Resolution

No 11
RESOLUTION No. 11 OF 1996

ESTABLISHMENT OF WORKPLACE FORUMS

1. The parties to the Council note the following:
   (a) legislation dealing with workplace forums in the public service
       as provided for by section 207(4) of the Labour Relations Act,
       1995 has, as yet, not been finalised;
   (b) a task team has been established to research workplace forums
       in the public service and will submit a report on the concept to
       workplace forums to the Joint Labour Relations Task Team of
       the Public Service by mid-October 1995; and
   (c) the educator sector, due to the specific nature of this sector,
       has indicated its preference to do its own research and report to
       the task team referred to in (b), before they submit their report
       on the special Schedule to be added to the Labour Relations Act,
       1995 by the Minister for the Public Service and Administration,
       after consulting the PSCBC.

2. The parties therefore agree that -
   (a) workplace forums will not be established in the educator sector
       until such time as the parties are clear on how workplace
       forums, or other similar structures, will operate in the public
       service, especially the educator sector, and at which stage any
       party may refer the matter to Council; and
   (b) the matter be referred to the Research Committee for
       investigation in order to comply with the requirements of
       paragraph 1(b) and (c) above.

SIGNED AT PRETORIA ON THIS 26 DAY OF August 1996

On behalf of the employer

On behalf of the employee parties:

Signature

Signature

Party
On behalf of the employer:

Signature

On behalf of the employee parties:

Signature: Party

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RESOLUTION

EDUCATION LABOUR RELATIONS COUNCIL

RESOLUTION 2 OF 1995

MEASURES WITH REGARD TO THE DISTRIBUTION OF FUNDS FROM THE EMPLOYEE AND EMPLOYER FUNDS ESTABLISHED IN TERMS OF RESOLUTION 3 OF 1994, AND MATTERS PERTAINING TO AUDITING OF PAID UP MEMBERSHIP OF EMPLOYEE PARTIES TO THE COUNCIL.

The employer- and employee organisations as defined in section 1 of the Education Labour Relations Act 1993, 146 of 1993, who are parties to the Education Labour Relations Council established in terms of section 6 of the said Act, agree in terms of section 12 of the Act that:

1. All employee parties will submit their certified and audited membership records to the secretary for auditing by the auditors of the council before 31 July, in order to enable the secretary to determine the said membership, which the secretary will do in terms of clause 10(22)(e)(i) of the constitution of the Council before 31 August 1995.

2. The funds available in both the employee fund and the employer fund established in terms of council resolution 3 of 1994, after provision has been made for expenditure of the council for an amount of R 50 000 to date, shall be divided between and paid over to the employee parties forthwith as follows:

2.1 20% of the funds available in the respective funds after provision for expenditure of the council for an amount of R 50 000 to date, and thereafter provision for actual expenditure with regard to each following specific calendar month, shall be retained in the funds and invested in an interest bearing bank account, pending the final determination of the paid up membership of employee parties and the implementation of the deduction of levies by the employer parties in terms of resolution 3 of 1994.

2.2 The balance of the funds so available shall be paid to employee parties in the following shares: from the employee fund until final determination of paid up membership in terms of the constitution of the council and from the employer fund until such time as the employer parties shall have implemented resolution 3 of 1994.
- one half to The South African Democratic Teachers' Union

- one half to all other employee parties pro rata to their respective shares of the 60% of the vote weights of employee party votes that have been allocated to them in terms of the resolution in this regard dated 23 March 1991 as amended.

3. The amount retained in the employee fund in terms of 2.1 above shall be distributed to employee parties after final determination of paid up membership and vote weights for the following year. Provided that such distribution shall be made pro rata based on finally determined paid up membership and shall take into account all previous distributions in terms of 2.2 above. No employee party shall have any claim against the council or any other employee party with regard to distributions paid in terms of 2.2.

Amounts paid to the employee parties from the employer fund as an interim measure in terms of this resolution until such time as the employer parties shall have implemented the deduction of levies in terms of resolution 3 of 1991 and the payment thereof to the council, shall be recoverable by the employer fund from the employer fund, free of interest and in installments to be agreed by the parties to the council, in the Executive Committee.

Signed at Pretoria on 13 July 1993.

Employer Parties

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In the arbitration proceedings pursuant to the AGM of 1976 of the Education Labour Relations Council ("ELRC") concerning the determination of vote weights

The parties to this arbitration agree as follows:

1. The South African Democratic Teachers' Union (SAOTU) has 51% (fifty one per cent) of the vote weight until the next annual general meeting of the ELRC.

2. The remaining 49% of the vote weight shall be shared amongst all the other admitted parties to the ELRC.

3. The parties agree to this settlement agreement being made an award by the arbitrator.

Dated at Pretoria on 16 August 1976.

For and on behalf of

[Signature]

For and on behalf of

[Signature]

[Signature]

Secretary of ELRC