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

CHAMBER: FREE STATE PROVINCE

COLLECTIVE AGREEMENT
NO. 1 of 2012

GUIDELINES FOR ADVERTISING AND FILLING OF EDUCATOR POSTS AT INSTITUTIONS

The SS hereby certifies that this Collective Agreement was ratified by Council on this date

2012 -06- 04
EDUCATION LABOUR RELATIONS COUNCIL
CHAMBER: FREE STATE PROVINCE

COLLECTIVE AGREEMENT NO. 1 of 2012

GUIDELINES FOR ADVERTISING AND FILLING OF EDUCATOR POSTS
AT INSTITUTIONS

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to provide uniform procedures and 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 employees of the employer as defined in the Employment of Educators Act, 1998, whether such employees are members of trade unions 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 dispute 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.

3.4. The provisions of collective agreement 1&2 of 2003 of Free State Chamber.

3.5. The need for establishment of Dispute Resolution Committee

The GS hereby certifies that this Collective Agreement was ratified by Council on this date

2012 -06- 04
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 for Promotion posts at educational institutions, as well as educator post level 1 posts, shall be the guiding principle in compliance with applicable legislation.

4.2 Collective Agreement 182 of 2003 of the Free State Chamber shall be amended to delink the shortlisting scores from the interviews scores in the final determination.

4.3 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 ........ day of ......... May 2012.

ON BEHALF OF THE STATE AS EMPLOYER:

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<tr>
<th>DEPARTMENT</th>
<th>NAME</th>
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ON BEHALF OF THE EMPLOYEE PARTIES:

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ANNEXURE A

EDUCATION LABOUR RELATIONS COUNCIL CHAMBER: FREE STATE PROVINCE

RESOLUTION NO.

GUIDELINES FOR ADVERTISING AND FILLING OF EDUCATOR POSTS AT EDUCATION INSTITUTIONS

1. ADVERTISING

1.1 The advertisement shall be placed by the Human Resources Administration 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 Administration Directorate will manage the advertising process by means of management plans. Vacancies will be advertised subject to the availability of posts as prescribed by post provisioning of a particular year. 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;

Collective Agreement was ratified by Council on this date.
1.4.8 Indicate that the Department reserve the right not to fill advertised positions;
1.4.9 Indicate that educators who terminated their services on voluntary severance package may apply.

1.5 All vacancies at public schools 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 as well as Unions that are party to the provincial chamber of the ELRC.

2. APPLICATIONS AND PROCEDURE WHEN APPLYING

2.1 A separate application form must be submitted for each vacancy;
2.2 The only application form to be used for this vacancy list is the P01/2004 application form. No other form will be considered;
2.3 A CV and originally and recently certified copies (not older than 6 months at the closing date of a Vacancy List) of the following documents must be attached to each application form (P01/2004):
   - All educational qualifications (including Grade 12 Certificate and informal qualifications);
   - ID document;
   - SACE Certificate;
   - The CV must indicate the candidate’s qualifications and subjects obtained as well as the subjects / grades that can be taught by him / her. The CV should also indicate, if applicable, all previous periods of service as an educator (state period / rank and school / employer);
   - Candidates will provide at least two recent references on their CV's
2.4 The complete post number (indicated on the left of each vacant post) of the vacancy for which application is made, and the applicant’s PERSAL NUMBER (if the applicant is employed / has been previously employed) is to be inserted on the application form;
2.5 Applications must be sent to the relevant District Office;
2.6 Failure to comply with the above procedures will lead to an application being rejected;
2.7 No faxed or e-mailed applications will be accepted.
2.8 Applicants’ education qualification (s) will be verified and a probity check will be performed.

3. SIFTING

3.1 The relevant District office shall acknowledge receipt of all applications by:
3.1.1 informing all applicants in writing of receipt; clearly indicating whether the application is complete or not; and
3.1.2 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;

3.2 Incomplete applications will not be considered.

3.3 Teachers Trade Union parties to ELRC will be given a full report (as per schedule in the form PO10/2002) at a formal (before short listing) meeting on:

3.3.1 Names of applicants who have met the minimum requirements for the post(s) in terms of the advertisements;
3.3.2 Names of applicants who have not met the minimum requirements for the post(s) in terms of the advertisements;
3.3.3 Other relevant information that is reasonably incidental thereto (e.g. qualification, experience, etc);
3.3.4 All applications that meet the minimum requirements and provisions of the advertisement shall be handed to the institution where vacancies have been advertised in accordance with the management plan for the vacancy list concern; and
3.3.5 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.

4. INTERVIEWING COMMITTEE (FOR SHORT-LISTING AND INTERVIEW PROCESSES)

4.1 A panel shall be established at educational institutions where there are advertised vacancies for short-listing and interviews. The panel shall comprise:

4.1.1 Mandated members of the school governing body, excluding educator members who are applicants to the advertised post(s);
4.1.2 One departmental representative (who may be the school principal or Departmental Official) as an observer and resource person;
4.1.3 The principal of the school (if s/he is not the departmental representative) except in the case where s/he is an applicant;
4.1.4 One union representative per union as nominated by the Union that is party to the provincial chamber of the ELRC.

NB: The panel should consist of at least / minimum of three members excluding the principal, resource person and representatives of teacher organizations. The members of the interviewing committee should, for purposes of consistency as far as possible, remain the same for both short-listing and interviewing processes.

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

4.3 The school governing body is responsible for convening the panel and must ensure that all relevant persons/organisations are informed about the time and venue of the short-listing and interviewing meetings, at least five working days prior to the date.
4.4 SPECIFIC ROLES AND RESPONSIBILITIES OF THE PANEL MEMBERS (INTERVIEW AND SHORT-LISTING)

4.4.1 Mandated members of the school governing body

- Mandated members shall enjoy full participation in the process of interviews and deliberate on discussion of candidates;
- Each member shall note important information that will assist him / her during the discussion;
- The interviewing committee shall rank the candidates in order of preference, according to the scores obtained in the interview process, together with a brief motivation and submit this to the school governing body for their recommendation to the relevant employing department;
- A brief motivation must be submitted by the school governing body if they are deviating from the EE targets for that particular post.
- The governing body must submit their recommendations to the provincial education department in their order of preference, according to the scores together with brief motivation obtained in the interview process.
- Co-opted members must provide proof of their status.

4.4.2 Departmental Representative (observer and resource person)

- The Departmental Representative, who are called the Resource person shall act as an advisor and observer;
- The Departmental Representative shall only play an observer role and not take part in decision-making when recommendations are made for appointable / non-appointable candidates;
- The Resource person shall advise the panel pertaining to the relevant departmental policies, rules and regulations as well as appropriate legislation;
  A probity check of each short-listed candidate’s credentials (authenticity of the CV, qualifications and all other documents) must be done by the Resource Person before the interviews.

4.4.3 Principal of the school if s / he is not a departmental representative

- The principal as ex-officio member of the school governing body should participate in the interviews like any other member of the panel and in discussions about candidates.
- The principal can only be excluded if s / he is an applicant of the post in question;
- If the principal is a departmental representative, s / he will perform functions as indicated in sub-paragraph 4.4.2 above.

4.4.4 Representatives from labour unions during short-listing and interview sessions

- The union representatives shall be observers to the process of short-listing and interviews and drawing up of a preference list at the interviews;
- The union representatives shall only play an observer role and not take part in decision-making when recommendations are made for appointable / non-appointable candidates;
However, at the short-listing and interview processes, the union representatives can raise their concerns / objections and declare a dispute the agreed upon procedures have not been complied with;

The union representatives must sign the necessary forms, stating that they agree or not agree;

If union representatives have been duly invited (proof in writing) and fail to turn up for the short-listing or interview session the sessions will continue.

4.5 Independent Interviewing Committees

4.5.1 In case there are problems and after consultation with the school governing body, the Head of Department (SG) may appoint an independent interviewing committee for recommendation of a suitable candidate in terms of this resolution;

4.5.2 The independent interviewing committee will be constituted as follows but not limited to the following:

- Five persons nominated per District plus the observers as mentioned in paragraphs 4.1.2 and 4.1.4 in the following cases:
- Where it is not possible for a panel to be constituted as mentioned in paragraph 4.1 above and / or where the SGB is not able to discharge this function as expected in terms of SASA, 84 of 1996.

4.6 The committees must ensure that:

4.6.1 The short-listing criteria are fair, non discriminatory and in line with the Departmental Employment Equity Plan, other prescripts and the Constitution of the RSA;

4.6.2 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.

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

4.6.4 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 HOD or the delegated authority. Should it be re-advertised and the same situation prevail the selection procedures must continue;

4.6.5 a probity check of each short-listed candidate’s credentials (authenticity of the CV, qualifications and all other documents) must be done by the Resource Person before the interviews;

4.6.6 the Resource person will in a prescribed format provide the report of the above to the interviewing panel as indicated on 4.6.5 above;

4.6.7 the minimum educational requirements of the post and required experience are complied with;

4.6.8 If more than five candidates complied with the requirements and criteria set by the committee and are scored, three candidates must be placed on a reserve list in case of possible withdrawals.

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2012-06-04
4.6.10. the panel only uses the score sheet approved by the Superintendent General for only those candidates who qualified according to the set requirements and criteria of the committee (attached at Annexure B).

5. GUIDELINES FOR INTERVIEWS

5.1 The panel must be friendly, avoid a grim image and make the candidate feel at ease;
5.2 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;
5.3 The particular interviewers should ensure that the candidate understands questions and show interest and attention when the candidate is responding to questions;
5.4 The value of the candidate to the community i.e. involvement in the community projects is considered;
5.5 An interview is not an opportunity for members of the panel to exhibit their superior knowledge and experience;
5.6 The panel member's reaction to the candidate's response should be neutral and the candidate should be allowed ample opportunity to explain viewpoints;
5.7 The interviewing process should be fair, non-discriminatory and in line with all applicable prescripts as well as the constitution of the RSA;
5.8 All interviewed candidates should receive similar treatment during the interviewing process;
5.9 Be reminded of Paragraph 4.4.1, bullets 3 and 4;
5.10 If the first choice of the school governing body 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;
5.11 The panel only uses the score sheet approved by the Superintendent General for interviews (attached at Annexure B).

6. QUESTIONS WHEN INTERVIEWING CANDIDATES

6.1 Questions should aim at:

6.1.1 Confirming the image of candidates as reflected in written applications;
6.1.2 Clearing up uncertainties which might appear in the application;
6.1.3 Obtaining further information, which might be needed (performance, knowledge, experience, etc);

6.2 BASIS FOR EVALUATION

6.2.1 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;
6.2.2 The process should be objective in order to avoid any action that will disadvantage any person/candidate;
6.2.3 In the case of promotion posts at educational institutions, the Interviewing Panel shall have the right to use practical tests / presentations / case studies plus a set of questions are compulsory;

6.2.4 The interview score-sheet will ultimately determine the recommendation for appointment. Only the total score obtained for the interview, is taken into account to rank the candidates when a recommendation for appointment is made. The recommendation must be supported by a written motivation which explains the suitability or /non suitability of each interviewed candidate. The candidate, who scored the highest in the interview after motivations have been presented, will be ranked no. 1 for appointment, simultaneously the second highest scored candidate will be ranked second, etc.

7. HANDLING OF COMPLAINTS

7.1 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;

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

8. APPOINTMENT

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

8.2 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, short listing, interviews, decisions and motivations relating to the preference list submitted by school governing bodies and other such structures.

The GS hereby certifies that this Collective Agreement was ratified by Council on this date

2012 -06- 04
ANNEXURE B

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; and

d) 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.

A. SCORE SHEET: SHORT-LISTING: POST LEVEL 1

<table>
<thead>
<tr>
<th>NAME</th>
<th>RELEVANT AND APPROPRIATE FORMAL QUALIFICATION</th>
<th>RELEVANT AND APPROPRIATE INFORMAL QUALIFICATION</th>
<th>EMPLOYMENT EQUITY</th>
<th>TOTAL</th>
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<td>40</td>
<td>20</td>
<td>40</td>
<td>100</td>
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</table>

A.1. EXPLANATORY NOTES

1.1 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.

The GS hereby certifies that this Collective Agreement was ratified by GS polling this date.
1.2 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 for departmental development programmes and is intended to develop a particular skill, such as computer literacy. A certificate/proof of attendance must be submitted.

A.2 DETERMINING THE SCORE

2.1 Relevant and Appropriate Formal Qualification RQV 13 Required

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<td>15+</td>
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2.2 Relevant and Appropriate Informal Qualification

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<th>Certificates</th>
<th>Score</th>
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2.3 Employment Equity (For Short-listing)

Depending on the target group

**SCORING PLAN 1**

| Target: Race | 20 |
| Gender       | 15 |
| Disability   |  5 |

<table>
<thead>
<tr>
<th>Target: Gender</th>
<th>Race</th>
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<th>Target: Disability</th>
<th>Race</th>
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N.B. 1. The targeted groups are:

- Blacks: 90, 5% (which consist of Africans, Coloureds and Indians);
- Women: 48% and
- People with disabilities: 2%

2. The highest score will determine candidates who will be interviewed
### B. SCORE SHEET: SHORT-LISTING: PROMOTIONAL POSTS

<table>
<thead>
<tr>
<th>NAME</th>
<th>RELEVANT AND APPROPRIATE FORMAL QUALIFICATION</th>
<th>RELEVANT AND APPROPRIATE INFORMAL QUALIFICATION</th>
<th>RELEVANT AND APPROPRIATE EXPERIENCE</th>
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### B.1. EXPLANATORY NOTES

1.1 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.

1.2 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 for departmental development programmes and is intended to develop a particular skill, such as computer literacy. A certificate/proof of attendance must be submitted.

1.3 Relevant and Appropriate Experience (Promotional posts) 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.

### B.2. DETERMINING THE SCORE

2.1 Relevant and Appropriate Formal Qualification  
   RQV 13 Required
   
   - REQV 13 = 20
   - REQV 14 = 30
   - REQV 15+ = 40

2.2 Relevant and Appropriate Informal Qualification

<table>
<thead>
<tr>
<th>Certificates</th>
<th>Weight</th>
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<td>7+</td>
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The GS hereby certifies that this Collective Agreement was ratified by Council on this date.

2012-06-04
2.3 Relevant and Appropriate Experience:

3 – 5 years  =  4
6 – 10 years  =  8
11 – 15 years = 12
16+ years    = 15

2.4 Employment Equity (For Short-listing)

Depending on the target group

**SCORING Promotion posts**

Target: Race  =  15
Gender       =  10
Disability   =  5

Target: Gender = 15
Race          = 10
Disability    = 5

Target: Disability = 15
Race          = 10
Gender    = 5

N.B. 1. The targeted groups are:

Blacks: 90, 5% (which consist of Africans, Coloureds and Indians);
Women: 48% and
People with disabilities: 2%

2. The highest score will determine candidates who will be interviewed

**C. SCORESHEET: INTERVIEW (ALL POSTS)**

<table>
<thead>
<tr>
<th>NAME</th>
<th>Key Performance Area 1</th>
<th>Key Performance Area 2</th>
<th>Key Performance Area 3</th>
<th>Key Performance Area 4</th>
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The Governor ensured that this Collective Agreement was ratified by Council on this date
Key Performance Area (KPA):

The KPA as mentioned in the interview score sheet could be used to test skills and knowledge, such as, but not limited to the following:

- Management / Leadership
- Work performance / potential
- Knowledge of curriculum matters
- Knowledge of the relevant post / field / subject / learning area, as per the advertisement
- Extracurricular matters
- The committee could refer to the various performance standards as contained in the IQMS to form a basis for the KPA’s.

The above examples could be used as KPA’s, which will mean that you will set questions under each KPA.

For example: KPA 1: Management and Leadership skills will be tested, with 4 questions which will count 5 each. This will mean that the total is 20 points – as could be seen on the score sheet. The committee could ask as many questions as they prefer under each KPA, however, the score should be calculated back to 20 per KPA.

Note 1: For Promotion posts, the practical tests / presentations / case studies will form a Key Performance Area and count a maximum of 20 points.

Note 2: Only the total score obtained for the interview, is taken into account to rank the candidates when a recommendation for appointment is made. The recommendation must be supported by a written motivation which explains the suitability or / non suitability of each interviewed candidate. The candidate, who scored the highest in the interview (after motivations have been presented), will be ranked no. 1 for appointment, simultaneously the second highest scored candidate will be ranked second, etc.

THRESHOLD FOR APPOINTMENT

Considering that all candidates who are short-listed 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 for the interview.

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2012 -06- 04