

Plumbing Installation

Level – IV

Based on October, 2023, Curriculum Version II



Module Title: Applying legal requirements to Installation projects

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Acronyms

CFR	Code of Federal Regulations
NCC	National Construction Code
EIN	Employer Identification Number
PI.....	Professional indemnity
IBC.....	International Building Code
NEC	National Electrical Code
IFC	International Fire Code
IPC	International Plumbing Code
NEC	National Electrical Code Institute
OSHA	Occupational Safety and Health Administration
GST	Good service tax
EIN.....	Employer Identification Number
ILO.....	International Labor Organization
ANSI	American National Standards
ISO	International Organization for Standardization

Introduction to the Module

Building codes set minimum standards for construction and installation of buildings and structures, enforced by local government authorities in the United States. Permits are often required for installation projects to ensure compliance with these codes and other regulations. Safety regulations are crucial in installation projects. Industrial relations in plumbing construction involve employment contracts, health and safety regulations, fair wages, working conditions, collective bargaining, grievance handling, dispute resolution, anti-discrimination, and training and development. These policies ensure clarity and transparency for employers and employees, ensuring fair compensation, working hours, leave entitlements, and other conditions. Anti-discrimination laws and regulations are essential for promoting equal opportunity and preventing workplace discrimination.

This module covers the units:-

At the end of the module the trainee will be able to:

- OHS legislation and provisions on site.
- Plumber licensing or registration.
- Financial transaction & Insurance regulation.
- Plumber contract and dispute resolution
- Industrial relations policies and obligations.

Learning Objective of the Module

- OHS legislation and provisions on site.
- Plumber licensing or registration.
- Financial transaction & Insurance regulation.
- Plumber contract and dispute resolution
- Industrial relations policies and obligations.

Module Instruction:

For effective use this modules trainees are expected to follow the following module instruction:

1. Read the information written in each unit
2. Accomplish the Self-checks at the end of each unit
3. Read the identified reference book for examples and exercise

Unit One: OHS legislation and provisions

This unit is developed to provide you the necessary information regarding the following content coverage and topics:

- OHS legislation and regulations.
- Regulations and on-site construction codes.
- Identify and applying site safety signage.

Identifying and applying site safety signage This unit will also assist you to attain the learning outcomes stated in the cover page. Specifically, upon completion of this learning guide, you will be able to:

- OHS legislation and regulations.
- regulations and on-site construction codes.
- Identify and applying site safety signage.

1.1 OHS legislation and provisions

Occupational Health and Safety (OHS) legislation is a set of laws and regulations aimed at ensuring the health, safety, and welfare of workers in the workplace. It outlines standards and guidelines employers must follow to prevent accidents, injuries, and illnesses. OHS legislation is enacted at both federal and state levels, with key provisions requiring employers to provide a safe working environment, conduct risk assessments, and maintain equipment and machinery.

Identify main provisions of OHS legislation

Identifying and applying regulations and on-site construction codes is crucial for ensuring safety, quality, and compliance in construction projects. These regulations protect the public, workers, and the environment from potential hazards and ensure buildings meet certain standards. Understanding the regulatory framework, which includes federal, state, and local regulations, and industry-specific codes and standards, is essential.

The International Building Code (IBC) is a model code that provides minimum requirements for building design, construction, alteration, and maintenance. The National Electrical Code (NEC) provides requirements for electrical installations in residential, commercial, and industrial buildings. Compliance with OSHA regulations is essential for worker health and safety.

1. **Scope, coverage, and exclusions:** Describes the extent and applicability of OHS legislation.
2. **Institutions and programs:** Relates to OSH administration and/or enforcement of OSH legislation.
3. **Employers' duties and responsibilities:** Focuses on employers' obligations to protect the safety and health of workers and others.
4. **Employers' duty to organize prevention:** Pertains to organizing prevention along generally accepted OSH management principles and practices

1.2. Site safety signage requirements.

Site safety signage is crucial for ensuring the safety and well-being of individuals in various environments, including construction sites, industrial facilities, and public spaces. It serves as a visual reminder of potential hazards, providing instructions, and promoting safe practices. Regulations and standards govern the use of site safety signage, including those set by the Occupational Safety and Health Administration (OSHA), the American National Standards Institute (ANSI), and the International Organization for Standardization (ISO). Employers should consult local authorities and industry-specific guidelines to ensure compliance with site safety signage requirements. Factors such as visibility, consistency, localization, maintenance, and supplemental measures should be considered for effective implementation. OHS legislation requires employers to provide a safe working environment, conduct risk assessments, and implement appropriate control measures.

1.3. Regulations and on-site construction codes.

Regulations and codes are legal documents that provide guidelines and standards for various industries and professions. They are developed, maintained, and promoted by regulatory agencies, engineering societies, trade organizations, and private companies. These documents are designed to ensure the quality and safety of equipment, materials, and processes. They each have distinct characteristics and are enforced by one or more governmental entities.

In the United States, the Code of Federal Regulations (CFR) is the official legal print publication containing the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government

Codes, Acts, regulations and standards

Codes are sets of rules or guidelines that establish minimum standards for construction, safety, health, and other areas. They are typically developed by professional organizations or government agencies and are legally enforceable. Some examples of widely recognized codes include the International Building Code (IBC), National Electrical Code (NEC), International Fire Code (IFC), and International Plumbing Code (IPC). These codes are regularly updated to reflect advancements in technology, changes in best practices, and evolving safety standards.

Acts refer to laws or statutes enacted by legislative bodies. They are legal instruments that outline specific requirements or prohibitions in various areas such as environmental protection, labor rights, consumer protection, and more. Acts can be enacted at the federal, state/provincial, or local level depending on the jurisdiction.

Regulations are detailed rules or directives issued by government agencies to implement laws or acts. They provide specific guidance on how to comply with the broader legal requirements outlined in acts. Regulations often include technical specifications, reporting obligations, licensing requirements, and enforcement procedures. Regulatory bodies responsible for creating and enforcing regulations vary depending on the jurisdiction and industry.

Carrying out construction process

Carrying out a construction process involves a series of steps and activities aimed at building or renovating structures such as buildings, roads, bridges, and more. This comprehensive process requires careful planning, coordination, and execution to ensure the successful completion of the project. In this response, we will delve into the various stages involved in carrying out a construction process.

1. Pre-construction Phase:

The pre-construction phase is the initial stage of any construction project. It involves several essential activities that lay the foundation for the entire process. These activities include:

A. Project Planning: During this stage, project owners or developers define their objectives, establish budgets, and determine the feasibility of the project. They also conduct site evaluations and environmental assessments to ensure compliance with regulations.

B. Design Development: In this phase, architects and engineers create detailed designs and blueprints based on the project requirements. These designs consider factors such as structural integrity, functionality, aesthetics, and adherence to building codes.

C. Procurement: The procurement stage involves sourcing and acquiring the necessary materials, equipment, and labor for the construction process. This includes obtaining permits and licenses required for construction activities.

D. Risk Assessment: Construction projects involve inherent risks that need to be identified and managed effectively. Risk assessment helps in identifying potential hazards and developing strategies to mitigate them.

2. Construction Phase:

Once the pre-construction phase is complete, the actual construction work begins. This phase encompasses a range of activities that transform the design plans into physical structures. The key steps involved in the construction phase are as follows:

A Site Preparation: Before any construction work can commence, the site needs to be prepared. This involves clearing vegetation, leveling the ground, excavating foundations, and setting up temporary facilities such as site offices and storage areas.

B. Foundation Construction: The foundation serves as the base for any structure. It involves excavating trenches or pits and pouring concrete to create a stable and solid foundation. The type of foundation depends on the design and nature of the structure.

C. Structural Framework: Once the foundation is in place, the structural framework is constructed. This includes erecting columns, beams, walls, and floors according to the design plans. Structural elements are typically made from materials such as steel, concrete, or wood.

D .Installation of Systems: Various systems need to be installed during construction, including electrical, plumbing, heating, ventilation, and air conditioning (HVAC), and fire protection systems. These systems ensure the functionality and safety of the structure.

E .Finishing Work: After the structural elements and systems are in place, finishing work begins. This involves activities such as plastering, painting, flooring installation, cabinetry, and other aesthetic enhancements.

F. Quality Control: Throughout the construction process, quality control measures are implemented to ensure that the work meets specified standards. Inspections are conducted at various stages to identify and rectify any defects or deviations from the design plans.

3. Post-construction Phase:

The post-construction phase involves activities that take place after the completion of the main construction work. These activities are crucial for ensuring that the project is handed over successfully to the client or end-user. Some key steps in this phase include:

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A. Testing and Commissioning: All systems and equipment installed during construction undergo rigorous testing to ensure proper functionality. This includes electrical testing, plumbing pressure tests, HVAC balancing, and more

B. Final Inspections: Authorities or regulatory bodies may conduct final inspections to verify compliance with building codes and regulations. Any necessary corrections or modifications are made before obtaining a certificate of occupancy.

C. Handover and Occupancy: Once all inspections are complete and approvals obtained, the project is handed over to the client or end-user. This involves providing necessary documentation, manuals, warranties, and training on operating systems within the structure.

D. Post-Construction Maintenance: After occupancy, regular maintenance and upkeep are essential to ensure the longevity and optimal performance of the structure. This includes routine inspections, repairs, and addressing any warranty claims.

In conclusion, carrying out a construction process involves several stages, including pre-construction, construction, and post-construction phases. Each stage requires careful planning, coordination, and execution to ensure the successful completion of the project.

Self –check

Part I Give short answer accordingly

1. What is the purpose of environmental legislation?

- A. To regulate the production of hazardous substances.
- B. To specify the methods that must be used for storing hazardous substances.
- C. To protect humans and the environment against hazardous substances.
- D. None

2. What can the government's Health and Safety Inspection Service do when they see an Offence?

- A. Impose a requirement and/or make a report of the offence.
- B. Give the management a reprimand, suspend the work and withdraw the VCA (SCC) Certificate.
- C. Appoint an official to coordinate the work, give a warning and impose a Requirement.
- D. all

3. Which factors have direct impact on the risks associated with work?

- A. The supervision exercised by the client.
- B. The Health and Safety Plan (H&S Plan).
- C. The workplace
- D. all

4. What is the objective of a task risk analysis?

- A. To control the risks associated with the work
- B. To prepare for the proper execution of the work
- C. To eliminate all risks
- D. None

Unit two: plumber licensing registration.

This unit is developed to provide you the necessary information regarding the following content coverage and topics:

- Licensing registration legislation.
- Classifications for builders, supervisors and managers.

This unit will also assist you to attain the learning outcomes stated in the cover page.

Specifically, upon completion of this learning guide, you will be able to:

- Licensing registration legislation.
- Classifications for builders, supervisors and managers.

2.1. Licensing registration legislation Requirements

Licensing law means a law under which the bureau issues a license, registration, or other authorization to practice an occupation or profession or render other services.

1. Licensing Requirements for Contractors: In most states, contractors who engage in construction work are required to obtain a license before they can legally practice. These licenses are issued by state licensing boards, such as the State Licensing Board for Contractors, and they typically require the contractor to pass a written exam and meet certain financial and experience requirements.

2. Types of Licenses: There are different types of licenses that contractors may need to obtain, depending on the type of construction work they plan to perform. For example, a residential contractor license may be required for work on single-family homes, while a commercial contractor license may be required for work on larger commercial projects.

3. Exemptions: Some states exempt certain types of construction work from the licensing requirement, such as minor repairs or maintenance work. However, these exemptions may vary by state and are subject to change.

4. Registration Requirements: In addition to licensing requirements, some states also require contractors to register their businesses with the state. This may involve providing information about the business, such as its name, address, and ownership, and paying a registration fee.

5. Bonding and Insurance Requirements: Many states also require contractors to obtain surety bonds and liability insurance before they can obtain a license. These bonds and insurance policies provide financial protection for consumers and ensure that contractors can fulfill their contractual obligations.

6. Continuing Education: To maintain their licenses, contractors may be required to complete continuing education courses to stay up-to-date on the latest construction techniques and industry developments.

2.2. Classifications for plumber supervisors and managers

Plumber supervisors and managers play a crucial role in overseeing and coordinating the work of plumbers within an organization. They are responsible for managing teams, ensuring compliance with safety regulations, coordinating projects, and providing technical guidance to plumbers. To effectively classify plumber supervisors and managers, various factors need to be considered, including their job responsibilities, qualifications, and level of authority within the organization.

Job Responsibilities:

Plumber supervisors and managers have a wide range of responsibilities that distinguish them from regular plumbers. They are responsible for planning and organizing plumbing projects, assigning tasks to plumbers, and ensuring that work is completed on time and within budget. They also monitor the quality of work performed by plumbers, inspect completed projects for compliance with building codes and regulations, and provide feedback or corrective actions as necessary. Additionally, they may be involved in estimating project costs, ordering materials, and maintaining inventory.

Qualifications:

To become a plumber supervisor or manager, individuals typically need to have extensive experience as a plumber. They should possess comprehensive knowledge of plumbing systems, codes, and regulations. In addition to technical expertise, strong leadership and communication skills are essential for effectively managing teams of plumbers. Many organizations also require plumber supervisors and managers to hold relevant certifications or licenses.

Level of Authority:

Plumber supervisors and managers hold higher authority than regular plumbers, making decisions on project planning, resource allocation, and personnel management. They can hire or terminate plumbers, recommend promotions, and serve as a point of contact between upper management and the team. They can be classified based on their job responsibilities, qualifications, and authority within the organization, ensuring efficient coordination and management of plumbing projects

Self-check

Parte I multiple chose

1. Who is responsible for providing PPE when working on site?

- A. Employer.
- B. Main contractor.
- C. Site foreman.
- D. all

2 . During which risk management process is a determination to transfer a risk made?

- A. Identify Risks
- B. Perform Quantitative Risk Analysis
- C. Plan Risk Response
- D. Monitor and Control Risks

Unit Three: financial transactions & Insurance regulation.

This unit is developed to provide you the necessary information regarding the following content coverage and topics:

- Administrative payroll legislative
- Arrange insurance cover.
- contract law

This unit will also assist you to attain the learning outcomes stated in the cover page. Specifically, upon completion of this learning guide, you will be able to:

- Administrating payroll legislative
- Arrange insurance cover.
- contract law

3.1 Administrative payroll legislative

Administering payroll legislative refers to the process of managing and complying with the laws and regulations related to payroll within an organization. It involves ensuring that employees are paid accurately and on time, while also adhering to legal requirements such as tax withholding, minimum wage laws, overtime regulations, and other payroll-related legislation.

Payroll legislation varies from country to country and even within different regions or states. It is important for organizations to stay updated with the latest payroll legislative changes to ensure compliance and avoid penalties or legal issues. Some key aspects of payroll legislation include:

1. Taxation: Payroll legislation often includes regulations related to income tax withholding from employee wages. Employers are responsible for deducting the correct amount of taxes from employee paychecks and remitting them to the appropriate tax authorities. This may involve calculating taxes based on different tax brackets, considering exemptions or deductions, and staying updated with any changes in tax rates or laws.

2. Minimum wage: Many jurisdictions have laws that establish a minimum wage that employers must pay their employees. These laws aim to ensure that workers receive fair compensation for their work. Employers need to be aware of the minimum wage requirements in their jurisdiction and ensure that they are paying their employees at least the legally mandated minimum wage.

3. Overtime regulations: Overtime regulations determine how employers should compensate employees for working beyond regular working hours. These regulations typically require employers to pay a higher rate, often 1.5 times the regular hourly rate, for any hours worked over a certain threshold (e.g., 40 hours per week). Employers need to accurately track employee work hours and calculate overtime pay accordingly.

4. Leave entitlements: Payroll legislation may also include provisions related to various types of leave entitlements, such as annual leave, sick leave, parental leave, or other types of paid time off. Employers need to understand these entitlements and ensure that employees receive the appropriate amount of leave and are compensated accordingly.

5. Employee classification: Payroll legislation often distinguishes between different types of workers, such as full-time employees, part-time employees, independent contractors, or temporary workers. Each category may have different payroll requirements and obligations. Employers need to correctly classify their workers and ensure that they comply with the relevant legislation for each category.

6. Record-keeping and reporting: Payroll legislation typically requires employers to maintain accurate records of employee wages, taxes withheld, and other payroll-related information. These records may need to be retained for a certain period and may be subject to audits or inspections by government agencies. Employers must also submit various reports to tax authorities or other regulatory bodies as required by the legislation.

7. Compliance and penalties: Non-compliance with payroll legislation can result in penalties, fines, or legal consequences for employers. It is essential for organizations to understand and follow the applicable laws and regulations to avoid any negative consequences.

1. Setting up and administering GST (Goods and Service Tax) systems

GST, or Goods and Services Tax, is a value-added tax levied on the supply of goods and services in many countries around the world. It is designed to replace multiple indirect taxes such as sales tax, excise duty, and service tax, streamlining the taxation process and reducing the cascading effect of taxes on the final consumer. Setting up and administering a GST system requires careful planning, implementation, and ongoing management to ensure compliance and efficiency. In this comprehensive response, we will discuss the key steps involved in setting up and administering a GST system.

1. Understanding the Legal Framework:

The first step in setting up a GST system is to thoroughly understand the legal framework governing GST in your jurisdiction. This includes studying the relevant legislation, regulations, and guidelines issued by the tax authorities. It is crucial to have a clear understanding of the GST law to ensure compliance and avoid penalties.

2. Registration Process:

Once you have familiarized yourself with the legal requirements, the next step is to register for GST. This involves obtaining a unique identification number from the tax authorities. The registration process typically requires providing information about your business, such as its legal structure, address, turnover, and other relevant details. It is important to note that businesses exceeding a certain turnover threshold are generally required to register for GST.

3. Accounting System Setup:

To effectively administer GST, it is essential to set up an appropriate accounting system that can handle GST-related transactions. This includes configuring your accounting software or ERP

system to accurately calculate and record GST on sales and purchases. The accounting system should also generate necessary reports such as GST returns, invoices, and payment vouchers.

4. Tax Classification:

One of the critical aspects of administering a GST system is correctly classifying goods and services for tax purposes. Each item needs to be categorized into different tax rates or exemptions as per the GST law. This requires a thorough understanding of the tax classification rules and guidelines provided by the tax authorities. Proper training and awareness among staff members involved in sales, procurement, and accounting functions are crucial to ensure accurate tax classification.

5. Invoicing and Documentation:

Under a GST system, businesses are required to issue GST-compliant invoices for all taxable supplies made. These invoices must contain specific details such as the supplier's GST registration number, customer's details, description of goods or services, quantity, value, and applicable tax rate. Additionally, businesses need to maintain proper documentation of all GST-related transactions, including purchase invoices, sales invoices, credit notes, debit notes, and import/export documents.

6. Compliance and Filing Returns:

Compliance with GST regulations is essential to avoid penalties and legal issues. Businesses are typically required to file periodic GST returns providing details of their sales, purchases, and tax liability. The frequency of return filing may vary depending on the turnover and nature of the business. It is crucial to accurately calculate the tax liability and claim input tax credits while filing returns. Timely payment of taxes is also a critical aspect of compliance.

7. Audit and Assessment:

Tax authorities may conduct audits or assessments to ensure compliance with GST regulations. During an audit, they may review the books of accounts, records, invoices, and other relevant documents to verify the accuracy of reported information. It is important to maintain proper records and documentation to facilitate smooth audits or assessments.

8. Training and Awareness:

To effectively administer a GST system, it is essential to provide training and awareness programs for employees involved in various aspects of the business process. This includes

training on understanding GST laws, tax classification rules, invoicing requirements, compliance procedures, and using accounting software or ERP systems effectively.

9. Ongoing Monitoring and Updates:

GST laws and regulations are subject to change over time. It is crucial to stay updated with any changes or amendments made by the tax authorities. Regular monitoring of GST-related developments and updates is necessary to ensure ongoing compliance and efficient administration of the GST system.

3.2. Arrange insurance cover

Arranging insurance cover is a process that involves obtaining a policy to protect against potential risks and losses. It is a contract between the policyholder and the insurer, where the insurer agrees to provide financial compensation for specified events or circumstances in exchange for regular premium payments. To arrange insurance cover, follow these steps:

1. **Identify the type of insurance needed:** Choose the coverage type based on individual needs and circumstances.
2. **Research and compare insurance providers:** Compare policies, coverage limits, deductibles, exclusions, and customer reviews to find the most suitable one.
3. **Assess coverage needs:** Consider factors like property value, location, and potential hazards to determine the appropriate coverage limits and policy features.
4. **Obtain quotes:** Contact multiple insurers or use online platforms to obtain quotes.
5. **Review policy terms and conditions:** Pay attention to coverage limits, exclusions, deductibles, claim procedures, and additional features.
6. **Seek professional advice if necessary:** Consult an insurance broker or agent for expert guidance.
7. **Make a decision and purchase the policy:** Complete necessary paperwork, provide accurate information, and pay the premium.
8. **Maintain regular premium payments:** Failure to pay premiums may result in a lapse of coverage.
9. **Periodically review and update coverage:** Insurance needs can change over time, so it is essential to review coverage periodically to ensure adequate protection.

Home owner's warranty

A home warranty is a service contract that provides discounted repair and replacement services for household appliances and systems, such as HVAC, plumbing, and electrical systems. It covers general wear and tear and helps protect homeowners from unexpected repair costs. Unlike homeowners insurance, which protects your home from covered perils, a home warranty focuses on the repair and replacement of appliances and systems due to normal usage.

Superannuation

Superannuation is a term commonly used in Australia to refer to the pension program created by companies to benefit their employees. It is a compulsory system where a minimum percentage of an employee's income is placed into a fund to support their financial needs in retirement. The funds deposited in a superannuation account grow through appreciation and contributions until retirement or withdrawal.

There are two types of superannuation funds in Australia: defined-benefit funds and accumulation funds. Accumulation funds are designed to increase over time through investment strategies, allowing for larger distributions. On the other hand, defined-benefit funds make distributions based on a formula to provide a guaranteed amount of income when withdrawals begin.

Superannuation plays a crucial role in retirement planning, helping individuals save for their future financial needs. It offers benefits such as lower fee structures compared to other retirement account options. The specific taxable conditions of superannuation funds depend on the contribution and contributor's circumstances.

Workers' compensation.

Workers' compensation is a form of employer insurance coverage that pays benefits to workers who are injured or become disabled as a result of their job. By accepting workers' compensation benefits, the employee waives the right to sue their employer for damages. The compensation may include partial salary repayment and coverage of medical costs. Workers' compensation is not the same as unemployment benefits or disability insurance.

Workers' compensation benefits may include partial wage replacement for the period during which the employee cannot work. The benefits may also include reimbursement for healthcare

services and occupational therapy. Most workers' compensation programs are paid for by private insurers, from premiums paid by the individual employers. Each state has a Workers' Compensation Board, a state agency that oversees the program and intervenes in disputes. There are federal workers' compensation programs that cover federal employees, long shore and harbor workers, and energy employees. Another federal program, the Black Lung Program, handles death and disability benefits for coal miners and their dependents.

Requirements for workers' compensation vary from state to state, and not all employees are covered in some states. Some states exclude small businesses from the mandate for coverage, while others have different requirements for various industries. The salary replacement paid to an employee under workers' compensation is typically less than the person's full salary. Workers' compensation benefits are not usually taxable at the state or federal level, compensating for much of the lost income. Taxes may be due to recipients who also have income from the Social Security Disability or Supplemental Security Income programs.

Professional Indemnity

Professional indemnity insurance (PI) is a type of business insurance that provides coverage for costs that may arise if your work, service, or advice causes clients to suffer a loss either reputation ally or financially . It is designed to protect professionals and businesses against claims of negligence, errors, or omissions in the course of their work.

Professional indemnity insurance policies typically cover legal costs, compensation or expenses, and the cost of work to rectify the mistake, should a claim be made against you or your business. The policies available mainly cover professional negligence, errors or omissions, and breach of professional duty. This type of insurance means that professional people can work without the fear they may be sued without an insurance policy to protect them.

The specific coverage and terms of professional indemnity insurance may vary depending on the provider and the policy.

3.2 .Contract law

Contract law is a branch of law that deals with the legal relationships between parties who have entered into a contract. It provides a framework for enforcing agreements and resolving disputes that may arise from contractual relationships. The application of contract law involves

interpreting and applying the terms of a contract, determining the rights and obligations of the parties involved, and providing remedies for breaches of contract..

Construction Contract Should Contain

1. The project's scope.
2. The cost and payment terms.
3. The project's time frame.
4. Protection against lien law.
5. Dispute resolution clauses.

Self check

Part I Multiple chose

1. Which of the following statements about redundancy payments is incorrect?

- a) Redundancy payments are always greater for older employees.
- b) Employers never pay people more than is required by statute.
- c) Employees can refuse an alternative job offer from their employer and claim a redundancy payment when their jobs are disappearing.
- d) Employees can sometimes claim a redundancy payment if they leave before their notice period has been completed.

2 .Which of the following statements about redundancy payments is incorrect?

- a) Redundancy payments are always greater for older employees.
- b) Employers never pay people more than is required by statute.
- c) Employees can refuse an alternative job offer from their employer and claim a redundancy payment when their jobs are disappearing.
- d) Employees can sometimes claim a redundancy payment if they leave before their notice period has been completed.

Unit four: plumber contract and dispute resolution

This unit is developed to provide you the necessary information regarding the following content coverage and topics:

- Select correct contract form.
- Carry out contracting work.
- Organizational dispute resolution processes
- Documented and outcomes recorded and maintained

This unit will also assist you to attain the learning outcomes stated in the cover page.

Specifically, upon completion of this learning guide, you will be able to:

- Select correct contract form.
- Carry out contracting work.
- Organizational dispute resolution processes
- Documented and outcomes recorded and maintained

4.1 Select of correct contract form.

The choice of contract form is crucial in any business transaction or legal agreement, based on factors like transaction nature, parties involved, and specific terms and conditions. Standard form contracts are pre-drafted agreements with standardized terms, often used in repetitive transactions. Customized contracts, negotiated between parties, are tailored to meet specific needs and requirements, often used in complex transactions or unique circumstances. Specialized contract forms cater to specific industries or types of transactions, such as construction, employment, licensing, and lease agreements. It is essential to carefully consider these factors to ensure the chosen contract form accurately reflects the intentions and protects all parties involved.

1. Nature of the Transaction: The type of transaction being entered into will heavily influence the choice of contract form. For example, a simple purchase of goods may be adequately covered by a standard form contract, while a complex joint venture agreement may require a customized contract.

2. Parties Involved: The parties involved in the transaction also play a significant role in determining the appropriate contract form. If the parties have equal bargaining power and are familiar with standard form contracts, using a standard form contract may be suitable. However, if there is a power imbalance or unique circumstances, a customized contract may be more appropriate.

3. Specific Terms and Conditions: The specific terms and conditions that need to be addressed in the contract should also be considered. Standard form contracts may not cover all the necessary provisions or adequately protect the interests of all parties. In such cases, a customized contract allows for greater flexibility in addressing specific requirements.

4. Legal Requirements: It is important to ensure that the chosen contract form complies with all applicable legal requirements and regulations. Different jurisdictions may have specific laws governing certain types of contracts, and it is crucial to consider these legal requirements when selecting the appropriate contract form.

5. Risk Allocation: The allocation of risk between the parties is another important consideration. Different contract forms may offer varying levels of protection and risk allocation mechanisms.

It is essential to assess the potential risks involved in the transaction and select a contract form that adequately addresses these risks.

6. Cost and Time Considerations: Finally, cost and time considerations should also be taken into account when selecting a contract form. Standard form contracts are generally more cost-effective and time-efficient as they require less customization. On the other hand, customized contracts may involve additional time and costs associated with negotiation and drafting.

In conclusion, selecting the correct contract form requires careful consideration of various factors such as the nature of the transaction, parties involved, specific terms and conditions, legal requirements, risk allocation, and cost considerations. It is crucial to choose a contract form that accurately reflects the intentions of the parties and adequately protects their rights and interests.

4.2 Carrying out contracting work.

Contract work is a type of employment that is based on a written labor agreement between an employer and a contractor. Contract jobs are usually temporary with a set start and end date, and may be short or long in duration. Companies may hire contractors seasonally, by project or in a needs-based situation

Conditions of contract

To meet the conditions of a contract, it's important to ensure that all the requirements of a legally plumber contract are met. These requirements include:

- 1. Consideration:** Both parties involved in the contract must agree to furnish something of value to the other party.
- 2. Offer and Acceptance:** A valid, understandable, and specific offer must be made, and there must be acceptance of the offer.
- 3. Legal Purpose:** The contract must have a legal purpose that does not break any law.
- 4. Capable Parties:** Both parties must be capable of entering into an agreement and must enter into the contract willingly.
- 5. Mutual Assent:** Each party must agree on the meaningful terms and be bound by the contract.

4.3 .Organize dispute resolution processes.

Organizational dispute resolution processes are crucial in plumbing construction work to resolve conflicts within an organization or between parties involved. These processes can be negotiation, mediation, arbitration, conciliation, or adjudication. To ensure effective application, organizations should establish clear policies, train employees, and establish roles and responsibilities for all parties involved. These processes minimize disruptions and ensure fair outcomes.

1. **Identify the conflict:** The first step is to identify the conflict or dispute. This can be done through employee feedback, observation, or formal complaint procedures. It is important to gather all relevant information and understand the underlying issues causing the conflict. Assess the situation: Once the conflict is identified, assess the situation to determine its severity and potential impact on the organization. Consider factors such as the number of people involved, the level of disruption caused, and the potential for escalation if left unresolved.
2. **Choose an appropriate resolution method:** There are several methods of dispute Resolution including mediation, negotiation, arbitration, and litigation. Select the most suitable method based on the nature of the conflict, the parties involved, and organizational policies.
3. **. Appoint a neutral third party:** In some cases, it may be necessary to involve a neutral third party to facilitate the resolution process. This could be an internal mediator or an external professional mediator who is trained in conflict resolution techniques.
4. **.Conduct mediation or negotiation sessions:** If mediation or negotiation is chosen as the resolution method, schedule sessions with all parties involved. The mediator or negotiator will facilitate discussions, encourage open communication, and help parties find mutually acceptable solutions.
5. **Document agreements:** Once a resolution is reached, document the agreements made by all parties involved. This ensures clarity and accountability for future reference.
6. **Implement and monitor agreements:** After reaching an agreement, it is crucial to implement and monitor its execution. This may involve assigning tasks, setting timelines, and periodically reviewing progress to ensure compliance.

7. **Evaluate the effectiveness of the resolution process:** After the conflict has been resolved, evaluate the effectiveness of the resolution process. Assess whether the chosen method was successful in addressing the conflict and preventing future disputes. Identify any areas for improvement and implement necessary changes.
8. **Provide training and support:** To prevent future conflicts, provide training and support to employees on conflict resolution skills, effective communication, and interpersonal relationships. This can help build a positive work environment and equip individuals with the tools to handle conflicts in a constructive manner.
9. **Review and update organizational policies:** Regularly review and update organizational policies related to dispute resolution to ensure they align with best practices and address any emerging challenges. This includes providing clear guidelines on how conflicts should be reported, managed, and resolved within the organization.

Customer complaints company policy

- Company policies for handling customer complaints in construction work vary from one organization to another, but they generally follow a similar framework. Here is a step-by-step breakdown of how customer complaints are typically dealt with according to company policy:
- **Receipt of Complaint:** The first step is for the company to receive the complaint from the customer. This can be done through various channels such as phone calls, emails, online forms, or in-person communication. It is important for companies to have clear and accessible channels for customers to submit their complaints.
- **Documentation:** Once a complaint is received, it should be documented properly. This includes recording details such as the customer's name, contact information, nature of the complaint, date and time of submission, and any supporting evidence or documentation provided by the customer.
- **Acknowledgment:** After receiving the complaint, the company should promptly acknowledge its receipt. This acknowledgment can be in the form of an automated email response or a personal communication from a customer service representative. The purpose of this step is to assure the customer that their complaint has been received and is being taken seriously.
- **Investigation:** The next step involves conducting a thorough investigation into the complaint. This may require gathering additional information from both the customer and any relevant

parties involved in the construction project. The investigation aims to determine the validity of the complaint and identify any underlying issues that need to be addressed.

- **Resolution:** Once the investigation is complete, the company should work towards resolving the complaint in a fair and satisfactory manner. This may involve various actions such as offering compensation or refunds, rectifying the issue, providing alternative solutions, or implementing corrective measures to prevent similar complaints in the future.
- **Communication:** Throughout the process, it is crucial for the company to maintain open and transparent communication with the customer. Regular updates should be provided to keep the customer informed about the progress of their complaint and any actions being taken to resolve it. Prompt and clear communication helps build trust and demonstrates the company's commitment to addressing customer concerns.
- **Follow-up:** After the complaint has been resolved, it is important for the company to follow up with the customer to ensure their satisfaction. This can be done through a feedback survey, a phone call, or any other means of communication. Following up shows that the company values its customers and is committed to continuous improvement.

4.4 Recording and maintaining disputes outcomes

Maintaining dispute outcomes is crucial for organizational dispute resolution. It helps track complaints, identify improvement areas, and monitor resolution effectiveness. Documenting outcomes demonstrates commitment to customer concerns, informs decision-making, and promotes a culture of continuous improvement. It also serves as a reference point for employee training.

Self-check

Part I Give short answer accordingly

1. What are works in procurement?
2. What is procurement planning?
3. What are the steps in the procurement planning process?
4. What is contract administration?

Unit five: industrial policies and obligations.

This unit is developed to provide you the necessary information regarding the following content coverage and topics:

- Industrial policies and obligations.
- Contract and subcontract agreements.
- Relevant awards contracts.
- Use workplace agreements.
- Taking and ensuring proactive measures.
- Training agreements

This unit will also assist you to attain the learning outcomes stated in the cover page.

Specifically, upon completion of this learning guide, you will be able to:

- Industrial policies and obligations.
- Contract and subcontract agreements.
- Relevant awards contracts.
- Use workplace agreements.
- Taking and ensuring proactive measures.
- Identify and applying training agreements

5.1 Industrial relations policies and obligations.

Industrial relations policies and obligations are crucial in the plumbing construction industry, ensuring fair treatment of workers, promoting safe working conditions, and fostering productive relationships between employers and employees. Key aspects include employment contracts, health and safety regulations, fair wages and working conditions, collective bargaining, grievance handling and dispute resolution, anti-discrimination, and training and skill development. Employment contracts provide clarity and transparency for both employers and employees, while health and safety regulations ensure a safe working environment. Collective bargaining involves negotiations between employers and trade unions to determine employment terms and conditions. Grievance handling procedures should be fair, transparent, and accessible to all workers. Anti-discrimination laws and regulations are also essential, ensuring fair treatment of all workers regardless of protected characteristics. Training and skill development programs are also essential to maintain a skilled workforce and contribute to the overall productivity and competitiveness of the industry.

5.2 Subcontract agreements

Contractor agreement is a contract between a company and a contractor hired by them. A contractor performs specific project/tasks. It defines the overall terms and conditions regarding the work undertaken by the contractor as well as their role, duties, and obligations

The Subcontractor acknowledges that the contract document provided by DEQ is a guidance template for the Contractor, and the Subcontractor is responsible for determining if it is legally sufficient. Adoption of the Guidance Template does not provide safe harbor in case of non-compliance with applicable laws, regulations, rules, or policies. The Subcontractor and Contractor are not legally obliged to adopt the Guidance Template, but can execute a different legally binding contract document.

5.3 Relevant awards contracts.

Awards contracts are agreements awarded to individuals, companies, or organizations based on performance, achievements, or competitive bidding processes. They can be awarded by government agencies, private corporations, non-profit organizations, or other entities. The relevance of awards contracts varies depending on the industry and context. In government contracting, they ensure fair competition and transparency in the procurement process. In the private sector, they recognize outstanding performance or innovation, while in the non-profit sector; they recognize significant contributions to a cause or mission. The process of awarding contracts can vary widely, including competitive bidding, past performance, or direct negotiations.

- **The contract finalization process steps are as follows:**

1. contract negotiation
2. contract preparation
3. contract legal review and clearance
4. contract signature
5. contract filing
6. Award notification and debriefing of unsuccessful bidders.

5.4 Workplace agreements

Employment agreements and construction work agreements are crucial legal documents for employers and employees, ensuring transparency and consistency. Price negotiations may occur after contract award, and the awarding authority must be informed of the outcome. Negotiations with vendors follow specific procedures, and the subcontractor acknowledges that they are not legally obligated to adopt a specific contract document. However, they can execute a legally binding contract document that includes all necessary terms, conditions, duties, and provisions.

Construction work agreement

A construction work agreement is a legally binding document that outlines the terms and conditions between a client and a contractor. It serves as a blueprint for the construction project, ensuring both parties are on the same page regarding their rights, responsibilities, and obligations. The agreement should cover various aspects of the project, such as the scope of work, timeline, payment terms, price breakdown, change orders, insurance and liability, dispute resolution, termination clause, warranties and guarantees, and governing law and jurisdiction. It

is essential for both parties to carefully review and understand the terms and conditions before signing; consulting with legal professionals experienced in construction law to ensure the agreement adequately protects their interests.

1. Parties Duties and Responsibilities

In a construction contract there are usually several parties involved with the developer sometimes referred to as the employer and contractor being the chief parties. The employer engages certain professionals including architects, engineers and quantity surveyors to do certain works on his behalf. The employer also engages the contractor to undertake the construction of the building. The duties and responsibilities of all the parties are clearly outlined in the contract. .

2. Statement of Work

Statement of work is a contractual term in the construction agreement that clearly sets out the scope of work to be performed by the contractor. The contract will also usually outline a schedule attached to the contract that clearly outlines what work the contractor is expected to perform. This clause is also very important in determining the extent of liability on the contractor's part. Also in case of change of work specifications, this term helps to quantify the changes and adjust the contract price as necessary.

3. Contract Price

The contract price sets the consideration for a construction contract, considering factors such as the nature of the work to be undertaken. The main contract pricing models used include lump sum, re-measurement, and cost-plus. Lump sum is determined before the works commence, suitable for well-defined works and low likelihood of employer changes. Re-measurement calculates the price based on the actual work carried out, suitable for uncertain volumes, and costs incurred in carrying out the works, including labor, plant, materials, and sub-contractors. Cost-plus reimburses the contractor for actual costs incurred in carrying out the works, plus an additional fee to cover overheads and profit. These pricing methods are suitable for situations where the scope of the work is unclear but the employer still requires an early start on site.

4. Payment Clause

The payment clause details the contract's payment process, including timing, documents required, approval process, and final payment terms. It includes important payment dates, cost back-up, subcontractor invoices, and payroll reports. The clause also includes the approval process, timelines, and reviewer's role, all tied to the dates provided in the timing clause.

5. Contract Document

The construction contract also identifies and determines key contract documents which include, architectural design documents, bill of quantities and schedules. These document essentially also form part of the construction contract.

6. Insurance

Construction project usually take some time and involve a huge financial obligation on the developers. In order to take care of certain eventualities and uncertainties in the project the developer may be required to insure against foreseeable risks. The contract document may also require the contractor to take up necessary insurance covers before they are engaged by the developer or the employer. Contractors All Risk Policy, Performance Bonds, Work Injury Benefits Act Policy, Occupiers Liability are some of the common insurance policies that parties may be required to obtain by an insurance contract.

7. Breach of contract and Limitation of Liability Clauses

Due to the nature of construction projects, it is common for parties to raise claims relating to breaches of contract or negligence. As a result, the question of damages for these types of breaches, and how to minimize liability if faced with a claim, is extremely important. Liquidated damages may be provided by the contract as a remedy for breach of contract and parties likely to be in breach of contract may also negotiate for terms that will limit the liability. The inclusion of financial caps on liability, net contribution clauses and exclusions of specific types of loss are examples of terms that limit the parties' liability in a contract.

8. Intellectual Property Rights

Construction projects usually involve design and construction work which may be subject to and protected by intellectual property rights laws. The construction contract usually apportions these rights subject to the parties' agreements or assigns all the rights accruing from designs and the entire project work to an agreed party within the contract.

9. Dispute Resolution

Disputes are quite common occurrence for contracting parties. The contract itself is an important tool in dispute management and particularly sets out how conflict that results from contract is to be managed. Alternative Dispute Resolution mechanisms are heavily preferred in construction contracts with arbitration being the most preferred mode of dispute resolution. Other alternative dispute resolution mechanisms include negotiations and mediations. Although

the court process is avoided, parties usually concede to court ordered injunctive reliefs being adopted in the contract.

10. Termination

Termination of the contract can be preceded by the occurrence of certain events including bankruptcy or insolvency of parties, death, and persistence of force majeure events beyond certain prescribed time. Termination clauses usually set out the incidences that would trigger one of the parties or both to end the contract. Termination of a contract brings to an end parties obligation provided for by the contract and releases the parties from being bound by the contract. However certain terms are constructed to survive termination of the contract meaning that termination of the contract does not absolve the parties of the obligations provided by those terms.

5.5 . Taking and ensuring proactive measures.

Proactive measures are preventive actions taken to decrease the likelihood of an incident occurring, these measures also set in place techniques or procedures meant to mitigate the damage caused by the workplace accident.

Proactive safety measures include:

- Inspections.
- Interviewing.
- Audits.
- Monitoring performance.
- Monitoring behavior.
- Checking procedures.
- Safety sampling.

Training agreements

A training agreement is a contract between a company and a training institution that procures training services from the institution for the company. The contract includes details about what training services are being procured, for how long, and what fees will be paid for the work. It also states who is responsible for allocating training requirements and what other roles and responsibilities each party should take on. The purpose of the training agreement is to create a regulated relationship between companies and training institutions. The contract also contains vital details about protocols to take to modify, extend, or terminate the agreement.

Common Sections in Training Agreements Name

- Parties and Related Matters
- Agreement Background
- Agreement and Performance
- Training Fees and Calculation of Training Fees
- Training Plan
- Prepayment of Training Fees
- Party A’s Rights and Obligations
- Party B’s Rights and Obligations
- Liabilities of Breach
- Governing Law
- Miscellaneous

Self-check

Part I: Give short answer accordingly

1. What are the key components of an employment contract?
2. How can effective communication improve Industrial Relations?
3. . Describe the concept of workplace grievance procedures.
4. Explain a situation when you had a conflict at work and how you handled it.
5. How do you handle disagreements when working as part of a team? Provide an example.
6. Explain a situation when you disagreed with your boss and how you handled it.
7. Explain a situation when you disagreed with a rule or policy and how you handled it.
8. What is an organization's record schedule

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3. "OSHA Regulations for Construction." Occupational Safety and Health Administration, U.S.
4. Construction Contracts: A Guide for Owners, Developers, and Builders" by the American Bar Association (ABA)
5. Intellectual Property Rights in Construction Contracts" by the Construction Law Association
- 6 .Environmental Considerations in Construction Projects" by the National Institute of Building Sciences

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