

EDUCATION LABOUR RELATIONS COUNCIL

RESOLUTION NO. 2 OF 1999

THE APPLICATION FOR TRANSFER AND UTILISATION OF THE R140 MILLION ALLOCATED TO THE EDUCATION SECTOR

1. THE PARTIES TO THE COUNCIL NOTE:

- 1.1 Resolution No. 7 of 1998 of the Public Service Co-ordinating Bargaining Council (PSCBC).
- 1.2 Clause 4.2.1 of the agreement mentioned at 1.1 provides for a sum of R140 million to be allocated to Education for the use of transformation measures, after concluding an agreement with the Education Labour Relations Council (ELRC) on how the funds are to be used.
- 1.3 The funds are allocated from the current budget (1998/1999) and as such needs to be utilised within the current financial year.

2. THE PARTIES AGREE AS FOLLOWS:

2.1 REQUESTING THE TRANSFER OF THE FUNDS

- 2.1.1 The total amount of R140 million be transferred to the ELRC.
- 2.1.2 The funds to be kept in a separate account (opened for this purpose and to be known as the Transformation Fund of the ELRC) and used only to fund the projects as identified at paragraph 2.2 of this agreement.
- 2.1.3 The funds, once paid into the Transformation Fund of the ELRC, will be subjected to the same financial management and control as other funds of the ELRC and in keeping with the requirements as stipulated by the Department of Finance.
- 2.1.4 The employer to apply for the transfer of the funds from Treasury.



2.2 UTILISATION OF THE FUNDS

- 2.2.1 The investigation and development of materials and programmes for the upgrading of the qualifications of the "unqualified" and "under-qualified" educators.
- 2.2.2 The initial implementation of the programmes mentioned in 2.2.1 above.
- 2.2.3 the funding of substitute educators as a result of the secondment of 100 full-time shop stewards in education for a period of 3 years. The secondment of full-time shop stewards will be in terms of an agreement of the ELRC (to be developed and agreed upon).
- 2.2.4 Any other transformatory projects that may be developed and agreed upon

2.3 DISTRIBUTION OF THE FUNDS

A team comprising of employer and employee representatives be established to investigate the distribution, upon transfer, of the amount of R140 million between the projects identified at paragraph 2.2.

It is noted that a major portion of the funds should be utilised for investigation and development of plans. The Department of Education will be responsible for the co-ordination with regard to the implementation of these plans.

2.4 SCOPE OF AGREEMENT

This agreement applies to and binds:

- 2.4.1 The employer
- 2.4.2 All the employees of the employer as defined in the Employment of Educator's Act of 1998 whether such employees are members of trade union parties to this agreement or not.

2.5 DATE OF IMPLEMENTATION AND DURATION

This agreement shall, in respect of parties and non-parties, come into operation on the date it is signed in Council and shall remain in force for a period of three years from the effective date.

2.6 DEFINITIONS:

- 2.6.1 "Council" means the Education Labour Relations Council.
- 2.6.2 "Employee" means an educator as defined in the Employment of Educators Act, 1998



- 2.6.3 "Employer" means the employer as defined in the Employment of Educators Act, 1998.
- 2.6.4 All terms used have the same meaning as that contained in the Employment of Educators Act of 1998, unless otherwise defined.
- 2.6.5 "Under-qualified educator" means a person who is holding a teaching post on an establishment and is in possession of a professional education qualification evaluated as less than REQV 13. This category includes teachers who received two years of professional training or less, with or without Grade 12.
- 2.6.6 "Unqualified educator" means a person who is holding a teaching post on an establishment and who has not received any formal professional training as an educator.

Handwritten signature

THUS DONE AND SIGNED AT CENTURION ON THIS THE
22ND DAY OF FEBRUARY 1999

ON BEHALF OF THE EMPLOYER

DEPARTMENT	NAME	SIGNATURE
<i>Dept. of Education</i>	<i>K. GOWENDER</i>	<i>[Signature]</i>

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
<i>NIAPTOSA</i>	<i>D H BRAT</i>	<i>[Signature]</i>
<i>SAGU</i>	<i>Edwiri M. Villay</i>	<i>[Signature]</i>