



ELECTRICAL WORKERS REGISTRATION BOARD EMPLOYER LICENCE SCHEME

REQUIREMENTS FOR BODIES PROVIDING AUDIT AND CERTIFICATION OF
EMPLOYER LICENCE APPLICANTS AND HOLDERS (SECTION 115 OF THE
ELECTRICITY ACT 1992)

EWRB-EL

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SAFETY | COMPETENCY | COMPLIANCE

Contents

0	INTRODUCTION	3
0.1	Background.....	3
0.2	Object and field of application	4
0.3	Transition policy or CABs.....	4
1	SCOPE	4
2	NORMATIVE REFERENCES.....	5
3	TERMS, DEFINITIONS AND ABBREVIATIONS.....	5
4	PRINCIPLES	6
5	GENERAL REQUIREMENTS	6
5.1.2	Certification agreement	6
5.1.3	Responsibility for certification decisions.....	6
6	STRUCTURAL REQUIREMENTS	7
7	RESOURCE REQUIREMENTS	7
7.1	Competence of personnel	7
8	INFORMATION REQUIREMENTS	7
8.2	Certification documents	7
9	PROCESS REQUIREMENTS.....	7
9.1	Pre-certification activities.....	7
9.1.2	Application review.....	7
9.1.3	Audit programme	7
9.1.4	Determining audit time	8
9.1.5	Multi-site sampling.....	8
9.2.2	Audit team selection and assignments	8
9.2	Planning audits	10
9.4.8	Audit report	11
9.5	Certification decision.....	11
9.5.1	General	11
9.5.2	Actions prior to making a decision	11
9.6	Maintaining certification	12
9.6.4	Special audits.....	12
10	MANAGEMENT SYSTEM REQUIREMENTS FOR CERTIFICATION BODIES	12

0 Introduction

0.1 Background

The Employer Licence Scheme is a regulatory scheme owned by the Electricity Workers Registration Board (EWRB) (“the Board”).

An employer licence authorises the licence holder to authorise employees¹ to do, or assist in doing, any prescribed electrical work.

Employer licences are issued by the Board upon consideration of an employer’s application as prescribed by section 115 of the Electricity Act 1992 (the “Act”).

Amongst other matters, that application requires evidence of accredited certification that the employer licence applicant or holder’s system of operation complies with specific provisions of that Act and Electricity (Safety) Regulations 2010, clauses 92, 93 and 94 (ESR 92 - 94). Following any granting of an employer licence the holder is required to furnish annual accredited certificates of compliance to the Board.

The Electricity (Safety) Regulations 2010 (ESR) requires that any employer licence must be certified by an ‘approved person’. ESR 96 defines an ‘approved person’ to be an “accredited auditor” that satisfies the Board that it is capable of certifying whether a system of operation complies with the Act. ESR 4 defines an ‘accredited auditor’ to be a (certification) body accredited by JAS-ANZ or equivalent accredited organisation. The Board will accept certification bodies accredited for the Employer Licence Scheme as being capable of certifying employer licence systems of operation; such bodies will be regarded as ‘approved persons’ for the purposes of ESR 96.

The Employer Licence Scheme establishes the requirements for certification bodies providing audit and certification of employer licence applicants and holders that they will at all times maintain a system of operation:

- a. that complies with the requirements that are prescribed by regulations, and
- b. that is sufficient to ensure that employees of that employer licence applicant and holders who do, or assist in doing, prescribed electrical work:
 - i. are competent to carry out the range of work for which they are employed; and
 - ii. receive the supervision and training that is necessary to ensure that the work
 - A. is carried out safely and competently, and
 - B. complies with the requirements of the Act and any regulations.

The Employer Licence Scheme was developed by a JAS-ANZ Technical Committee in consideration of the regulatory requirements. The committee comprised a broad and balanced representation of significantly interested parties.

¹ Note 1: The Electricity Act requires that employees may only carry out prescribed electrical work under an employer licence. Persons with contracts for service are not permitted to work under such a licence.

Note 2: It is possible for the employer licence holder to authorise any employee who holds an individual Board registration and a current practising licence to carry out prescribed electrical work under the employer licence. In these circumstances, the employer licence holder is responsible for the compliance of such work with the Electricity (Safety) Regulations 2010.

0.2 Object and field of application

This Scheme contains requirements that supplement, but do not diminish the requirements of ISO/IEC 17021-1, which is the current International Standard for bodies auditing and certifying management systems.

Certification bodies seeking accreditation to provide employer licence certification services will be required to satisfy the requirements of ISO/IEC 17021-1 and those other requirements specified in this document.

For ease of reference, the clause numbers in this document (other than in this Introduction and the Annexes) refer to the clauses in ISO/IEC 17021-1:2015. Clause numbers prefixed with the letter 'J' are requirements developed by the above technical committees.

The term “**should**” indicates a recognised means of meeting a requirement of this Scheme. A certification body can meet these requirements in an equivalent way provided this can be demonstrated to the satisfaction of JAS-ANZ. The term “**shall**” is used in this document to indicate those provisions that are mandatory.

0.3 Transition policy or CABs

Accreditation

Current “approved persons” shall immediately commence their transition to the Scheme. Where accreditation is not attained within 6 months of the scheme’s publication date the “approved person” will no longer be recognised by the Board.

Certification

Non-accredited employer licence certificates will not be recognised by the Board after 12 months from the publication date of this scheme. In consultation with, and to the satisfaction of JAS-ANZ, accredited certificates can be retrospectively issued where the certification body can demonstrate satisfactory conformance with the scheme requirements in the case of each issuance.

1 Scope

Scheme access is only available to employers performing prescribed electrical work for which an employer licence is sought or held. Employer licence holders are eligible for on-going certification (and therefore licensing) only where they maintain scheme capability and competence.

2 Normative references

The following referenced documents are indispensable for the application of this Scheme. For dated references, on the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

- Electricity Act 1992
- Electricity (Safety) Regulations 2010 (ESRs) clauses 92, 93 and 94 (ESR 92 - 94). These clauses form the 'certification standard'
- IAF MD 1 – IAF Mandatory Document for the Certification of Multiple Sites Based on Sampling, available at www.iaf.nu
- IAF MD 2 – IAF Mandatory Document for the Transfer of Accredited Certification of Management Systems, available at www.iaf.nu
- ISO/IEC 17021-1 – Conformity Assessment – Requirements for bodies providing audit and certification of management systems. Part 1: Requirements
- JAS-ANZ Policy 03/11 – Transfer of accredited management system certification.

3 Terms, definitions and abbreviations

Board

Electrical Workers Registration Board (EWRB), being the Scheme Owner.

Elements: Non-technical

Includes, but is not limited to, audit of:

- a. completeness, currency and maintenance of the employer's manual.
- b. the names of every employee who is to carry out identified prescribed electrical work under the licence, along with a description of the identified prescribed electrical work that each employee is trained, and has the skills, to do.
- c. geographic scope of the proposed or actual employer licence.
- d. employer's contact information for the employer licence.

Elements: Technical

Includes, but is not limited to, audit of whether the following required outcomes are being fully achieved:

- a. proposed or actual prescribed electrical work to be performed under an employer licence is accurately identified (the identified prescribed electrical work).
- b. the necessary skills and training required to carry out each type of electrical work are identified and provided by the employer, and that employee competencies are established and monitored.
- c. proposed or actual identified prescribed electrical work does, or will, comply with all statutory and regulatory requirements, in addition to responsibilities under the Health and Safety legislation.

- d. employer resourcing, supervision and monitoring of identified prescribed electrical work are adequate and effective.
- e. employer investigations of injuries caused to persons, and damage caused to property, as a result of carrying out any prescribed electrical work are conducted with the necessary technical and regulatory competence and rigour.
- f. employers take appropriate action to prevent, and in response to, injuries to persons or damage to property that results from carrying out the identified prescribed electrical work.

<u>Employer</u>	for purposes of this scheme, the holder of the employer licence or, in respect of an initial application for certification, the employer licence applicant.
<u>Prescribed electrical work</u>	means electrical work as defined by Schedule 1 of the ESRs.
<u>Employee</u>	means any person who is employed to do any work for hire or reward under a contract of service.

Abbreviations

<u>OHS</u>	Occupational health and safety system
<u>PEW</u>	Prescribed electrical work (refer to definition above)
<u>QMS</u>	Quality management system

4 Principles

No additional principles

5 General requirements

5.1.2 Certification agreement

J.5.1.2 The certification agreement shall enable the certification body to provide the Board with a copy of each audit report (as pertains to the employer licence). (See clause J.9.4.8.5).

5.1.3 Responsibility for certification decisions

J.5.1.3.1 The certification body shall consult with the Board as and when necessary and endeavour to achieve mutual alignment between the certification body's decisions relating to certification and any Board decisions relating to employer licences. Alignment of certification term and employer licence term is not mandatory.

6 Structural requirements

No additional requirements

7 Resource requirements

7.1 Competence of personnel

J.7.1.1 Technical and non-technical scheme elements

The certification body shall establish competency criteria in consideration of the scheme's [technical and non-technical elements](#), and in consideration of the audit and certification scopes. Mandatory audit team competencies are defined in J.9.2.2.1.8 to J.9.2.2.1.10.

8 Information requirements

8.2 Certification documents

J.8.2.2.1 Certification documents shall also include:

- a. The details of the prescribed electrical work within the scope of certification
- b. The geographic locations and/or assets where the prescribed electrical work is to be undertaken
- c. A statement that the employer's employer licence manual (the "manual") is consistent with the limits of the prescribed electrical work and locations of operation (i.e. (a) and (b) above)
- d. The current version of the manual in (c) above.

J.8.2.2.2 As the cycle and duration of the employer licence and the certification may differ, the certification body shall, within 30 days of the anniversary of the date when the employer licence was issued and for duration of that licence, provide confirmation of certification to the Board.²

9 Process requirements

9.1 Pre-certification activities

9.1.2 Application review

Note: The certification body should be aware that some entities may not be entitled to be issued with an employer licence and therefore not eligible to apply for certification (see section 120 of the Act). The application process should ensure that only those bodies eligible for licencing are certified.

9.1.3 Audit programme

J.9.1.3.2.1 The certification cycle can be up to 3 years as necessary to achieve synchronisation with the employer licence cycle. Where possible the certification term and the employer licence term should be coincident.

² This will necessitate the certification body sight or maintain a current copy of the employer licence, or otherwise obtain the necessary information.

- J.9.1.3.6 The audit programme shall:
- a. be designed by taking into account risks associated with actual or proposed work performed under the employer licence in scheduling and prioritisation of audit activities
 - b. be designed to ensure that objective evidence is obtained by audit of a range of prescribed electrical work in progress and completed as performed and supervised by a range of employees at a range of sites and circumstances.

The certification body shall ensure that this programme:

- i. includes observation of employees performing prescribed electrical work
- ii. endeavours to engage with different employees at each audit over the audit cycle
- iii. audits the range of prescribed electrical work and types of sites (e.g. above ground, subsurface, industrial sites) in which it is performed over the certification cycle
- iv. verifies the designation and competence of employees performing, supervising and signing off prescribed electrical work
- v. verifies the adequacy of the provision of training, assessment and supervision
- vi. verifies on-going internal monitoring and internal auditing of the employer licence system
- vii. inspects records relating to completed electrical work and associated equipment (e.g. ESC, certification required under the Act and ESRs).
- viii. verifies that the system of operation ensures that any employee who holds individual registration and a current practising licence and normally or periodically carries out prescribed electrical work under the employer licence is clear as to whether, in any work situation, such work is being carried out under the employer licence or the employee's own licence.

9.1.4 Determining audit time

J.9.1.4.5 Consideration shall be given to clauses 9.1.4 in determining audit duration.

9.1.5 Multi-site sampling

J.9.1.5.1 The audit of employer licence holders is eligible for multi-site sampling in accordance with IAF MD 1 provided the employer licence holder satisfies the eligibility criteria of IAF MD 1.

9.2.2 Audit team selection and assignments

9.2.2.1 General

J.9.2.2.1.6 Audit teams may use technical experts with specific technical element knowledge.

J.9.2.2.1.7 If a certification body uses technical experts, its systems shall include details of how technical experts are selected and how their technical knowledge is assured on a continuing basis. The certification body may rely on outside help, e.g. from industry or professional institutions.

- J.9.2.2.1.8 The audit team member(s) conducting an audit of the technical elements shall satisfy the following minimum competencies, or else be accompanied by a technical expert or auditor who satisfies the competencies:
- a. Possessing knowledge, skills and experience that is appropriate for the prescribed electrical work that has been, or is being, carried out under the employer licence, such as:
 - i. for prescribed electrical work carried out on works or high voltage electrical installations, a person with appropriate electrical qualifications and at least 10 years' experience in the electricity supply industry
 - ii. for prescribed electrical work carried out on low voltage electrical installations or electrical appliances, a person with a class of registration that is at least commensurate with what would be the class of registration required to perform the work in the absence of an employer licence and at least 5 years' experience in the electrical industry.
- Note: Registration classes and limits of work are available at www.EWRB.govt.nz.
- b. Conversance with the legislative, regulatory and other requirements applicable to the audit scope including:
 - i. Electricity Act 1992
 - ii. Electricity (Safety) Regulations
 - iii. Gazette notices
 - iv. Electrical Workers Registration Board notifications
 - v. Electrical codes of practice.
- J.9.2.2.1.9 The certification body shall select audit teams with direct relevant experience with the type(s) of prescribed electrical work performed by the employer subject to audit.
- J.9.2.2.1.10 The team member(s) auditing the non-technical elements shall be a QMS or OHS auditor for which the certification body has also assigned appropriate electrical industry scoping.

9.2 Planning audits

9.2.3.2 Preparing the audit plan

J.9.2.3.2.1 For initial, surveillance and recertification audits the audit plan and audit activities shall allow for the determination of the compliance and maintenance of the employer's system of operation with the prescribed requirements of ESR 94, specifically being:

- a. that the prescribed electrical work (identified prescribed electrical work) that will be undertaken under the employer licence is identified; and
- b. that the skills and training required in order to carry out each kind of identified prescribed electrical work is identified; and
- c. the employer has in place procedures for each of the following:
 - i. carrying out, supervising, and monitoring the identified prescribed electrical work;
 - ii. investigating injuries caused to persons, and damage caused to property, as a result of carrying out any identified prescribed electrical work;
 - iii. taking action to prevent, and in response to, injuries to persons or damage to property that results from carrying out the identified prescribed electrical work is taken; and
- d. maintains a manual that sets out the following matters:
 - i. All matters referred to in (a) to (c) above
 - ii. The names of every employee who is to carry out identified prescribed electrical work, along with a description of the identified prescribed electrical work that each employee is trained, and has the skills, to do; and
 - iii. The location and address of each place of work from which the holder of the licence operates, and that is intended to be covered by the licence, and
 - iv. A contact person for the licence, who must be an employee of the holder, identified by name or position.

Note: In addition to the above, the employer has specific responsibilities under health and safety legislation in respect of ensuring the safety of employers, employees and others in the workplace.

J.9.2.3.2.2 For planning of surveillance and recertification audits the certification body shall sight the Employer Licence and take into account any special conditions and validity dates.

9.4.8 Audit report

J.9.4.8.4

The report shall also:

- a. Provide a rolling record of annual statistics over the certification cycle of:
 - i. The number and names of employees performing work under the employer licence
 - ii. The number and names of employees performing prescribed electrical work and specifically subject to each audit (refer to clause J.9.1.3.6), and the details of prescribed electrical work performed
 - iii. Geographic locations where the prescribed electrical work is undertaken and the geographic coverage of the audit tasks.

These statistics shall be used in development of the audit programme and audit plans, and demonstrating compliance with J.9.1.3.6.

- b. Identify any difference in scope between the Employer Licence application and the certified scope.

J.9.4.8.5

The certification body shall forward a copy of each audit report (as pertains to the employer licence) to the Board within 30 days of completion of each audit.

9.5 Certification decision

9.5.1 General

9.5.1.5

In certifying an employer licence holder's system of operation, the certification body certifies the employer's system of operation complies with section 115(1) (a) and (b) of the Act.

Note: The decision on granting an employer licence is the decision of the Board.

9.5.2 Actions prior to making a decision

J.9.5.2.1

In effecting clause 9.5.3 and 9.5.4, the certification body shall also be satisfied that the employer will at all times maintain a system of operation that:

- a. complies with the requirements that are prescribed by the ESRs; and
- b. is sufficient to ensure that the employees who do, or assist in doing, prescribed electrical work:
 - i. are competent to carry out the range of work for which they are employed; and
 - ii. receive the supervision and training necessary to ensure that the work:
 - a. is carried out safely and competently; and
 - b. that the work complies with the requirements of the Act and any regulations.
- c. The employer has and maintains a manual referred to in ESR 94 (also refer to J.9.2.3.2.1 d) that complies with ESR 94(2); and
- d. The procedures referred to in ESR (94) (1) (c) are being followed.

[As required by ESR 95).

9.6 Maintaining certification

9.6.4 Special audits

9.6.4.2 Short-notice audits

Short notice audits may occur. However where such an audit might be relevant to, or overlap with, activity promulgated under section 123 of the Electricity Act 1992 then consultation with the Board is required.

9.6.5.1.1 In the event of (a) or (b) below, the certification body shall determine, in consultation with the Board, any resulting impact on the certification provided. The impact could include suspending, withdrawing or reducing the scope of certification.

- a. Section 115 of the Act enables the Board, in its consideration of an employer licence application, to impose any terms and conditions that the Board thinks fit (for example, by restricting the types of prescribed electrical work that may otherwise be done under the licence).
- b. Section 120 of the Act enables the Board to cancel, suspend and take other actions in relation to an employer licence.

Note: Section 121 of the Act provides the employer licence holder an opportunity to make written submissions and to be heard on the intended Board actions.

10 Management system requirements for certification bodies

No additional requirements