

EDUCATION LABOUR RELATIONS COUNCIL

Established in terms of the S (37)(2) of the LRA of 1995 as amended



**COLLECTIVE AGREEMENT
No. 2 OF 2002**

25 APRIL 2002

**APPOINTMENT OF A PANEL OF CONCILIATORS
AND ARBITRATORS**



COLLECTIVE AGREEMENT NO 2 OF 2002**APPOINTMENT OF A PANEL OF CONCILIATORS AND ARBITRATORS****1. PURPOSE OF THIS AGREEMENT**

The purpose of this agreement is to ensure the appointment of panellists to perform dispute resolution functions for Council.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- (1) The employer, and
- (2) All the employees of the employer as defined in the Employment of Educators Act, 1998, whether such employees are members of trade union parties to this agreement or not.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- (1) That the implementation of the new Case Management System (CMS), for the ELRC became operational since 1st June 2000.
- (2) That the ELRC must appoint its own panel of Conciliators and Arbitrators, which may be supplemented by the Panellists of the PSCBC.
- (3) That the Panel of the PSCBC was approved and appointed.
- (4) That the ELRC has a standard Fee Policy for the Panellists.
- (5) That the ELRC has a standard Contract of Work agreement for the appointment of Panellists.
- (6) That the ELRC is currently utilising the services of Panellists as per Resolution 4 of 2000.
- (7) That the ELRC, by decision of the parties and the Executive Committee of Council, had continued to use ex-IMSSA panellists.

- (8) That the Labour Relations Act, 1995 (as amended) and the Constitution of Council (ELRC) make provision for Council to appoint its own panel of Conciliators and Arbitrators and further, that such a panel must be accredited by the Commission for Conciliation, Mediation and Arbitration (CCMA).

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- (1) To appoint the Panellists of the PSCBC, as reflected in SCHEDULE 1, as being part of the Panel of Conciliators and Arbitrators of the ELRC, subject to provisos as contained in 4(3)(a), 4(3)(b) and 4(3)(c) below.
- (2) To appoint the Panel of Conciliators and Arbitrators, as reflected in SCHEDULE 2 of Resolution 4 of 2000 as the Panellists of the ELRC, subject to provisos as contained in 4(3)(a), 4(3)(b) and 4(3)(c) below.
- (3) To appoint the Panel of Conciliators and Arbitrators, as reflected in SCHEDULE 3 of this collective agreement, as the Panellists of the ELRC, subject to the following provisos:
- (a) that the said Panellists are willing to conclude the Contract of Work, as prescribed by Council,
 - (b) that the Panellists are willing to be bound by the Fee Policy for Conciliators and Arbitrators of Council,
 - (c) that the Panelists are willing to be bound by the Code of Conduct for Conciliators and Arbitrators of Council.
- (4) To appoint the Panel of Conciliators and Arbitrators, as reflected in SCHEDULE 4 of this collective agreement, as the Panellists of the ELRC, subject to provisos as contained in clause 4(3)(a), 4(3)(b) and 4(3)(c) above.
- (5) To allow the *General Secretary*, notwithstanding the schedules listed above, upon request of the parties to a national dispute, to appoint any conciliator and or arbitrator, duly accredited with CCMA, as agreed by the parties, to hear that dispute.

5. DISPUTE RESOLUTION

Any dispute arising from the application or interpretation of this collective agreement shall be referred to the Council for resolution in terms of its dispute resolution procedures.

6. DATE OF IMPLEMENTATION

This agreement is adopted and implemented on the date of signing in the Council.

7. SIGNING OF THIS COLLECTIVE AGREEMENT

Thus done and signed at CENTURION on this the 25TH day of APRIL 2002.

ON BEHALF OF THE STATE AS THE EMPLOYER:

DEPARTMENT	NAME	SIGNATURE
EDUCATION	S. G. PADAYACHEE	<i>Padayachee</i>

ON BEHALF OF THE EMPLOYEE PARTIES:

TRADE UNION	NAME	SIGNATURE
NAPTOSA	H. HENDRICKS	<i>Hendricks</i>
SAOU	P. DELPORT	<i>Delport</i>
SADTU	T. W. NXESI	<i>Nxesi</i>

SCHEDULE ONE:

PANELLISTS AS PER PSCBC RESOLUTION NO. 4 OF 2000

PROVINCE: GAUTENG

NO.	SURNAMES	FORENAMES
1	Bailey	Trevor
2	Bean	Marie
3	De Villiers	Ingrid
4	Douglas	D C
5	Hutchinson	Wayne
6	Jajbhay	Mahommed
7	Kirstein	P H
8	Lagrange	Robert
9	Lebea	Justice
10	Legodi	Madisha
11	Majola	A B
12	Marcus	M H
13	Mbileni	Nomsa
14	Mngqibisa	Nomonde
15	Modise	Lavery
16	Moletsane	R M
17	Mothuloe	W T E
18	Dollie	Muhammed
19	Nupen	Charles
20	Patelia	Ebrahim
21	Pather	A V
22	Potterill	Sulet
23	Prinsloo	I C
24	Raffee	Mohammed
25	Savage	K M
26	Seedat	Saleem
27	Sefuba	T M
28	Shear	Larry
29	Sirkhort	Imthiaz
30	Tohlang	Joyce
31	Van der Merwe	Francois
32	Van der Walt	Andie
33	Walele	Zarina

PANELLISTS AS PER PSCBC RESOLUTION NO. 4 OF 2000

PROVINCE: KWA-ZULU NATAL

NO.	SURNAMES	FORENAMES
1	Bahor	Sharmaine
2	Deyzel	Almero
3	Mathe	N A
4	Mazwi	Vuyisa
5	McCann	Rob
6	Naidoo	Rajah
7	Ndaki	Byron Fikile
8	Ngcobo	A B Z
9	Ngcobo	H M
10	Ramdaw	Anandroy
11	Reynolds	A C E
12	Seiti	D S

PROVINCE: NORTH WEST

NO.	SURNAMES	FORENAMES
1	Baganeneng	W M G
2	Louw	Eric
3	Mogatusi	T A
4	Moumakwa	Tseko John
5	Roopa	Prakash
6	Sebotha	G G
7	Siele	N D

PROVINCE: FREE STATE

NO.	SURNAMES	FORENAMES
1	Jansen	Sonja
2	Makua	L A
3	Molotsi	M L J
4	Mthembu	J B

PANELLISTS AS PER PSCBC RESOLUTION NO. 4 OF 2000

PROVINCE: EASTERN CAPE

NO.	SURNAMES	FORENAMES
1	Fouche	M A
2	Labuschagne	J J
3	Maqekeza	Wendy ✓
4	Midgley	J R
5	Mulima	D J

PROVINCE: WESTERN CAPE

NO.	SURNAMES	FORENAMES
1	Benjamin	Paul
2	De Klerk	P P
3	Golden	Tanya
4	Hartford	Miles
5	Jordaan	Barney
6	McGahey	J W
7	Mofsowitz	Hilary
8	Retief	Olivier
9	Owen	Kate

PROVINCE: MPUMULANGA

NO.	SURNAMES	FORENAMES
1	Maseko	Joseph M
2	Ncongwane	D A



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PANELLISTS AS PER PSCBC RESOLUTION NO. 4 OF 2000

PROVINCE: NORTHERN PROVINCE

NO.	SURNAMES	FORENAMES
1	Bham	M S
2	Le Roux	Johan
3	Maake	J S
4	Mashego	M L
5	Ndou	Patrick
6	Nyathela	Irene
7	Ratlabala	N S
8	Sadiki	R G
9	Verveen	L G

PROVINCE: NORTHERN CAPE

NO.	SURNAMES	FORENAMES
1	Osler	Anton

SCHEDULE TWO

PANELLISTS AS PER ELRC RESOLUTION NO. 4 OF 2000

PROVINCE: GAUTENG

NO.	TITLE	SURNAMES	FORENAMES
1	Mr	Baloyi	Musa Moses
2	Mr	Cohen	Phillip
3	Adv.	Currin	Brian
4	Ms	Driscoll	Kerry Lynn
5	Ms	Essack	Rehana
6	Mr	Fadal	Mahmood Hoosen
7	Ms	Gunase	Kaushilla
8	Mr	Hiemstra	Jan
9	Adv.	Ismail	Mohamed Iqbal
10	Adv.	Mdladla	Ntombizodwa Constance
11	Adv.	Moletsane	Moeketsi Russell
12	Adv.	Moshebi	Oupa Mochongoane
13	Mr	Seedat	Saleem
14	Ms	Singh	Ashina
15	Mr	Thompson	John Mark
16	Ms	Tshiqi	Zukisa Laura
17	Adv.	Van Staden	Piet Jacobus
18	Mr	Wadee	Yusuf Ahmed
19	Adv.	Jajbhay	Mohamed

PROVINCE: EASTERN CAPE

NO.	TITLE	SURNAMES	FORENAMES
1	Adv.	Brand	Frederik Floris Johannes
2	Ms	Fouché ✓	Maria Aletta
3	Dr.	Labuschagne	Jacques
4	Mr	Le Roux	Francois Engelbrecht
5	Ms	Mhlantla	Nonkosi Zoliswa
6	Prof.	Midgley	John Robert
7	Mr	Robertson ✓	John Cheere
8	Mr	Slater	Henry John
9	Mr	Taku	Simpiwe Christopher

*Wendy M. G. & P. G.
By Lou Currin*

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[Handwritten initials]
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PANELLISTS AS PER ELRC RESOLUTION NO. 4 OF 2000

PROVINCE: KWA-ZULU NATAL

NO.	TITLE	SURNAMES	FORENAMES
1	Ms	Balkaran	Sarojini Thanasegari
2	Adv.	Ballon	Charmaine Renuka
3	Mr	Brunton	Chris
5	Ms	Kalideen	Jane
6	Mr	Lyster	Richard
7	Mr	McGladdery	Sean David
8	Mr	Naidoo	Rajah
9	Mr	Ngcobo	Hypolite Mandlenkosi
10	Adv.	Nzimande	Roderick Mpumelelo
11	Ms	Pather	Sivakumaran
12	Mr	Pillay	Anashrin
13	Mr	Ramdaw	Anandroy
14	Mr	Sithole	Dumisani Lancelot
15	Mr	Tubane	Thandolwakhe
16	Mr	Van Dokkum	Neil
17	Ms	Whitcher	Benita
18	Dr.	McCann	Robert John Tyrone
19	Mr	Deyzel	Almero
20	Mr	Reynolds	AC

PROVINCE: WESTERN CAPE

NO.	TITLE	SURNAMES	FORENAMES
1	Ms	Bulbring	Ursula
2	Mr	Chennels	Jeremy
3	Adv.	Golden	Tanya Justice
4	Mr	Hartford	Miles Julian
5	Ms	Prins	Wendy Belinda
6	Mr	Twigg	Alexander James

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PROVINCE: FREE STATE

NO.	TITLE	SURNAMES	FORENAMES
1	Mr	Mihembu	Jerome
2	Adv.	Antony	Osler

PANELLISTS AS PER ELRC RESOLUTION NO. 4 OF 2000

PROVINCE: MPUMALANGA

NO.	TITLE	SURNAMES	FORENAMES
1	Mr	Ncongwane	Driver Abram
2	Adv.	Shongwe	Isaiah Moses

PROVINCE: NORTHERN PROVINCE

NO.	TITLE	SURNAMES	FORENAMES
1	Mr	Carrim	Abdul Majeed
2	Adv.	Le Roux	Johan
3	Adv.	Ndou	Patrick Ntakuseni Vele
4	Adv.	Maake	Josias Sello

PROVINCE: NORTHERN CAPE

NO.	TITLE	SURNAMES	FORENAMES
1	Mr	Botha	Christiaan Herodemus
2	Mr	Cloete	Neville
3	Mr	Wessels	Christiaan Johannes

PROVINCE: NORTH WEST

NO.	TITLE	SURNAMES	FORENAMES
1	Adv.	Botha	Ingrid
2	Mr	Louw	Eric Hendrik
3	Mr	Moathlodi	Badiroang Israel
4	Mr	Moumakwa	Tseko John
5	Mr	Roopa	Prakash

SCHEDULE THREE

2002 ADDITION TO ELRC PANELLISTS

PROVINCE: KWA-ZULU NATAL

NO.	SURNAME	FORENAMES
1	Allagan	Kresen
2	Apelgren	Eric Oswald
3	Dorasamy	Anand
4	Govindasamy	Poobalan
5	Hiralall	Narini Nirmala
6	Hughes	Wendy
7	Indare	Ishwarlal
8	Jugath	Anandh
9	Kadwa	Arseyah
10	Mchunu	Bhekikisa
11	Msomi	Thamsanqa Aggrey
12	Ndlovu	Thamsanqa
13	Ntuli	Thamsanqa Godfrey
14	Oakes	Anthony Charles
15	Reddy	Jayapragasen Govindaraju
16	Shangase	A P
17	Sishi	Themba Albert
18	Van Zyl	Phillipus Edmond
19	Vedan	Jerald D
20	Williams	Nora Lisa
21	Winfred	Adv Noel G
22	Madonda	Mjabuliseni Isaac

PROVINCE: NORTH WEST

NO.	SURNAME	FORENAMES
1	Mbovane	Boniswa
2	McGregor	Robert Ian
3	Mogatusi	Adv T A
4	Monyemore	Gagoiwe John
5	Siele	Nina

2002 ADDITION TO ELRC PANELLISTS

PROVINCE: FREE STATE

NO.	SURNAME	FORENAMES
1	Breytenbach	Jacobus Petrus
2	Lekale	Lepone Joshua
3	Moloi	Mokete Sidwell
4	Molotsi	Motlatsi Lehlohonolo Joseph
5	Molloung	Sehapi Edwin
6	Ntsele	Solomon Setumo
7	Phatshoane	Violet
8	Selele	Lesune Meli Shadrack

PROVINCE: EASTERN CAPE

NO.	SURNAMES	FORENAMES
1	Crisp	Adv O H
2	Du Plessis	Botha
3	Khumalo	B E
4	Luvayo	Bono
5	Maepe	E A
6	Mazosiwe	M
7	Mdeleleni	Ayanda
8	Nabo	L V
9	Newton	Daryl Aquinas
10	Nkukwana	Christopher Bonsile
11	Sauls	Frederick
12	Schafer	Craig Gerald
13	Swartbool	Samson Joseph
14	Van der Walt	Prof Jan Adriaan
15	Williams	Llewellyn Derrick

2002 ADDITION TO ELRC PANELLISTS

PROVINCE: MPUMALANGA

NO.	SURNAMES	FORENAMES
1	De Villiers	Pierre Hofmeyer
2	Dibden	Raymond Arnold
3	Mabasa	Charles
4	Mokgomogane	L

PROVINCE: WESTERN CAPE

NO.	SURNAMES	FORENAMES
1	Bhana	Stephen B
2	Bikwani	Mbulelo
3	De Klerk	Adv P P
4	Everett	Winnie
5	Ker	Kamala Madherika
6	Leholo	Thabo Solomon
7	Marlin	Leslie Owen
8	McGahey	John Wesley
9	Mias	David Fred
10	Mofsowitz	Hllary
11	Mohamed	R
12	Mvambo	Ndodomzi
13	Ntsimango	Lennox
14	Riekert	W
15	Sandla	Z A
16	Singh	A
17	Stober	Lorraine
18	Taboshe	Fundile Felix

PROVINCE: NORTHERN PROVINCE

NO.	SURNAMES	FORENAMES
1	Cachalia	F
2	Kganyago	M F
3	Talane	Johannes Sipho
4	Verveen	Louis George
5	Phindela	Eric Modibedi
6	Lebea	Mohale Calvin
7	Phatudi	Moletjie George
8	Mashego	Michael Lati
9	Mahwansane	Mbangiseni L
10	Nyathela	Tshifhiwa Irene

2002 ADDITION TO ELRC PANELLISTS

PROVINCE: GAUTENG

NO.	SURNAMES	FORENAMES
1	Bernhardt	Susan
2	Bezuidenhout	Juan Hilda
3	Cachalia	Ahmed
4	Cawe	Nomagcisa
5	Charoux	Louise
6	De Villiers	David
7	Els	Leendert
8	Hock	Deidre Claire
9	Honorat	Enrico
10	Khoza	Leonora Sigongile
11	Makuma	Saki
12	Maseko	Nkosinathi
13	Mashiane	Mercy Selebano
14	Mashigo	Clifford Tshepo
15	Mbambo	Lawrence Mthembeni
16	Mbileni	Nomsa Georgina Judy
17	Moodley	Krishna Chantasagan
18	Ngengubula	Nomacwera Cordelia
19	Patterson	Heather
20	Pienaar	Dan
21	Pio	Christoffel Paulus
22	Rajah	Mahamed
23	Ralefatane	Motlatjo Josephina
24	Ralefeta	Moyahabo Willie
26	Tohlang	Joyce Mamokheseng
27	Toli	Smanga Hendrik
28	Twaise	Gloria
29	Van Rooyen	Victoria
30	Van Wyk	Prof Marius
31	Williams	Itumeleng George
32	Zwane	Mandla Petros

SCHEDULE FOUR

Ex-IMSSA PANELLISTS CONTRACTED BY ELRC IN 2000

PROVINCE: GAUTENG

NO	TITLE	SURNAME	FORENAMES
1	Mr	Narian	Sunil
2	Mr	Patelia	Ebrahim
3	Mr	Bashier	Valley
4	Mr	Ngobeni	Thabo
5	Mr	Dollie	Muhammed
6	Adv.	Tip	Karel
7	Prof.	Mthombeni	Mzu
8	Mr	Scheepers	Johan
9	Prof.	Van der Merwe	Attie
10	Mr	Haffegee	I
11	Ms	French	Diana
12	Mr	Ravuku	TMB

PROVINCE: NORTHERN PROVINCE

NO	TITLE	SURNAME	FORENAMES
1	Mr	Nephalela	Enoch A

PROVINCE: WESTERN CAPE

NO	TITLE	SURNAME	FORENAMES
1	Mr	Tariq	Jamodien
2	Ms	Michelle	Huber
3	Mr	Johan	Hamman
4	Mr	Woolfrey	David
5	Mr	Van Zyl	Nell
6	Mr	Kerfoot	William
7	Ms	Martin	Lorraine

PROVINCE: KWAZULU - NATAL

NO	TITLE	SURNAME	FORENAMES
1	Mr	Chetty	Mahendra
2	Ms	Bobat	S