

**ETU Public Submission
October 2020**

Response to the Draft: *Electricity Safety (Registration and Licensing) Regulations 2020, Regulatory Impact Statement and associated documents.*

Since 1902, the Victorian Branch of the ETU has represented licensed electrical workers across Victoria and currently have 20,000 members. Our members work in a diverse range of industries and are essential to providing safe power and electrical installations across Victoria.

Together with our role in campaigning for industrial outcomes and workplace safety, the ETU has an important responsibility to make sure the regulatory involvement our members' work in is fit for purpose and delivers robust results.

The ETU welcomes the opportunity to publicly respond to the regulatory impact statement and the draft regulations presented for public consultation, and appreciates the extension granted to allow for various stakeholder engagements that occurred close to the due date for submissions.

The following is a brief overview of the critical points in the project currently underway to license lineworkers and to mandate compulsory professional development for licensed electrical workers in Victoria. It is by no means exhaustive as we understand the regulator will be actively modifying these draft regulations in the lead up to their implementation at the end of the year.

This document seeks to put on record the background for these policy changes and the fundamental guiding principles, which should be considered during implementation.

The ETU would like to thank Minister D'Ambrosio for her support for ETU members and her commitment to undertaking projects and regulatory reform to protect the electrical trades.

The ETU looks forward to the continuing work in the coming weeks as Energy Safe Victoria (ESV) finalises these regulations.

Compulsory Professional Development (CPD)

Background:

The introduction of CPD for electrical workers has been discussed by industry over the last two decades. As a result of significant research, development, and investment by the ETU; a case was made, and a proposal developed which was presented to the government in April 2018 and accepted by Minister D'Ambrosio.

The ETU's original proposal was a model where ESV would provide the tools required to develop and run the CPD Program to Future Energy Skills (FES). FES is a body with links to industry, a track record on professional development and the skills need of industry.

The ETU's initial proposal included government funding to facilitate the introduction of CPD for A-Grade electricians. It is the ETU's firm view that the initial cost for CPD for A-Grades should not be borne by the electricians directly, as this leads to a more than doubling for the total cost to renew the licence. This point is discussed further below.

Principles:

The electrical trades are inherently dangerous due to our members working near electricity, alongside the other dangers which exist in the workplace environment (i.e. construction sites, manufacturing and heavy industry).

There is also a risk for the general public, as substandard installations carried out in homes or public places can endanger life and property.

A trades career can be a long career and some tradespeople may have completed their apprenticeship 40 years ago without having undertaken any formal upskilling or training on the current practice rules. Whilst many tradespersons take steps to maintain their currency, it is clear some do not.

Other industries which involve hazardous work, or where knowledge of current rules and practices is essential, already have longstanding processes for CPD. As CPD will be mandatory for the renewal of a licence - and is a new feature in our industry - its introduction must be carefully managed, and the project design must be perfected before rollout.

To ensure the safety of tradespeople and satisfy the need to maintain currency in the electrical workforce, CPD is an obvious advantage and improvement to current practices.

Models:

The RIS proposed four models for CPD; the ETU supports Option 3: The implementation of skills maintenance and then further expansion of skills development with some important alterations.

The program needs to have a mechanism to assist in funding the training. Currently the renewal fee for an A-Grade licence is \$200.86. If the worker was to pay the CPD price directly, this more than doubles the effective renewal price.

The ETU believes the State Government should either be directly funding ESV, or the State Government should be providing ESV with the ability to raise revenue to cover the implementation. Into the future new funding or revenue options can be explored.

This approach allows the industry to implement skills maintenance and perfect the model, before progressing to a both skills maintenance and development model in the future. We must avoid, however, in both skills maintenance and development, that rapid cost rise for the total cost of renewal; our industry will need a staggered, gradual approach.

The Regulations as they are currently drafted provide ESV and Industry with the flexibility required to achieve this.

The below comments relate primarily to A-Grade CPD.

Key Points on the CPD Model:

Training must be industry-led

- The most effective way to deliver training, which is fit for the needs of industry, is to develop the CPD program in consultation with industry stakeholders and the regulator.

CPD Committee

- The CPD steering committee must be the body which oversees the program, including: its strategic direction, training and assessment content, delivery modes and delivery partners.
- The CPD committee should be a small decision-making body with membership, including the regulator and appropriate industry representatives.
- The CPD committee should draw expertise and broader viewpoints from established subcommittees (for example the Traction Linework CPD could seek input from organisations such as Metro Trains and Yarra Trams).

Providers

- The primary providers of CPD should be industry-training organisations. These bodies are best placed to deliver high-quality industry-focused training.
- Providers should only be approved in line with the strict criteria determined by the CPD Committee.
- Approval should only be granted based on meeting strict criteria including connection to industry, high standards of training and commitment to the overall development of a skilled electrical workforce.
- There is no place for “for-profit” training organisations in this program.

Delivery

- Face-to-face training delivery is the only means to deliver necessary CPD to the electrical workforce effectively.
- It is not possible to undertake tasks such as mandatory testing virtually.
- It is important to note that the electrical workforce has varying levels of IT competency and are predominantly experienced in hands-on learning.
- Skills maintenance training requires a full day of face-to-face training. In this context, a day of training would equate to 8 hours.
- There is a role for an online component which would strictly be limited to activities such as registration, pre-reading and introduction activities.
- No skills-based training or formal assessment should be carried out online.
- Delivery should be undertaken in a small group setting. In our experience, refresher electrical training is best delivered in a class size of around 10 – 15 tradespeople.

Cost

- There is a clear need for transitional arrangements for funding CPD.
- It is not a feasible option to have total cost of renewal in 2023 effectively rise from \$200.86 to a conservative figure of approximately \$420.86
- There is a role for government to provide a funding path either through:
 - Funding ESV directly from consolidated revenue.
 - Providing the mechanism required for ESV to raise the revenue.
 - The introduction of a “Training Fund” by government held by ESV could be used to support the transition.
- This front-end funding would be transitional and allow the industry to adjust to future funding/cost models over time.
- The industry will not support a “race to the bottom” on price through the CPD process.
- The ETU's proposal modelled a cost higher than the \$220 noted in the RIS. The pricing model should consider overheads, project management/administration, educator delivery costs, printing of learner resources, certification, materials, room and equipment hire.
- The minimum cost must take into account a recommended class size of a maximum of fifteen students for practical face-to-face training.
- The ETU provided its costings to ESV in their April 2018 Submission and will work with ESV on updated costings through the committee process.

Lineworker Licensing

Following the privatisation of the State Electricity Commission of Victoria (SECV) by the Kennett Government in the 1990s, Victoria's power industry has been in a constant state of change.

The workforce, which once maintained our poles and wires, has drastically decreased in size. There have been long periods where no apprentices commenced a contract of training.

For more than 20 years the ETU has campaigned for the licensing of lineworkers. Leading on from the events of Black Saturday and the Grimes review, the ETU was delighted to receive the commitment from Minister D'Ambrosio that lineworkers in Victoria would be licensed.

The rationale for licensing these workers is simple:

- Work undertaken by those in the power and traction industry is specialised, dangerous and in need of regulation; and
- These workers undertake defined training in a designated trade, and this deserves to be acknowledged through a licence.

Scope

The ETU agrees with the proposed scope of the licences: Being a single licence with different classes for each respective trade.

These suggested licence classes include:

- Distribution Linework
- Traction Linework
- Transmission Linework
- Cable Jointing

The ETU would note that there is scope in the future to add additional licence classes, which is a subject that ESV and industry should investigate in the future.

General Point - Restricted Licences

In broad terms, restricted licences are an area of concern.

While we do not want any current worker to be unfairly disadvantaged through this process, in most instances we believe that workers should be trained to achieve a full Trade or Dual Trade qualification.

While it may be current practice for some workers to undertake parts of another trade after receiving additional models, this approach – if widely adopted – undermines the trade.

CPD for Lineworkers

On-Page “X” of the RIS, CPD for lineworkers is indicated to commence in 2028 - this date should be brought forward. While we acknowledge that there is significant

training undertaken by the Major Electricity Companies (MECs), there is also scope for CPD to be undertaken in conjunction with licence renewal.

Cable Jointing Work

Option 1 – Licensing all underground cable works

The ETU believes that over time the licensing of all underground cable workers should occur. Despite the current industry practice of using a mixture of workers, all electrical work should be undertaken only by licensed workers.

The ETU holds the view that there is no difference between electrical work done on a pole or in a new estate cable pit.

With appropriate grandfathering, upskilling and recognition of prior learning, these workers can be upskilled to a licensed worker which will lead to a safer and better-regulated workforce.

The ETU notes that the RIS states that ESV will investigate this further and we look forward to being part of this vital project.

Customer Installations

As has been discussed, the ETU believes that within the customer's installations, both A-Grade Electricians and lineworkers should be able to undertake a range of tasks.

As has been put forward to ESV, at industrial sites such as Alcoa Portland, ETU A-Grades undertake regular maintenance on the customer-owned switchyard assets. From time to time, lineworkers with their specialist equipment (boom trucks) are used to perform upgrades or other work. This practice should be continued.

Minimum qualifications for a Lineworker Licence

The appropriate qualification for a licence is Certificate 3 or equivalent. As has been well noted by industry, some workers were trained under different systems or do not have records of their training. These cases will need to be individually assessed with care to ensure everyone is appropriately licensed.

Overseas Lineworkers

The use of overseas lineworkers has been an area of concern for the ETU in the past. With the introduction of licensing, the use of overseas lineworkers should be limited. In circumstances where they are brought out, they should be treated as a supervised trainee, and independently assessed throughout the process to ensure safety and quality of work.

Training standards and mutual recognition differs globally, and as such, it is not easy to ensure that overseas lineworkers are trained to the standard that the Victorian industry would expect.

Interstate Lineworkers

We acknowledge that there needs to be a system where Victoria can call on interstate aid for a significant outage.

In the past, ETU members have witnessed interstate lineworkers not acting in accordance with Victorian work practices. There should be a clearly defined point at which an interstate linework team can be deployed, for example: a percentage of network outage in a region will require assistance. Any interstate workers deployed should be informed of Victorian practices and effectively directed by a Victorian lineworker in each crew.

Conclusion

The ETU notes that there will be some work over the next few weeks that still needs to be finalised including regulations, definitions and exemptions for lineworker licences. We are ready and prepared to provide all assistance necessary. We also look forward to regularly consulting and reviewing the program to resolve any potential unforeseen issues that may arise during the first few years of implementation.