

EDUCATION LABOUR RELATIONS COUNCIL
Established in terms of the LRA of 1995 as amended



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EDUCATION LABOUR
RELATIONS COUNCIL

COLLECTIVE AGREEMENT NUMBER 4 OF 2002

11 DECEMBER 2002

PERMANENT APPOINTMENT OF UNQUALIFIED EDUCATORS

EDUCATION LABOUR RELATIONS COUNCIL

RESOLUTION NO 4 OF 2002

PERMANENT APPOINTMENT OF UNQUALIFIED EDUCATORS

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to provide for the permanent appointment of unqualified educators who have on 31 December 2001 completed a certain minimum number of years of service in education.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

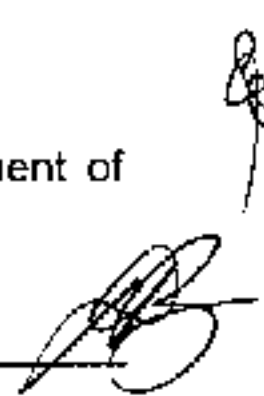
- (1) The employer, and
- (2) All the employees of the employer as defined in the Employment of Educators Act, 1998(as amended), whether such employees are members of trade union parties to this agreement or not.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- (1) ELRC Resolution No. 4 of 2001 on the Permanent appointment of under-qualified educators.
- (2) The minimum qualification requirement for employment in education is REQV 13, which must include training as an educator.
- (3) Unqualified educators (REQV 10) are educators with grade 12 or lower without a teachers qualification.
- (4) Currently a large number of these unqualified educators are in the system, some of which have been teaching for a considerable period of time. In spite of having been employed on a continuous basis for many years, many of these persons' appointments have always been temporary. This implies that their posts have to be advertised regularly and only in cases where no qualified educator can be recruited, they are re-employed.

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- (1) That the following policy be adopted with regard to the employment of unqualified educators (REQV 10).



- (2) Future Appointments: Unqualified educators may only be appointed in education in terms of the measures set out in the PAM. This implies that their appointment is regarded as a relaxation of the qualification requirements. It implies that they may only be appointed if no qualified person can be recruited and that they may only be appointed in a temporary capacity.
- (3) Unqualified educators, appointed on a temporary, full time basis to substantive posts and who, on 31 December 2001, have rendered satisfactory service for at least ten (10) years, will, subject to applicable legislation, become permanent. The basis on which their performance is to be evaluated, needs to be agreed upon in the ELRC. This provision will therefore become effective as soon as agreement is reached on a system for the evaluation of educators' performance.

5. ADOPTION AND DATE OF IMPLEMENTATION

This agreement shall, in respect of parties and non-parties, come into effect on the date it is signed in council.

6. DEFINITIONS

- (1) "*Council*" means the Education Labour Relations Council;
- (2) "*Educator*" has the same meaning as in the Employment of Educators Act, 1998;
- (3) "*Employer*" has the same meaning as in the Employment of Educators Act, 1998;
- (4) "*PAM*" means the Personal Administration Measures;

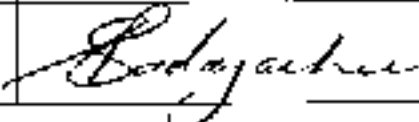
7. DISPUTE RESOLUTION

If there is a dispute about the interpretation or application of this agreement the Council's dispute resolution procedures will apply.


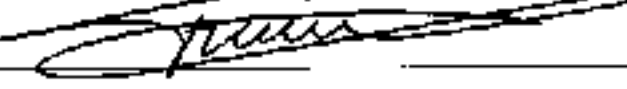


Thus done and signed at KOPANONG, Benoni on the 11th day of December 2002.

ON BEHALF OF THE EMPLOYER

DEPARTMENT	NAME	SIGNATURE
EDUCATION	S.G. PADAYACHRE	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
NAPTOSA	D.H. BALE	
SADTU	T.W. NXESU	
SAOU		