



**elrc**

**Education Labour Relations  
Council  
KwaZulu Natal Chamber**

**Collective Agreement No. 1 OF 2006**

03 July 2006

**Permanent Appointment of Temporary Educators serving continuously for  
12 months or more**

ELRC KZN Chamber: Collective Agreement No. 1 of 2006 – Permanent Appointment of Temporary  
Educators with 12 months or more of continuous service

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*sc.*

**1. PURPOSE:**

To effect, within the approved post establishment, the permanent appointment of serving temporary educators who have been employed in the department for a period of 12 months or more on a continuous basis.

*CONTINUOUS SERVICE means the current unbroken or broken service within the department as a CS educator provided that, in the case of broken service, such break in service was of 120 days or less.*

**2. SCOPE:**

This agreement applies to and binds:

- 2.1 the KwaZulu-Natal Department of Education;
- 2.2 all educators employed by the KwaZulu-Natal Department of Education;
- 2.3 all employee parties that are parties to the KwaZulu-Natal Chamber of the Education Labour Relations Council; and
- 2.4 members of such employee parties

**3. PARTIES TO THE CHAMBER NOTE:**

3.1 The contents of the following ELRC Resolutions:


- 3.1.1 Resolution 4 of 2001 which provides for the permanent appointment of under-qualified temporary educators;
- 3.1.2 Resolution 5 of 2001 on the 'Appointment of Educators who are not Professionally Qualified'; and
- 3.1.3 Resolution 4 of 2002 which provides for the permanent appointment of unqualified temporary educators

3.2 That since the withdrawal of ELRC Resolution 6 of 1998, many temporary educators who have been serving the department continuously for 12 months or more, were not appointed permanently despite posts being advertised;

3.3 That such temporary educators provide an invaluable service to the department in delivering the curriculum;

3.4 That parties to Chamber acknowledge the need to effect the permanent appointment of temporary educators who have served the department for 12 months or more on a continuous basis in an effort to promote security of tenure of educators;

3.5 The employer's obligation to serving permanent educators who have been declared additional to their schools' post establishments;

  
S. C. N.

3.6 The Employer's obligation to transfer serving permanent educators who have been declared in surplus in terms of operational requirements.

3.7 The provisions of the Employment of Educators Act 76, of 1998, as amended.

**4. PARTIES TO THE CHAMBER THEREFORE AGREE THAT:**

4.1 All permanent educators declared additional to the post establishment of their schools must first be accommodated in substantive vacant posts using applicable criteria;

4.2 Temporary educators who have served the department continuously for 12 months or more in one or more substantive post/s should be made permanent, subject to the recommendation of the School Governing Body;

4.3 A closed vacancy list of the remaining available posts should thereafter be compiled to accommodate the temporary educators who served the department continuously for a total combined period of 12 months or more in substantive and/or substitute posts; and,

4.4 The abovementioned temporary educators must meet the minimum requirement for appointment as set out in Chapter B 2 (2) of the Personnel Administration Measures (PAM).

**5. DATE OF IMPLEMENTATION**

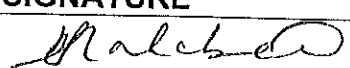
This agreement shall be effective from the date it is ratified by the ELRC, in accordance with clause 6.2.4 of Annexure B of the constitution of the ELRC.

**6. DISPUTE RESOLUTION**

Any dispute arising from this agreement shall be referred to the Council for resolution in terms of its constitution.


**THUS DONE AND SIGNED AT THE KZN PROVINCIAL CHAMBER OF THE ELRC, 55 CHURCH RD, REDHILL, ON THE**

3<sup>RD</sup> DAY OF July 2006, BY

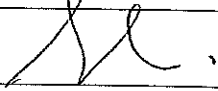
DEPARTMENT	NAME	SIGNATURE
KZN EDUCATION	SUNIL MAHABEER	

**ON BEHALF OF THE STATE AS EMPLOYER**

ELRC KZN Chamber: Collective Agreement No. 1 of 2006 – Permanent Appointment of Temporary Educators with 12 months or more of continuous service

  
S.C.N.

AND

TRADE UNIONS	NAME	SIGNATURE
CTU 'SADTU'	S. C. MKOSI	
CTU 'SAOU'		

ON BEHALF OF LABOUR

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