

EDUCATION LABOUR RELATIONS COUNCIL
(LIMPOPO CHAMBER)
Established in terms of the LRA of 1995 as amended



COLLECTIVE AGREEMENT NUMBER 1 OF 2012

**IMPLEMENTATION OF THE 2012 SCHOOLS POST
ESTABLISHMENTS**

28 MARCH 2012

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

2012 -04- 13

COLLECTIVE AGREEMENT No.1 OF 2012

IMPLEMENTATION OF THE 2012 SCHOOLS POST ESTABLISHMENTS

1. OBJECTIVES:

- 1.1 To expedite the matching and absorption of serving educators declared additional to the post establishments of schools
- 1.2 To appoint temporary educators occupying the remaining substantive posts on a permanent basis
- 1.3 To provide a procedure for the permanent appointment of temporary educators displaced by the matching and absorption of serving educators declared additional to the post establishment and temporary educators terminated on 31st December 2011.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- (a) The employer;
- (b) All employees who are employed by the Limpopo Department of Education as defined in the Employment of Educators Act 76 of 1998 whether such employees are members of Trade Union parties to this agreement or not; and
- (c) The employer and the employees who fall within the registered scope of the Education Labour Relations Council (ELRC).

3. PARTIES TO THE PROVINCIAL CHAMBER NOTE AS FOLLOWS:

- 3.1. The ELRC Collective Agreement Number 02 of 2003-**“Transfer of serving educators in terms of operational requirements”**.
- 3.2. Section 6B of the Employment of Educators Act 76 of 1998 (as amended), allows the Head of the Department after consultation with the Governing Body of a Public school to convert the temporary appointment of an educator appointed to a post on the educator establishment of a public school to a permanent appointment in that post without the recommendation of the Governing Body.

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

4.1. MATCHING AND ABSORPTION OF EDUCATORS ADDITIONAL TO THE 2012 SCHOOLS POST ESTABLISHMENTS

4.1.1 The process of matching and absorption of educators declared additional to the post establishment must continue and be concluded by the 31st May 2012.

4.1.2 A revised management plan to implement the 2012 post establishment shall be developed and adopted by parties to the Chamber.

4.2 PERMANENT APPOINTMENT OF TEMPORARY EDUCATORS OCCUPYING SUBSTANTIVE POSTS IN PUBLIC SCHOOLS

4.2.1. The contracts of temporary educators appointed in substantive posts shall be extended to the 30th June 2012.

4.2.2. Temporary educators who after the conclusion of the process in paragraph 4.1.1 above will be occupying substantive posts, shall be guaranteed permanent appointment in those posts.

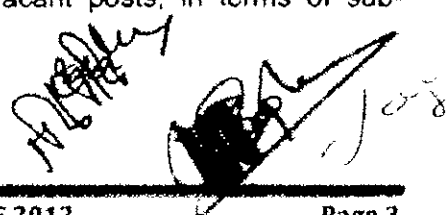
4.2.3. Temporary educators who will be displaced by educators declared additional to the post establishment will be matched and appointed permanently in the remaining substantive posts.

4.2.4. The remaining temporary educators displaced by educators declared additional to the post establishment will remain in the system until they are appointed permanently.

4.3. TEMPORARY EDUCATORS TERMINATED ON 31st DECEMBER 2011

4.3.1. Profiles of temporary educators terminated on 31st December 2011 shall be compiled and consolidated into a database.

4.3.2. Educators from the database in paragraph 4.3.1 shall be considered for permanent appointment in identified vacant posts, in terms of sub-paragraph 4.4.1.3.



4.4. UTILISATION OF ATTRITION POSTS

4.4.1. Substantive posts that become vacant after the processes outlined in paragraphs 4.1.1, 4.2.2 and 4.2.3, shall be utilized in the following order of priority:

4.4.1.1. Matching and absorption of remaining educators declared additional to the post establishment.

4.4.1.2. Permanent appointment of the remaining displaced temporary educators.

4.4.1.3. Permanent appointment of temporary educators terminated on 31st December 2011.

4.4.2. The criteria to appoint the educators declared additional to the post establishment, displaced temporary educators and temporary educators terminated on 31st December 2011 referred to in paragraph 4.4.1 above are as follows:

(a) They should meet the curriculum requirements of the posts; and

(b) The principle of seniority shall apply.

5. EXTENSION OF THE 2012 POST ESTABLISHMENTS

The 2012 post establishment shall be extended to 2013.

6. DISPUTE RESOLUTION PROCEDURE

Any dispute about the interpretation or application of this agreement shall be dealt with in terms of the dispute resolution procedure of the ELRC.

7. DATE OF IMPLEMENTATION

This Collective Agreement shall come into effect on the date it is signed.

8. TERMINATION OF COLLECTIVE AGREEMENT

This Collective Agreement will terminate/lapse on the 30th September 2013.

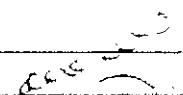


9. DEFINITIONS

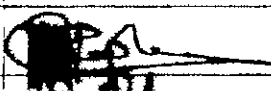
- (a) **"Serving educator"** means an educator employed on a permanent basis in terms of the Employment of Educators Act 76 of 1998, at a public school.
- (b) **"Temporary educator"** means a school-based educator on post level 1 employed on a fixed term contract and excludes substitute temporary educators.
- (c) **"Seniority In service"** means the total number of years of continuous service as an educator in the Limpopo Department of Education.
- (d) **"Temporary educators terminated on 31st December 2011"** mean temporary educators who occupied substantive posts in terms of the 2009 post establishments.

This done and signed at Polokwane on this 28th day of March 2012

On behalf of the Employer party

LIMPOPO DEPARTMENT OF EDUCATION	NAME	SIGNATURE
	DR. H. M. KHATIBI	

On behalf of Employee Parties

PARTY	NAME	SIGNATURE
CTU-SADTU	RAPHASHA M.S	
CTU-ATU	MOHLATLOLE H. KLAS	