

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



# **COLLECTIVE AGREEMENT NUMBER 6 OF 2002**

***11 DECEMBER 2002***

## **IMPLEMENTATION OF THE BASIC CONDITIONS OF EMPLOYMENT ACT, 1997, IN EDUCATION**

---

*Education Labour Relations Council  
261 West Street  
CENTURION  
0046*



## EDUCATION LABOUR RELATIONS COUNCIL

### RESOLUTION NO 6 OF 2002

#### IMPLEMENTATION OF THE BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 IN EDUCATION

#### 1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to alter, replace or exclude certain basic conditions of employment required by the Basic Conditions of Employment Act, 1997, in respect of educators appointed at an educational institution.

#### 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) The Basic Conditions of Employment Act, (the Act) and its implementation in the public service with effect from June 2000.
- (2) Paragraph 3, Chapter A, of the Personnel Administration Measures (PAM), on the number of hours that an educator, employed at an education institution, is required to work.
- (3) Provisions for additional work currently in the PAM for overtime duties (Chapter D, paragraph 2.2), supervisory duties at hostels (Chapter D, paragraph 1.2) and for duties in respect of public examinations (Chapter E).

#### 4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- (1) The provisions of the Personnel Administration Measures (PAM), with regard to hours of work, shall apply to educators.
- (2) The payment and authorisation of overtime shall be in terms of the Personnel Administration Measures (PAM). The number of hours an educator will be allowed to work overtime will not be limited.

- (3) The payment for duties performed on a Sunday shall be in accordance with fixed rates as reflected in the PAM.
- (4) Educators employed at an education institution, in respect of a meal interval, will be allowed one or more breaks, the total of which shall not be less than 30 minutes.
- (5) No remuneration for night work shall apply to educators in respect of duties that they may have to perform after 18h00 at an education institution.

## 5. DATE OF IMPLEMENTATION AND DURATION

This agreement shall, in respect of parties and non-parties, come into effect on the date it is signed in Council and shall be valid for a period of 12 months.

## 6. DISPUTE RESOLUTION

Any dispute about the interpretation or application of this agreement shall be resolved in terms of the dispute resolution procedure of the Council.

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

### ON BEHALF OF THE STATE AS EMPLOYER

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

### ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
NAPTOSA	DH BAI	<i>[Signature]</i>
SADTU	T. W. NKEZI	<i>[Signature]</i>
SAOU		