



# Supervision of Trainees Holding a Limited Certificate

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## Contents

|   |    |
|---|----|
| 1. Introduction .....                                     | 2  |
| 2. Definition of Supervision.....                         | 4  |
| 3. Limits of Prescribed Electrical Work of Trainees ..... | 4  |
| 4. Application of Exemption.....                          | 4  |
| 5. What Work Must be Supervised .....                     | 5  |
| 6. What Can a Supervisor Supervise .....                  | 5  |
| 7. Level of Supervision Required.....                     | 5  |
| Control and Direction.....                                | 6  |
| Safety of Trainees .....                                  | 7  |
| Knowledge of Trainee and of Supervisor.....               | 8  |
| Verification of Trainee’s Work .....                      | 9  |
| 8. Trainees’ Responsibilities.....                        | 10 |

## 1. Introduction

- 1.1 Section 74 of the Electricity Act 1992 (“the Act”) restricts who can carry out prescribed electrical work (as defined by the Act) to those persons who are registered and hold a current licence or who are operating under an Employer Licence.
- 1.2 Section 77 of the Act provides an exemption for any person who is a Trainee as defined by subsection 2 of section 77. The section states:
- 77 Exemption for trainees*
- (1) *A person may do, or assist in doing, any prescribed electrical work if—*
- (a) *that work is within the limits prescribed in regulations made for the purposes of this section; and*
  - (b) *the person is a trainee in relation to the work; and*
  - (c) *the work done by that person is carried out in accordance with a limited certificate issued by the Board to the trainee under section 78.*
- 1.3 Section 77 also defines a Trainee as, and for the purposes of this policy a Trainee is as follows:
- (2) *In this section, trainee—*
- (a) *means a person who is undergoing instruction or training in any class of prescribed electrical work for the purpose of obtaining registration as a registered person; and*
  - (b) *includes an apprentice who is working in the electricity industry. (“the Trainee”)*
- (3) *This section does not prevent a trainee from doing, or assisting in doing, work under section 76 (which allows work to be done under supervision).*
- 1.4 Regulation 93 of the Electricity (Safety) Regulations 2010
- 93 Limits of work that trainees may do*
- For the purposes of section 77(1)(a) of the Act, the prescribed electrical work that a trainee may do, or assist in doing, is any work that is within the particular class of work for which the*

*trainee is seeking registration, and that is within the scope of work that the trainee's supervisor is authorised to do.*

- 1.5 The Electrical Workers Registration Board's (the Board) policy is that Limited Certificates will be issued to Trainees subject to the following terms and conditions. Trainees:
- (a) Must be Supervised in accordance with the Board's Supervision Policies; and
  - (b) Cannot certify any general or high risk prescribed electrical work; and
  - (c) Cannot Supervise any other person who is doing or assisting with prescribed electrical work.
- 1.6 The restrictions imposed on who can carry out prescribed electrical work are to ensure the work is carried out competently and in accordance with all statutory requirements and so as to protect the safety of the public and property.
- 1.7 The exemption for Trainees recognises that persons who are undergoing instruction or training for the purpose of obtaining registration should, as part of that training, be able to carry out prescribed electrical work within the class of registration they are training in provided they have a Limited Certificate which has been issued by the Board under Section 78 of the Act (refer Board Policy O-PO-03 – Issuing Limited Certificates and Provisional Licences).
- 1.8 To ensure that the work meets all safety, competency and compliance requirements the Board requires, as a condition of issuing a Limited Certificate, that the work of the Trainee be Supervised. A Supervisor is a person who holds a current practising licence and registration in the class of registration for the prescribed electrical work they are Supervising ("the Supervisor")<sup>1</sup>. It is the Supervisor who is ultimately responsible and liable for the work of the Trainee.
- 1.9 The purpose of this Policy is to provide guidelines to Trainees, Supervisors and the employers of Trainees in respect of the Supervision of Trainees.
- 1.10 This policy does not apply to:
- (a) Any exemptions granted by the Board under section 75 of the Act (exempt person or class of persons);
  - (b) Prescribed electrical work carried out under section 76 of the Act (exemption for work carried out under Supervision which is covered in Board Policy B-PO-05A – General Supervision – other than Limited Certificate Holders);
  - (c) Prescribed electrical work carried out under section 79 of the Act (exemption for domestic electrical wiring work); or
  - (d) Prescribed electrical work carried out under section 80 of the Act (exemption for maintenance of domestic appliances).
- 1.11 Supervisors and those working under Supervision need to ensure that they comply with their duties under the Health and Safety at Work Act 2015.
- 1.12 Note that provisions within the policy which are in italics are extracts from either the Act or the Electricity (Safety) Regulations 2010 ("the Regulations").

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<sup>1</sup> Note a person who holds a provisional licence can carry out prescribed electrical work without Supervision but cannot be a Supervisor.

## 2. Definition of Supervision

- 2.1 Supervision is defined by section 2 of the Act as, and for the purposes of this policy supervision is:

*Supervision, in relation to any work, means that the work is undertaken under such control and direction of a person authorised under this Act to do the work [or, in the case of section 76, a person authorised to supervise work under that section] as is sufficient to ensure—*

- (a) *That the work is performed competently; and*
- (b) *That while the work is being undertaken, appropriate safety measures are adopted; and*
- (c) *That the completed work complies with the requirements of any regulations made under section 169 of this Act.*

- 2.2 For the purposes of this policy Supervision includes Supervise and Supervised.

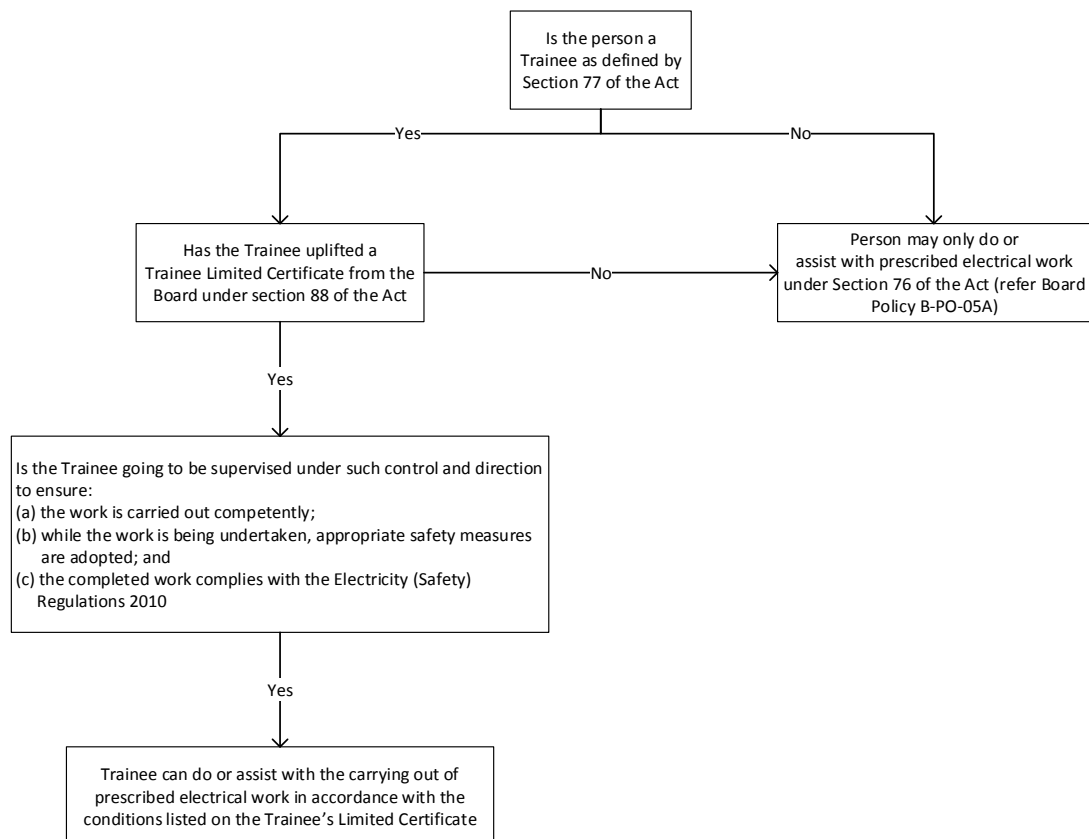
## 3. Limits of Prescribed Electrical Work of Trainees

- 3.1 The limits of the prescribed electrical work that a Trainee may carry out are set out in Regulation 93 of the Regulations which provides:

*For the purposes of section 77(1)(a) of the Act, the prescribed electrical work a trainee may do, or assist in doing, is any work that is within the particular class of work for which the trainee is seeking registration, and that is within the scope of work that the trainee's supervisor is authorised to do.*

## 4. Application of Exemption

- 4.1 The following flowchart provides assistance with when the Trainee exemption applies:



## 5. What Work Must be Supervised

- 5.1 It is a condition of all Limited Certificates issued by the Board that all prescribed electrical work completed by a Trainee must be Supervised by a Supervisor.

## 6. What Can a Supervisor Supervise

- 6.1 A Supervisor can only Supervise work which the Supervisor is authorised to carry out as follows:

| <b>Class of Registration</b>                    | <b>Work that can be Supervised (by Registration Class)</b>   |
|---|--|
| Inspector<br>Electrician<br>Electrical Engineer | Electrician, Electrical Engineer, Electrical Installer, Electrical Service Technician, Electrical Appliance Serviceman Endorsed, Electrical Appliance Serviceman, Associated Trades Person, Line Mechanic, Cable Jointer |
| Electrical Installer                            | Electrical Installer, Electrical Appliance Serviceman Endorsed, Electrical Appliance Serviceman  |
| Electrical Service Technician                   | Electrical Service Technician, Electrical Appliance Serviceman Endorsed, Electrical Appliance Serviceman, Associated Trades Person   |
| Electrical Appliance Serviceman Endorsed        | Electrical Appliance Serviceman Endorsed, Electrical Appliance Serviceman  |
| Electrical Appliance Serviceman                 | Electrical Appliance Serviceman  |
| Associated Trades Person                        | Associated Trades Person   |
| Line Mechanic                                   | Line Mechanic, Cable Jointer   |
| Cable Jointer                                   | Cable Jointer  |

- 6.2 Supervisors must note that it is their responsibility to ensure that the Supervision they provide meets the requirements of the Act and the Regulations. Each situation must be assessed to determine the level and extent of Supervision actually required.

## 7. Level of Supervision Required

- 7.1 The Supervisor must assess each situation where prescribed electrical work will be carried out by a Trainee and determine the level of Supervision which is appropriate. Consideration must be given to factors including but not limited to:
- The type of prescribed electrical work to be undertaken by the Trainee;
  - The experience of the Trainee in general including any exams and courses passed;
  - The experience of the Trainee in the type of prescribed electrical work to be undertaken;
  - The Supervisor's experience in working with the Trainee and confidence in their abilities;

- (e) The number of Trainees the Supervisor is Supervising;
- (f) The work environment where the prescribed electrical work is to be completed; and
- (g) General safety considerations.

7.2 The Supervisor should also have consideration for the decision of Judge Tompkins in the District Court in the case *Electrical Workers Registration Board v Gallagher* (Te Awamutu, 12 April 2011) where the Judge stated at paragraph 24:

As is made apparent by the definition of "supervision" in the Act, that requires control and direction by the supervisor so as to ensure that the electrical work is performed competently, that appropriate safety measures are adopted, and that when completed the work complies with the requisite regulations. At the very least supervision in that context requires knowledge that work is being conducted, visual and other actual inspection of the work during its completion, assessment of safety measures undertaken by the person doing the work on the site itself, and, after completion of the work, a decision as to compliance of the work with the requisite regulations.

- 7.3 Key elements from the decision which Supervisors must take into consideration include:
- (a) Control and direction by the Supervisor to ensure safety, competence and compliance;
  - (b) Knowledge the work is being conducted;
  - (c) Visual and other actual inspection during its completion;
  - (d) Assessment of safety measures; and
  - (e) A decision on compliance.
- 7.4 A decision on compliance by the Supervisor must be made in accordance with the testing provisions of the Act and Regulations.
- 7.5 A Supervisor should be prepared to determine whether prescribed electrical work in certain circumstances should not be carried out under Supervision because of safety, competency or compliance requirements.
- 7.6 A Trainee should be encouraged to raise any safety, competency or compliance concerns with their Supervisor or employer at any time.

### Control and Direction

- 7.7 Employers should take all practicable steps to ensure that any Trainees who are carrying out any prescribed electrical work will be under effective Supervision.
- 7.8 Control and direction by a Supervisor is a continual process and requires active Supervision throughout the completion of prescribed electrical work by a Trainee.
- 7.9 The following steps should be taken and considered by a Supervisor prior to allowing a Trainee to undertake prescribed electrical work under Supervision and to issuing instructions:
- (a) Visit the site and assess the workplace and work environment; and
  - (b) Know and understand:
    - (i) the prescribed electrical work to be undertaken;
    - (ii) the materials to be used;
    - (iii) the equipment and tools to be used;

- (iv) any site specific and work specific safety factors including the possible presence of live fittings and conductors;
  - (v) the work environment and who they will be working with and for, and the risk of others influencing the work of or the decisions of the Trainee; and
  - (vi) the Trainee's ability on the day and whether any factors might impair their ability.
- 7.10 Clear and precise instructions should be issued which include how the Supervisor will ensure safety, competence and compliance. If necessary instructions should be in writing.
- 7.11 Supervisors should make it clear to Trainees that they must refer to the Supervisor if they are in any doubt as regards the prescribed electrical work to be undertaken or to workplace safety.

### Safety of Trainees

- 7.12 Regulations 100 and 101 impose safety responsibilities on Trainees, their Supervisors and their employers.
- 7.13 Regulation 100 imposes responsibilities on the person carrying out prescribed electrical work. If a Trainee is carrying out prescribed electrical work under Supervision then the safety obligations under the Regulation must be met by both the Trainee and the Supervisor.
- 7.14 Regulation 100 provides:

*Regulation 100 Safety responsibilities of person who carries out work*

- (1) *A person who carries out any prescribed electrical work, or any work referred to in clause (2)(e) to (h) of Schedule 1, must take all practicable steps,—*
- (a) *before beginning the work, to check that any associated equipment and personal protective equipment to be used by that person is in good order and condition, and is safe for its intended use; and*
  - (b) *to follow the procedures approved by the employer (if any) for the work to be carried out; and*
  - (c) *to use the associated equipment and the personal protective equipment provided in a competent manner;*
  - (d) *to comply with AS/NZS 4836 or the certified design for all electrical work carried out on electrical equipment operating at low or extra-low voltage.*
- (2) *The responsibilities set out in this regulation of a person carrying out work are in addition to, and do not limit, the responsibilities of that person under the Health and Safety at Work Act 2015.*

- 7.15 Particular attention is to be paid to the requirements of AS/NZS 4836 – Safe working on or near low-voltage electrical installations and equipment.
- 7.16 Regulation 101 imposes direct obligations on employers of persons who carry out prescribed electrical work. It provides:

*Regulation 101 Responsibility of employers for safety of employees*

- (1) *An employer who employs a person to carry out any prescribed electrical work, or any work referred to in clause (2)(e) to (h) of Schedule 1, must take all practicable steps to ensure the safety of the employee while carrying out the work, and must take the steps described in subclauses (2) and (3) in particular.*
- (2) *The employer must take all practicable steps to—*
- (a) *provide safe working procedures for employees to follow when carrying out the work; and*

- (b) *ensure that any associated equipment and personal protective equipment used by an employee is arranged, designed, made, tested, inspected, and maintained so that it is safe for the employee to use.*
- (3) *The employer must take all practicable steps to ensure that the employee who carries out the work—*
  - (a) *has adequate knowledge and experience of the type of work being carried out; and*
  - (b) *has been adequately trained in the safe use of the associated equipment, the personal protective equipment, and the procedures for carrying out the work; and*
  - (c) *immediately before the start of the work, checks that the associated equipment and personal protective equipment is in good order and condition; and*
  - (d) *uses the equipment and the procedures that the employer has approved for the work.*
- (4) *Subclause (3)(a) does not apply if the employee is in training and the employer ensures that the employee is adequately supervised to ensure the safety of the employee.*
- (5) *The responsibilities of the employer set out in this regulation are in addition to, and do not limit, the responsibilities of the employer under the Health and Safety at Work Act 2015.*

7.17 Given the provisions of Regulations 100 and 101, both employers and Supervisors must ensure that they have all necessary systems, processes and procedures in place to meet their safety obligations and their general obligations under the Health and Safety at Work Act 2015.

7.18 Safety considerations should include:

- (a) Site or client specific safety requirements;
- (b) Site hazards, toolbox and/or tail gate briefings or requirements;
- (c) Available personal protective equipment which is current;
- (d) The tools and equipment to be used;
- (e) The physical conditions at the site;
- (f) Any likely changes to the physical conditions as work progresses;
- (g) Whether electrically live exposed fittings could be contacted whilst work is in progress; and
- (h) The procedures to be followed in the event of an emergency.

### Knowledge of Trainee and of Supervisor

7.19 The Supervisor must ensure the Trainee has adequate training, knowledge and experience of the prescribed electrical work to be carried out.

7.20 Supervisors should not Supervise work that is not within their own competence. Whilst the Supervisor's class of registration may allow them to Supervise the prescribed electrical work, if they are not familiar and confident with the type of work themselves then they should not Supervise a Trainee to carry out the same type of work.

7.21 Where a Trainee only has limited knowledge or experience with the type of prescribed electrical work to be undertaken then the Supervisor should provide closer and more detailed Supervision.



- 7.22 A Supervisor should not place a Trainee in a situation where they do not have either adequate knowledge, skill or experience to deal with the prescribed electrical work to be undertaken or with any safety requirements or other circumstances at a work site.
- 7.23 A Supervisor must provide instructions to a Trainee to enable them to carry out prescribed electrical work in a safe, competent and compliant manner and such instructions should, depending on the level of knowledge, skill and experience of the Trainee, include:
- (a) Site and health and safety instructions;
  - (b) How the prescribed electrical work is to be carried out;
  - (c) The fittings to be installed (if any) and how to install them, including reference to any manufacturers' instructions and/or declarations of conformity;
  - (d) How relevant regulations and codes are to be complied with;
  - (e) Methods of electrical isolation, testing and earthing;
  - (f) Procedures in relation to the use of locks for personal protection against electric shock and safety tags;
  - (g) The equipment to be used and how to use it;
  - (h) Personal protective equipment to be used and how to use it;
  - (i) The limits of the prescribed electrical work the Trainee can carry out; and
  - (j) Procedures to follow in the event the Trainee requires assistance or clarification.
- 7.24 It is incumbent on a Supervisor to ensure the Trainee is learning from the carrying out of prescribed electrical work under Supervision and to give the Trainee the benefit of their knowledge, skill and experience.

#### Verification of Trainee's Work

- 7.25 A Supervisor is responsible for the competence and compliance of any prescribed electrical work carried out by a Trainee. To ensure this a Supervisor must test a Trainee's prescribed electrical work.
- 7.26 Verification should take place as the prescribed electrical work is being carried out as well as on completion.
- 7.27 Testing and verification of prescribed electrical work must occur on completion and prior to certification.
- 7.28 All prescribed electrical work on an installation completed by a Trainee must be certified by the Supervisor except that a Trainee:
- (a) may complete an Electrical Safety Certificate for any "low risk" (as defined by regulation 6A(1)) prescribed electrical work completed by the Trainee if the Supervisor allows or permits the Trainee to certify; but
  - (b) may not complete an Electrical Safety Certificate for any maintenance or repair (including replacement) work carried out on the types of prescribed electrical work listed in regulation 6A(2) which are:
    - an extra-low or low voltage installation that does not, or will not, comply with Part 2 of AS/NZS 3000;
    - an installation that operates, or will operate, at high voltage (other than high voltage discharge lighting, high voltage mobile mining electrical equipment, and high voltage relocatable mining electrical equipment);
    - a mains parallel generation system in an installation;
    - a photovoltaic system in an installation;
    - an installation that is, or will be, located in a hazardous area other than an ERZ0 or ERZ1;

- an installation that is, or is intended, for use with electrical medical devices;
  - any fittings (including any neutral earth resistors and earth leakage circuit breakers) that control earth potential rise; and are not part of any relocatable mining electrical equipment;
  - any fittings or appliances that are not part of any relocatable mining electrical equipment and are used or installed, or to be used or installed, in an ERZO or ERZ1;
  - is mains work on an installation;
  - is work on an installation's animal stunning appliances or meat conditioning appliances;
  - is work on low voltage AC railway signalling equipment except where the equipment has been tested in accordance with ECP 60 and the work has been carried out in accordance with AS/NZS 3000;
  - comprises or includes the construction of any relocatable mining electrical equipment, including fittings that control earth potential rise (such as neutral earth resistors, neutral earth reactors, and earth leakage circuit breakers);
  - comprises the connection of a supply of electricity from an above-ground supply to mining electrical equipment, or conductors supplying mining electrical equipment, that are located in the underground parts of an underground mining operation;
  - includes the adjustment of the settings of any isolation fittings of mining electrical equipment or gas monitors used in a mining operation; and
- (c) Any prescribed electrical work completed by a Trainee of the types in 7.28(b) must be certified by the Trainee's Supervisor.

7.29 A trainee cannot, in any circumstances, complete a Certificate of Compliance.

## 8. Trainees' Responsibilities

- 8.1 Prior to a Trainee carrying out prescribed electrical work under Supervision the Trainee must have uplifted a Limited Certificate from the Board.
- 8.2 Before carrying out any prescribed electrical work the Trainee should understand:
- (a) The limits of the prescribed electrical work they can do;
  - (b) Who their Supervisor is;
  - (c) The health and safety requirements for the prescribed electrical work; and
  - (d) The Supervisor's instructions on how the prescribed electrical work is to be carried out.
- 8.3 A Trainee must take all practicable steps to ensure the Trainee's own safety whilst carrying out prescribed electrical work including:
- (a) Ensuring personal protective equipment to be used is in good order and condition, and is safe for its intended use;
  - (b) Ensuring all equipment to be used is in good order and condition, and is safe for its intended use;
  - (c) Taking all practicable steps to follow the instructions set out by the Supervisor and/or employer in relation to health and safety; and
  - (d) Taking all practicable steps to carry out the prescribed electrical work in a safe manner.
- 8.4 A Trainee should know who their Supervisor is at all times whilst carrying out prescribed electrical work.
- 8.5 A Trainee should understand and follow the directions and instructions given by their Supervisor at all times.

- 8.6 A Trainee should use their best endeavours to carry out work assigned by a Supervisor in a competent manner and in a manner that complies with the requirements of the Act and Regulations.
- 8.7 A Trainee should ask their Supervisor if they do not understand any instruction or if they are unsure how to carry out any prescribed electrical work assigned by a Supervisor.
- 8.8 A Trainee should refuse to do any prescribed electrical work where they feel unsafe or where they do not consider they have the required competence or skills or the necessary Supervision to carry out the work in a safe, competent or compliant manner.