

EDUCATION LABOUR RELATIONS COUNCIL
Established in terms of the LRA of 1995 as amended



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EDUCATION LABOUR
RELATIONS COUNCIL

**COLLECTIVE AGREEMENT
NO. 4 OF 2008**

16th SEPTEMBER 2008

**AMENDMENT OF THE ELRC CONSTITUTION AS
CERTIFIED BY THE REGISTRAR OF LABOUR ON
25th APRIL 2007 AND AS RATIFIED BY
COLLECTIVE AGREEMENT NO 6 OF 2007**

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AMENDMENT OF THE ELRC CONSTITUTION AS CERTIFIED BY THE REGISTRAR OF LABOUR ON 25th APRIL 2007 AND AS RATIFIED BY COLLECTIVE AGREEMENT NO 6 OF 2007

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to amend Collective Agreement number 6 of 2007 that ratified the Constitution of the ELRC as certified by the Registrar on 25th April 2007.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- (1) The employer;
- (2) All the employees of the employer as defined in the Employment of Educators Act, 1998 (as amended) whether such employees are members of trade union parties to this agreement or not;
- (3) All trade unions admitted to the Council whether such trade union is a party to this agreement or not; and
- (4) All trade unions not admitted to the Council, that utilises the services of the Council in terms of the certified ELRC constitution.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- (1) That the parties to the ELRC amended the 2000 ELRC Constitution through Collective Agreement Number 1 of 2006.
- (2) That Collective Agreement Number 1 of 2006 was ratified the Constitution of the ELRC as certified by the Registrar on 25th April 2007.
- (3) The sensitivities around the utilisation of a single trade union's name in conjunction with CTU.

4. **THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:**

- (1) That the constitution as certified by the Registrar is accepted and is the constitution that shall be amended as per clause 4(2) below; and
- (2) That Clause 9.3.2 (f)(i) be amended (see underlined insertion) to read as follows:
 - (f) *In the case of a Combined Trade Union Party, the agreement between the constituent Trade Unions addressing material aspects of their acting together arrangement, including*
 - (i) *the single Trade Union under whose name, or any other name acceptable to the parties to Council, as agreed to in a bargaining meeting of the Council, that Combined Trade Union Party will be admitted;*

5. **DISPUTE RESOLUTION**

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

6. **DEFINITIONS**

- (1) "**constitution**" means the constitution of the Education Labour Relations Council.
- (2) "**Council**" means the Education Labour Relations Council.
- (3) "**the Act**" means the Labour Relations Act No. 66 of 1996, as amended.


7. **DATE OF IMPLEMENTATION**

This agreement shall, in respect of parties, come into effect the date on which this collective agreement is signed.


8. SIGNING OF THE COLLECTIVE AGREEMENT

Thus done and signed at CENTURION on the 16th day of SEPTEMBER 2008:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
EDUCATION	D. Gleadhe	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
CTU "SADTU"	I. W. NIXEY	
CTU "SAOU"	J C KLOPPER	