COLLECTIVE AGREEMENT
No. 1 OF 2003

28 FEBRUARY 2003

GUIDELINES FOR ADVERTISING
AND FILLING OF EDUCATOR POSTS
AT EDUCATION INSTITUTIONS
EDUCATION LABOUR RELATIONS COUNCIL
CHAMBER: FREE STATE PROVINCE

COLLECTIVE AGREEMENT NO 1 OF 2003

GUIDELINES FOR ADVERTISING AND FILLING OF
EDUCATOR POSTS AT EDUCATION INSTITUTIONS

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to provide uniform procedures, selection
criteria and structures that will be used in the selection process of filling
vacant and funded educator posts.

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.
2.3 The employer and employees as confined to the province of FREE
STATE.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

3.1 The provisions of Chapter B, paragraph 3.3 (b) of the PAM for a collective
agreement on the guidelines for filling of posts

3.2 The many disputes on the filling of posts that are caused by lack of a clear
and uniform selection procedures and criteria; and

3.3 The provisions of the Public Service Regulation, Chapter 1, Part vii,
paragraph D2 on the selection process and criteria.
4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

4.1 That the guidelines for advertising and filling of educator posts at education institutions, as set out in Annexure A and the selection criteria as set out in Annexure B shall be the guiding principle in compliance with applicable legislation.

4.2 Any reference to one sex be read to include both sexes unless the context indicates otherwise.

5. REFERRAL TO COUNCIL

This collective agreement of the Chamber must be referred to the Council for ratification and or endorsement as per the requirements of the ELRC Constitution.

6. DISPUTE RESOLUTION

Any dispute arising from the application or interpretation of this collective agreement shall be referred to the Council for resolution in terms of its dispute resolution procedures.

7. DATE OF IMPLEMENTATION

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

8. SIGNING OF THIS COLLECTIVE AGREEMENT

Thus done and signed at BLOEMFONTEIN on this the 28TH day of FEBRUARY 2003

ON BEHALF OF THE STATE AS THE EMPLOYER:

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<thead>
<tr>
<th>DEPARTMENT</th>
<th>NAME</th>
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<tr>
<td>F.S. D.E.</td>
<td>S.M.</td>
<td>J.S.</td>
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ON BEHALF OF THE EMPLOYEE PARTIES:

<table>
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<tr>
<th>TRADE UNION</th>
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<tr>
<td>SADTU</td>
<td>M. R. M. DE C.</td>
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<td>NAPTOSA</td>
<td>P. F. S. A.</td>
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ANNEXURE A

EDUCATION LABOUR RELATIONS COUNCIL FREE STATE PROVINCIAL CHAMBER

RESOLUTION NO. 1 OF 2003

GUIDELINES FOR ADVERTISING AND FILLING OF EDUCATOR POSTS AT EDUCATION INSTITUTIONS

1. ADVERTISING

1.1 The advertisement shall be placed by the Human Resources Management Directorate.

1.2 Education institutions shall on a regular basis submit their needs to the respective District Offices for the advertisement of posts. The Human Resources Management Directorate will manage the advertising process by means of an annual management plan. Vacancies will be advertised subject to the availability of posts as prescribed by post provisioning. Approval to advertise posts is vested in the Superintendent-general.

1.3 The advertisement of vacant posts for educators must be clear and self-explanatory, and must:

1.3.1 State the minimum requirements;
1.3.2 State the procedures to be followed in applying;
1.3.3 State the names and telephone numbers of contact persons, e.g. District Officials; and
1.3.4 State the closing date for the receipt of applications.

1.4 The advert must:

1.4.1 clearly indicate that incomplete and late applications will not be considered;
1.4.2 state the preferred date of appointment;
1.4.3 be accessible to all who may qualify or are interested in applying for such post(s);
1.4.4 be non-discriminatory and abide by the provisions of the Constitution of the RSA;
1.4.5 clearly indicate that the Free State Department of Education is an affirmative action employer;
1.4.6 state that the applicants must also take note that if no notification of appointment is received within four months after the closing date, they must assume that their application has been unsuccessful;
1.4.7 inform applicants that applications, qualifications and CV's will not be returned. Only original certified copies of original documents should be submitted.
1.4.8 indicate that the Department reserves the right not to fill advertised positions;
1.4.9 indicate that educators who terminated their services on voluntary severance package may not apply.

1.5 All vacancies at public schools and Further Education and Training Institutions are to be advertised in a vacancy list circular, the existence of which shall be made public by means of an advertisement in the public media, both provincially and nationally. The information to be furnished in the advertisement shall include offices and addresses where the vacancy list or circular is obtainable and where applications should be submitted. The vacancy list must be circulated to all educational institutions within the province.
2. SIFTING

2.1 The relevant district office shall acknowledge receipt of all applications by:

2.1.1 informing all applicants in writing of receipt;

clearly indicating whether the application is complete or not; and

2.1.3 indicating whether applications meet the minimum requirements for the post and whether such applications have been referred to the institution concerned.

The relevant district office shall handle the initial sifting process to eliminate all those candidates who do not comply with the requirements for the post(s) as stated in the advertisement. The records of all applications received shall be kept.

2.3 Incomplete applications will not be considered.

2.4 In the case of FET Institutions, where applications are received at the institution, the college council shall acknowledge receipt of all applications in terms of 2.1 above.

2.5 Teachers’ Trade Union parties to ELRC will be given a full report (as per the schedule in the form P010/2002) at a formal (before short listing) meeting on:

2.5.1 Names of applicants who have met the minimum requirements for the post(s) in terms of the advertisement,

2.5.2 Names of applicants who have not met the minimum requirements for the post(s) in terms of the advertisement,

2.5.3 other relevant information that is reasonably incidental thereto (e.g. qualification, experience, etc.).

2.5.4 All applications that meet the minimum requirements and provisions of the advertisement shall be handed to the institution where the vacancies have been advertised in accordance with the management plan for the vacancy list concerned; and

2.5.5 The formal meetings will be conducted as follows:

- For institution-based posts formal meetings will be held at district level
- For office-based posts formal meetings will be held at provincial level

3. INTERVIEWING COMMITTEE

3.1 A panel shall be established at educational institutions where there are advertised vacancies to do both short-listing and interviews. The panel shall comprise:

In the case of public schools:

- One departmental representative (who may be the school principal or School Management Developer) as an observer and resources person;

- The principal of the school (if s/he is not the departmental representative) except in the case where s/he is an applicant;

- Members of the school governing body, excluding educator members who are applicants to the advertised post(s), and
One union representative per union as supplied by the Union that is a party to the provincial chamber of the ELRC. The union representatives shall be observers to the process of short-listing, interviews and drawing up of a preference list. The union representatives shall not be part of the decision-making when recommendations are made for appointable / non-appointable candidates. However, immediately at the end of the proceedings, union representatives can raise their concerns / objections and declare a dispute if an applications has not been dealt with according to agreed upon procedures. If union representatives have been duly invited and fail to turn up for the interview session the interviews will continue.

In the case of FET Institutions:

- One departmental representative, as an observer and resources person;
- The Head of the institution, except in the case where s/he is an applicant;
- Members of the FET Institution Council, excluding educator members who are applicants to the advertised post(s); and
- One trade union representative per union that is party to the provincial ELRC. The union representatives shall be observers to the process and shall not be part of the decision-making when recommending candidates who are appointable / non-appointable.

3.2 The panel shall appoint from among its members a chairperson and a secretary.

3.3 The school governing body / college council is responsible for convening the panel and must ensure that all relevant persons / organisations are informed at least five working days prior to the date about the time and venue of the shortlisting and interviewing meetings. Invitations to the trade unions should be directed to their provincial offices.

**NB:** The panel should consist of at least / minimum of three members excluding the principal, resource person and representatives of teachers organisations. The persons on the short-listing committee may differ from those on the interviewing committee if there are valid reasons for them not to be available for both processes.

3.4 The panel must ensure that:

3.4.1 The short-listing criteria are fair, non discriminatory and in line with the Department’s Employment Equity Plan, other applicable prescripts and the constitution of the RSA;

3.4.2 the nature of the post, as well as its inherent needs and the job profile, i.e. qualities of suitable candidates e.g. leadership, communication and other relevant skills, are taken into account;

3.4.3 the obligation of the employer towards serving educators is met;

3.4.4 the value of the candidate to the community i.e. involvement in the community projects is considered;

3.4.5 the list of short-listed candidates for interview purposes should not exceed five and should not be less than three candidates per post. If the number of candidates for a post is less than three the post should be re-advertised, unless strongly motivated and approved by the relevant Director. Should it be re-advertised and the same situation prevails the selection procedures must continue;
3.4.6 a probity check of each short-listed candidate's credentials (authenticity of the CV, qualifications and all other documents) should be done by the Resource Person before the interviews;
3.4.7 the minimum requirements of the post and the relevant experience are considered;
3.4.8 a list not exceeding three candidates per post may be shortlisted as reserves in case of possible withdrawals; and
3.4.9 the panel only uses the score sheet approved by the Superintendent-general for both short-listing and interviewing (attached at Annexure B).

4. GUIDELINES FOR INTERVIEWS

4.1 The panel must be friendly, avoid a grim image and make the candidate feel at ease.
4.2 The chairperson should thank the candidate for applying for the post and congratulate the candidate on his / her being deemed suitable for being short-listed.
4.3 The particular interviewers should ensure that the candidate understands questions and should show interest and attention when the candidate is responding to questions.
4.4 An interview is not an opportunity for members of the panel to exhibit their superior knowledge and experience.
4.5 The panel members' reaction to the candidate's response should be neutral and the candidate should be allowed ample opportunity to explain viewpoints.
4.6 The interviewing process should be fair, non-discriminatory and in line with all applicable prescripts as well as the constitution of the RSA.
4.7 All interviewed candidates should receive similar treatment during the interviewing process.
4.8 At the conclusion of the interviews the panel shall rank the candidates in order of preference, together with a brief motivation and the completed score-sheet, and submit this to the school governing body for their recommendation to the relevant employing department.
4.9 The governing body must submit their recommendations to the provincial education department in their order of preference.
4.10 In the case of FET Institutions, the panel shall submit its ranked preference list to the council for their recommendation to the relevant employing department.
4.11 If the first choice of the school governing body / council is not appointed, the Superintendent-general should provide reason(s). The SGB will be requested to make another recommendation in accordance with Section 6 of the Employment Educators' Act, 1998.

5. QUESTIONS WHEN INTERVIEWING CANDIDATES

5.1 Questions should aim at:
5.1.1 Confirming the image of candidates as reflected in the written application;
5.1.2 clearing up uncertainties which might appear in the application; and
5.1.3 obtaining further information, which might be needed (performance, knowledge, experience, etc.).
5.2 Basis for evaluation:

5.2.1 The interview should be aimed at displaying the candidates' work performance and potential. Therefore, questions should be aimed at obtaining relevant quantifiable information and a person's track record, i.e. the pass rate, successes and failures, challenges overcome, leadership positions and community involvement, in order to form a person's profile that can be matched against the post profile; and

5.2.2 the process should be objective in order to avoid any action that will disadvantage any person / candidate.

5.2.3 The score-sheet will ultimately determine the combined results of scoring for short-listing and interviewing.

6. HANDLING OF COMPLAINTS

6.1 Any complaint raised by a representative of a trade union or any other party to the short-listing / interviewing process must be dealt with according to PAM Chapter H and/or any other agreed upon resolution.

6.2 A complaint should indicate the rank, post / reference number, education institution concerned, the district and the name of the complainant.

7. APPOINTMENT

7.1 The department must make its final decision subject to satisfying itself that such procedures and requirements determined by the Minister were followed.

7.2 The Department will inform all unsuccessful interviewed candidates, in writing, within eight weeks after an appointment has been made.

7.3 For candidates who were not short-listed, procedure as indicated in 1.4.6 shall apply.

9. RECORDS

District offices must ensure that accurate records are kept of proceedings dealing with the sifting, shortlisting, interviews, decisions and motivations relating to the preference list submitted by school governing bodies / FET Institution councils and other such structures.
SELECTION CRITERIA

PUBLIC SERVICE REGULATIONS

CHAPTER ONE
PART VII
REGULATION D.5

The selection committee shall make a recommendation on the suitability of a candidate after considering only –

a) Information based on valid methods, criteria or instruments for selection that are free from any bias or discrimination;
b) the training skills, competence and knowledge necessary to meet the inherent requirements of the post;
c) the needs of the department for developing human resources;
d) the representativeness of the component where the post is located; and

e) the department's affirmative action programme

DEFINITION OF COMPETENCE

PART 1
REGULATIONS B.2

b) “competence” means the blend of knowledge, skills, behaviour and aptitude that a person can apply in the work environment, which indicates a person’s ability to meet the requirements of a specific post.

SCORE SHEET

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<tr>
<th>NAME</th>
<th>SHORTLISTING</th>
<th>INTERVIEWING</th>
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<td>RELEVANT AND APPROPRIATE FORMAL QUALIFICATION</td>
<td>RELEVANT AND APPROPRIATE INFORMAL QUALIFICATION</td>
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EXPLANATORY NOTES

Relevant and Appropriate Formal qualification is defined as a qualification, which is relevant to the post to be filled, that one gets from a formal education institution such as a university, college or technicon.

Relevant and Appropriate Informal qualification is defined as a qualification, which is relevant to the post to be filled, that one gets for attending short courses that last for a period ranging from a day to about three months and is intended to develop a particular skill, such as computer literacy. A certificate of attendance may be given.

Relevant and Appropriate Experience is defined as theory that is grounded in practice. To determine the length of experience, the number of years served in another or other posts related to the one to be filled, will be considered.

During the interviewing session any method of assessment can be used which is relevant to the post intended to be filled, e.g. individual or group interviews, practical work, case studies, etc.

N.B. The scores acquired during short listing and the interview session should be added together to determine the final mark allocated to an individual candidate.

DETERMINING THE SCORE

Relevant and Appropriate Formal Qualification

REOV 13 = 10
REOV 14 = 15
REOV 15+ = 20

Relevant and Appropriate Informal Qualification

1 – 2 Certificates = 3
3 – 4 Certificates = 6
5 – 6 Certificates = 8
7+ = 10

Explanatory Notes

The panel will have to look at the quality and the duration of the certificates.

Relevant and Appropriate Experience

0 – 2 years = 2
3 – 5 years = 4
6 – 10 years = 6
11 – 15 years = 8
16+ years = 10
Representativeness

Depending on the target group

Target Race = 10
Gender of target race = 5
Disability = 5

Target gender = 10
Race = 5
Disability = 5

Disability as target = 10
Race = 5
Gender = 5

N.B. The targeted groups are Blacks: 85% (which consist of Africans, Colours and Indians), women: 52% and people with disabilities: 5%.

THRESHOLD FOR APPOINTMENT

Considering that all candidates who are shortlisted meet the minimum requirements of a post, no threshold is required for candidates to make it to the shortlist. However, for recommendation for appointment, candidates should obtain, at least, 50% of the total mark. It should be noted that the employers have an obligation to create jobs and develop their employees.