

CEO Corner

Training Council formed

SINCE the regrettable insolvency of the Cross Media Training Centre in March/April 2009, there has been much confusion about the future of training efforts in the industry.

Leaders from PIFSA's Chambers and major members – who have always been committed to training – have spent many hours in many meetings pondering this issue and discussing alternative solutions. These discussions have been complicated by the influence which bureaucracy now has over training in South Africa in general. Furthermore, with the high capital cost of sophisticated equipment, fewer employers are willing to sacrifice costly production time and convert it to (non-revenue producing) training time.

The Federation commissioned an independent firm of consultants to investigate the broadest aspects of training requirements and this investigation took place over a period of six to nine months. The results were very close to general predictions, which is not an unsatisfactory conclusion since it means the collective instinct was correct.

In order to construct the 'supply-side' of the equation, the Federation has established a Training Council, which was also one of the recommendations arising from the investigation. This Council has met on three occasions – two in 2009 and once this year – in an attempt to give legs to the proposal and provide the required training.

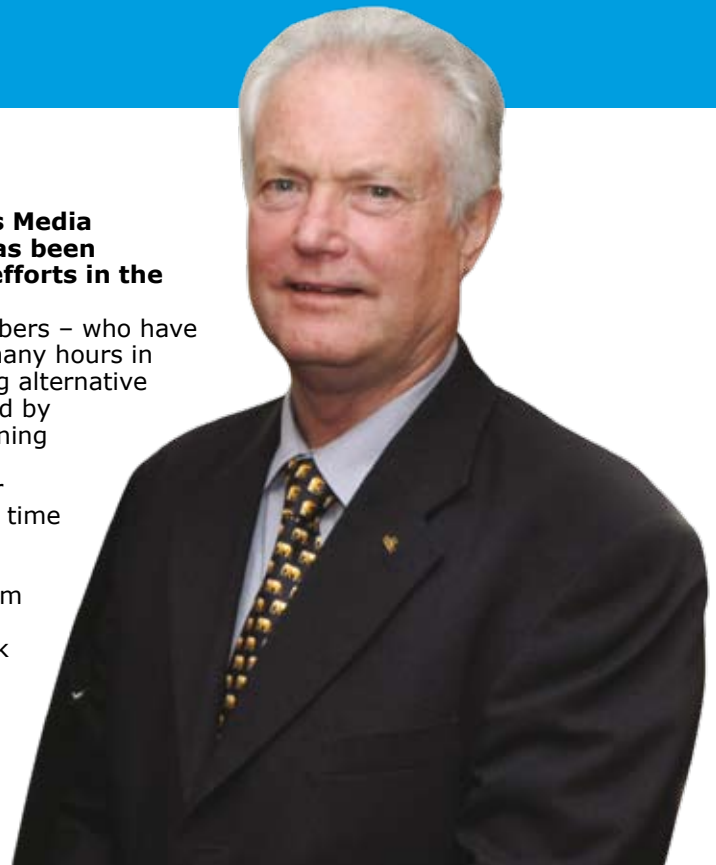
The investigation also revealed that, while training of apprentices probably forms the bedrock of training for the industry, this is not the only issue. Many other forms of training – for sales representatives, estimators, production managers, supervisors, etc – are also required.

To ensure the continued training of apprentices, PIFSA's three larger Chambers have engaged with former lecturers of CMTTC to continue providing tuition at the regular TT Blocks throughout 2010. This is a stopgap measure only and it's anticipated that formal training will be subcontracted in future to suitably accredited institutions. This will leave the Federation in a position to be able to act in an accreditation role, rather than a training provider role. In order to further enhance the provision of training, the Federation is determined to form a strong bond with the MAPPP SETA and act as a facilitator between the regulator and those requiring training for employees.

The final missing ingredient in this mix is the employer. The Federation and its Chambers will be doing everything possible to ensure and enhance the provision of training and retraining any and all employees who require it or desire it and we implore all employers – whether PIFSA members or not – to participate in this effort to supply the industry with what the Minister of Higher Education and Training has described as '... a list of scarce and critical skills ... in the printing and packaging industry'.

It's acknowledged that funds for Discretionary Grants are in short supply and the good news is that PIFSA and the MAPPP SETA will jointly apply to the National Skills Fund for access to additional funding for this purpose.

We anticipate a positive response.



Patrick Lacy, CEO



KZN Chamber News

Apprenticeships doubles in KZN



Nine of 12 apprentices attending TT1 in KZN are pictured with their lecturers.

EMPLOYERS in KwaZulu-Natal contracted 44 new apprentices during 2009, boosting the number of in-service apprentices to 140. It was gratifying to see that the 2009 intake was almost double that of the previous year.

There are probably two main reasons for employers taking on apprentices – they understand that there is a dire shortage of skills in the printing and packaging industry, and they have taken the initiative to recruit and train to meet the skills shortage. The training facility for trade theory (TT) blocks currently operating in New Germany is catering adequately for apprentices.

The training facility is able to handle the following trades:

- Lithography
 - Rotary Web Offset
 - Flexography Rotary Rereeling
 - Continuous Stationery Machine Minding
 - Packaging – including Corrugated Board, Carton Making, Sack and Bag Making
 - Stationery and Envelope Machine Adjusting
- When a critical mass for Gravure Machine Minding and Laminating is reached, these too will be offered.

In addition to the traditional apprenticeship training model, in-house technical training is offered for Guillotine Operators, Collating, Book Binding and Flexography.

The KwaZulu-Natal Chamber also assists employers who do not have the capacity to train their employees – including apprentices.

Staff assessment and selection

APTITUDE assessments (often referred to as Psychometric Tests) are used extensively by employers for the recruitment of apprentices.

Recruitment initiatives can be costly affairs. Poor selection results in higher staff turnover, which inevitably leads to increased costs. Training staff can also be costly, especially if the employer recruits an unsuitable employee. When an employee is unable to perform at the appropriate level, this leads to stress in the work-place, and may end up in disciplinary steps, the outcome of which can prove costly to employers if not handled properly.

What is aptitude assessment?

An aptitude assessment is a process which, with the inclusion of various tests, measures the ability to acquire further knowledge or skills. It measures a candidate's potential. While not used in isolation, aptitude assessments offer a valuable insight – particularly when combined with recruitment interviews.

The selection of an appropriate test to be used for assessment purposes can only be selected by a registered psychologist.

PIFSA's KZN Chamber offers assessment and administration of aptitude tests for apprentices.

Consumer Protection Act, Act 68 of 2008

Why is it important to printers?

Webber Wentzel attorneys provide a number of seminars and overviews on pertinent legislation. With their permission, some seminar content has been used as a basis to prepare the following article.

THE Consumer Protection Act, Act 68 of 2008, came into effect on April 24, 2009. Provisions dealing with the establishment of NCC (National Consumer Council) and the publishing of regulations will come into effect on April 24, 2010. All other provisions will come into effect on October 24, 2010, unless deferred by the Minister.

The purpose of the Act is to reform discriminatory and unfair market practices, control the proliferation of low-quality and unsafe products, inform the consumer of his/her rights, and provide redress to consumers and protect consumers, to strengthen enforcement capacity and to codify fundamental consumer rights.

The Act applies to most transactions concerning the promotion of goods and services, the supply thereof and the goods and services themselves after the transaction is completed.

'Goods' include anything marketed for human consumption, any tangible object including any medium on which anything is or may be written or encoded, any data, software, code or other intangible product written or encoded in any medium, or a licence to use such a product. This includes literature, music, photographs, motion pictures, games, etc.

'Services' include any work or undertaking performed by one person for the direct or indirect benefit of banking or financial services, the provision of entertainment or access thereto, access to any electronic communication infrastructure, access or right of access to any premises, activity or facility, the supply of goods or services by a club or other voluntary collectivity to its members, whether for fair value consideration or not, franchise-related transactions and anything of value given and accepted in exchange for goods and services.

A 'consumer' is a person to whom goods or services are marketed in the ordinary course of the supplier's business, a person who has entered into a transaction with a supplier, a user of the goods or a recipient or beneficiary of the services (irrespective whether that user, recipient or beneficiary was a party to the transaction).

A 'supplier or service provider' is a person, including a juristic person, who markets, promotes supplies or offers to supply goods or services. This potentially includes foreign suppliers.

Examples of some suppliers the Act will affect are all IT service and product suppliers, resellers

and retailers, content providers, internet service providers, telecommunication product and service providers, banks, media, etc, entities using or making available technology related or technology-based products, facilities or services, electronic and online transactions, websites and electronic marketing (email and SMS).

The Act does not apply, inter alia, to transactions when the state or the consumer is a juristic person (company or cc), or if the consumer's annual turnover or asset value at the time of the transaction exceeds a threshold value determined by the Minister, or when the Minister has granted an industry-wide exemption from one or more provisions of the Act.

However, clauses 60 and 61 (that deal with unsafe or defective goods) will apply to all goods introduced into the market, even if the transaction is exempt. Credit agreements under the National Credit Act are exempt. Marketing of goods and services, transactions concluded or agreements entered into and goods supplied or services provided to a consumer before the general effective date (18 months after the Act was signed by the President) are excluded, with the exception of agreements binding the parties to a fixed term extending beyond the second anniversary of the general effective date. It is thus important to review long-term agreements.

Some effects of the Act

It is important to note that agreements that do not comply with the Act will be void. The Act provides all consumers with various new rights, and suppliers and service providers with new obligations and liabilities. The courts will be obliged to favour the consumer.

Liability: The producer, importer, distributor or retailer of any goods is liable for any harm caused by defective goods irrespective of whether the harm resulted from negligence. 'Harm' includes death, illness, loss of or physical damage to property and economic loss. Obligations to indemnify either the consumer or the supplier may not be unfair, unjust or unreasonable and must be brought to the attention of the consumer.

Consumer rights: Protection of privacy, fair and honest dealing, intellectual property rights, protection against discriminatory marketing, differential treatment, right to restrict unwanted direct marketing, right to select suppliers, five



days 'cooling off' period after direct marketing, right to cancel advance reservation, booking or order, right to choose or examine goods, right to return goods and to refuse unsolicited goods or services, the right to receive information in plain and understandable language, right to insist on correct product labelling and trade description of goods and services, right to the disclosure of price of goods or services.

The Act covers issues such as bait marketing, negative option marketing, direct marketing, catalogue marketing, trade coupons and promotions, customer loyalty programmes, promotional competitions, alternative work schemes, referral selling, unconscionable conduct and agreements with persons lacking legal capacity.

Also covered are false, misleading or deceptive representations, fraudulent schemes and offers,

pyramid schemes, the consumer's right to assume that the supplier is entitled to sell the goods, auctions, over-selling and over-booking, unjust, unfair or unreasonable contract terms, the notice period required for certain terms and conditions, written consumer agreements, prohibited transactions, agreements, terms or conditions, warranties on repaired goods, implied warranty of quality, risk warnings, recovery and safe disposal of products or components, safety monitoring and recall, limitation or exclusion of liability

In addition, the supplier is accountable to the consumer for lay-bys, prepaid certificates, credits and vouchers, prepaid services, accountability for consumer's property, deposits iro containers or pallets, the return of parts and materials.

For more information contact Erich Kuhl at ekuhl@pifsa.org or 011 2871164.

Global warming – are we running hot or cold?

Is global cooling also part of it? Or has the world already started going haywire? Erich Kuhl comments.

ON one hand, we're trying to reduce our ambient temperature by managing our carbon footprint and CO₂ emissions; but on the other hand, some parts of the world are experiencing the lowest temperatures and the heaviest snowfalls ever, in previously temperate areas.

If you believe in the Mayan and Nostradamus' philosophies and enjoy movies like '2012' then it actually doesn't matter what we do; it's already too late – the world only has three more years to go!

However, that is an unpopular view and many of our customers want us to present our environmental policies to them so that they can use these to make well-considered and environmentally-responsible procurement decisions, just in case we still exist after December 2012.

The amount of literature and initiatives on environmental issues has snowballed, which makes it progressively more difficult to advise members on what they should do. Obtaining good

research-supported advice from our international counterparts is possible and we have been investigating PIA advice in the form of their Fine Print Toolkit and the Green Guide for Graphic Communications.

We have also examined Two Sides offerings, the Verdigris initiative, the Sustainable Green Printing Partnership (SGP), as well as many of the paper and printing equipment manufacturers' initiatives. World focus on sustainable paper manufacture has increased, as well as compliance with health and safety legislation including waste management and air quality.

In order for PIFSA to pass these benefits on to members, we need to purchase licensing options or memberships of these international organisations and we are presently weighing up several options and will keep our members advised of developments. We are also negotiating the rights to local accreditation, for PIFSA members to use the SGP logo.

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