

EDUCATION LABOUR RELATIONS COUNCIL

Established in terms of the LRA of 1995 as amended

FREE STATE PROVINCIAL CHAMBER



elrc

EDUCATION LABOUR
RELATIONS COUNCIL

**COLLECTIVE AGREEMENT
NO. 1 OF 2009**

24 JULY 2009

**PERMANENT APPOINTMENT OF
TEMPORARY EDUCATORS**

Handwritten initials and a signature, including the letters "FRD" in a circle.

FREE STATE PROVINCIAL CHAMBER

COLLECTIVE AGREEMENT NO 1 OF 2009

PERMANENT APPOINTMENT OF TEMPORARY EDUCATORS

1. PURPOSE OF THIS AGREEMENT

To effect the permanent appointment of identified temporary educators.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds the Free State Department of Education as the Employer

And

All the employees of the Free State Department of Education as defined in terms of the Employment of Educators Act 76 of 1998 (as amended) whether such employees are members of a trade union parties to this agreement or not.

3. THE PARTIES TO THE CHAMBER NOTE AS FOLLOWS:

- 3.1 ELRC resolution 6 of 1996 on the permanent appointment of temporary educators who are appointed temporarily in vacant substantive posts.
- 3.2 ELRC resolution 4 of 2001 which provides for the permanent appointment of under-qualified educators.
- 3.3 ELRC resolution 4 of 2002 which provides for permanent appointment of unqualified educators.
- 3.4 The conversion of temporary educators in terms of phases 1, 2 and 3 in 2006
- 3.5 That for a long time the temporary educators have not had the opportunity to apply for posts in a conventional manner.
- 3.6 That the services of these educators are required as they make considerable contribution to the compliance of the institutions to the curriculum as indicated numerously by schools.

- 3.7 That there is a need to effect permanent appointment of the temporary educators in order to minimize disruptions of schools due to short term contracts.

4. THE PARTIES TO THE CHAMBER THEREFORE AGREE AS FOLLOWS:

- 4.1 All temporary educators who occupied vacant substantive posts in Secondary Schools, Agricultural Schools, Comprehensive Schools, Special Schools, Technical Schools and Combined Schools from Grade 8 and upwards as on 1 July 2009 shall be appointed permanently in line with 6B of the Education Laws Amendment Act of 2005 as a first round.
- 4.2 All temporary educators in Primary, Intermediate and Combined (Grade 1 – 7) Schools will be considered once it is confirmed that there are no excess educators who can fill these posts in a second round not later than 30 September 2009.
- 4.3 In future, the conversion of temporary educators appointed in substantive posts will be considered when a temporary educator has been in the service and the post has not been advertised or filled through the process of redeployment of a suitable excess educator in the first 6 months of the appointment.
- 4.4 That the permanent appointment of temporary educators shall be deemed to have been completed when a temporary educator accepts the offer for a permanent post.

5. EFFECTIVE DATE OF IMPLEMENTATION:

The status of these educators shall be changed with effect from the 1 July 2009 or as soon as possible thereafter.

6. DATE OF IMPLEMENTATION:

The date of implementation shall be the day the parties sign this agreement.


7. 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.


8. SIGNING OF THE COLLECTIVE AGREEMENT

Thus done and signed at BLOEMFONTEIN on the 24TH day of JULY 2009 by:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
FREE STATE EDUCATION	R S M ALOPE	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
CTU "SADTU"	MARIPING MARUMO	
CTU "SAOU"	L. STRYDOM	