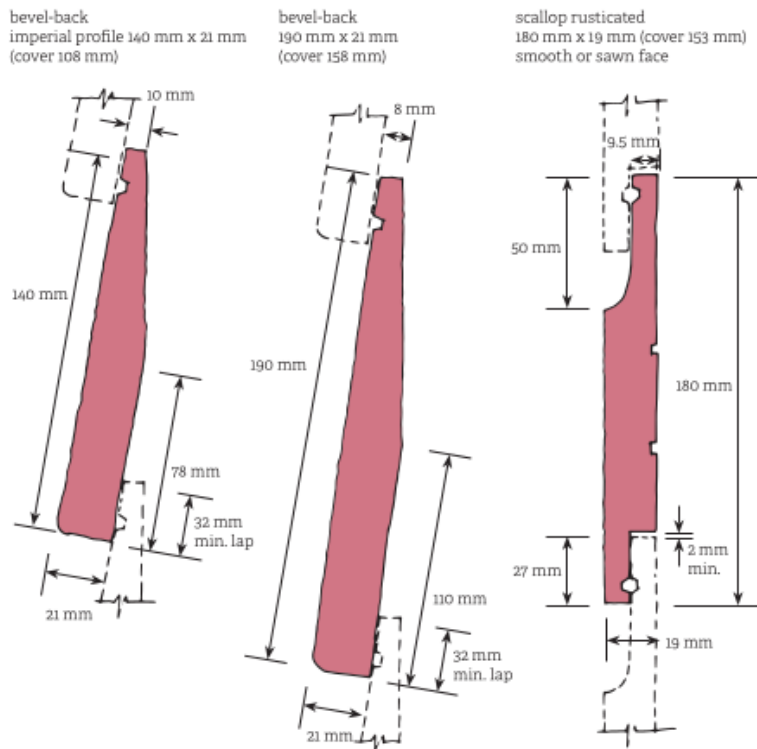


Figure 1. Bevel-back timber weatherboards

movement as a result of moisture and reduce the likelihood of the boards splitting, bowing or cupping. energy dissipation, ductility, strength and stiffness for prescriptive and specific engineered wall bracing designs. Damage during cyclic loading was less for the SIPs than most of the more commonly used bracing systems.

Bevel-back weatherboards have a thicker bottom edge, which reduces the risk of cupping, while gaps behind the boards limit the board contact with the framing and improving drying behind the cladding.

Rusticated weatherboard have a rebate along their bottom edge that forms the lap over the board below.

The reduced thickness of the rebate makes the boards more prone to deformation and splitting, and a minimum 2mm expansion gap in the rebate must be provided to prevent the timber from buckling (see Figure 1).

As rusticated weatherboards have a flat, rear face with a greater board to framing contact, the drying that can occur behind the boards is more limited.

Timber fixings must have the same durability as the cladding, which is not less than 15 years. Protection of fixings to meet durability requirements is based on the exposure zone of the building as defined in section 4 of NZS 3604: 2011 *Timber-framed buildings*.

COMMON PROBLEMS

While timber weatherboards have shown excellent durability over many years, deterioration of the timber will occur if not maintained. Weatherboard failure can compromise weathertightness and cause serious damage to the structure and other parts of the building. Any failure should be repaired or replaced as soon as possible.

The most common cause of timber deterioration is failure of the protective paint coating, allowing

timber to get and remain wet, which ultimately causes rotting. Paint failure may occur because of paintwork exceeding its serviceable life, poor preparation prior to painting, an incorrect paint system being used for the situation or timber or fixings that have corroded. Other reasons for timber failure include:

- Split or cracked boards due to incorrect fixing such as double nailing (which restricts timber movement), fixing through laps or fixing too close to cut ends.
- Bowing or cupping because of incorrect moisture content at the time of installation, insufficient gaps to allow movement between boards or a failure to prime the back face of the weatherboards.
- Nails popping, which occurs if the moisture content of the framing is too high when weatherboards are fixed or there has been inadequate nail punching and/or stopping.
- Failure at joints or gaps in running joints or mitred external corners, all of which admit water into the timber.
- Damaged plugs, scribes, facings or boxed corners.

Corroded metal fixings, flashings and soakers will also cause timber deterioration. Corrosion occurs because of poor maintenance, damage to protective coatings, or incorrect metal selection for location or timber compatibility.

Exposure to marine conditions and airborne pollutants or attack from cedar, redwood or copper-based treated timbers are all corrosive to zinc coated steel.

There are also problems with timber weatherboards that, while not impacting on the weathertightness

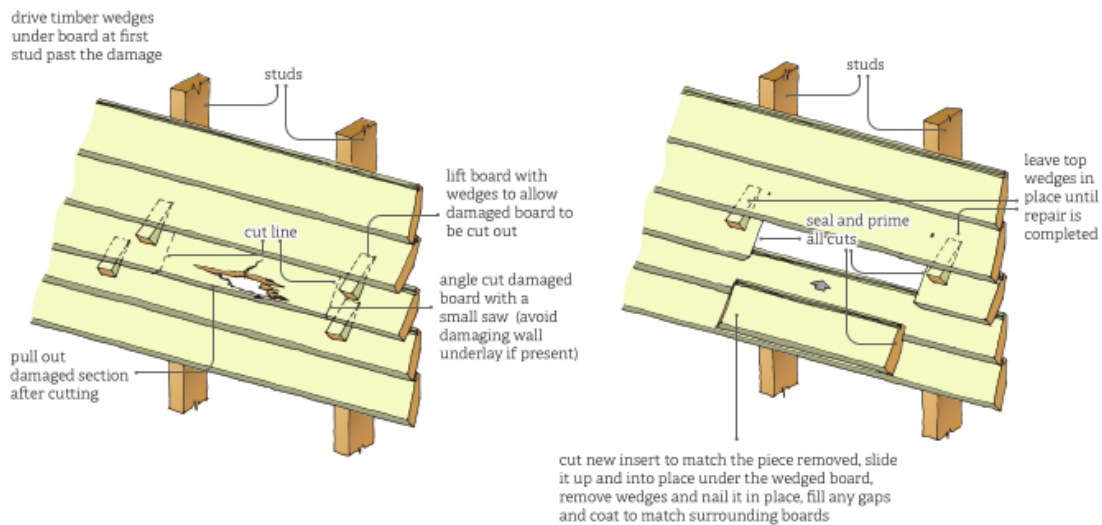


Figure 2: Replacing a rotted section of timber weatherboard

of the cladding, do affect the appearance.

These include:

- Differential weathering between exposed and sheltered areas of cladding – particularly where timber is uncoated.
- Resin bleed through the paint.
- Fine cracking of the paint finish, typically at board laps, due to timber movement.
- Timber movement opening up lap end joints.
- Fading and chalking of the paint finish, especially when dark colours are used.

MAINTENANCE OF TIMBER WEATHERBOARDS

Timber cladding should be washed down with water – or a chemical wash, if necessary – every six months in a coastal environment and annually when further away from the coast to prevent a build-up of dirt, dust, mould and mildew.

Avoid using high-pressure water such as a waterblaster, which can erode the paint surface and

drive water between laps and behind facings. Regular washing also helps early identification of signs of cladding deterioration.

1. Repainting

The most effective way to maintain weatherboards in good condition is to repaint regularly.

If the paintwork is undamaged, the weatherboards can simply be washed and repainted. Wash paintwork with water to remove dirt and mildew.

If the paintwork is flaking or peeling but the timber is sound, the flaking or peeling paint should be removed by scraping and sanding. Wash the paintwork and prime all exposed timber before repainting. Where the paintwork is in poor condition, the best solution may be to completely strip the paint back to bare timber using either a chemical paint stripper or a hot air gun before priming and repainting.

2. Removing lead based paint

Before 1970, most houses were painted with lead-based paint. Care must be taken when removing this to avoid toxic fumes and soil contamination. It is not possible to identify lead-based paint by

appearance, but it can be tested by using a lead-based paint test kit. When removing lead-based paint from the exterior, ensure all windows and doors are closed and collect paint debris on a groundsheet.

Seal the paint debris in heavy-duty plastic bags and dispose of it in accordance with local council requirements.

3. Rot or decay

Rot or decay in timber is generally visible but can also be easily confirmed by prodding the timber with a screwdriver. If the screwdriver goes into the timber easily, the timber is rotten.

The rotted section of timber should be removed to at least 1m beyond the extent of the rot and the cut sections on both sides of the cut area sealed and primed (see Figure 2). The framing timber should be checked to ensure that the rot has not spread. If it has, extensive repair work is required.

3. Cracking and splitting

If there is no water entry, the timber is sound and the crack or split is not more than 2 mm wide and 400mm long, it can be filled with putty or exterior-grade flexible filler, then

sanded and painted over. If the crack or split allows water entry into the wall cavity, the board should be replaced.

4. Bowing and cupping

If the bowing or cupping is minor and no water is getting behind the cladding, the boards may be left. Ensure that all nails are fully punched and stopped. If the boards had been finished with a clear coating or stain, new coatings should be applied. If the timber had been uncoated, the application of a clear finish, paint or stain to reduce moisture absorption is recommended.

If bowing or cupping is pronounced and water is getting in, the boards should be replaced. Do not attempt to remedy the problem by double nailing as this will almost certainly cause the boards to crack in the future.

6. Popped or corroded nails

If nails are proud of the weatherboards, punch them in or, if possible, remove them and replace with larger, stainless steel, annular grooved or galvanised nails or with countersunk screws. Screws are more likely to reduce the likelihood of nails re-popping

as they have better holding power than nails.

For minor corrosion of nails in painted weatherboards, sand the affected areas to remove rust or oxide staining, then apply a galvanised primer followed by two coats of paint.

Alternatively, punch nails at least 5 mm into the timber cladding and apply a rust killer to the punch holes, followed by paint primer. When dry, stop the holes with putty or exterior-grade filler, sand and repaint with at least two coats of paint.

For unpainted weatherboards, remove old nails if possible and replace with stainless steel or silicone bronze nails.

Punch nails in if they cannot be removed. The timber may be sanded to remove staining but it is likely to reoccur, and until the timber weathers, the sanded area is likely to be more obvious than the stain.

7. Corroded metal fixings, flashings and soakers

Where there is minor surface corrosion of steel components,

sand the affected areas to remove rust or oxide staining, then apply a galvanised primer followed by two coats of paint. If corrosion has weakened flashings or soakers, remove and replace them in accordance with E2/AS1.

8. Gaps in running joints or mitred external corners

Where gaps are no more than 3-4mm, the joints should be cleaned out and loose paint removed.

Apply primer to the gaps, then fill joints with exterior-grade flexible filler before sanding and painting.

9. Missing or damaged plugs and scribes

Damaged or missing plugs can be replaced and sealed using an exterior-grade paintable sealant. Once the sealant is dry, the area can be primed and painted.

If scribes are in good condition with no rot, they can be removed, cleaned and primed, then replaced and sealed using a sealant applied to the board edges and the profiled scribe edges. Once the sealant is dry, the area can be primed and painted. ■

Article by Alide Elkink, Freelance Technical Writer. This article was first published in issue 197 of BRANZ Build Magazine. Images and figures supplied by BRANZ. www.buildmagazine.org.nz

PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!



4) Under New Zealand Building Code clause B2 Durability, exterior wall claddings must have a minimum durability of:

- a) 5 years.
- b) 15 years.
- c) 20 years.

5) Timber fixings must have a durability of not less than:

- a) 5 years.
- b) 15 years.
- c) 20 years.

6) How can you identify lead-based paint?

- a) By appearance.
- b) By using a lead-based paint test kit.
- c) By rubbing your thumb across it.

NB: The questions and answers in this section have been produced by the publisher and do not necessarily reflect views or opinions of the contributing organisation.

BUILDERS WANT IMPROVED SYSTEMS



270 industry insiders responded to MBIE's consultation – most of them gave strong support to removing barriers to product substitution and variation

The Ministry of Building, Innovation and Employment (MBIE) has released a submissions summary provided as a result of the consultation on the building consent system

Participants from across the building sector – 270 in total – submitted responses to MBIE's Building Consent System Review between June and August 2023. Responses demonstrated “strong support” for removing barriers to product substitution and variation – as long as the performance of a substituted product was comparable to the original.

An area that caused builders problems during Covid was constrained supply of plasterboard and related product – often due to a lack of alternative plasterboard or GIB being specified.

To try and help alleviate the issue, four alternative brands were listed as approved GIB alternatives for use as structural bracing in June and July 2022.

Submissions indicate that builders believe this approach should be rolled out to other products, with 97% of respondents agreeing with MBIE's preferred approach of exploring ways to reduce specification by brand and increase the flexibility of the MultiProof scheme.

Alternatively, submitters also suggested an option to add a place where building consent applications can specify suitable alternative products.

MORE EFFICIENCY REQUIREMENTS

On the thorny issue of the building consent system, MBIE reported that there was “general agreement” about the need to improve performance. “There is general agreement that the performance of the building consent system could be improved and made more

efficient and streamlined through nationally consistent processes and requirements, and through centralised training for building control officers (BCOs).”

Of the 208 responses to this issue, 176 supported nationally consistent processes and requirements. Only 32 didn't support it or said they were unsure. Centralised training for BCOs was supported by 143 submitters.

Both capacity and capability across the consent system should be boosted, said the summary, while Building Consent Authorities (BCAs) should work together more effectively to deliver consistency across service delivery via shared workflow or service arrangement, as well as centralised knowledge sharing.

“Two thirds of submitters supported



There is general agreement that the performance of the building consent system could be improved and made more efficient

shared workflow or service arrangements and a central resource of expertise,” said MBIE.

“While more people supported a central pool of expertise than a centre of excellence, some submitters recognised that they could serve similar functions, for example processing complex consents, and could potentially be combined into one service or entity.”

CRITICISM FOR MBIE

MBIE also came under some light criticism from submitters, who “broadly agreed” the organisation can do better in terms of oversight and stewardship to improve the performance of the regulatory system via better monitoring, collaboration and responsiveness.

Overall, submitters agreed the following would help MBIE become a better regulator and steward:

- MBIE must take a stronger role to improve performance of the regulatory system.
- System performance improvements need to include system participants through collaboration.
- Better monitoring and increased responsiveness to issues go hand-in-hand.
- Providing good information is crucial, but all three initiatives need to work in tandem.

CHANGE NEEDED, BUT NOT FORCED

Within the regulatory system, the summary reports that there was weak support for statutory change to promote competition among the building supplies market but stronger support for non-regulatory approaches.

“There was strong support for non-regulatory options, including issuing MBIE guidance to territorial authorities on promoting competition and incorporating the promotion of competition into MBIE’s regulatory stewardship framework for the building system,” said the summary.

STRENGTHENED ROLES

Roles and responsibilities are not well understood across the sector, said the majority of responders. They called for greater clarity across the board with particular focus on designers.

There was also consensus that BCAs hold too much responsibility for providing assurance of Building Code compliance, while weak incentives for builders to ‘get it right first time’ places a strain on the system.

Additionally, respondents felt that all designers should provide a declaration of design compliance.

“Submitters had mixed views on what information should be provided in the declaration, with most agreeing it needed to cover all relevant code clauses,” said MBIE.

“While many agreed it could be a modification of the current design memorandum, others suggested it include some or all of the information required by the producer Statement for design.”

Most respondents agreed there should be a requirement for a person responsible for on-site sequencing and coordination of building work, with 126 answering ‘yes’ and 57 answering ‘no’ or ‘not sure’.

Producer statements, in particular, should have clearer legal status and their role should be clarified, said the majority of respondents.

“There is broad, in-principle support to establish a self-certification pathway for approved professionals and accredited companies, as well as establishing a new commercial consent pathway,” said the report.

“However, concerns were raised about the readiness of the sector to take on the additional responsibilities and accountabilities.”

MBIE says it will use the feedback provided to provide advice to the Government on streamlining the consent system and improving the building system as a whole.

To read the full summary of submissions, scan here:



This consultation follows another regarding consents that sought feedback specifically on the consent system as a whole, from building design to code compliance. The outcome has previously been reported by *Under Construction*. The first of four articles that explore its findings can be found in the September 2022 issue on underconstruction.co.nz . ■

KIWIS PRIORITISED IN AEWV REVIEW



The Government has indicated labour market tests may become more stringent

Immigration Minister Erica Stanford has outlined potential changes to the Accredited Employer Work Visa (AEWV) to prioritise higher skilled migrants and ensure New Zealanders are employed before anyone from overseas

Speaking to TVNZ's politics show Q+A, the Minister indicated she wants to reduce net migration from its current number of 126,000 per annum. To achieve that, immediate, long-term and longer-term changes will be made to put Kiwis first and reduce reliance on migrants for lower-skilled jobs.

Labour market tests may become more stringent, and any new policies will consider "absorptive capacity" – how many migrants existing infrastructure can accommodate.

LOW SKILLS TO GO KIWI FIRST

"We [have been] flooded with a bunch of low-skilled migrants rather than people who will drive productivity," said Stanford. "I'm faced with [changing] our settings to have a stringent labour market test, so jobs are genuine and we're putting Kiwis first."

At the time of print, there had been no confirmed changes to AEWV. However, it is expected that changes will be announced as soon as March 2024.

One change that has gone through is the median wage increase from

\$29.66 to \$31.61 an hour for the assessment of Skilled Migrants (points system) residence visa, Greenlist Tier 1 Straight to Residence visa, Greenlist Tier 2 Work to Residence via, Transport Sector Work to Residence (excluding bus drivers) visa and Parent Residence category (sponsors' income).

It's important to note that the increased median wage does not apply to AEWV applicants.

It also does not apply to Variation of Conditions to an AEWV, Partners of AEWV holders, Skilled Migrant Interim Visas and Migrant Exploitation visas.

VISA INVESTIGATION

A review into the AEWV has also been released, covering all aspects of employer accreditation and job check processes undertaken by Immigration New Zealand as part of the AEWV scheme.

The review was led by Jenn Bestwick, described by Public Service Commissioner Peter Hughes as having "extensive experience working in large complex organisations across the public and

private sectors [and] a strong track record in governance roles."

The report makes a number of recommendations to reduce the risk of exploitation, among other things.

"While it was unscrupulous employers who exploited migrants coming into the country, Immigration New Zealand could have, and should have, done more to minimise the risk of that happening," said Bestwick.

"The chief executive has since made, or is undertaking, the necessary changes to ensure the scheme continues to meet the needs of employers, while better protecting migrant workers coming into New Zealand."

In light of the review and expected toughening up of regulation, employers who have multiple sites around New Zealand must also be mindful of several conditions listed on the AEWV.

For example, if a migrant is required to work across different regions, an employer needs to have carried out a job check in each region. ■

INDUSTRY NEWS

FIRST CODE OF ETHICS COMPLAINT UPHELD

Since 25 October 2022, the Code of Ethics for Licensed Building Practitioners has been enforceable by the Building Practitioners Board. However, since then, only one of 49 complaints – detailed below – has been upheld

While this might seem surprising, the answers lie in the detail of recent Building Practitioners Board (the Board) decisions – while some were dismissed, others were elevated to a higher disciplinary ground.

DISREPUTE TRUMPS CODE

There are 10 disciplinary grounds for a complaint against a Licensed Building Practitioner (LBP). Of these, breaching the Code of Ethics (CoE) is the newest addition. However, in recent decisions, the Board noted the crossover between breaching one of the CoE's key principles – 'Behave professionally' – and an original disciplinary breach – 'conducting oneself in a manner that brings, or is likely to bring, the regime under the Building Act for LBPs into disrepute'.

This led the Board to determine that one needed to be considered more serious than the other, and that a breach of the CoE could only result in one disciplinary finding – breaching the CoE or bringing the scheme into disrepute.

The latter was deemed to be the more serious, with both decisions highlighted in the two recent Board reports – *BPB CB26224* and *Horisk BPB CB26185*:

"The Board now needs to decide whether a finding of a breach of the Code suffices, or whether the conduct is such that it warrants the more serious finding of disrepute. In this respect, the Board has formed the view that a finding of a breach of the Code can lead to a disciplinary finding of disrepute, but that only one disciplinary finding should be made and that there is a hierarchy to the disciplinary provisions, with disrepute being the more serious."

AN EXCEPTION TO THE RULE

However, the first upheld CoE complaint – *Horisk BPB CB26185* – which was published in January 2024, did name both disciplinary grounds. According to Duncan Connor, National Manager, Occupational Regulation at MBIE, this is because the case was separated into two categories, with a disciplinary ground for each.

"It appears that the conduct addressed in *CB26185* was separated into two categories, with the Board upholding a breach in the Code of Ethics for category one and Disrepute for category two. No same conduct has been upheld under more than one ground."

According to the report, the first category related to the statements Horisk made to the Complainant and others about the amount outstanding to his company, demands for payment and an underlying threat to the Complainant that the Respondent was "coming now". The second category related to personal insults to the Complainant expressed both to him and to the real estate agents.

However, despite the conduct falling into two categories, the breach of the CoE and disreputable conduct were treated as a single offence in considering penalty due to them being "integrally connected".

THE BACKGROUND STORY

According to the report, Horisk completed work on the Complainant's property in October 2022. The Complainant refused to pay the final invoice in the sum of approximately \$16,000. The Complainant said he would pay the balance due after the Council had inspected the work, but that

inspection identified some concerns, and, at the date of the hearing, payment had not been made.

Between October 2022 and August 2023, Horisk emailed and sent texts to the Complainant, demanding payment, which were expressed in abusive and threatening terms.

He also sent communications to other people including the real estate agents trying to sell the property and posted publicly on the property listing. After six months, the Complainant complained to the police and a harassment notice was issued to Horisk, after which there was no further contact.

Horisk did not attend the hearing but provided two written responses, suggesting the Complainant was happy with the work until he received the invoice and wanted to get out of paying it. However, he did not provide proof of this – despite saying he would – and did not address the specific allegations of the breach of the CoE or disrepute, nor did he make any comment on the texts, emails, and website statements the Complainant had highlighted.

The Board found that Horisk's actions were designed to harass the Complainant. As such, there had been breaches of the CoE.

The Board ordered Horisk to attend specified training within six months of the date of the decision. If he fails to do so, his licence will be suspended for 12 months or to the date he completes the required training, whichever is earlier.

The Board also ordered that Horisk pay costs of \$3,500. ■

INDUSTRY FEATURE

JANUARY CONSENTS LOWEST FOR FIVE YEARS

The month of January 2024 saw fewer new homes consented than in each of the previous five January months

The 1,991 new homes consented in January 2024 represents a 28% reduction compared with January 2023, which had 2,777 new homes consented. That's also 34% less than the 3,025 homes consented in January 2021; the most since 2014.

In January 2024, there were 899 stand-alone homes consented – a drop of 16% when compared with January 2023. There were also 1,092 multi-unit homes consented in January 2024, of which 123 were apartments and 70 retirement village units – a 36% reduction compared with January 2023.

“The last time less than 1,000 stand-alone houses were consented in a month was April 2012, when 959 stand-alone houses were consented,” said construction and property statistics manager Michael Heslop.

“Several large projects contributed to the 373 apartments and 352 retirement village units that were consented in January 2023. This played a part in the large decrease for apartments and retirement village units in the January 2024 month.”

In the year ended January 2024, 36,453 new homes were consented – 26% less than in the same period the previous year. Of the new homes consented, there were 20,946 multi-unit homes (-26% year-on-year) and 15,507 stand-alone houses (-26%).

Of the multi-unit homes, 16,693 were townhouses, flats and units (-19%), 2,817 apartments (-35%) and 2,401 retirement village units (-19%).

In seasonally adjusted terms, the number of new homes consented in January 2024 fell 8.8% compared with December 2023, following a 3.6% seasonally adjusted rise in December 2023.

REGIONAL OUTLIERS

Only one region consented more dwellings in the year ended January 2024 compared to the previous year, with Gisborne (177 vs 163) bucking nationwide trends.

“The number of new homes consented in Gisborne increased 8.6% in the year ended January 2024,” Heslop said.

“The increase in Gisborne was driven by multi-unit homes, up 16% whereas the number of stand-alone houses consented was flat.”

The four regions with the most consents issued were Auckland (15,309; -28%), Canterbury (6,774; -24%) Waikato (3,431; -27%) and Wellington (2,326; -41%), though all experienced declines compared with the year ended January 2023.

CONSENTS DOWN PER 1,000 RESIDENTS

In terms of dwellings consented per 1,000 residents, the figures for the

year ended January 2024 declined compared with the year ended January 2023 (7.0 vs 9.6).

Three regions consented above-national levels: Auckland (8.8), Otago (7.6) and Canterbury (7.6).

NON-RESIDENTIAL BUILDING CONSENTS UP

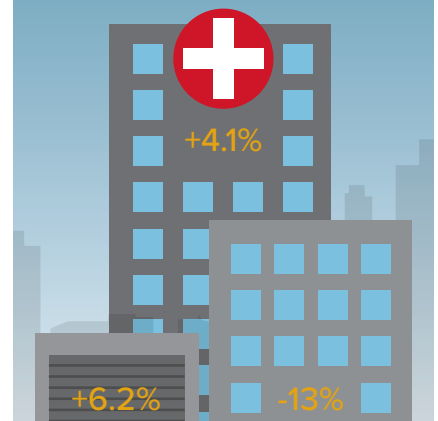
In the year ended January 2024, non-residential building consents totalled \$9.9bn, up 4% from the year ended January 2023. The building types with the highest value were:

- Storage buildings – \$1.6bn (+6.2%).
- Offices, administration and public transport buildings – \$1.5bn (-13%).
- Hospitals, nursing homes, and health buildings – \$1.4bn (+4.1%). ■

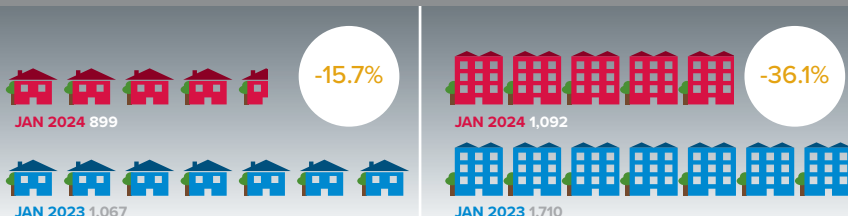
NON-RESIDENTIAL CONSENTS

Year ended January 2024 vs year ended January 2023

- Hospitals, nursing homes, and health buildings – \$1.4bn (+4.1%).
- Storage buildings – \$1.6bn (+6.2%).
- Offices, administration and public transport buildings – \$1.5bn (-13%).



STAND-ALONE vs MULTI-UNIT HOMES CONSENTED

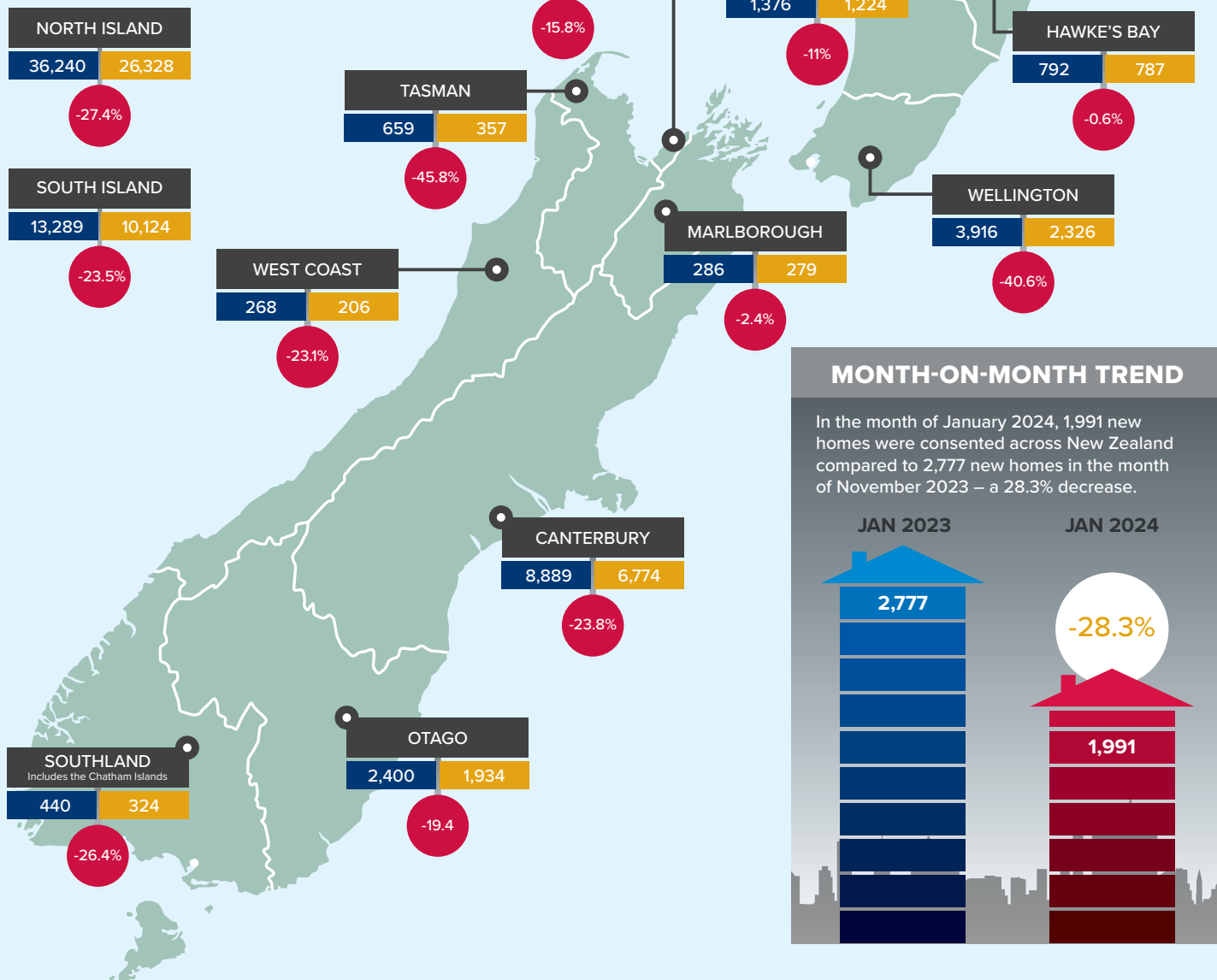
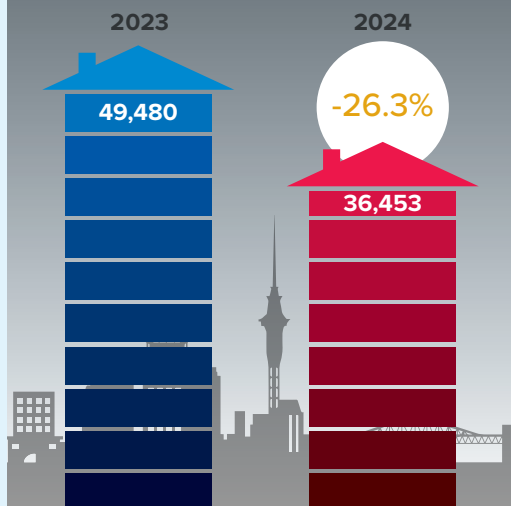


HOMES CONSENTED PER REGION

- New dwellings consented year ended January 2023
- New dwellings consented year ended January 2024
- Percentage change from January 2023 to January 2024

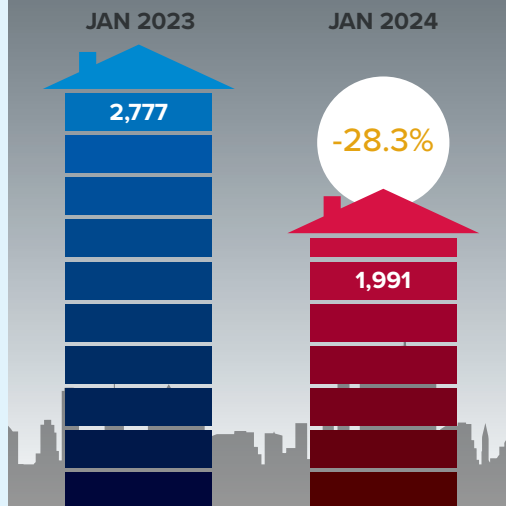
YEAR-ON-YEAR TREND

In the year ended January 2023, 49,480 new homes were consented – 26.3% less than in the same period the previous year.



MONTH-ON-MONTH TREND

In the month of January 2024, 1,991 new homes were consented across New Zealand compared to 2,777 new homes in the month of November 2023 – a 28.3% decrease.



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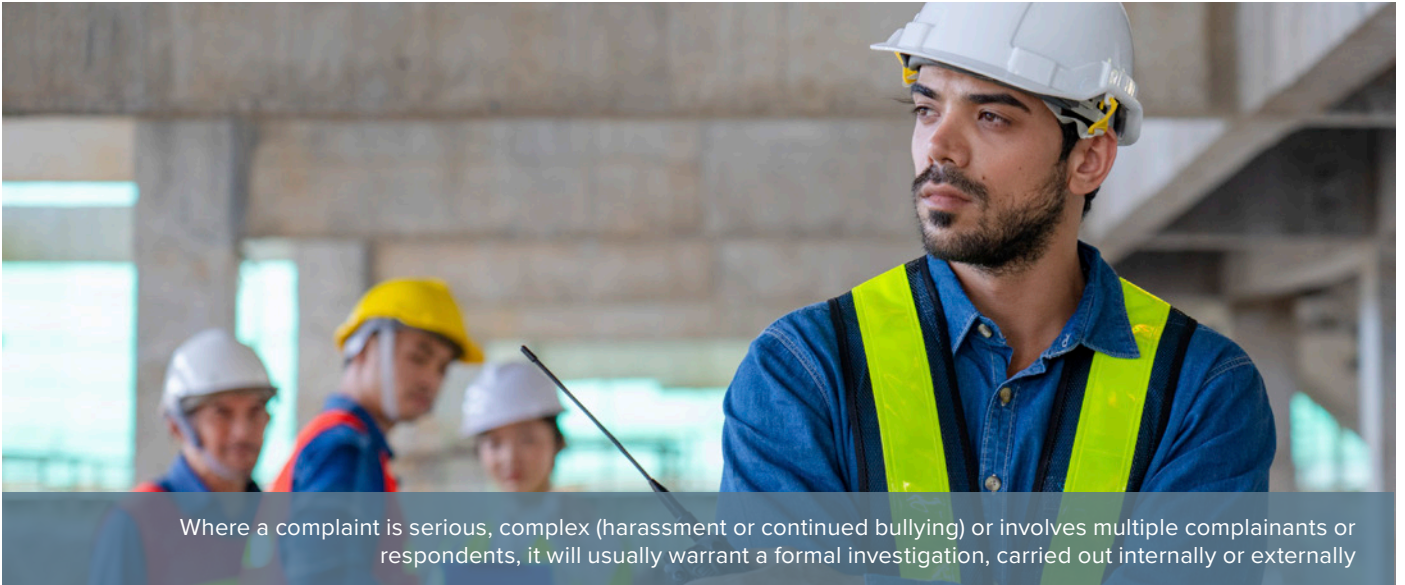


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WORKPLACE BULLYING - PART 3



Where a complaint is serious, complex (harassment or continued bullying) or involves multiple complainants or respondents, it will usually warrant a formal investigation, carried out internally or externally

Health and safety and employment go hand in hand. Part 2 of this series of articles looked at when WorkSafe New Zealand should intervene when an allegation of workplace bullying is raised. This final part explores the intersection between employment law and regulatory defence when health and safety concerns — or even WorkSafe intervention — arise out of a bullying allegation

Where the issue is limited to an employee raising a complaint internally, the employer is obliged to address the issue and take appropriate action (which we have set out in more detail below).

In our view, where there is a joint process of an employment complaint and a WorkSafe investigation, the method in which the employer addresses the complaint would likely not change. Nonetheless, the intersection between employment law and the regulatory framework can be challenging. A particular tension arises in the context of s168 of the HSWA, primarily in relation to WorkSafe exercising its powers to require a PCBU to produce information¹ and to present at a duty holder interview.²

The reality is that the information required, and questions put to the employer, will often extend beyond

addressing the complaint made by the complainant.

An exploration of wider practices, policies and history of similar issues within the business will typically occur. In these circumstances, the employer may lose a significant amount of control over information, and this can give rise to risk in both the employment and regulatory contexts, whereas in employment only processes, that control largely sits with the employer.

ADDRESSING A COMPLAINT

The nature of the complaint will often inform the level of formality required in the employer's response to it.

On one end, a complaint that involves relatively low-level alleged conduct (such as one-off instances of swearing or raised voices) may warrant a discussion, meeting, facilitation or other informal resolution.

On the other end, a more serious or complex complaint (harassment or continued bullying) or involving multiple complainants or respondents will usually warrant a formal investigation, carried out internally or externally.

An entire article could be written on the various steps necessary for a full and fair formal investigation, but in summary an employer ought to:

- Clearly frame the allegations and terms of investigation from the outset.
- Engage with the complainant and respondent regarding the approach to the investigation, proposed witnesses and proposed investigator.
- Obtain consent from the complainant to provide details of the complaint to the respondent and other parties (otherwise



Where there is a joint process of an employment complaint and a WorkSafe investigation, the method in which the employer addresses the complaint would likely not change, but the intersection between employment law and the regulatory framework can be challenging

risking a claim under the Privacy Act 2020).

- Ensure the complainant and respondent are advised of their right to support and representation.
- Ensure any external investigator is either a registered lawyer or is licensed in accordance with the Private Security Personnel and Private Investigators Act 2010. Investigate the complaint with a focus on impartiality and evidential scrutiny.
- Obtain feedback from the complainant and respondent on any resulting investigation report prior to it being finalised. Where a WorkSafe investigation is ongoing or reasonably anticipated, employers should treat all statements, correspondence and investigation reports as discoverable by WorkSafe.

MANAGING CONCURRENT PERSONAL GRIEVANCES AND A WORKSAFE INVESTIGATION

Seldom does an employer manage a complaint of bullying (whether informally or formally) without a personal grievance being raised by either the complainant or respondent.

Furthermore, situations can and do arise where a complainant is dissatisfied with their employer’s response to their complaint and so turns to WorkSafe as a means of escalating it.

Therefore, having heard from

WorkSafe about its approach to psychosocial hazards in the section above, it is essential to consider the possibility of a personal grievance being lodged in the employment jurisdiction concurrently with an ongoing WorkSafe investigation. In respect of relevant timeframes:

- WorkSafe will have one year from the date of receipt of the complaint to determine whether it will prosecute.³
- The employee has 90 days, from the date the issue arose, to raise a personal grievance and three years from the date of raising the personal grievance to file a statement of problem in the Employment Relations Authority (Authority).⁴
- Typically, cases will be set down in the Authority within one year of filing of a statement of problem.

Where concurrent processes do occur, the difficulty rests in the magnitude of “worst case scenarios” in each process. Employment claims may garner awards of \$20,000 to \$30,000 as compensation, three months’ lost wages (where a resignation or dismissal has occurred) and modest tariff costs.

In contrast, prosecutions under the HSWA can — depending on the charges filed — attract conviction, potentially have a maximum fine of \$500,000,⁵ \$1,500,000⁶ or \$3,000,000⁷, lay charges against officers,⁸ make orders for reparation (this will vary depending on the degree of harm suffered) and

incur prosecutor costs. If there were Authority proceedings on foot concurrent with a WorkSafe investigation, it would likely be appropriate to seek adjournment of the Authority’s proceedings until the WorkSafe process had concluded.

THE REALISTIC RISK OF PROSECUTION

No prosecutions have been brought in respect of issues relating to bullying, harassment and intimidation in New Zealand by WorkSafe. Indeed, WorkSafe has taken a more holistic approach in addressing concerns raised regarding mentally healthy work, as described in the section above.

Notwithstanding this, our own experience tells us that WorkSafe has investigated allegations of bullying by an individual and reached a duty holder interview stage. At the same time, a personal grievance claim was timetabled for a hearing in the Authority.

Again, based on our own experience, we know that in matters where WorkSafe has proceeded with an investigation, its examination has been thorough and wide-reaching, covering years of records requiring substantial allocation of client resources to attend to requirements to produce information.

For example, an employer or PCBU will be required to produce years’ worth of any bullying complaints received, in addition to evidence/documentation of how the PCBU triaged and addressed those complaints.

While the type of information requested is not at odds with an employer’s relevant obligations in employment law, the concern relates to how extensive and far-reaching these requests can be.

An employment process is focused on particular individuals. In contrast, WorkSafe is looking for a PCBU to demonstrate it has robust and

effective bullying policies and procedures in place, that workers are aware of how to raise complaints appropriately, and that the PCBU can demonstrate it follows its own policies.

WorkSafe can, and has, taken enforcement action short of prosecution in these investigations, such as the issuing of improvement notices under s101 of the HSWA. While a prosecution based on psychosocial risk or harm has not yet eventuated in New Zealand, it is certainly feasible.

In South Australia, which operates under a similar legislative framework,⁹ a prosecution has successfully been brought regarding the bullying of a young apprentice.¹⁰ The particular conduct in that case was egregious, namely by squirting and lighting flammable liquid onto the victim's clothing. There is no reason why WorkSafe would not bring a prosecution for similar conduct.

CONCLUSION

We consider a New Zealand prosecution for psychosocial risk or harm related to bullying is a matter of when, not if. As with any litigation

risk, the best way to mitigate liability is early intervention and prevention.

Balancing a PCBU/employer's obligations, and applied specifically to this issue, employers should consider:

- Developing tailored policies that denounce bullying, intimidation, harassment and other offensive behaviour, as well as prescribing procedure for complaints to be raised and dealt with.
- Training employees and management on working in a manner consistent with such policies, including refresher training throughout employment.
- Establishing lines of communication for employees to report any related issues. Ensuring that each complaint received is considered and addressed with appropriate weight.
- Ensuring the triaging of complaints is compliant with employment law principles.
- Where a complaint is upheld against an employee, ensuring

that appropriate corrective or disciplinary action occurs.

1. *Health and Safety at Work Act 2015, s 168(1)(e).*
2. *Health and Safety at Work Act, s 168(1)(f).*
3. *Health and Safety at Work Act, s 146.*
4. *Employment Relations Act 2000, s 114.*
5. *Health and Safety at Work Act, s 49 for offences that concern only a breach of a person conducting a business or undertaking's (PCBU) duty under the Health and Safety at Work Act.*
6. *Health and Safety at Work Act, s 48 for offences that concern a breach of duty and, as a result of that breach, exposure of an individual to a risk of death, serious injury or serious illness.*
7. *Health and Safety at Work Act, s 47 for offences concerning a breach of duty and recklessness as to the risk to an individual of death, serious injury or serious illness.*
8. *Health and Safety at Work Act, s 50 for which corresponding charges can be filed under ss 47–49.*
9. *Work Health and Safety Act 2012 (SA).*
10. *Campbell v Tad-Mar Electrical Pty Ltd [2019] SAET 225report-final.pdf*. ■

This article, written by Duncan Cotterill and Worksafe New Zealand, it was originally published in the first issue of the Lexis Nexis Employment Law Bulletin. If you have any questions about this article, please contact us through our website duncancotterill.com

Duncan Cotterill is a full-service law firm with offices in Auckland, Wellington, Nelson, Queenstown and Christchurch.

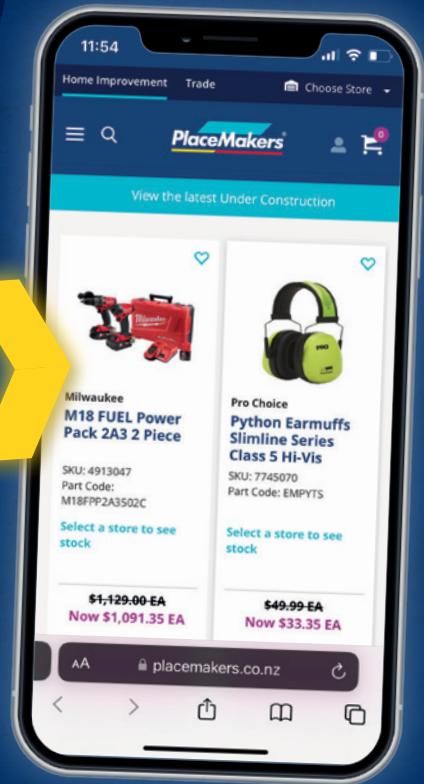
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PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!

- | | | |
|---|---|--|
| <p>7) What will often inform the level of formality required in an employer's response to a complaint?</p> <p>a) <i>The nature of the complaint.</i></p> <p>b) <i>How valuable the employee is.</i></p> <p>c) <i>How big the company is.</i></p> | <p>8) What is the difference between an employer complaint of bullying and a WorkSafe investigation into bullying?</p> <p>a) <i>An employer complaint can cost the business more money.</i></p> <p>b) <i>There is no difference.</i></p> <p>c) <i>With WorkSafe, the information required and questions put to the employment will often extend beyond addressing the complaint made by the complainant.</i></p> | <p>9) How many times has WorkSafe prosecuted businesses in respect of issues relating to bullying, harassment and intimidation in New Zealand?</p> <p>a) <i>Once.</i></p> <p>b) <i>More than a dozen times.</i></p> <p>c) <i>Never.</i></p> |
|---|---|--|

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THE SUCCESSFUL BUILDER

WHY YOU SHOULD PRIORITISE HEALTH AND SAFETY



Employers should see health and safety protocols as an investment, not a cost, argues The Successful Builder

As the construction market slows down, some employers may be tempted to cut spending on health and safety programmes. While tempting, it's a move you should avoid at all costs – explains The Successful Builder

The Successful Builder business coach wasn't surprised when one of his builders brought it up. "Look mate! With construction slowing, and the market getting more competitive, I can't afford to keep spending on our health and safety programme," he said. The business coach was even tempted to agree.

But then he started thinking about all the ways that a robust H&S programme can boost efficiency, improve a company's reputation and reduce costs. Sure, you don't want to go over the top with your H&S programme, and it may be that now is the right time to review your processes, but a robust H&S culture will save you money. Consider these points.

1. REDUCED ACCIDENTS AND INJURIES

Implementing and regularly maintaining your protocols for proper equipment training, hazard identification and personal protective equipment (PPE) can significantly lower the risk of accidents and injuries. It can be as simple as always wearing a high-vis jacket – just make sure such things are standard

practice. It really is not worth the risk of a serious on-site accident. Train your leaders to expect that team members wear proper hard hats, boots etc. and that everyone is properly trained in your processes in working at heights. Also, check that you have solid protocols around use of machinery, especially lifting machinery. The thing is, good safety procedures are often more efficient – because you have thought it through in advance.

2. IMPROVED MORALE AND PRODUCTIVITY

Providing a safe working environment demonstrates that you care for your employees' wellbeing. Done with the right attitude, this increases morale. Moreover, when your regular tool box meetings double as safe places for feedback, discussing better ways of working, encouraging innovation and rewarding goal achievement, the increased morale almost always leads to increased productivity.

Try it! When you listen to your team members, they feel valued. For example, implement a safety incentive program that rewards your

team when they complete safety protocols correctly and when they suggest improvements.

3. ENHANCED REPUTATION AND BRAND IMAGE

Home renovators can especially benefit by showcasing to potential clients their safety certifications, adherence to industry standards and successful safety records. This instils confidence among customers – especially when their household includes children. Also, a safe and tidy site gives the appearance of professionalism and efficiency.

It goes without saying that quality commercial companies want to engage with similar companies. So, being able to show them testimonials that include reference to your safe and tidy site practices improves your chances of being hired. No quality company wants to engage with another that has a history of serious accidents.

4. COMPLIANCE WITH REGULATIONS AND STANDARDS

Maintaining your health and safety programme ensures that you are complying with your legal

requirements. Staying updated on relevant laws, codes and standards, and training your team in these, is not only good for the professional development of your team, it also reduces your chances of facing fines and penalties or even a project shutdown.

5. COST SAVINGS

While initial investments in safety measures may seem substantial, they ultimately lead to long-term cost savings. For example, investing in a high-quality safety harness system can ensure your team members focus their total attention on completing the jobs at hand, rather than being distracted by the fear of falling. Moreover, having a common process on using particular equipment ensures that everyone can operate it the same way, which saves time.

Furthermore, good training programmes reduce the likelihood of accidents and their related expenses, and can possibly lead to lower insurance premiums.

6. MINIMISED PROJECT DELAYS

Accidents and injuries can cause significant project delays, impacting

Investing in the wellbeing of your team and the efficiency of your projects is not just a business strategy – it's a commitment to excellence

timelines and profitability. By implementing safety protocols and conducting regular inspections, you can identify and mitigate potential hazards before they escalate into accidents.

For instance, proactive measures such as checking scaffolding installation, fall protection systems and site cleanliness, minimise the risk of falls and other common construction accidents, thereby preventing costly delays.

It goes without saying that avoiding project delays and disruptions due to accidents saves money by keeping projects on schedule and within budget.

7. SUSTAINABLE BUSINESS GROWTH

Prioritising health and safety demonstrates your commitment to responsible business practices. By protecting your workers' health and safety and delivering quality to your clients, the community and your shareholders, you can build trust within the industry. And this trust translates into repeat business, referrals, and opportunities for expansion. Moreover, a positive safety record enhances your brand reputation, positioning you as a reliable and trustworthy partner for future projects.

TAKEAWAY

As you navigate the changes in the construction industry, remember that investing in the well-being of your team and the efficiency of your projects is not just a business strategy – it's a commitment to excellence. By integrating some of these simple principles, you'll not only enhance the success of your business, but also contribute to a safer and more sustainable future for your team and your clients. ■

Graeme Owen is a builders' business coach at thesuccessfulbuilder.com. Since 2006, he has helped builders throughout New Zealand get off the tools, make decent money, and get more time in their lives. Grab a copy of his free book: *The 15 Minute Sales Call Guaranteed To Increase Your Conversion Rate*: thesuccessfulbuilder.com/book-15-min-sales-call or join Trademates and connect with builders who are scaling too: www.facebook.com/groups/TradeMates

PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!

- | | | |
|--|---|--|
| <p>10) How can prioritising health and safety lead to growth?</p> <p>a) Protecting workers' health builds trusts in the industry, which leads to repeat business.</p> <p>b) Protecting workers' health positions businesses as a reliable and trustworthy partner.</p> <p>c) Both of the above.</p> | <p>11) How can having correct H&S protocols boost your bottom line?</p> <p>a) There's no financial benefit to H&S, but it's good for wellbeing.</p> <p>b) It can lead to long-term savings by reducing accidents and allowing workers to focus on the task at hand.</p> <p>c) It can minimise project delays.</p> <p>d) B + C.</p> | <p>12) How can providing a safe working environment increase moral?</p> <p>a) By making employees feel valued.</p> <p>b) By increasing their reliance on the business.</p> <p>c) By making them feel like 'they owe you one'.</p> |
|--|---|--|



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SITE SAFE

SET UP YOUR WELLBEING WELL



Connecting with others is an important aspect of wellbeing – talk to people you trust and be open to listening to others

Health and safety organisation Site Safe says a solid foundation for wellbeing will set your business up for success

Creating a healthy workplace starts with a solid foundation for wellbeing – the overall physical, mental, emotional, spiritual, and social health of people.

Mental wellbeing is feeling good, functioning well, and feeling connected. Looking after wellbeing has benefits for employees and business and can lead to both individual and business success.

LOOKING INWARDS

Looking after your own wellbeing can help you increase your confidence, improve relationships with others, reduce physical health problems, and cope better with stress and change.

This could look like:

- Getting active for at least 30 minutes a day – hit the gym, take the dog for a walk, play with your family at the park, spend time in the garden, or even practice yoga.
- Eating healthy, balanced, and regular meals and staying hydrated.

- Sharing your time and knowledge – volunteer in your community, offer a helping hand, or do something nice for a friend or stranger.
- Always learning – embrace new experiences, remain curious, and work towards your goals.
- Connecting with others – talking to people you trust and being open to listening to others.
- Taking notice of the things that bring you joy – reading a good book, watching your favourite TV series, or spending quality time with family and friends.
- Explained or unexplained absence from work.
- Changes in behaviour and mood.
- Avoiding social activities.
- Increased use of alcohol and/or drugs.
- Fatigue, stress, and/or anxiety.

If you notice someone showing any of these signs or symptoms, make sure they know you are there to listen openly and without judgement whenever they want to talk.

WELLBEING AT WORK

Prioritising wellbeing in the workplace can result in a number of benefits for workers and business owners, such as a more positive work culture, happier and more engaged staff, increased productivity, higher staff retention, and better health and safety outcomes. For businesses and employers, this could include:

LOOKING OUTWARDS

When someone is struggling with their mental health and wellbeing, it can be hard for them to speak up and ask for help. Signs and symptoms of someone struggling with their mental health and wellbeing may include:

- Low productivity.
- Inability to concentrate.

- Being a good role model for healthy behaviour and ensuring

others feel comfortable speaking up and asking for help when they need it.

- Being proactive, open, honest, and free of judgement.
- Ensuring they meet the legal responsibilities to protect health and prevent harm at work, as per the Health and Safety at Work Act 2015.
- Emphasise the importance of work-life balance and how to manage work-related stress.
- Investing time and money – spend time ensuring staff feel valued and invest in activities and services that can benefit the mental health and wellbeing of workers.

RESOURCES AND TRAINING

Leading health and safety organisation Site Safe New Zealand is on a journey to work with the construction industry to shift the approach to wellbeing in the workplace and set people up for success with the tools and resources they need to support.

Since the release of a 2019 research report conducted by Site Safe into suicide in New Zealand's

construction industry, there has been acknowledgement from industry that mentally healthy and well workplaces have benefits for both health and safety and business success.

“We know how important it is to destigmatise the idea of looking after ourselves, especially in our industries who have typically had more of a ‘toughen up’ attitude when it comes to our wellbeing,” said Brett Murray, Site Safe New Zealand Chief Executive.

“We already work with key partners like MATES in Construction and Hato Hone St John to provide resources and training courses focusing on mental health in the construction industry, but we knew there was more we could do to support our industry and members, and in particular small organisations, who often don't have the financial resources to invest in this area.”

PARTNERSHIP HELPS SITE SAFE PROVIDE MORE

This year, Site Safe has partnered with Ignite Aotearoa to give Site Safe members free access to their online platform and a large range of mental health and wellbeing resources, information, and workshops.

Ignite Aotearoa is a social wellbeing

enterprise backed by Emerge Aotearoa – one of New Zealand's largest independent mental health and social service organisations. Ignite Aotearoa's mental health and wellbeing offerings are evidence-based, easy to access, flexible and affordable, with a focus on partnering with workplaces to enhance employee wellbeing.

Site Safe is also investing in the wellbeing of the industry by sponsoring a number of one-on-one support sessions, so members can try out one of the services offered by the platform. Ignite Aotearoa hosts over 100 different providers, including financial advisors, human resource consultants, occupational therapists, dietitians, social workers, counsellors, psychologists, and more.

“Both our organisations have strongly aligned values,” said Murray. “Like us, Ignite Aotearoa believes New Zealanders should be able to access mental health and wellbeing support that suits them whenever they need it.”

To learn more about the Site Safe and Ignite Aotearoa partnership, visit <https://www.sitesafe.org.nz/news-events/news/new-member-benefit-ignite-aotearoa/>. ■

Site Safe is a not-for-profit, membership-based organisation that supports a culture of health and safety in New Zealand construction. For more information go to: www.sitesafe.org.nz

PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!



13) Which of the following is NOT a listed part of mental wellbeing?

- a) Feeling good.
- b) Feeling connected.
- c) Feeling powerful.

14) Which of the following is NOT a listed sign or symptom of someone struggling with their mental health and wellbeing?

- a) Changes in behaviour and mood.
- b) Taking time for themselves.
- c) Avoiding social activities.

15) Which of the following is NOT a listed way that an employer can prioritise wellbeing in the workplace?

- a) Remind employees of its importance five times a day.
- b) Being a good role model for healthy behaviour
- c) Emphasise the importance of work-life balance.

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INDUSTRY FEATURE

STAY ON TOP OF REGULATION CHANGES

With so many legislation changes in the building industry, it can be difficult to stay on top of what you need to know. That's why we've compiled this handy list of key updates! We hope you find it useful

COMING SOON

COMMENCES 1 JULY 2024

WASTE LEVY INCREASE

The rate for class 1 landfills is increasing to \$60 per tonne from 1 July 2024. Class 2 construction and demolition fills are increasing to \$30 per tonne from 1 July 2024. Class 3/4 (managed and controlled fills) are subject to a levy of \$10 per tonne from 1 July 2024.

FUTURE CHANGE

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 AMENDMENT

A change to this act requires that, from 2025, regional councils must share the information they have on natural hazards with city and district councils. Councils must add understandable information on natural hazards to LIMs.

RMA REPEAL

The Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill has been passed. Almost all resource management matters will continue to apply as set out in the Resource Management Act 1991 (RMA).

MDRS CHANGE

The Medium Density Residential Standards (MDRS) will become optional for councils. Under the MDRS, up to three units and three storeys can be built on most Tier 1 council sites without the need for a land use resource consent.

NZS 3604 UPDATE

An updated *NZS 3604 Timber-framed buildings* remained a work in progress in 2023. It was hoped a revision would be published in 2023 - but that didn't happen. There is no word yet when builders can expect it to be published.

BUILDING WARRANT OF FITNESS

Following the tragic fire at Loafers Lodge in May 2023, Cabinet agreed to introduce and enhance offences and penalties for building owners and independent qualified persons to increase compliance with their statutory requirements under the building warrant of fitness regime.

NOW LAW

H1 RESIDENTIAL CHANGES

The final transition date (3 November 2023) for the updates to Clause H1 of the Building Code has passed and, as a result, windows and doors in climate zones one and two now require an R-value of R0.46.

CONSTRUCTION CONTRACTS AMENDMENT ACT

On 5 October 2023, changes to the Construction Contracts (Retention Money) Amendment Act 2023 came into law. The Act strengthens the CCA's retentions regime and is designed to give confidence to sub-contractors that they will be paid what they're owed if the head contractor goes out of business.

BUILDING PRODUCT INFORMATION REQUIREMENTS

On 11 December 2023, new regulations for building product information requirements came into effect. The new regulations provide building product users with information about how building products contribute to compliance with the Building Code. They place obligations on New Zealand-based manufacturers, importers, wholesalers, retailers, and distributors.

2022 BUILDING CODE UPDATE

In 2 November 2023, key changes from the 2022 Building Code update covering changes to plumbing and drainage (*G12*, *G13* and *E1*) and to protection from fire (Acceptable Solutions *C/AS1*, *C/AS2*, *F7/AS1*, and Verification Method *C/VM2*) will begin their 12-month transition period.

PROVE YOUR KNOWLEDGE

Evidence of actual learning rather than just 'participation' is a key requirement of the LBP renewal process.



Codewords ISSUE 117

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APRIL / MAY 2024

For ease of record keeping, use this coupon to collate your answers from within this issue of *Under Construction* and then sign and date it as proof of your own learning.

Signature

Date

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