

EDUCATION LABOUR RELATIONS COUNCIL
Established in terms of the S (37)(2) of the LRA of 1995 as amended



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EDUCATION LABOUR
RELATIONS COUNCIL

COLLECTIVE AGREEMENT
No. 7 OF 2003

27 August 2003

AMENDMENT OF FORMULA FOR
PART-TIME REMUNERATION AND
RECOGNITION OF PART-TIME
EXPERIENCE

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COLLECTIVE AGREEMENT NUMBER 7 OF 2003

AMENDMENT OF FORMULA FOR THE CALCULATION OF PART-TIME REMUNERATION AND RECOGNITION OF PART TIME EXPERIENCE

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to amend the Personnel Administration Measures in order to make the formula for the calculation of part-time remuneration more flexible.

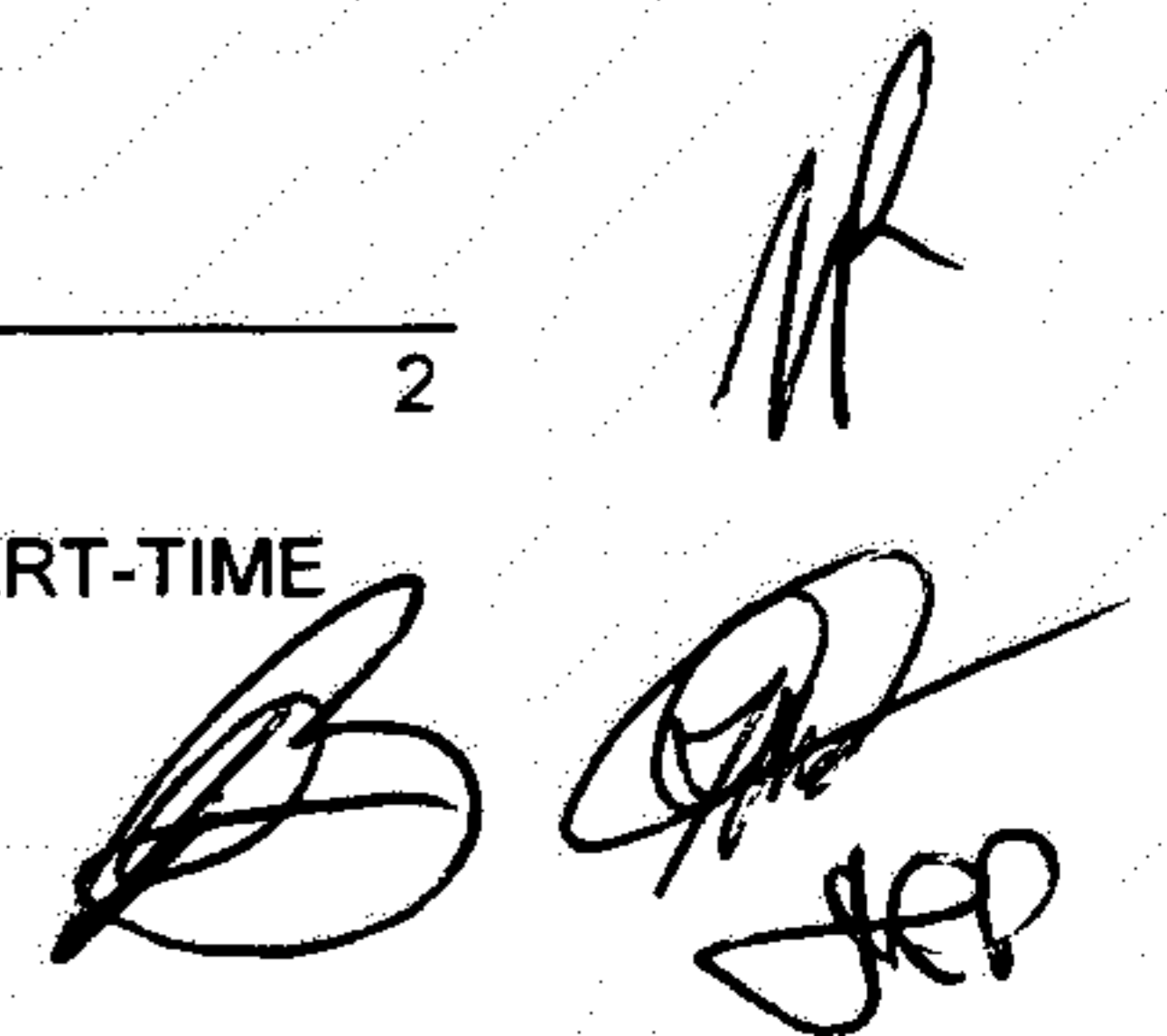
2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- 2.1 The employer, and
- 2.2 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

- 3.1 Section 7(2)(b) of the Employment of Educators Act, 1998 (Act 76 of 1998) makes provision for educators to be appointed in either a full-time or part-time capacity.
- 3.2 The remuneration of part-time educators is on a pro-rata basis. The formula for the calculation of a part-time salary is the number of working hours per week that the person is appointed to work, divided by 25, multiplied by the applicable full-time salary. This is based on the assumption that 25 hours of actual teaching is supposed to take place per week. This is contrary to the policy on workload that requires an institution-based educator to be at the institution for at least 7 hours per day. The formula also does not make provision for the calculation of part-time work performed by educators in other sectors such as ABET and in offices. For each of these, different hours of work may apply.



3.3 Similar problems exist with regard to the calculation of experience gained in a part-time position.

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

4.1 That the formulae for the calculation of part-time remuneration and recognition of experience in paragraph 2.3 (a) and (b), Chapter D of PAM, be amended as follows:

"2.3 Educators who are appointed on a proportional basis

(a) Pro rata remuneration basis

The following formula applies:

Number of hours per week for which the educator is appointed, divided by the number of hours per week that would have applied to a full-time appointment, multiplied by the salary that would have applied to the person concerned had s/he been appointed in a full-time capacity.

Provided that the total number of hours for which educators who are sharing a post are remunerated, may not exceed the number of working hours applicable to a full-time appointment and that the total number of hours of work performed by educators appointed in a shared capacity, correspond with the total workload requirements of the post concerned.

(b) Recognition of experience

Experience gained during periods of pro-rata appointments is converted to full-time experience as follows:

Number of hours per week for which the educator was appointed, divided by the number of hours per week that would have applied to a full-time appointment, multiplied by the period of such appointment."

5. DISPUTE RESOLUTION

Any dispute arising from the provisions of this agreement shall be dealt with in terms of agreed upon dispute resolution procedures.

6. DEFINITIONS


- 6.1 "constitution" means the constitution of the Education Labour Relations Council.
- 6.2 "Council" means the Education Labour Relations Council.
- 6.3 "employee" means an educator as defined in the Employment of Educators Act, 1998, as amended.
- 6.4 "employer" means the employer as defined in the Employment of Educators Act, 1998, as amended.
- 6.5 "Labour Relations Act " means the Labour Relations Act No. 66 of 1995, as amended.
- 6.6 "workplace" means the registered scope of the Council.

7. DATE OF IMPLEMENTATION AND DURATION

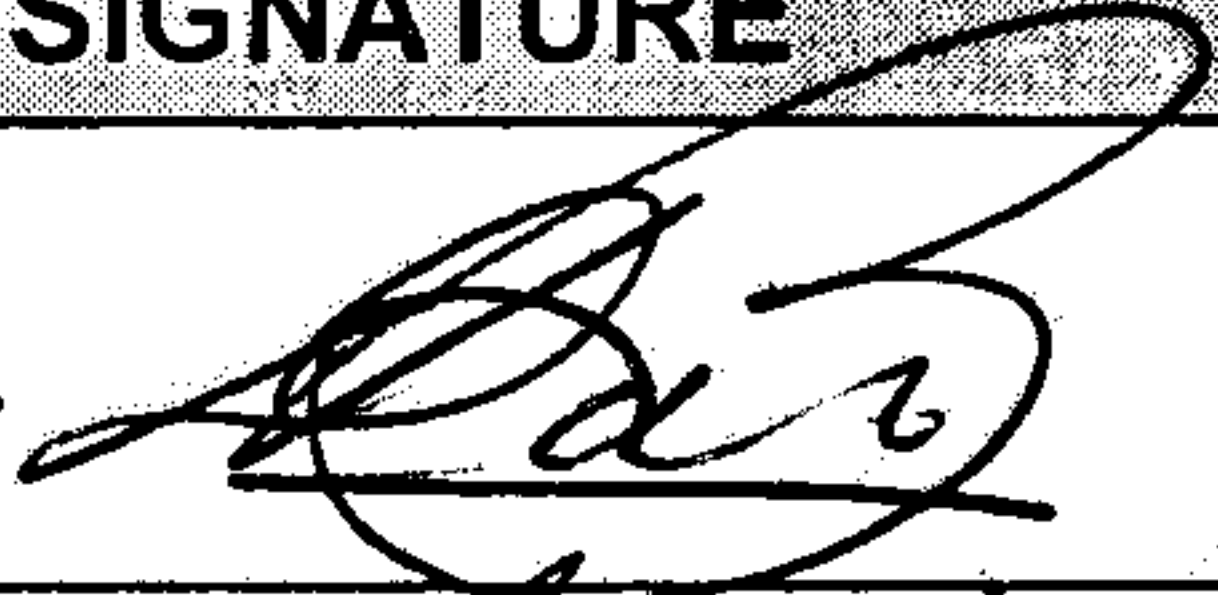
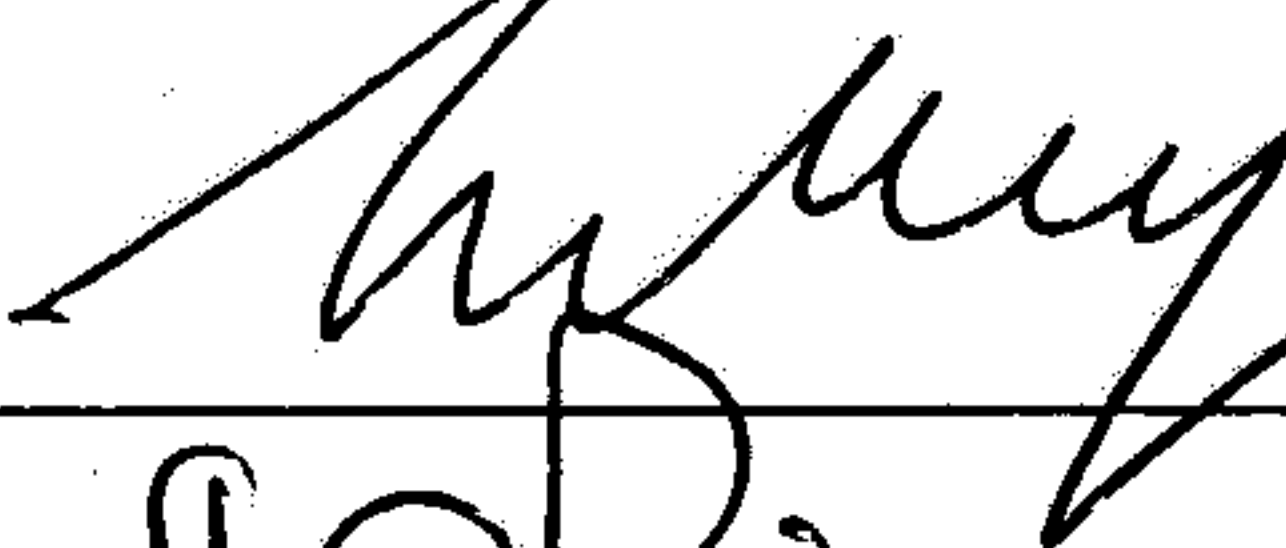
This agreement shall, in respect of parties and non-parties come into effect on the date it is signed in Council.

THUS DONE AND SIGNED AT CENTURION ON THIS THE 27TH DAY OF AUGUST 2003 BY:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
Education	THAMSANQA MBELEKU	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
NAPTOSA	D. H. BAKI	
SADTU	Edwin M. Pitso	
SAOU	J. R. Pieterse	