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ELRC 22ND ANNUAL GENERAL MEETING

By Bernice Loxton

The ELRC held its 22nd Annual General Meeting (AGM) on 24th August 2016. This occasion was particularly significant, as the Council's new building was officially opened on the same day by the Deputy Minister of Labour, Nkosi Patekile Holomisa. He was also the keynote speaker on the day.

The refurbished ELRC building is not only an improved structure for staff and stakeholders, but a building that reflects the rich history of our country.

The main walls of the building are adorned with images and citations of our most icon and beloved African leader, Nelson Mandela. This touch of history places the work of the Council in the realm of education, where it rightfully belongs.

Each architectural detail encapsulates the essence of the history of the Council, from the names of the boardrooms, to the national symbols and artistic work of South African learners on the walls of the building.

In his keynote address, the Deputy Minister congratulated the Council on its work, that spans over 20 years, " ... the Council has sustained the Education Sector through social dialogue with a view to promote and maintain labour peace in public education. By all intents and purposes you should be proud of the work you have achieved and the heights to which you have risen as a Council. I am deeply honoured once more to have

been invited to share in this rich history of a noble institution of our country."



The keynote address was delivered by the Deputy Minister of Labour, Nkosi Patekile Holomisa

In addressing the AGM theme, "*A collective and enduring devotion to preserve labour peace in a fluctuating socio-economic climate*", the Deputy Minister highlighted the International Labour Organisation (ILO's) views on social dialogue as a means to achieve social and economic progress. "While the process of social dialogue embodies the basic democratic principle that people affected by decisions should have a voice in decision-making, one should keep a focus on the outcomes and what is being achieved through the process of social dialogue", said the Deputy Minister.

On the grand opening of the building, he said that the ELRC building is a testimony of how far you have come and how far you have set your sights in playing your role in advancing education in this country.

Leaders of Parties to the ELRC also provided messages of support. Mr M Maluleke, representing SADTU, started by congratulating the ELRC on its state of the art facility. He said that the refurbished building was a milestone for the Council and he commended the management of the ELRC, under the leadership of the General Secretary, comrade Cindy Foca and her committed management and staff, for their hard work and dedication.



Mr. M Maluleke delivered a message of support on behalf of SADTU.

He said the second milestone for the Council is the smooth transition from being a public entity to a fully-fledged Council for bargaining. "This is critically important as your theme asserts because without a dedicated and collective devotion, organisations cannot achieve what you have achieved so far", said Mr Maluleke.

He added that productivity has declined in our country and it is something the Council's AGM theme is addressing in order to create an environment to grow and develop the economy.

Mr Maluleke reminded the gathering that we are celebrating the 50th Anniversary of the adoption of the UNESCO/ILO Recommendation on the Status of Teachers, this year.

The progressive recommendations duly adopted by the Special Intergovernmental Conference on the Status of Teachers, which was held in Paris on the 5th of October 1966 are amongst others, aimed at:

- Ensuring that teachers enjoy the status commensurate with this role;
- That in spite of varying circumstances, similar questions arise in all countries with regard to the status of teachers and that these questions call for the application of a set of common standards and measures:

It sets principles for governments, that:

- I. All aspects of the preparation and employment of teachers should be free from any form of discrimination on grounds of race, sex, religion, political opinion, national or social origin, or economic condition;
- II. Working conditions for teachers should be able to best promote effective learning and enable teachers to concentrate on their professional tasks;
- III. Authorities and teachers should recognise the importance of in-service education designed to secure a systematic improvement of the quality and content of education and of teaching techniques;
- IV. Teachers should be adequately protected against arbitrary action affecting their professional standing or career.

He said that amongst the various factors which affect the status of teachers, particular importance should be attached to salary, seeing that in present world conditions other factors, such as the standing or regard accorded them and the level of appreciation of the importance of their function, are largely dependent, as in other comparable professions, on the economic position in which they are placed.

Mr Maluleke said in conclusion that he was raising these factors because Parties have a responsibility to take the Council forward. In doing so, he acknowledged the role that the Director-General, Cde Mathanzima is playing in restoring the culture of consultation.

Mr. Chris Klopper, representing CTU-ATU, said that the ELRC was established long before the other sectors and the PSCBC and therefore we can regard ourselves as the leading sector that served as an example of labour peace in the public sector.



Mr. C Klopper delivered a message of support on behalf of CTU-ATU.

He said that the express intention of the Council's establishment was to achieve the following:

- Promote labour peace.
- Provide a structure for collective bargaining.
- To establish the statutory right to strike and hold pickets for the first time in the history of South Africa for educators.
- Provide a basis for the protection of the labour rights of educators – i.e. the PAM
- Provide a forum for formal consultations in terms of Section 6 of ELRA.

He said that during the establishment phase, the understanding was that private schools need to be organised and brought into the fold of the ELRC. This is something that still requires urgent attention as our colleagues in the private sector do not enjoy the rights that educators in the public sector enjoy. Therefore, there is still much work for us to do in this regard.

Mr Klopper highlighted the following as issues that require diligent and focussed attention:

- We need to ensure a dispensation for all educators that will recognise the profession as true professionals. We must bear in mind that teachers do not make a distinction between

the formal labour matters (rights issues) and the professional matters. They regard it as one and the same as it impacts on their service dispensation that either causes satisfaction or dissatisfaction. Currently the administrative workload of teachers is such an issue. The prescriptions by the provincial departments of education with regard to teaching and assessment in its various forms do not recognise their professional discretion with regard with due regard being had to contextual factors.

- Post-provisioning norms is and will always be a vexing problem. Teachers do not understand the underlying principle of learner-educator ratios as their perception is focused on class size and curriculum requirements. This is a matter that requires urgent attention.
- The additional 0.5% difference between the salary notches of educators is a growing problem. On an annual basis the 0.5% hardly makes a difference, but after 10 or 20 years the difference has grown exponentially and ultimately has a huge influence on pension benefits.
- The quality of education for all learners needs to be addressed in a more coherent manner. It is unacceptable that differences still exist. The organised profession has repeatedly offered its willingness to be the preferred partner for the Department of Basic Education. The TUC started with excellent potential, but the impression is that it is floundering at the moment. Unions are at the chalk face and know exactly what the requirements are with regard to the in-service training requirements for educators. We need to have an in depth discussion in this regard.

Mr Klopper concluded his message with the following words: "Educators plant trees for future generations to enjoy the shade. The ELRC is such a shady tree for the profession. We believe it reflects the professionalism of educators aptly and provides shade for the education family to discuss the challenges that confront us. The CTU-ATU wishes the ELRC well for the future."

The Director-General of Basic Education, Mr HM Mveli, delivered a message of support on behalf of the Department of Basic Education, as the Employer party in the ELRC.



Mr. HM Mveli, Director General of Basic Education

He started his message by appreciating women's month and the role of women in society.

"I would like to thank all the brave, dedicated and selfless South African women who have participated in the struggles for liberation from all forms of oppression against women in this country and offer my deepest sympathy to the families and loved ones of those who laid down their lives in pursuit of democracy and freedom.

Because of their contribution to the struggle of liberation, today we can see women participating in the economic growth of the country and international forums. This is progress towards addressing inequality and also recognising the valuable role of women in economic sustainability.

Our Government is proud today to announce that there is a marked increase in the representation of women in key positions in the private and public sector, and acknowledges that much more still needs to be done in this regard. We are also proud of the ELRC that is led by the first female General Secretary. This shows a commitment to the transformation agenda to bring about gender parity and address inequality in South Africa. Ms Foca, we recognise and value your leadership to bring about progressive change to this Council. *Wathint'abafazi, Wathint'imbokodo.*"

He added that the work entrusted to the ELRC plays a very important role in the development of

our economy. "The yardstick that you shall be judged by, is your endeavours at creating a stabilised working environment in the education sector in our country", said the Director-General.

He recognised the role of the Council in ensuring quality education in public schools and said that quality education is based on three basic elements: good governance in schools, infrastructure and developing a working labour relationship regime that is based on trust.

He added that the Council's AGM theme for 2016, is very relevant to the situation that our country is currently faced with.

The key challenge relates to our economic growth. "Our country's inflation outlook has become increasingly worrying and will certainly put pressure on the wage negotiation process. It will also put pressure on employers to cut costs and consolidate their position in the market so that they can 'ride out the storm'. This has the potential to result in below inflation, annual salary increases and/or job losses due to affordability. The current economic environment will require employers and labour to negotiate in good faith and reach agreements which are fair to both parties", said Mr Mveli.

He said that the ELRC gives detailed attention to the issue of building teaching as a profession by striving for a teacher workforce that is healthy and enjoys a sense of job satisfaction. It has a vision to strengthen a social contract between government, teacher unions and civil society that would help to create a conducive environment for improved quality in teaching and learning, as well as the development of effective policies for quality public education in a non-disruptive environment for teaching and learning. However, it cannot succeed without the commitment of all parties. He urged Parties to work together to create a labour force that is diverse, innovative, productive and ready to meet the challenges of tomorrow.

He concluded by congratulating all the staff members of the ELRC for their outstanding performance in various initiatives that are intended to enhance and uplift the quality of education in our country and especially thanked them for ensuring that the ELRC received a clean audit.

THE ROLE OF UNIONS IN EDUCATION

By Bernice Loxton and Dolin Singh



Introduction

The 'conventional' definition of a trade union is:

"... an organisation of workers who, by collective action, strive to defend and advance their interests, ideals and aspirations."

The scope of responsibility and expectations placed on educator unions nowadays, far exceed this 'conventional' definition. Educator unions are now expected to do so much more, than just negotiate for increased salaries for their members.

This paper seeks to provide a balanced view on the role that educator unions play in ensuring a quality public education sector.

The right to belong to a union is provided for in the Constitution of our country.

Labour relations

23. (1) Everyone has the right to fair labour practices.

(2) Every worker has the right—

(a) to form and join a trade union.

Perceptions on the role of trade unions

The public domain is the sector where most teachers work, where teacher unions are strongest, and where students are most disadvantaged. Much has appeared in the media about the role of trade unions. The most dominant view being that trade unions narrowly pursue

better working conditions, higher salaries and the strengthening of political power, rather than the professional development of teachers or the educational interest of children.

Educator unions have been criticised as hindrances to quality-enhancing change, due to union policy preferences and strike activity. These skewed views do not consider the critical and positive role of trade unions in education.

Trade unionism in education

The education sector presents itself with a unique set of circumstances. Viewed from an employer/employee relationship, it is unlike any other sector where Parties can, proverbially stated, "draw a clear line in the sand" and pursue labour relations with a narrow "party based interest" approach.

The reasons for this are the following:

Firstly, education is said to be a basic fundamental for the growth and prosperity of any nation. It is no wonder that the Government has made education its number one priority and repeatedly stated that education must be the collective responsibility of all stakeholders, such as trade unions, the State, organs of civil society, School Governing Bodies as representing the interest of the communities, student bodies, business, etc.

It goes without saying that education has to be a stakeholder driven process, thus requiring all stakeholders to work in concert, to reform education and ensure the delivery of quality education.

Education is important. It is only through the medium of education that we can transform society by ensuring growth and prosperity as well as instill confidence in our citizenry so as to ensure that they are confident to compete on an even keel, with the rest of the world in what is nowadays accepted as the "global village".

To this extent, it must be recognised that the involvement and participation of the educator trade unions would extend well beyond the scope of their participation in the Education Labour Relations Council (ELRC), which is admittedly confined to dialogue and engagement from a

labour relations perspective between educator unions and the employer.

Secondly, the rights of learners – Learners happen to be the overwhelming recipients of education. Teachers are entrusted to deliver quality education to learners.

The rights of learners are constitutionally entrenched. The law specifies that the rights of children are paramount in any matter concerning the child.

These fundamental considerations present a matrix of complex challenges which arguably confront the two most influential stakeholders in the education sector, being the educator trade unions and the State, as employer.

That educator trade unions have a duty and obligation to represent the interests and aspirations of their members, in which they would be fulfilling their more 'conventional role, is a given.

However, this must be balanced with the need for the educator trade unions to play a broader and more meaningful role in the quest to transform and deliver education to society.

While this poses a newfound role for educator trade unions, it is not an insurmountable one. Put another way, these demands placed are not "mutually exclusive" and must rather be seen as different sides of the same coin. It is within this context that the role of trade unions in education must be located.

International research on the active role of unions in improving education

In his article - **A Different Role for Teachers Unions** which appeared in the Magazine: **Education Next (WINTER 2012 / VOL. 12, NO.1)**, Marc Tucker, *President of the National Center on Education and the Economy in Canada and editor of Surpassing Shanghai*, when citing the success models in the education sectors of Finland and Canada, asserted that:

"One would never guess that countries that are among the top 10 in student performance have some of the strongest trade unions in the world."

In the same article he goes on to relate the experience of the State of Ontario, Canada, which

had a Programme for International Student Assessment (PISA) and in which the Premier of this Province had, before 1993, taken a conservative approach and denied teachers any involvement in the decision making process for this project.

In 2003, the **Premier of State of Ontario in Canada – Mc Guinty** – in pursuing the Programme for International Student Assessment (PISA), abandoned the conservative approach and invited participation of teachers via their trade unions. The programme flourished thereafter.

Tucker goes on to analyse as follows:

"Ontario's premier McGuinty convinced teachers that they have the trust of government and enlisted their unions in seeking to improve student performance. ... the Ontario case shows, this does not mean that government has to give the unions whatever they want. McGuinty certainly did not do that. He made it clear where his bottom lines were. He insisted on a strong curriculum, competitive standards, and new assessments that matched them. And he was not about to break the bank.

But he invited the teachers and their unions to the table. He listened to them with respect. Where they told him that they needed support to improve outcomes for students, he supplied it wherever he could. The mutual trust that grew out of this relationship persuaded the teachers and unions to make concessions that they would never have willingly made under savage attack."

The *Education for All Global Monitoring Report for 2013/4*, analyses the role of public sector educator trade unions in Latin America.

The report highlights the positive role trade unions have played in education in Latin America and shows that there have been instances where unions have positively affected education quality through two mechanisms: by contributing to professionalisation (the development of teacher skills) and by advocating for educational improvements.

According to the report, South American countries tend to be more critical of governments than

unions. Educator trade unions are viewed as the promoters of the value of public education, not narrow-minded, self-interested lobbyists and campaigners. They are vehicles of social justice, motivated by the right to a quality public education and democracy and delegitimising regressive policies.

The report asserts that beyond spending and class-size, there are other ways that educator unions indirectly benefit education quality, such as through improvements to workplace conditions, the attraction and retention of teachers, and professional development.

Educator trade unions improve professional development and teacher training. Bascia (2000) describes how many Canadian and U.S. local educator unions establish professional development committees with their own budgets. Such committees will engage in professional development activities, bringing speakers, providing materials, and hosting conferences for teachers. In some cases, teachers' contracts require them to attend these events. Bascia explains that Canadian and U.S. teacher unions have also been increasingly partnering with organisations like universities, administrator associations, or philanthropic foundations to establish new practice-driven professionalisation initiatives like mentoring and peer coaching.

The report outlines how educator trade unions contribute to the professionalisation of teachers. Educator unions directly impact classroom instructions by training teachers. They organise workshops, training activities, and offer extension courses for credit with universities. Depending on the union, these initiatives are oriented either directly to union members or to all teachers.

The South African Context

Similar to the international examples, educator trade unions in South Africa have also played an active role in changing learning and teaching conditions in classrooms. Some of the most prominent support programmes include the Quality Learning and Teaching Campaign (QLTC), the Teacher Development Summit (TDS), which culminated in a Plan for teacher development, HIV Programmes and union initiated programmes for teacher development.

Quality Learning and Teaching Campaign

The Department of Basic Education and stakeholders in education (educator unions) launched the QLTC in October 2008.

The campaign calls on all individuals and organisations to assume responsibility for improving the quality of education.

Each stakeholder in education is called upon to make a commitment to a 'Code for Quality Education', which describes the responsibilities and discipline required of them.

Teacher Development Summit

The Plan forms part of an ongoing, dynamic planning process, which will continue to rely on the input of all education and development stakeholders, to ensure that the quality of teacher education and development is improved over time.

HIV/AIDS Programmes

The combined teacher unions in the ELRC rallied together to address the alarmingly high rate of HIV and Aids among teachers in South Africa in 2007. A pilot intervention programme was rolled out to all nine provinces. The ELRC Prevention, Care and Treatment Access (PCTA) project combined peer education, HIV testing and anti-retroviral treatment for teachers and their immediate families at no cost.

The programme aimed to eliminate stigma in the workplace, as well as encourage regular testing and treatment. The programme also included teachers' spouses and children, allowing them access to free treatment and anti-retroviral drugs.

Post the ELRC-PCTA Project, which ended in 2012, educator trade unions continue to implement HIV/AIDS programmes for teachers and learners.

Programmes for teacher development

Apart from the primary role of educator unions to protect the rights of their members, they are also contributing to the achievement of targets set out for teacher professional development in the Department of Basic Education's Action Plan to 2019.

South African Democratic Teachers Union (SADTU)

Curtis Nkondo Professional Development Institute, launched in 2013

The Curtis Nkondo Professional Development Institute holds out commendable benefits for the education fraternity at large. This Institute provides cutting edge skills and development training programmes for SADTU members.

The institution is named after the late Comrade Curtis Nkondo a teacher par excellence who dedicated a large part of his life to the liberation struggle.

HIV AIDS Programmes

Since 2003, SADTU has engaged in various HIV prevention and care and support programmes for teachers first, and then learners, some of which were funded by external donors. Programmes carried out were aimed at increasing HIV knowledge and access to services for educators and learners to increase the effectiveness of educators and increase access to education for learners. As new strategies on Prevention strategies emerged through HIV research, the programmes implemented also evolved as SADTU strived to implement the most effective strategies to service member wellness and contribute towards curbing the pandemic in the country.

Gender and Holistic Wellness Programmes

Workshops are held for members on lifestyle and non-communicable disease prevention and management and causative and corrective behaviour change strategies.

Workshops were conducted in five provinces in 2016, reaching 210 leaders and were cascaded to branches resulting in the establishment of exercise groups in branches to model active behaviour.

National Professional Teachers Organisation of South Africa (NAPTOSA)

The union provides a School Related Gender Based Violence (SRGBV) Programme to its members. South African teacher unions, supported by the Teachers Appreciation and

Support Programme (TASP), are determined to strengthen the voices of teachers to be change agents and champions of gender equality, and to strengthen their capacity in designing, and advocating for, effective programs aimed at combatting SRGBV. Through peer learning teacher unions will increase their knowledge and skills through proven practices to enhance their efforts. NAPTOSA has already reached 785 teachers through seminars and conferences in its effort to fight SRGBV.

The union regularly convenes seminars to highlight social issues such as the role of women and rights of Lesbian, Gay, Bisexual, Transgender and Intersexed (LGBTIs) in education.

NAPTOSA Professional Development Institute (PDI)

The PDI is responsible for establishing and promoting constructive collaborative partnerships with professional development initiatives of both the national Department of Basic Education (DBE), the Provincial Departments of Education (PDoE) and the Department of Higher Education and Training (DHET). The PDI encourages participation in Communities of Practice as educators strive to achieve curriculum mastery. These programmes and activities promotes excellence in the classroom by improving educator competence and confidence.

The Trade Union Collaboration (TUC), with the DBE, has ensured that the union is able to contribute towards the achievement of goals as set out in the DBE Action Plan 2019 and the National Development Plan (NDP). In addition to the DBE-TUC collaboration, NAPTOSA has partnered with the ETDP-SETA. ETDP-SETA's funding has enabled the NAPTOSA PDI to offer bursaries and opportunities for professional development to both members and union officials.

The PDI workshops are funded and therefore offered at no cost to educators. There is evidence that the professional development programmes that had been rolled out were very successful and welcomed by all who attended. The general consensus from rural and urban communities was that these courses should continue to be presented as we move forward to improve teaching and learning in South Africa.

In the period, January 2013 to August 2016, 12 836 educators were trained across provinces. Remote and under-serviced rural areas were prioritised for workshops.

Suid-Afrikaanse Onderwysers Unie (SAOU)

The union started the *Knowledge Builder Project* in 2015 to improve the subject knowledge of teachers.

During 2016 the union focussed on the following:

- To contract the most knowledgeable subject experts in Mathematics for the Intermediate Phase and Physical Science for the Senior Phase. These experts were requested to devise 40 – 50 hour subject courses that focussed on those areas in the curriculum that both educators and learners grapple with. The instruction was also that the academic standard of the training courses must be beyond any doubt.
- ICT specialists were contracted to work in close co-operation with the subject experts to develop the required software and devise tests on an electronic platform. Educators who register for these courses were obliged to write an electronic pre-test via the SAOU website.
- The courses were attended during the June/July school holidays by a substantial number of educators who paid for attendance from their own pockets. However, SAOU heavily subsidised these courses to ensure affordability.
- The results were also subject to certification. Attendees who achieved more than 50% received a certificate to certify that his/her subject knowledge was at an acceptable level. Attendees who achieved more than 75% received a master certificate. The feedback received thus far is that these certificates have resulted in high levels of professional confidence and also professional pride.

Knowledge Builder 2016 was a tremendous success and has led to the identification of further areas of concern that must be addressed.

National Teachers Union (NATU)

NATU has designed its own Professional Development programmes in line with the South African Council for Educators' Continuing Professional Teacher Development.

The union's programmes are directed at total development of the teacher, ranging from classroom management to school management as well as Wellness programmes.

NATU's Teacher Development Institutes throughout the country, currently runs Assessment workshops for teachers that allow them to cope with the high demands of quality education. Assessment for Learning was one of the best programmes since 2015 that were Quality Assured by the Department of Basic Education.

NATU not only focusses on classroom teachers, but also includes School Managers. Programmes have been designed for School Principals, which has a direct impact on school governance.

NATU has a SACE Endorsed programme on School Financial Management, which was well received by school managers as it improved their operations even on resource provisioning for their schools. Capacity Building for School Managers allow for quality education to take place and sessions do not end only with workshops, but impact assessment is continuously done to assess the impact of the knowledge and skills provided to participants.

The union has ongoing programmes where members are educated on healthy lifestyles, to counter the spread of HIV & Aids.

Annual HIV & AIDS Awareness programmes are also convened, which includes the NATU National Wellness Day, where members receive health services, such as checking their health statuses, and also engaging in physical fitness activities.

The involvement of teacher unions in education reform, as illustrated, speaks to the national objectives of the country to make education a top priority and ensure quality learning in public schools.

The involvement of educator trade unions in education reform, as illustrated, speaks to the

national objectives of the country to make education a top priority and ensure quality learning in public schools.

Role and function of trade unions in the South African context – An ELRC perspective

South African Labour laws were changed to ensure that the right to form and join trade unions went hand in hand with the statutory recognition of the right of the Parties to collectively bargain and the consequential provision in the LRA for the creation of bargaining councils such as the ELRC.

The ELRC was formed 22 years ago and operates as the only bargaining council in the education sector. The Parties to the ELRC are the State as representing the employer and organised labour (SADTU and CTU-ATU, comprising of NAPTOSA, SAOU, NATU, PEU).

The ELRC is a statutory body established in terms of the LRA. Its primary functions are to promote collective bargaining by providing Parties with the platform for ongoing engagement on matters of mutual interest that affects not only the employer/employee relationship, but also the broader quest for the delivery of quality public education.

Another key area of its functioning is to provide Parties with statutory mechanisms to prevent and resolve labour disputes.

This relates to conciliation/arbitration processes and the involvement of the unions in finding creative ways and means with the employer to prevent labour disputes. All of this is done with one important objective in mind, which is to promote labour peace in the labour intensive environment of the education sector.

Collective Bargaining

Collective bargaining is a phenomenon that affects dialogue between educator trade unions and the employer worldwide and invokes different responses.

Some commentators are strong proponents of an all-inclusive approach to decision-making. They hold the view that the participation of teachers lead to better decisions. The key areas of the Parties' engagement at the ELRC is Consultation. It must be noted that often than not a lot has been

said about the grey area that exist between matters of mutual interests that requires bargaining and matters that are to be consulted on.

Consultation is a process of sharing information and it does not need to end with a joint-decision making on the issue at hand. But at least, it creates a culture of openness and trust which are important ingredients in the process of effective bargaining. It also provides the involvement of organised labour in broad matters that contribute to the upliftment of education.

There is a socio-economic dimension to education, which involves the participation of other stakeholders. It is inconceivable then that organised labour could not be consulted on a wide range of issues that directly or even indirectly relates to the provision of education.

A joint-decision making approach is not advocated for all matters concerning education, even where it clearly falls outside the domain of the ELRC and bargaining.

To cite by way of mere examples:

- It must be the concern of the educator unions when safety and security of schools are affected;
- It must be the concern of the educator unions to have a say on how recipients of rural incentives are identified and paid;
- It must be the responsibility of organised Labour to contribute to the discussion on the state of the health and wellness of teachers, their members;
- It must be the responsibility of the educator unions to participate in and contribute to Teacher Development and upliftment programmes;
- It must be the responsibility of educator unions to be consulted on post creation which goes hand in hand with class sizes (work load), a significant determinant in the quest for quality public education.

This list is endless, suffice it to say that issues for collective bargaining and consultation may emerge every now and then as contemporary / situational issues whilst others can be identified as more long term.

Other roles and responsibilities of educator trade unions - at a glance

In no particular order or preference, the following are, and drawing from international experiences, additional duties and responsibilities, that educator trade unions ought to give serious consideration to:

- Provide ongoing capacity building programmes on improving conflict management skills at all levels (School, Branch, Regions, Province, National);
- Constantly strive for professional development of its members;
- Develop the social and interpersonal skills of leaders and general membership;
- Strive for the improvement of conditions of service for members and skilling/re-skilling of members informed by contemporary changes to labour laws in general and education laws particularly;
- Provide an HR and Training and Development programmes for members.

Educator trade unions play a central role in policy formulation in education. The following are key issues that educator unions and the DBE (as Parties to the Council) are currently engaged in, that extends beyond the apparent role of unions to bargain for better salaries.

These issues are:

1. Research on Grade R Practitioners: Conditions of service
2. Research on Education Management System for Office Based Educators: Job descriptions for Office Based Educators (Circuit Managers)
3. 1 + 4 Intervention project (Intervention Model for Grade 8 and 9 Mathematics teachers)
4. Review of Personnel Administrative Measures (PAM)
5. Implementation of OSD for Education Therapists, Counsellors and Psychologist Employed in Public Education
6. Post Provisioning Norms

7. Recognition for improved qualifications for Educators employed in terms of Employment of Educators Act
8. Agreement on Rewards, Incentives and Performance bonus for Educators Employed in terms of Employment of Educators Act
9. Competency assessment of School Principals and Deputy Principals.

Conclusion

In conclusion, it is clear that educator trade unions have a pivotal role to play in the quest to achieve true and meaningful transformation to the delivery of quality education, as aptly covered by the theme of this conference (Quality Education: Access, Availability, Acceptability and Adaptability).

Educator trade unions duly recognise their extended scope of responsibility and have, when called upon to do so, gladly stepped up to the challenge.

All that the Parties need to do is to continuously strive to work on creative modalities that increase the prospect of joint consultation, where necessary, joint decision-making and collaboration, all of which can only benefit the cause of education.

*SADTU is on record as having confirmed that they have an obligation to their members, but such rights are to be balanced with that of the learners.

This paper was presented by the General Secretary of the ELRC at the South African Education Law Association's 21st International Conference on 6th September 2016.



The **New Negotiator** is published by the
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& Media unit

Editor: Ms NO Foca

Tel: 012 663 7446

FAX: 012 663 1601

E-mail: cindyfoca@elrc.org.za

Editor: Mr F Moloisi

Tel: 012 663 7446

FAX: 012 663 1601

E-mail: SelaeloM@elrc.org.za

Editor, Layout and Design: Bernice Loxton

Tel: (012) 663 7446

Fax: (012) 663 1601

E-mail: BerniceL@elrc.org.za