

SUBMISSION:

A STEPPED FRAMEWORK

ELECTRICAL WORKERS REGISTRATION

BOARD CONSULTATION SEPTEMBER 2021

Engineering New Zealand (formerly IPENZ) is New Zealand's professional home for engineers. We are New Zealand's strongest and most influential voice on engineering issues, with more than 20,000 members who want to help shape the public policy agenda and engineer better lives for New Zealanders.

This submission responds to the Electrical Workers Registration Board's September 2021 consultation document *A Stepped Framework: consultation on proposed changes to the limits of work, registration requirements and endorsements for electrical workers*.

In this submission we provide general feedback to the Board on its consultation, outline wider work happening to regulate engineers as a profession, and then discuss our concerns with the Board's proposals regarding electrical engineers (questions 15 and 16). In drafting this submission, we worked with representatives of the Electrical Engineers Group, a collaborating technical interest group of Engineering New Zealand.

GENERAL COMMENTS

We have heard from members and stakeholders that the Board's consultation has come as a surprise to the profession and that the timeframes for feedback have been too tight. Furthermore, the extent of the Board's consultation document, which includes copies of draft Gazette Notices, signals that the Board's work is a foregone conclusion, with this consultation being more of a tick-box exercise than an open discussion with industry. We are concerned by this and request the Board engage further with key stakeholders, such as Engineering New Zealand and the Electrical Workers Association, before decisions are made.

Case for change

While our feedback is limited to proposals related to electrical engineers, we note that there is little information in the Board's consultation document on the case for change. We understand that, as with any system, there are always opportunities to strengthen the system, however we do not clearly see the intervention logic used to identify the proposed changes or how these proposed changes will improve

system effectiveness and the overall benefits of the Board's work to the sector. This limits our ability to clearly respond to the proposals.

OCCUPATIONAL REGULATION OF ELECTRICAL ENGINEERS

There exists a tension with the registration of electrical engineers under the Electrical Workers Registration Board. The Electrical Workers Registration Board has a statutory duty to register and license (in various classes) persons who are competent to carry out prescribed electrical work (for simplicity 'hands-on' or 'practical' electrical work). While many electrical engineers do carry out practical electrical work (such as testing electrical equipment), a significant number do not and are therefore excluded from registration. These engineers design electrical installations, and supervise the inspection, certification and testing of electrical installations, works and equipment. Without doubt this is high-risk work, although the current scheme only focuses on practical work.

For electrical engineers doing practical work, there is an Electrical Engineers' class of Board registration. We understand the intent of this class and the view of the Board around risk posed by engineers performing prescribed electrical work. However, the role of engineers is broader than the Board's mandate on prescribed electrical work and sits within a wider professional framework for which the Board has no line of sight.

The Ministry of Business, Innovation & Employment is currently working to strengthen the occupational regulatory regime for engineers. It is our view that electrical engineers should be brought into this scheme and that agreement be reached between the Registrar of the proposed scheme and the Electrical Workers Registration Board on registration requirements for those engineers undertaking prescribed electrical work. Clear accountabilities and recognition of the wider professional work of electrical engineers is needed to dissipate current tensions that exists for those engineers undertaking prescribed electrical work.

We would welcome an opportunity to discuss the wider occupational regulation of electrical engineers with the Electrical Workers Registration Board at its earliest convenience.

ELECTRICAL ENGINEERS PROPOSAL

Limits of work (question 15)

Question 15 asks about proposed changes to limits of work for electrical engineers registered with the Board (as outlined on page 20 of the consultation document). We have the following concerns with this proposal:

- 1. Restriction of electrical engineers (a) inspecting prescribed electrical work and (c) supervising a person carrying out prescribed electrical work.** We do not understand the Board's motives for restricting engineers carrying out assessment, inspection and supervision work, nor do we support this part of the proposal. It is our view that assessment, inspection and supervision are core functions of electrical engineers in general, and also for engineers registered as Electrical Engineers with the Board. We note that the Board's proposals do not include a definition of inspection and supervision as they relate to the proposed changes. Inspection of prescribed electrical work for the purpose of issuing an Record of Inspection (ROI) is currently reserved to the class of Electrical Inspector, and we do not contest this.
- 2. Wording of the Gazette notice on limitations for electrical engineers.** Current drafting of the Gazette notice on page 62 states that the "Electrical Engineer is limited, within any limitations, terms or

conditions set by the Board". While we understand the place of the Board in managing registration requirements, this statement is read to mean that the Board has unlimited ability to change registration requirements without consultation. This is worrying and we ask that the wording be clarified to reference the requirement of the Board to consult.

Similarly, with regard to endorsements (page 69 and 70), it is our view that the wording used ("adequate knowledge, training, skills, and experience satisfactory to the Board") falls within the same category and requires further clarification.

Registration requirements (question 16)

Regarding the Board's proposal to change registration requirements for electrical engineers (outlined on page 21 of the consultation document), we are concerned with the Board's move to require electrical engineers to have completed no less than two years of practical experience in carrying out prescribed electrical work that is satisfactory to the Board.

It is our view that the level and variety of practical experience is more important than the duration. For this reason, what constitutes practical experience must be clearly defined before one can determine if it is reasonable. Diversification of skills leads to a better understanding of systems and designs, and ultimately better outcomes.

We are uncertain of the Board's rationale for the proposed change from one year of experience to two years of experience. Without understanding the safety risks the Board perceives to be posed by electrical engineers with one year of practical experience, we cannot understand the need for this additional requirement. It is our view that registration is about a demonstration of competence, as is required through the Board-approved Electrician regulatory written examination and the Board-approved Electrician practical examination. We welcome a conversation with the Board to explore the risks it sees and put in place management processes that will work for the profession and the Board.

CONCLUSION

As outlined in this submission, we have concerns with the Board's proposals and would value an opportunity to discuss these with the Board at its earliest convenience.

In this submission we also highlighted work being undertaken by the Ministry of Business, Innovation & Employment to regulate the wider engineering profession. We would also value an opportunity to discuss this work with the Board and to work closely with the Board in the future on the occupational regulation of engineers.

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