

**Resolution**

**No 3**

# EDUCATION LABOUR RELATIONS COUNCIL

## RESOLUTION NO. 3 OF 1998

### THE SOUTH AFRICAN COUNCIL FOR EDUCATORS (SACE)

#### 1. THE PARTIES NOTE THAT:

- 1.1 Resolution No. 4 of 1994, which established SACE, lapsed on 10 May 1998.
- 1.2 SACE derives its funds from the Council.
- 1.3 SACE is established and functions in terms of its constitution, as amended.

#### 2. THE PARTIES AGREE AS FOLLOWS:

##### 2.1 Scope of Agreement

This agreement applies to and binds:

2.1.1 the employer; and

2.1.2 all the employees of the employer as defined in the Educators' Employment Act of 1994 (as amended), whether such employees are members of the trade union parties to this agreement or not.

##### 2.2 Establishment of SACE

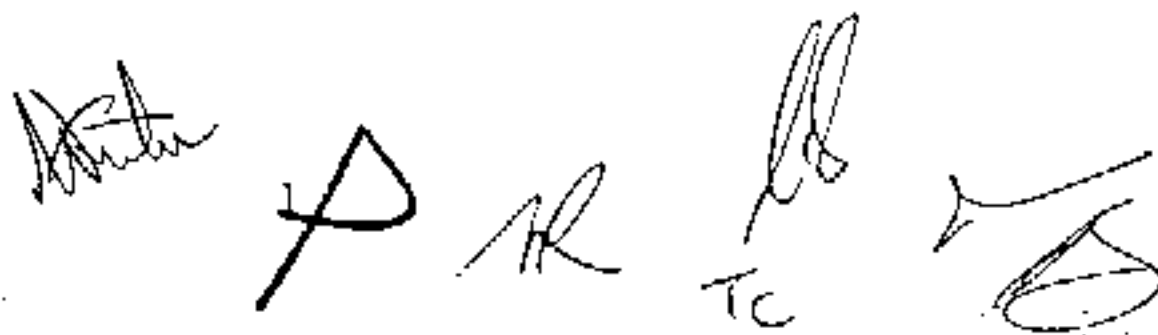
2.2.1 SACE was established in terms of an agreement of Council (attached hereto), that is Resolution No 4 of 1994, which has lapsed and this resolution provides for the continued functioning of SACE.

2.2.2 SACE shall function in terms of its constitution, as amended.

2.2.3 Upon signing of this agreement, SACE must, in terms of its constitution, ratify and condone all actions and functions performed by it during the period 11 May 1998 to the date of signing of this agreement.

##### 2.3 Payments to SACE

2.3.1 An amount of R0,40 per month for each employee levy contribution received, or such other amount agreed to by the Council, shall be paid to SACE.



2.3.2 The amount referred to in sub-paragraph 2.3.1 above shall be paid over to SACE by the Council on the last day of the month following on the month in which levies were raised by the Council on employees.

2.3.3 By not later than 30 January of each year, SACE shall provide to the F.I.R.C. ~~an audited income and expenditure statement~~ <sup>to account for</sup> ~~in respect of~~ the funds paid over to SACE during the period 1 January - 31 December of the previous year. *by 30 JAN 1998*

2.4. Date of implementation

This agreement shall be effective from 10 May 1998.

2.5. Dispute Resolution

Any dispute relating to the interpretation or application of this agreement must be resolved in terms of the dispute resolution procedures of the Council.

2.6. Termination

This agreement shall lapse 5 years from the date of signature of this resolution, or such earlier date agreed to by the Council.

2.7. Definitions

In this agreement, unless the context indicates otherwise:

2.7.1 "constitution" means the constitution of the South African Council of Educators,

2.7.2 "Council" means the Education Labour Relations Council;

2.7.3 "employee" means an educator as defined in the Educators' Employment Act, 1994, as amended;

2.7.4 "employer" means the employer as defined in the Educators' Employment Act, 1994, as amended;

2.7.5 "levies" mean monies raised by the Council in terms of the levy agreement contained in Resolution No 2 of 1998.

*Handwritten notes and signatures on the right margin:*  
K  
H  
J  
M  
P

*Handwritten signatures and initials at the bottom right:*  
A  
P  
B  
B  
B

Thus done and signed at Alora Ridge on this 28th day of July 1998.

**ON BEHALF OF THE EMPLOYER**

DEPARTMENT                      NAME                      SIGNATURE

National                      D Hendrie                      [Signature]

NWED                      T Cele                      [Signature]

GDE                      C CLARK                      [Signature]

**ON BEHALF OF THE TRADE UNIONS**

DEPARTMENT                      NAME                      SIGNATURE

SA-DTU                      EDWIN M. PILLAY                      [Signature]

NADTA                      D.H. BAKER                      [Signature]

SAOU                      PP DELPORT                      [Signature]

Mpumalanga                      AW Kufumela                      [Signature]