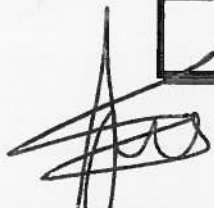


EDUCATION LABOUR RELATIONS ACT

Established in terms of the LRA of 1995 as amended



The **CC** hereby certifies that this
Collective Agreement was ratified
by Council on this date

2014 -08- 21



**PROVINCIAL EDUCATION LABOUR RELATIONS COUNCIL
NORTH WEST CHAMBER**

COLLECTIVE AGREEMENT NUMBER 1 OF 2014

20 June 2014

**THE PROVINCIAL PROCEDURES FOR PRINCIPALS DISPLACED AS
A RESULT OF RATIONALISATION, MERGER AND/OR CLOSURE OF
SCHOOLS IN GIVING EFFECT TO COLLECTIVE AGREEMENT 2 OF
2003**

NORTH WEST PROVINCIAL CHAMBER OF THE ELRC

COLLECTIVE AGREEMENT NO 1 OF 2014

NORTH WEST CHAMBER

COLLECTIVE AGREEMENT 1 of 2014

The provincial procedures for principals displaced as a result of Rationalisation, Merger and/or Closure of schools in giving effect to ELRC

Collective Agreement 2 of 2003

PAGE 1

DM. R.G.
T.M.T.

THE PROVINCIAL PROCEDURES FOR PRINCIPALS DISPLACED AS A RESULT OF RATIONALISATION, MERGER AND/OR CLOSURE OF SCHOOLS IN GIVING EFFECT TO COLLECTIVE AGREEMENT 2 OF 2003

1. PURPOSE OF THIS AGREEMENT

- 1.1. To give effect to National Collective Agreement 2 of 2003 regarding the transfer of serving educators in terms of operational requirements in so far as principals are concerned.
- 1.2. To regularize the redeployment of principals held additional to the staff establishment of schools due to closure, merger or Rationalisation of schools.
- 1.3. To provide a mechanism to redeploy and/or transfer principals being held in addition to schools' staff establishments as a result of merger, closure or Rationalisation of schools.
- 1.4. To eradicate the challenge of displaced principals.
- 1.5. To ensure that the processes outlined in this resolution are implemented in a fair and just manner.

2. SCOPE OF APPLICATION

2.1. This agreement applies to and binds:

2.1.1 The employer and:

2.1.2 All the employees of the North West Department of Education as defined in the Employment of Educators Act, 1998 (as amended) whether such employees are members of the trade union parties to this agreement or not.

NORTH WEST CHAMBER

COLLECTIVE AGREEMENT 1 of 2014

The provincial procedures for principals displaced as a result of Rationalisation, Merger and/or Closure of schools in giving effect to ELRC Collective Agreement 2 of 2003

PAGE 2

DM. R.G.
J.M.T.

3. PARTIES TO THE PROVINCIAL CHAMBER NOTE AS FOLLOWS

- 3.1. That the department has schools that were merged and/ or closed as outlined in sections 12A and section 33 of the South African Schools Act 84 of 1996 (SASA).
- 3.2. That some principals from closed or merged schools were placed in addition to the Staff Establishments of schools where substantive principals were already appointed, leading to double parking and authority challenges.
- 3.3. The ELRC Collective Agreement 2 of 2003.
- 3.4. The ELRC Collective Agreement 3 of 2006.
- 3.5. The ELRC Collective Agreement 1 of 2008.
- 3.6. The guideline document on the Rationalisation of Schools in the North West Province.
- 3.7. The provisions of Personnel Administration Measures (PAM) as determined in terms of the Employment of Educators Act, No 76 of 1998 relating to the transfer of educators on operational requirements.

4. PARTIES TO THE CHAMBER THEREFORE AGREE AS FOLLOWS:

- 4.1. A P1 Principal displaced as a result of the merger, closure or Rationalisation of the schools, shall be transferred in rank to PL2 HOD (Departmental Head) guided by the notch at which the P1 Principal is at, provided that such a translation shall not result in an increase or a decrease of the principal's remuneration.
- 4.2. A P2 Principal displaced as a result of the merger, closure or Rationalisation of schools, shall be transferred in rank to PL3 Deputy Principal guided by the notch at which the P2 Principal is at, provided that such a translation shall not result in an increase or a decrease of the principal's remuneration.
- 4.3. A P1 or P2 principal displaced as a result of the merger, closure or Rationalisation of schools, whose notch falls within the PL1 notches in terms of Collective Agreement 1 of 2008, shall have a choice to be transferred in rank to a PL1 educator.

NORTH WEST CHAMBER

COLLECTIVE AGREEMENT 1 of 2014

The provincial procedures for principals displaced as a result of Rationalisation, Merger and/or Closure of schools in giving effect to ELRC Collective Agreement 2 of 2003

PAGE 3

DM R.G.
T.M.T.

- 4.4. A P3 or P4 principal who is held in addition as a result of the closure, merger or Rationalisation of the schools shall be horizontally transferred to a suitable vacant post in line with the provisions of 2.4 of chapter B of PAM.
- 4.5. A vacancy that arises as a result of the upgrading of a principal post due to Rationalisation shall be filled in terms of clause 2.5 of chapter B of PAM.
- 4.6. S1 principals are excluded from the collective agreement and measures will be put in place to address their placement.

5. PROCEDURES TO DEAL WITH DISPLACED PRINCIPALS

- 5.1. The transfer of a displaced principal shall be on condition that such a principal meets the curricular needs of the institution to which they are being transferred.
- 5.2. The employer shall provide a closed vacancy list to all displaced principals from which they are to make a selection in terms of 5.3 of this Collective Agreement.
- 5.3. The displaced principal shall identify at least three (3) posts in the closed vacancy list, in order of preference, to which he/ she would want to be transferred.
- 5.4. The employer shall effect the transfer in terms of section 8 of the Employment Of Educators Act 76 of 1998, as amended.
- 5.5. Where more than one (1) principal have identified the same post as a first preference, the principle of First In - First Placed (FIFP) shall apply.
- 5.6. Where FIFP above does not apply, the SGB may subject the principals to interviews for the purpose of selection.
- 5.7. All displaced principals not transferred in terms of this Collective Agreement within twelve (12) months shall be transferred through ELRC Collective Agreement Resolution 2 of 2003.

OM R.G.
T.M.P.

5.8. P3 or P4 principals who are held in addition as a result of the closure, merger or Rationalisation of schools, shall be horizontally transferred to suitable vacant posts in terms of the provisions of 2.4 of chapter B of PAM.

6. DATE OF IMPLEMENTATION

6.1 The transfer of all displaced principals identified in this collective agreement shall come into effect immediately upon the ratification of this collective agreement.

7. DISPUTE RESOLUTION PROCEDURES

Any dispute about the interpretation or application of this agreement shall be resolved in terms of the dispute resolution procedures of the ELRC.

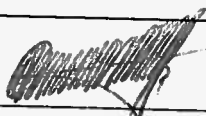
8. DEFINITIONS

- 8.1. "Department" means the North West Department of Education.
- 8.2. "Chamber" means the North West Provincial Education Labour Relations Council
- 8.3. "FIFP" (first in – first placed) – a principle of giving first preference to principals with the longest continuous service with the Department for purposes of redeployment/transfer when more than 1 principal has identified the same post as a first preference.
- 8.4. "Employer" means an employer as defined in the Employment of Educators Act, No 76 of 1998.
- 8.5. "Displaced principal" means a principal who is held in addition to the post establishment of a school due to a merger, closure or Rationalisation of schools.
- 8.6. "P1 principal" means a school principal with a notch code of between 108 to 186
- 8.7. "P2 principal" means a school principal with a notch code of between 126 to 201.
- 8.8. "HoD" (Departmental Head) means the head of department at a school
- 8.9. "PAM" means the Personnel Administrative Measures as determined in terms of the Employment of Educators Act, No 76 of 1998.
- 8.10. "Staff establishment" means the number of approved posts of a school.
- 8.11. "SGB" means a school governing body as contemplated in the South African Schools Act, No 84 of 1996.
- 8.12. "Rationalisation" means the process of classifying public schools as Primary (Grades R-7) or Secondary (Grades 8-12) schools.


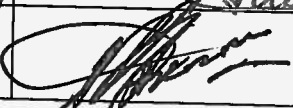
OM K.G.
T.P.T.

Thus done and signed at RUSTENBURG on the 20th day
of JUNE (month) 2014 (year) by:

ON BEHALF OF THE NORTH WEST DEPARTMENT OF EDUCATION AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
EDUCATION	MOTANG OM	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
"SADTU"	THEMBA R.G	
CTU - "ATU"	P. M. TSHANE	

ANNEXURE A

OM.
R.G
P.M.T.