

New Face at AECI



Chris Lundy

Executive Secretary, The AECI,
Woodview Centre, Main St, Celbridge, Co. Kildare

AECI have announced the appointment of Chris Lundy as their Executive Secretary, effective from the 22nd of September.

New Premise for AECI

The AECI have moved to a new office
(Please note our new address)

**Woodview Centre,
Main St, Celbridge, Co. Kildare**

Our phone numbers have not changed.

Important Events

- Monday 17th November AECI and other associated bodies meet at the Labour Court.
- Wednesday 19th of November EGM called to take place at Morans hotel, Red Cow at 7.30pm.

AECI Trade Show 2009

The AECI are excited to announce that The 2009 Tradeshow will be held in The Rochestown Park Hotel, Cork on Saturday the 23rd of May 2009. Please do not hesitate to contact us for any additional information.

Association of Electrical Contractors (Ireland)

Woodview Centre, Main Street, Celbridge, Co. Kildare.
Phone: 01 288 6499 Fax: 01 288 5870
Website: www.aeci.ie Email: aeci@indigo.ie

Chris is very well known in the Electrical Industry, both with Contractors and the supply chain.

This will mean a significant improvement in service to AECI Members and also good representation at other bodies affiliated to the Electrical Industry. This appointment, together with the opening of the new AECI office at Woodview Centre, Main Street, Celbridge will give AECI Members a channel of assistance that is second to none.

During my first few weeks in AECI, it was a pleasure to meet up again with a lot of you guys that I had known for so long. In Athlone's "Radison Hotel", we held the seminar on Government Conditions of Contract for Public Works, presented in a highly professional manor by Quigg Golden (Contract Consultants). We then headed for Cork, Galway and Dublin with our 'Information Gathering Evenings'. Speaking to many Electrical Contractors in my various roles in the industry, there is agreement that the fragmentation within the Electrical Industry plays straight into the hands of the bodies, which we as an industry are fighting against for our members. Of course there will be differences of opinion within our membership, but that is always a healthy sign and there are ways and means of resolving these issues for like minded people (without grudges),

I have witnessed the extent to which your Officers and Council volunteer their personal and business hours for the good of the AECI and with the addition of myself and Lenka Zemanova (Administrator), we could do with your full support and contribution to create a stronger and more active association for you, the members.

There will be further information and more detail on the new office and the services provided in the next issue of the Electrical Review.

Insidethisissue

- **Recovering Debts**
In hard times
- **Insurance**
Know the value if your cover
- **Equality**
IN the work place
- **News**
From the Office
- **Health and Safety**
Legislation 2005
- **Information Evenings**
AECI have gone nationwide with their Information Evenings

AECI Members Recovering Debts in Hard Times



The construction industry has always been a cyclical one, but the length and scale of the latest boom means that many sub-contractors have simply forgotten about the methods of dealing with bad debts. Obviously, every firm will do its best to resolve bad debts without seeking professional advice, but sometimes that is not enough. Quigg Golden's Robert Rooney offers some pointers to AECI members as to what happens when the lawyers must be called in.

Dispute or Debt?

The first step is to recognise whether there is a debt or a dispute. If you have a contract where an Architect (or other consultant) certifies the work done and the sums have been properly executed and certified, it is likely that a debt has arisen. Recovery of that sum is a relatively straightforward process. However, when a client or main contractor raises issues of quality or quantity, a dispute will arise and it will be necessary for you, the creditor, to prove your entitlement to the sums claimed. Early clarification is therefore key to the successful resolution of a dispute. Therefore check:

1. Do you have a certificate: and
2. Are there any reason which means you are in default?
This could include:
 - You being outside your contract period to complete without a proper extension of time being granted; or
 - Defects which you know about or have been notified to you.

If either exists or there is anything else you are aware of, then you may well be open to your client claiming there is a dispute. You should gather all the details you can about anything which may be raised.

Your professional advisor will work with you to clearly calculate the debt due. They should then write to the other side giving them seven days to pay.

At this point, a number of responses might be received:

1. The debtor will contact you directly and an acceptable deal will be struck. This often involves instalments and/or an agreement to accept a lesser amount. The decision to strike a deal of this nature is a commercial decision for you. It should always be crystallised in writing; or
2. The debtor states he/she is not paying for a stated reason, e.g. quality of work. The reasons need to be carefully examined. If the reasons are arguable, it may not be possible to enforce the claim as a debt; or
3. The debtor may do nothing.

Demand

If, at the end of the seven days, the debtor is silent or you have failed to reach a satisfactory agreement, a Demand can be served on the debtor company. This gives the debtor 21 days to pay or you will seek to have the company declared insolvent and wound up. (Different considerations apply if the debtor is an individual or a partnership, and these can be discussed.)

When does the debt become public?

When a petition for winding up is presented, arrangements can (and in some circumstances, must) be made to publish the fact. This will then be reported in Stubbs Gazette and made available to banks and credit rating agencies. Publication will have a very negative impact on the debtor's business and is usually something that a business will strive to avoid.

Filing a winding up petition can be a very powerful tool in focussing the mind of the debtor, in particular the threat of publicity. Thus, filing a petition can often be the point at which a debtor will capitulate, even if you have no intention of actually having the company wound up.

Robert Rooney is an Assistant Contracts & Arbitration Manager at Quigg Golden. The AECI has an arrangement with Quigg Golden whereby members can avail to a one free consultation. Quigg Golden offers cost-effective advice to sub-contractors on debt recovery as well as representation in construction contract disputes. Robert can be contacted on 01 676 6744 or at Robert@quigggolden.ie

INSURANCE

In a recent meeting with Chris Lundy of the AECI, we were advised that on occasion some members have obtained quotations at a lower price than the AECI Member Scheme with Arachas.

Not all liability policies are the same and many insurers reduce price by reducing cover under the product, for example, reducing limits of indemnity or imposing excesses (the amount you pay following a claim).

The AECI Member Scheme offers more protection than any other policy currently available and is accepted as the market leader for the Electrical Industry. We can not underestimate the importance of maintaining the highest level of protection, for members, under this liability scheme.

When considering alternative options, our first consideration is always price but like you in your business we also look at what your money buys. An inferior product with a small saving of premium never makes economic sense. The true worth of insurance can only be seen after a claim and at that stage it is too late to buy extra covers.

Your scheme provides the following benefits as standard:

1. **Public Liability is €6,500,000** any one event and unlimited in the period of insurance
2. **Products Liability is €6,500,000** any one period of insurance.
3. **Employers Liability is €25,500,000** any one event and unlimited in the period of insurance.
4. **Commercial Legal Protection** cover for **Legal Expenses** which includes **Helpline Services** and on-line **Employment Manual**. The Employment Manual, developed by DAS, has been designed to provide you with a **comprehensive guide to employment procedures**. It is available exclusively to A.E.C.I. members/DAS policyholders and can be **accessed on-line** using a password which is provided to you once your policy has been renewed.
5. **Failure of products** (efficacy) up to a limit of indemnity of **€2,600,000** any one period and limited to **€1,300,000** any one event (including Alarms).
6. **No height restriction** applies

Options

- **Professional Indemnity Insurance** can be included subject to a supplementary proposal form.
- **Quotations** are available for additional covers that may be required (e.g. increased Public Liability)

Arachas also offer A.E.C.I. members a range of quality insurance products at competitive rates. Including, Motor (Private & Commercial), Household, Personal Accident, Goods in Transit and a free Financial Health Check.



Know the Value of Your Cover

Guy Percival

Director of Arachas



Guy Percival is a Director of Arachas, He can be contacted at Tel. 01-2135000, Fax 01-2135001, e-mail: guy.percival@arachas.ie. The views and opinions expressed in this article are solely those of the author. Cover and the above benefits will at all times remain subject to the terms, conditions, wordings and endorsements of the members specific Policy & Certificate of Insurance. Arachas Corporate Brokers Ltd t/a Arachas is regulated by the Financial Regulator.

EQUALITY IN THE WORKPLACE – DISCRIMINATION



CURRENT LAW IN IRELAND

Employment Equality Acts, 1998-2007

The Acts prohibit discrimination in job opportunities on any of the following nine grounds:

1. **Gender:** A man, a woman or a transsexual;
2. **Age:** This applies to all ages above the maximum age at which a person is statutorily obliged to attend school;
3. **Race:** A particular race, skin colour, nationality or ethnic origin;
4. **Religion:** Different religious belief, background, outlook or none;
5. **Family status:** Includes responsibility as a parent or in loco parentis to a person less than 18 years of age or as a parent or primary resident carer of a person over the age of 18 with a disability who needs care of support on a continuing, regular or frequent basis;
6. **Marital status:** Single, married, separated, divorced or widowed;
7. **Sexual orientation:** Gay, lesbian, bisexual or heterosexual;
8. **Disability:** This is broadly defined to include people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions;
9. **Membership of Travelling Community:** People who are commonly called Travellers, and who have a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.

Discrimination is defined as less favourable treatment. A person is said to be discriminated against if he/she is treated less favourably than another is, has been or would be treated in a comparable situation on any of the nine grounds.

1. Classes that are covered:

Full time, part time and temporary employees;
Public and private sector employment;
Vocational training bodies;
Employment agencies;
Trade Unions and professional bodies;
The self employed;
People employed in another person's home.

2. Aspects of employment that are covered:

Equal Pay;
Access to employment, training and work experience;
Terms and conditions of employment;
Dismissal;
Collective agreements;
Classification of posts;
Advertising;
Promotion or re-grading.

TYPES OF DISCRIMINATION

Direct Discrimination, e.g. a requirement that any person aged over 50 cannot apply for a job may be direct discrimination on grounds of age. A direct comparison must be made, e.g. disability discrimination - the comparison must be between a person who has a disability and another who has not or between persons with different disabilities.

Indirect Discrimination This occurs when practices or policies that do not appear to discriminate against one group more than another actually have a discriminatory impact. It can also happen where a requirement that may appear non-discriminatory adversely affects a particular group or class of persons e.g. a requirement that no person with grey hair need apply could be indirect discrimination on grounds of age (unless the requirement was essential to the job on offer), as the effect of the requirement will be to exclude many more older people than younger ones. By way of defence the employer must show that its actions are objectively justifiable and/or have a legitimate aim.

NEWS FROM THE OFFICE

Major Benefits for AECI Members:

Don't forget our new arrangements with The Small firms Association and Quigg Golden, as an AECI member these free services are really beneficial. We are currently reviewing all Members Benefits and working on improving the full package.

AECI out on the road

AECI have gone nation wide with AECI Information evenings, which have been held on Wednesday the 29th of October in The Hibernian Hotel Mallow, Thursday the 30th of October in the Menlo Park Hotel Galway & Wednesday the 5th of November in Morans Red Cow Hotel (Business Centre) Dublin.

We would like to take this opportunity to thank our members for their support and contribution at the meetings. The Ballot papers are on route to all members.

The results of the ballot and the EGM will be published in the Christmas edition of the newsletter.

New Appointment & Address for AECI:

Feel free to drop up to us in our new Office in Celbridge for a cup of tea and a chat! Chris Lundy and Lenka Zemanova are there on hand to have a chat and discuss any problems or suggestions you may have.

70% FAS funded Courses:

Professional Development Ltd are running courses ranging from Selling Skills to Project Management. Tel – 01 8610700 or check out www.PDLgroup.ie for more information.

Up Coming Holidays:

Holidays are as follows for Halloween and Christmas (as per the Construction Industry Federation):

December 24thAnnual Holiday
December 25th & 26thPublic Holiday's
December 29th,30th & 31stAnnual Holiday's
January 1st 2009Public Holiday
January 2nd 2009Annual Holiday

PN LIGHTING

- Public Lighting
- Industrial, Commercial
- Architectural
- Energy Efficient Solutions
- Lighting Controls
- Church
- Planning – Amenity
- Retail – Sports

Tel: 021 4374542

Fax: 021 4373656 Mob: 087 9662197

Email: patneville@pnlighting.ie

Patrick Neville MSLL,
Consulting Lighting Engineer
PN Lighting Ltd,
14 Glenwood Dale,
Carrigaline,
Co. Cork

PI Insurance

The 'Lite Box'

The Lite Box is a free and easy to use portable container for the collection of Fluorescent tubes and CFLs. It is available to electrical wholesalers for distribution to electricians and other users of Fluorescent tubes to help improve the collection and recycling of these products.



For further information email conor@weeeireland.ie.

The AECI Say Yes to Recycling

SHWW (Safety Health & Welfare at Work) Act 2005 Checklists

Checklists are intended to be comprehensive, but not necessarily exhaustive. The checklists are designed to be answered, yes if the company is compliant with the requirement and no if it is not. If the company is not compliant it will then have to put measures in place to comply.

Checklists 2: Employers Duties

General duties – Part 2 of Bill

Section 8 – General Duties

Employers are required, in so far as is reasonably practicable, to perform the duties listed below, so as ensure the safety, health and welfare at work of employees.

Reasonably practicable is defined in the Act as meaning that an employer has exercised all due care by putting in place the necessary protective and preventative measures, having identified the hazards and assessed the risks to safety and health likely to result in accidents or injury to health at the place of work where the putting in place of any further measures is grossly disproportionate having regard to the unusual, unforeseeable and exceptional nature of any circumstances or occurrence that may result in an accident at work or injury to health at that place of work.

Duty: Have we	Have we Complied
Put in place measures to ensure the safety, health and Welfare of employees?	Yes/No
Managed and conducted work activities so as to Ensure safety, health and welfare at work?	Yes/No
Managed and conducted work activities in such a way as to Prevent improper conduct or behaviour likely to put employees At risk?	Yes/No
Designed, provided and maintained a place of work that is Safe and without risk to health?	Yes/No
Designed provided and maintained a safe means of Access and egress from the work place?	Yes/no
Designed provided and maintained plant and machinery and Other articles that are safe and with out risk to health?	Yes/No
Ensured safety and the prevention of risk to health of Employees relating to the use of any article or substance Or because of exposure to noise, vibration, ionising or Other radiation?	Yes/No
Provided systems of work that are planned organised and Revised to be safe and without risk to health?	Yes/No
Made arrangements for and provided welfare facilities?	Yes/No
Provided information, training and instruction?	Yes/No
Determined and implemented the safety, health and Welfare measures necessary for the protection of employees As shown to be necessary following hazard identification and Risk assesment?	Yes/No
Ensured that the measures put in place take account Of changing circumstances and the general principles of Prevention?	Yes/No
Where risks can not be climinated or adequately controlled Provide suitable protective clothing and equipment?	Yes/No
Prepared and revised adequate plans and procedures and Measures to be taken in the event of an emergency or Serious and imminent danger?	Yes/No
Reported and fatal or more than three day absence accidents Or dangerous occurrences to the HAS?	Yes/No
The services of a competent person to ensure safety, health And welfare at work of employees?	Yes/No
Complied with the obligation to ensure the safety, health and Welfare of any fixed item or temporary employee?	Yes/No
Ensured the safety measures do not involve cost to employees?	Yes/No

Harassment This is any form of unwanted conduct related to any of the nine discriminatory grounds outlined in the Acts. Treating someone prejudicially in a manner that you do not treat others, on the basis of any of the nine stipulated grounds, is deemed to be harassment and is unlawful. Harassment may take the form of persistent behaviour or may be a one-off occurrence. It can include verbal or physical behaviour. It can relate to any of the nine grounds and can include for example, behaviour which is, ageist, sectarian or racial in form or in undertone, or it can offend because of a person's disability.

Sexual harassment This is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. Under the Equality Act 2004 sexual harassment includes same sex sexual harassment.

In both cases it is conduct which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person and may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Harassment or sexual harassment may be by another employee, a client, customer or business contact of an employer.

The Acts also prohibit the victim being treated differently by reason of rejecting or accepting the harassment.

Under the Acts the principle of vicarious liability means that employers are liable for the actions of employees, whether or not these acts were done with the employer's knowledge.

EXCEPTIONS

Certain exceptions are allowed:

- a) Where there is a genuine occupational requirement, for example the sex of the person is an occupational requirement for a job modelling clothes.
- b) Special treatment of women connected with pregnancy, maternity or adoption.
- c) Access to employment for the provision of personal services in another person's home where the services affect the private or family life of residents. e.g. child care. Note the exception only applies to access to such employment. Once in the job, the employee has the protection of the equality legislation.
- d) Positive action to help prevent or compensate persons coming within one of the grounds covered by the legislation for disadvantages linked to that ground.
- e) Discrimination by religious, educational, and medical institutions run by religious bodies in order to maintain the religious ethos of the institution.
- f) Under the age ground, setting a minimum age of 18 when recruiting for a position and offering a fixed-term contract to a person over the compulsory retirement age for the particular employment concerned.

DISABILITY

An employer is not required to employ someone who will not undertake the duties or is not fully competent or capable of doing the job. However a person with a disability may be deemed fully competent on reasonable accommodation being provided by the employer.

Reasonable Accommodation An employer is obliged to take appropriate measures to enable a person with a disability to have access to employment, to have access to promotion within the workplace and to participate in training programmes. Examples

of reasonable accommodation may include the adaptation of premises or equipment, adjusting patterns in working time, adapting tasks etc.

It is important to note that the employer is only obliged to implement these measures as long as there is no disproportionate burden to the employer. This means that account must be taken of the financial costs, the financial resources of the employer or the possibility of obtaining public funding or other assistance.

STEPS TO BE TAKEN

Employers should carry out a review of practices and procedures to ensure compliance with the EEA. These include the following:

1. Interview guidelines;
2. Training of interviewers;
3. Application forms;
4. Selection criteria (including short-listing of candidates);
5. Job specification;
6. Advertising of positions;
7. Medical documentation;
8. Risk assessments;
9. Reasonable accommodation of persons with disabilities;
10. Promotion;
11. Terms and conditions of employment, including access to part-time opportunities, annual leave etc.
12. Provision of training;
13. Training supervisors/managers
14. Dress codes;
15. Harassment policies;
16. Dignity at work policies;
17. E-Mail policies;
18. Grievance procedures;
19. Disciplinary procedures;
20. Selection for redundancy;
21. Dismissal procedures.

REDRESS AVAILABLE

1. An order for equal treatment
2. An order for equal pay (plus arrears where appropriate)
3. An order for compensation of up to 2 years pay (up to €12,700 for someone who is not an employee of the respondent)
4. An order for a specified person to take a specified action
5. If the claim is Gender based it can be taken in the Circuit Court and there is no limit on compensation

ORIGIN

Article 119 of the Treaty of Rome
Council Directive 2000/43/EC
Council Directive 2007/78/EC
Council Directive 2002/73/EC

CORK GROUP

CLONMEL

Unit 11J, Ard Gaoithe Business Park,
Cashel Road, Clonmel

Tel: 052 28834 Fax: 052 28830
email: sales.clonmel@cefltd.ie

LIMERICK

Unit 1K, Eastway Business Park,
Ballysimon, Limerick

Tel: 061 423310 Fax: 061 423611
email: sales.limerick@cefltd.ie

LITTLE ISLAND

Unit 4, Euro Business Park, Little Island, Cork

Tel: 0214 297522 Fax: 0214 297533
email: sales.littleisland@cefltd.ie

TOGHER

Unit 8 & 9 Lehenaghbeg, Forge Hill Cross,
Togher, Cork

Tel: 0214 321820 Fax: 0214 316450
email: sales.togher@cefltd.ie

WATERFORD

Unit 10E, Six Crossroads Business Park, Waterford

Tel: 051 372825 Fax: 051 590577
email: sales.waterford@cefltd.ie

TRALEE

Unit 5/6, Westside, Monavalley Business Park,
Tralee, Kerry

Tel: 066 7103955 Fax: 066 7103961
email: sales.tralee@cefltd.ie

ENNIS

Unit 6A, Ballymaley Business Park, Ballymaley,
Ennis, Co. Clare

Tel: 065 6828295 Fax: 065 6842601
email: sales.ennis@cefltd.ie

PORTLAOISE

Unit 1, Crann Port, Clonminium Business Park,
Portlaoise, Co. Laois

Tel: 057 8672802 Fax: 057 8672910
email: sales.portlaoise@cefltd.ie

DUBLIN GROUP

CASTLEBAR

Unit 10, Castlebar Business Park, Breaffy Road,
Castlebar, Co. Mayo

Tel: 094 9027196 Fax: 094 9027192
email: sales.castlebar@cefltd.ie

DUNDALK BRANCH

Unit 3 Butterly Business Park Coes Road Dundalk
Co Louth

Tel: 0429327305 Fax: 0429353578
email: sales.dundalk@cefltd.ie

FINGLAS

Unit 25, North Park, North Road, Finglas Dublin 11

Tel: 01 8239000 Fax: 01 8239001
email: sales.finglas@cefltd.ie

LETTERKENNY

Unit 2, Kiltoy, Letterkenny, Co. Donegal

Tel: 074 9106100 Fax: 074 910610
email: sales.letterkenny@cefltd.ie

SLIGO

Units 9 & 10, Duncans Island,
Finisklin, Sligo, Co. Sligo

Tel: 071 9151820 Fax: 071 9151852
email: sales.sligo@cefltd.ie

MULLINGAR

Unit 12A, Clonmore, Mullingar Business Park,
Mullingar, Co. Westmeath

Tel: 044 9385515 Fax: 044 9333554
email: sales.mullingar@cefltd.ie

NAAS

Units F3, M7 Business Park, Naas, Co. Kildare

Tel: 045 898099 Fax: 045 898656
email: sales.naas@cefltd.ie

RED COW BRANCH

Unit B1 Jfk Trading Centre John F Kennedy Road
Dublin 12

Tel: 014242042 Fax: 014508382
email: sales.redcow@cefltd.ie

all this...

wiring accessories cable & accessories cable management
switchgear & distribution control equipment decorative
lighting fire & security lamps & tubes lighting luminaries
heating waterheating ventilation hazardous area test
equipment fixings data & communication domestic tools
& equipment industrial equipment

...and much more



city



electrical



factors

Distributors & Suppliers of Electrical Products



We accept all of the following payment methods:
Credit accounts available. (Subject to status).

