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Education Labour Relations
Council
KwaZulu Natal Chamber

Collective Agreement No. 5 OF 2006

06 October 2006

Procedures for the Appointment and Promotion of Educators in FET
Colleges

ELRC KZN Chamber: Collective Agreement No. 5 of 2006 – Procedures for the appointment and
Promotion of Educators in FET Colleges

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1. PURPOSE:

To regulate the procedures for the appointment and promotion of educators in FET Colleges

2. SCOPE:

This agreement applies to and binds:

- 2.1 the KwaZulu-Natal Department of Education;
- 2.2 all educators employed by the KwaZulu-Natal Department of Education whether such educators are members of employee parties or not;
- 2.3 all employee parties that are parties to the KwaZulu-Natal Chamber of the Education Labour Relations Council; and
- 2.4 members of such employee parties

3. PARTIES TO THE CHAMBER NOTE:

- 3.1 The provisions of Chapter B of PAM regarding the advertisement and filling of Educator Posts.
- 3.2 The revised structure of Public FET Colleges and the contextual conditions in which such colleges function.
- 3.3 The need to develop a uniform mechanism for appointment and promotion of educators in all colleges in KZN

4. PARTIES TO THE CHAMBER THEREFORE AGREE THAT:

- 4.1 Appointment of educators in FET Colleges shall be in accordance with Annexure 1 of this agreement if such posts are level 1 posts.
- 4.2 Appointment or promotion of educators to promotion posts at FET Colleges shall be in accordance with Annexure 2 of this agreement.

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5. DATE OF IMPLEMENTATION

This agreement shall be effective from the date it is ratified by the ELRC, in accordance with clause 6.2.4 of Annexure B of the constitution of the ELRC.

6. DISPUTE RESOLUTION

Any dispute arising from this agreement shall be referred to the Council for resolution in terms of its constitution.

THUS DONE AND SIGNED AT THE KZN PROVINCIAL CHAMBER OF THE ELRC, 55 CHURCH RD, REDHILL, ON THE

06TH DAY OF OCTOBER 2006, BY

DEPARTMENT	NAME	SIGNATURE
EDUCATION: KZN	SUNIL MAHABEER	<i>[Signature]</i>

ON BEHALF OF THE STATE AS EMPLOYER

AND

TRADE UNIONS	NAME	SIGNATURE
CTU 'SADTU'	SC NKOSI	<i>[Signature]</i>
CTU 'SAOU'	SA THOMPSON	<i>[Signature]</i> NATU/SAOU/NATU

ON BEHALF OF LABOUR

[Signature]
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PROCEDURE DOCUMENT FOR FET COLLEGES FOR THE ADVERTISING AND FILLING OF LEVEL ONE POSTS

FET COLLEGE BASED LEVEL ONE CS EDUCATOR VACANCY LIST

1. BACKGROUND

The vacancies advertised in terms of this procedure manual are as a result of attrition and promotion. Individual Colleges will advertise their vacant post level 1 posts whenever the need may arise.

GENERAL PRINCIPLES

2.1 This procedure manual supersedes and replaces all other practices and procedures applied previously in terms of the PAM of 1998 as amended. The following general principles should be noted:

- 2.1.1 The obligations of the state as the employer in terms of section 195 and 197 of the Constitution of the Republic of South Africa.
- 2.1.2 The obligations of the employer in terms of section 198 of the Labour Relations Act, 1995 and other applicable Labour Legislation.
- 2.1.3 The promotion of equal and fair treatment in line with the provisions of the Employment Equity Act [EEA] of 1998.
- 2.1.4 The role of college councils, in terms of section 9 of the FET Act, as is embodied in Chapter 3 of the Employment of Educators Act, 1998.
- 2.1.5 When a college council exercises its function in terms of section 9 of the FET Act, 1998 and Chapter 3 of the Employment of Educators Act of 1998 as amended, it must accommodate the obligations of the Employer towards serving educators. It must also take into account the following:
 - The requirements for appointment as determined by the Minister of Education and / or the requirements of the post as determined by the Head of the Provincial Education Department.
 - The Numerical goals (targets) as contained in the Employment Equity Plan of the Department.
- 2.1.6 In the advertising and filling of educator posts, the employer will be guided by :
 - a) Affirmative action measures for designated groups, viz. Blacks (which include Indians, Coloureds and Africans), women and educators with disabilities.
- 2.1.7 Closing date for applications: To be indicated in the advertisement

3. PROCEDURE FOR SUBMISSION OF APPLICATIONS

- 3.1 A separate application Form (The New Application for Employment Form – attached) must be completed for each post applied for. All applications are to be sent to the respective Colleges. (Photostats with original signatories will be accepted.)
- 3.2 A curriculum vitae must be submitted with each application. For post level 1 posts, the CV must be submitted under 4 headings:
- academic profile,
 - work experience,
 - extra mural / interest profile and
 - community involvement
- and should not exceed 600 words.
- 3.3 All applicants must submit copies of the following:
- 3.3.1 SERVING EDUCATORS must:
- submit their application form/s to the PRINCIPAL/RECTOR or their nominee/SEM of their respective schools/colleges for validation:
In cases where applicants are not stationed at an Institution, their immediate supervisors where they work, will have to validate their application.
 - A self-addressed envelope to enable the College to return an acknowledgement of receipt of the application.
- 3.3.2 NON-SERVING EDUCATORS are to submit directly to the relevant college:
- The New Application for Employment Form (Available at all Government Institutions)
 - A Curriculum Vitae (see paragraph 3.2 above.)
 - A certified copy of Page 1 of the identity document
 - Certified copies of qualification documents (including Matric / Senior Certificate / equivalent qualification/s)
 - For foreign qualifications an evaluation certificate should be included
 - A self-addressed envelope to enable the College to return an acknowledgement of receipt of the application.
- 3.4 Applicants are advised to be realistic when submitting applications for posts by taking cognizance of such relevant factors as a reasonable number of posts to apply for, the ability to function effectively in terms of cultural and language needs of the community.
- 3.5 The onus rests with the applicant to ensure that each application has sufficient postage, as the College will not collect applications with insufficient postage.
- 3.6 Applicants wishing to hand deliver their applications must do so to the personnel responsible in the relevant Central Office by not later than 16:00 on the closing date for applications. [Applications delivered at the wrong office will be rejected.]
- 3.7 Applications, which are faxed, will not be accepted.
- 3.8 The Human Resource Manager and the Rector will not respond to any queries with regard to the posts advertised in the media. Educators are therefore advised to contact the appropriate official in the COLLEGE in which the post is advertised. The details of the officials are furnished below:

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FET COLLEGE	RESPONSIBLE OFFICIAL	POSTAL ADDRESS	TEL. NO.
Coastal KZN FET	Mr M.M.D Dlamini	PO Box 1795 Amanzimtoti 4125	031- 9057000
Elangeni	Mrs D.Goba	Private Bag X13 Westville 3630	031-2678050
Esayidi	Mrs N. Zungu	Private Bag X814 Port Shepstone 4240	039-3181433
Majuba	Mr R. Lakhan	Private Bag X6602 Newcastle 2940	034-3264596
Mnambithi	Mrs P.F. Zondi	Private Bag X9903 Ladysmith 3370	036-631 4144
Mthashana	Mr C.R. Khumalo	Private Bag X9424 Vryheid 3100	034-9801010
Thekwini	Ms L.Mhlongo	Private Bag X06 Dormerton 4015	031-2508400
Umfolozu	Mrs J. Smith	Private Bag X5023 Richards Bay 3900	035-9029511
Umgungundlovu	Mr. V.C.Maphalala	Private Bag X9060 Pietermaritzburg 3200	033-3412100

4. SUBMISSION OF APPLICATIONS

4.1 Responsibility of Applicants:

- 4.1.1 Applicants are required to submit the documents mentioned in paragraph 3.3 in respect of each post applied for on or before the closing date to the Office where the advertised post is located.
- 4.1.2 Application documents addressed to the respective Offices must be posted or hand delivered in a separate envelope for each post.
- 4.1.3 The following details must be indicated on the back of the envelope:
- The post number of the post applied for:
 - The name of the College
 - Correct surname, initials (and Persal number if available) and postal address of the applicant.
- (The above information is required by the College to sort applications.)
- 4.1.4 Colleges must acknowledge receipt of applications within 14 days from the closing date. Queries regarding acknowledgements must be lodged with respective Colleges where the advertised post is located.

4.2 Responsibility of the Rector/Principal

4.2.1 The Rector/Principal or his/her nominee is required to validate all information on the New Application for Employment Forms of applicants on his/her staff. In this regard Rectors/Principals are advised to refer to the educators' personal files to verify the following:

- Surname and Initials
- Personal Number
- Education Qualifications
- REQV: Category classifications e.g. CAT. C (M+3 or REQV 13)
- Present post held
- Current years of continuous teaching service as at the closing date of applications.

4.2.2 The Rector/Principal will not validate applications that fall into any of the under mentioned categories:

- The New Application for Employment Form received after the closing date
- The New Application for Employment Form of applicants who do not meet the minimum qualification and service requirements

4.2.3 Applications from permanent educators who acted for longer than two (2) continuous years in a post at historically disadvantaged institutions (institutions that fell under the control of the ex-Department of Education and Training, Homeland Governments and TBVC States) must not be rejected provided that:

- The educator is currently acting in the post.
- The post is part of the post establishment of that institution.
- The Department has approved that appointment.

4.2.4 *On completion of validation of the New Application for Employment Forms must be stamped with the official college/school stamp, dated and signed by the Rector/Principal and timeously returned to the educator for posting to the relevant College.*

4.2.5 All corrections on the New Application for Employment Forms must be endorsed both by the Rector/Principal and the applicant.

4.2.6 In not approving the New Application for Employment Form, the Rector/Principal is required to adhere to the following:

- *Indicate on the New Application for Employment Form "REJECTED" with the appropriate reason.*
- Inform the applicant accordingly,
- Delete the post from the applicant's Form.

4.2.7 Applicants who are not current employees of the KZN DoE will be required to bring their original documents with them when invited for the interview (for purposes of verification).

5. ELIGIBILITY

5.1 Permanent Appointment:

- M+3/REQV13 inclusive of a recognised professional teaching qualification.
- For specialist posts – persons are not required to be qualified educators, but must comply with the relevant requirements set out in the document "Evaluation of Qualifications for employment in Education".

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- Registration with the South African Council for Educators (SACE). Applicants must be registered with SACE or must provide proof that they have applied for registration with SACE. For registration, kindly contact: The Chief Executive Officer, SACE, Private Bag X217 Centurion, 0004, and Tel. No.: (01) 6639238.

5.2 Temporary Appointments:

- In the event where there is no applicant with M+3/REQV13 qualifications the college may select an unqualified or unqualified educator who has the potential to teach the subject. Such an educator will be appointed on a temporary basis. *These appointments are to be limited to a maximum period of one year.*

6. INTERVIEW COMMITTEE

- 6.1 A College Council constituted in terms of the FET Act no. 98 of 1998 must establish an Interview Committee from its members. Additional members of the college council *may* be co-opted for the expertise that may be needed for particular interviews
- 6.2 The Interview Committee will be responsible for shortlisting of applicants to obtain a manageable number (minimum 3 - maximum 5) and thereafter interviewing and assessing them for the purpose of making recommendations.
- 6.3 The Interview Committee shall comprise:
- 6.3.1 *One (1) Departmental representative (who may be the College Rector or a Deputy).*
- 6.3.2 Member/s of the College Council, excluding educator members who are applicants for the advertised post/s.
- 6.3.3 Member/s (who are not council member/s) with specific expertise relative to the post in question may be co-opted.
- 6.3.4 One (1) Union Representative per Union that is party to the Provincial Chamber of the ELRC. The Union representatives shall be observers to the process of shortlisting, interviews and drawing up of a preference list.
- 6.3.5 **The following factors must be borne in mind:**
- 6.3.5.1 Learner/student members of the College Council are precluded from serving in this Committee.
- 6.3.5.2 Interview Committee must be established by formal meeting of Council.
- 6.3.5.3 Departmental Representatives shall not score during interviews.
- 6.3.5.4 The Interview Committee must at all times comply with the 60/40 principle as per section 9(6) of the FET Act, No 98 of 1998.

6.4 Chairperson and Secretary

Each interview Committee shall *at its first meeting* appoint a Chairperson who must be a member of the College Council and a Secretary from amongst its members.

6.5 Records of proceedings

- 6.5.1 The maintenance of accurate records and minutes of all meetings is essential. Records must indicate the date and names of all attendees and constituencies they represent, proof of invitation and transmission to Unions.
- 6.5.2 Every effort must be made to document relevant details in respect of various selection processes such as shortlisting, interviews, decisions and motivations relating to the preference list submitted.
- 6.5.3 It is the responsibility of the Rector of the College to ensure the safe keeping of all documents for at least three (3) college calendar years after the appointment.

7. OBSERVERS

- 7.1 Each of the officially recognised Teacher Organisation parties to the ELRC (CTU SADTU & CTU SAOU) has a right to appoint one (1) representative as an observer to the processes of short listing, interviewing and drawing up of a preference list.
- 7.2 Observers will have access to the schedules of applications sifted out/in, resulting from the sifting process.
- 7.3 The Chairperson of the Interview Committee shall give at least five (5) working days written notice to the Regional Office/District Office of each of the Teacher Organisations (See List attached for addresses).
- 7.4 Non-attendance of observers will not prohibit the selection process from proceeding as long as Chairpersons have informed Teacher Organisations of scheduled meetings. The Secretary must maintain records of such invitations and transmission to the Unions.
- 7.5 **Role of Observers**
- 7.5.1 Observers are entitled to be present at all meetings of the Interview Committee during the short listing and interviewing processes.
- 7.5.2 Observers shall not be directly involved in the processes of short listing and interviewing but may note that approved procedures and practices are adhered to in a fair, consistent and uniform manner.
- 7.5.3 An observer has the right to intervene in terms of the procedures if he/she deems that there is an infringement of agreed upon procedures.
- 7.5.4 In such an instance the observer must indicate to the Chairperson that he/she wishes to intervene. It is expected that the observer shall observe the following:
- Must not discuss or make a comment **about anything** in the presence of the interviewee.
 - Discussions concerning the intervention must take place after the interviewee has left the room.
- 7.5.5 Observers must sign the declaration of confidentiality form and uphold the code of confidentiality.
- 7.5.6 Observers must sign all the relevant documents for short listing and interviews.
- 7.5.7 An observer must first attempt to resolve any concern with the Interview Committee. Should consensus not be reached, he/she must inform the Interview Committee in writing that he/she is lodging a grievance.

- 7.5.8 An observer must continue to participate in the process while the grievance is being addressed by the Grievance Committee *of the Department*.

8. ELIGIBILITY OF OBSERVERS

An educator is precluded from serving as an observer on an Interview Committee if he/she is an applicant for the post at that College.

9. RECUSAL BY MEMBERS OF INTERVIEW COMMITTEE AND COLLEGE COUNCIL

Members of the Interview committee or College Council must recuse themselves for the duration of the discussion and decision-making on any issue in which the members have a personal interest.

CONFIDENTIALITY

- 10.1 Personal information pertaining to the individual applicant is confidential and should as far as possible not be discussed outside the meeting of the Interview Committee and the College Council.
- 10.2 All members of the Interview Committee, Observers and College Council must sign the declaration of confidentiality.

11. SIFTING

- 11.1 The College shall acknowledge receipt of all applications by:
- Informing all applicants in writing of receipt (see paragraph 4.1.4).
 - Clearly indicating whether the application is complete or not.
 - Indicating whether the applicant meets the minimum requirements for the post.
- 11.2 The College shall handle the initial sifting process to eliminate applications of those candidates who do not comply with the requirements for the post(s) as stated in the advert.
- 11.3 Trade Union parties to the Council will be given a full report at a formal meeting at College level on:
- 11.3.1 Names of educators who have met the minimum requirements in terms of the advertisement;
- 11.3.2 Names of educators who have not met the minimum requirements in terms of the advertisement;
- 11.3.3 Other relevant information that is incidental thereto.
- 11.4 The College will compile separate schedules of applications per post, which comply with the minimum requirements.

12. SHORT LISTING

12.1 The Interview Committee may conduct shortlisting subject to the following guidelines:

12.1.1 The criteria used must be fair, non-discriminatory and in keeping with the constitution of the country. (The CV form may be utilised for this purpose.)

12.1.2 The curriculum needs of the college.

12.1.3 The obligations of the employer towards serving educators.

12.2 The list of shortlisted candidates for interview purposes should not exceed five (5) per post.

12.3 In addition to the number of short listed applicants any eligible applicants from the under mentioned categories should be included:

a) Any permanent serving educator who has acted for longer than two (2) continuous years in the post at historically disadvantaged institutions [that fell under the control of the ex-Department of Education & Training, Homeland Governments and TBVC States] must also be included in the shortlist provided that:

- The Educator is currently acting in the post;
- The post is part of the post establishment of that institution;
- The Department had approved the appointment; and
- All the educator's application documents for the post are in order.

b) Any serving educator in a substantive promotion post who is declared in addition as a result of operational requirements based on change in student enrolment, curriculum changes, change in grading of the college or financial constraints must be shortlisted provided that:

- The additional educator has appropriate curriculum expertise for the post, where applicable;
- Her/his current post level is the same as that of the vacant post, and
- All the educator's application documents for the post are in order,

c) Educators declared as additional must be given priority hence automatically short-listed. These persons must indicate, "ADDITIONAL" on the application form. A displaced educator must attach to the application form a letter certified by the releasing principal and countersigned by the Superintendent of Education Management that s/he is a displaced educator displaced in terms of HRM Circular No. 1997

12.4 Any permanent serving educator who acted for longer than two (2) continuous years in the post and meet the requirements as set out in paragraph 5.1.2 must indicate boldly the words "ACTED FOR LONGER THAN TWO YEARS" on the application form in order to ensure that the application receives due attention.

13. NOTIFICATION TO APPLICANTS

13.1 Applicants must be given five (5) working days notice to attend the interviews. This period may be reduced if all parties are available at a shorter notice.

13.2 Telephonic notification should be confirmed in writing.

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14. TRAVEL AND OTHER COSTS

14.1 Applicants invited to an interview travel to the college at their own expense

15. INTERVIEW

15.1 Applicants must produce proof of identity and qualifications at the interview.

15.2 Each member of the Interview Committee will assess the applicant according to criteria agreed upon as indicated in the PAM.

15.3 All interviewees must receive similar treatment during the interviews..

15.4 Previous teaching experience may not be a pre requisite for selection in these posts but will be considered

RATING SCALE

The assessment for interviewing will be based on a 7-point scale applied as follows:

RATING SCALE

SCORE	SCALE	DESCRIPTION OF SCALE
1	Weak	Does not meet an requirements for the post
2	Poor	Far below minimum requirements for the post
3	Fair: Just below average	Meets some of the requirements for the post
4	Satisfactory: Adequate, Average	Meets most of the requirements for the post
5	Good: Above average	Meets most of the requirements more than adequately for the post
6	Very Good: Considerably Above Average	Meets all the requirements considerably more than adequately for the post
7	Excellent: Outstanding	Exceptional, very little room for improvement

17. RANKED ORDER OF PREFERENCE OF CANDIDATES

17.1 At the conclusion of all the interviews, the Interview Committee shall rank the candidates in order of preference, preferably using interview scores together with a brief motivation and submit to the College Council.

17.2 The College Council must submit their recommendations taking into account the provisions of the Employment Equity Act, no. 55 of 1998, in their order of preference

17.3 The above mentioned recommendation together with the following documentation must be submitted to the Rector for onward transmission to the *Department*:

17.3.1 List of the recommended candidates;

17.3.2 Schedule of short listed candidates;

17.3.3 Interview Assessment of the recommended candidates;

Handwritten signature/initials

- 17.3.4 Signed copies of minutes of the interview Committee and of the ratification by the College Council's meeting;
- 17.3.5 Motivation for the rank order of the recommended candidates only where candidates with lower scores are preferred over candidates with higher scores;
- 17.3.6 Application forms for all recommended candidates;
- 17.3.7 Proof of transmission of invitations to Unions.

18. PLACEMENT OF CANDIDATES

- 18.1 The **Department** after validating the relevant documents, will do the placement from the list of recommendations of the College Council.
- 18.2 Should an applicant be chosen by more than one College Council and in the same rank order, the applicant will be placed in the post of his/her highest preference.
- 18.3 In such a case the next unplaced candidate will be placed in the other affected post.

19. APPOINTMENT

The **Department**, after validating the relevant documents from the College Council, will compile a schedule of recommendations in post order and comprehensive schedule of placements will be submitted to the **Superintendent General** for his approval having taken into consideration agreed upon procedures and compliance with the Employment of Educators Act of 1998, **the FET Act of 1998**, and the Labour Relations Act of 1995 as amended.

20. DATE OF APPOINTMENT

The appointment and salary commencement date will be determined in terms of Paragraph 6 of Chapter 2 of the Regulations Regarding the Terms and Conditions of Employment of Educators as amended.

21. GRIEVANCES / DISPUTES

- 21.1 The **Department** will establish a Grievance Committee comprising the following members:
 - a) Chairperson: To be appointed by the Director **for Employee Relations**, and should at least be on a post level higher than the post under consideration.
 - b) Members
 - (i) Member from the Directorate FET Colleges
 - (ii) A practitioner from the Employee Relations Office of the region where the College is located.
 - (iii) A HRM practitioner from the Service Cluster where the College is located.
 - (iv) A member from the College Council, who was not involved in the interview process.
- 21.2 An aggrieved applicant may lodge a grievance on attached Grievance Form through the Union directly to the **Department** to the offices of the Director Employee Relations and copied to the Rector of the affected College.

- 21.3 A grievance may also be lodged by a Union Observer by completing the Grievance Form and submitting it to the *Department* to the offices of the Director Employee Relations and copied to the Rector of the affected College.
- 21.4 A grievance should ideally be lodged within 7 days from the date of any process being completed.
- 21.5 A declaration of a grievance will not prevent the Interview Committee from proceeding with the Selective Process unless it is advised to halt the proceedings by the *Department*.
- 21.6 The *Department* may establish a Grievance Committee(s) to ensure that all grievances are heard within 30 days of receipt of such grievances.
- 21.7 Should the matter not be resolved to the satisfaction of the aggrieved party, a formal dispute may be lodged with the Education Labour Relations Council using prescribed procedures.
- 21.8 Subject to the lapsing of time stipulated in clause 21.4 and 21.6 the Department shall not make appointments to posts in dispute.

2. CONCLUSION

- 22.1 Rectors of FET Colleges are requested to ensure that this bulletin is brought to the attention of their College Councils Bodies and all educators on their staff should sign a notice to that effect. This acknowledgement must be submitted to the *Department in terms of paragraph 17.3*.
- 22.2 A supply of forms has been included with this manual. Additional copies may be reproduced locally.

RECOGNISED TRADE UNION

ANNEXURE J

UNION	ADDRESS	TELEPHONE NO	FAX NUMBER
CTU SADTU Contact Person K.K.Nkosi E Mail tchitoo@sadtu.org.za	SADTU HOUSE Provincial Offices 321 Smith Street, DURBAN 4001	(031) 305-1828 (031) 305-1930	(031) 305-1847
	North Coast Region Shop 9A Centre, 68 Temple Street EMPANGENI 3880	(035) 772-1649	(035) 772-1649
	EThekweni North Suite F1, 13 Arbee Drive, Dicks Centre TONGAAT 4439	(032) 944-1958	(032) 944-4971
	Durban South Region 8 th Floor Colonial Building, Mark Lane	(031) 304-3313	(031) 304-4792
	Lower South Coast Region Wooly Street, PORT SHEPSTONE 4240	(039) 682-6932	(039) 682-6938
	Northern Natal Office 324, 3 rd Floor Nedbank Circle Harding Street, NEWCASTLE 2940	(034)312-5330	(034) 312-3397
	Midlands 210, Main City Bld, Office No.11 Ground Floor ,Long Market Street Pietermaritzburg 3201	(033) 394-26527	(033) 394-2629
	Inland No 5 Presbane Building Cnr President and Hlobane Street VRYHEID 3100	(034) 983-3215	(034) 983-3215
CTU SAOU Contact Person Mr E.M. Biyela E Mail biyela@natu.co.za	NAPTOSA PO Box 35613 NORTHWAY , 4065	(031) 563-1966 (031) 304-9452	(031) 563-1611 (031) 304-9452
	NATU Durban Region PO Box 181 DURBAN 4000	(031) 304-9452	(031) 304-1715
	NATU Pietermaritzburg	(033) 394-0924	(033) 394-0924
	NATU Port Shepstone	(039) 682-7010	(039) 682-7011
	NATU North Coast	(035) 787-0986	(035) 787-0988
	NATU Ulundi Region PO Box 897 ESHOWE 3815	(035) 474-2682	(035) 870-3094
	NATU Northern Natal Region PO Box 141742 MADADENI 2951	(034) 329-2716	(034) 329-2716
	NATU South Coast Region PO Box 199 HIBBERDENE 4220	(039) 682-7010	(039) 682-7011
	SAOU PO Box 41885 ROSSBURGH 4072	(031) 205-9424	(031) 205-2020
	SAUVSE P.O.Box 11147 Centurion 0046	012 663 1104 /05	012 663 9561

PROCEDURE DOCUMENT FOR FET COLLEGES FOR THE ADVERTISING AND FILLING OF PROMOTION POSTS

1. BACKGROUND

The vacancies advertised in terms of this procedure manual are as a result of attrition and promotions.

2. GENERAL PRINCIPLES

2.1 This procedure manual supersedes and replaces all other practices and procedures applied previously in terms of the PAM of 1998 as amended. The following general principles should be noted:

- 2.1.1 The obligations of the state as the employer in terms of sections 195 and 197 of the Constitution of the Republic of South Africa.
- 2.1.2 The obligations of the employer in terms of section 198 of the Labour Relations Act, 1995, and other applicable Labour Legislation.
- 2.1.3 The promotion of equal and fair treatment in line with the provisions of the Employment Equity Act (EEA) of 1998.
- 2.1.4 The role of the College Councils, in terms of section 9 of the FET Act, 1998, as is embodied in Chapter 3 of the Employment of Educators Act, 1998.
- 2.1.5 When a College Council exercises its function in terms of section 9 of the FET Act, 1998 and Chapter 3 of the Employment of Educators Act of 1998 it must accommodate the obligations of the employer towards serving educators. It must also take into account the following:
 - o The requirements for appointment as determined by the Minister of Education and /or the requirements of the post as determined by the Head of the Provincial Education Department.
 - o Numerical goals (targets) as contained in the Employment Equity Plan of the Department.
- 2.1.6 In the advertising and filling of educator posts, the employer will be guided by:
 - a) Affirmative Action measures for designated groups, viz. Blacks (Which include Indians, Coloureds and Africans), women and educators with disabilities
- 2.1.7 Closing date for applications: To be indicated in the advertisement.

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3. PROCEDURES FOR SUBMISSION OF APPLICATIONS

3.1 A separate application Form (the New Application for Employment Form – attached) must be completed for each post applied for. All applications are to be sent to the respective Colleges.

3.2 Curriculum vitae

A Curriculum vitae must be submitted with each application. A detailed but concise CV must be submitted and duly signed. Kindly note that only originals/Photostats with original signatures will be accepted. The CV must be presented under six headings : (should not exceed 1000 words.)

- Personal profile
- Curriculum profile
- Organisational ability
- Professional profile
- Leadership/ Management involvement and
- Community involvement .

3.3 All applicants must submit copies of the following documents:

3.3.1 SERVING EDUCATORS must:

- submit their application form/s to the PRINCIPAL/RECTOR or their nominee/SEM of their respective schools/colleges for validation:
In cases where applicants are not stationed at an Institution, their immediate supervisors where they work, will have to validate their application.
- A self-addressed envelope to enable the College to return an acknowledgement of receipt of the application.

3.3.2 NON-SERVING EDUCATORS are to submit directly to the relevant college:

- The New Application for Employment Form (Available at all Government Institutions)
- A Curriculum Vitae (see paragraph 3.2 above.)
- A certified copy of Page 1 of the identity document
- Certified copies of qualification documents (including Matric / Senior Certificate)
- For foreign qualifications an evaluation certificate should be included
- A self-addressed envelope to enable the College to return an acknowledgement of receipt of the application.

3.4 Applicants are advised to be realistic when submitting applications for posts by taking cognizance of such relevant factors as a reasonable number of posts to apply for, the ability to function effectively in terms of the cultural and language needs of the community.

3.5 The onus rests with the applicant to ensure that each application has sufficient postage, as College will not collect applications with insufficient postage.

3.6 Applicants wishing to hand deliver their applications must do so to the personnel responsible in the relevant Central Office by not later than 16:00 on the closing date for applications. [Applications delivered at the wrong office will be rejected.]

3.7 Applications, which are faxed, will not be accepted.

3.8 The Human Resource Manager and the Rector will not respond to any queries with regard to the posts advertised in the media. Educators are therefore advised to contact the appropriate official in the COLLEGE in which the post is advertised. The details of the officials are furnished below:

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FET COLLEGE	RESPONSIBLE OFFICIAL	POSTAL ADDRESS	TEL. NO.
Coastal KZN FET	Mr M.M.D Dlamini	PO Box 1795 Amanzimtoti 4125	031- 9057000
Elangeni	Mrs D.Goba	Private Bag X13 Westville 3630	031-2678050
Esayidi	Mrs N. Zungu	Private Bag X814 Port Shepstone 4240	039-3181433
Majuba	Mr R. Lakhan	Private Bag X6602 Newcastle 2940	034-3264596
Mnambithi	Mrs P.F. Zondi	Private Bag X9903 Ladysmith 3370	036-631 4144
Mthashana	Mr C.R. Khumalo	Private Bag X9424 Vryheid 3100	034-9801010
Thekwini	Ms L.Mhlongo	Private Bag X06 Dormerton 4015	031-2508400
Umfolozì	Mrs J. Smith	Private Bag X5023 Richards Bay 3900	035-9029511
Umgungundlovu	Mr. V.C.Maphalala	Private Bag X9060 Pietermaritzburg 3200	033-3412100

4. SUBMISSION OF APPLICATIONS

4.1 Responsibility of Applicants

4.1.1 Applicants are required to submit the documents mentioned in paragraph 3.3 in respect of each post applied for on or before the closing date to the Office where the advertised post is located.

4.1.2 Application documents addressed to the respective Offices must be posted or hand delivered in a separate envelope for each post.

4.1.3 The following details must be indicated on the back of the envelope:

- The post number of the post applied for:
- The name of the College
- Correct surname, initials (and Persal number if available) and postal address of the applicant.

(The above information is required by the College to sort applications.)

4.1.4 Colleges must acknowledge receipt of applications within 14days from the closing date. Queries regarding acknowledgements must be lodged with respective Colleges where the advertised post is located.

4.2 Responsibility of the Rector/Principal

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- 4.2.1 The Rector/Principal or his/her nominee is required to validate all information on the New Application for Employment Forms of applicants on his/her staff. In this regard Rectors/Principals are advised to refer to the educators' personal files to verify the following:
- Surname and Initials
 - Pearsal Number
 - Education Qualifications
 - REQV: Category classifications e.g. CAT. C (M+3 or REQV 13)
 - Present post held
 - Current years of continuous teaching service as at the closing date of applications.
- 4.2.2 The Rector/Principal will not validate applications that fall into any of the under mentioned categories:
- The New Application for Employment Form received after the closing date
 - The New Application for Employment Form of applicants who do not meet the minimum qualification and service requirements
- 4.2.3 Applications from permanent educators who acted for longer than two (2) continuous years in the post at historically disadvantaged institutions (institutions that fell under the control of the ex-Department of Education and Training, Homeland Governments and TBVC States) must not be rejected provided that:
- The educator is currently acting in the post.
 - The post is part of the post establishment of that institution.
 - The Department has approved that appointment.
- 4.2.4 *On completion of validation of the New Application for Employment Forms must be stamped with the official college/school stamp, dated and signed by the Rector/Principal and timeously returned to the educator for posting to the relevant College.*
- 4.2.5 All corrections on the New Application for Employment Forms must be endorsed both by the Rector/Principal and the applicant.
- 4.2.6 In not approving the New Application for Employment Form, the Rector/Principal is required to adhere to the following:
- *Indicate on the New Application for Employment Form "REJECTED" with the appropriate reason.*
 - Inform the applicant accordingly,
 - Delete the post from the applicant's Form.
- 4.2.7 Applicants who are not current employees of the KZN DoE will be required to bring their original documents with them when invited for the interview (for purposes of verification).

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5. ELIGIBILITY

In order to be eligible for promotion an educator must comply with all the minimum requirements in respect of qualification and experience applicable to the particular post as at the closing date of applications.

5.1 Qualifications

- M+3/REQV13 inclusive of a recognised professional teaching qualification.
- For specialist posts – persons are not required to be qualified educators, but must comply with the relevant requirements set out in the document "Evaluation of Qualifications for employment in Education".
- Registration with the South African Council for Educators (SACE). Applicants must be registered with SACE or must provide proof that they have applied for registration with SACE. For registration, kindly contact: The Chief Executive Officer, SACE, Private Bag X217 Centurion, 0004, and Tel. No.: (012) 6639238.

5.1.1 At Historically disadvantaged institutions (institutions that fell under the control of the ex-Departments of Education and Training, Homeland Governments and *TBVC* States), any educator who acted for longer than two (2) continuous years in the post at the institution, must be included in the interviews for the post provided that;

- (a) The educator is currently in the post;
- (b) The post is part of the post establishment of that institution;
- (c) The relevant provincial education department approved the appointment; and;
- (d) The educator has applied for the post.

5.2 Service Requirements

The minimum requirements in terms of experience for appointment to promotion posts are as follows;

POST LEVEL	MINIMUM EXPERIENCE REQUIRED [YEARS]
2	3
3	5
4	7
5	8

Actual educator's experience as well as appropriate experience is taken into account for purposes of appointment at post levels 2 and higher.

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6. INTERVIEW COMMITTEE

- 6.1 A College Council constituted in terms of the FET Act no. 98 of 1998, must establish an Interview Committee from its members. Additional members of the college council *may* be co-opted for the expertise that may be needed for particular interviews
- 6.2 The Interview Committee will be responsible for shortlisting of applicants to obtain a manageable number (minimum 3 - maximum 5) and thereafter interviewing and assessing them for the purpose of making recommendations.
- 6.3 The Interview Committee shall comprise:
- 6.3.1 **One (1) Departmental representative (who may be the College Rector or a Deputy).**
 - 6.3.2 Member/s of the College Council, excluding educator members who are applicants for the advertised post/s.
 - 6.3.3 Member/s (who are not council member/s) with specific expertise relative to the post in question may be co opted.
 - 6.3.4 One (1) Union Representative per Union that is party to the Provincial Chamber of ELRC. The Union representatives shall be observers to the process of shortlisting, interviews and drawing up of a preference list.
 - 6.3.5 **The following factors must be borne in mind:**
 - 6.3.5.1 Learner/student members of the College Council are precluded from serving in this Committee.
 - 6.3.5.2 Interview Committee must be established by formal meeting of Council.
 - 6.5.3.3 Departmental Representatives shall not score during interviews.
 - 6.5.3.4 The Interview Committee must at all times comply with the 60/40 principle as per section 9(6) of the FET Act, No 98 of 1998.

6.4 Chairperson and Secretary

Each interview Committee shall *at its first meeting* appoint a Chairperson who must be a member of the College Council and a Secretary from amongst its members.

6.5 Records of proceedings

- 6.5.1 The maintenance of accurate records and minutes of all meetings is essential. Records must indicate the date and names of all attendees and constituencies they represent, proof of invitation and transmission to Unions.
- 6.5.2 Every effort must be made to document relevant details in respect of various selection processes such as shortlisting, interviews, decisions and motivations relating to the preference lists submitted.
- 6.5.3 It is the responsibility of the Rector of the College to ensure the safe keeping of all documents for at least three (3) college calendar years after the appointment.

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7. OBSERVERS

- 7.1 Each of the officially recognised Teacher Organization parties to the ELRC (CTU SADTU & CTU SAOU) has a right to appoint one (1) representative as an observer to the processes of short listing, interviewing and drawing up of a preference list.
- 7.2 Observers will have access to the schedules of applications sifted out/in, resulting from the sifting process.
- 7.3 The Chairperson of the Interview Committee shall give at least five (5) working days written notice to the Regional Office/District Office of each of the Teacher Organizations (See List attached for addresses).
- 7.4 Non-attendance of observers will not prohibit the selection process from proceeding as long as Chairpersons have informed Teacher Organizations of scheduled meetings. The Secretary must maintain records of such invitations and transmission to the Unions.
- 7.5 Role of Observers**
- 7.5.1 Observers are entitled to be present at all meetings of the Interview Committee during the short listing and interviewing processes.
- 7.5.2 Observers shall not be directly involved in the processes of short listing and interviewing but may note that approved procedures and practices are adhered to in a fair, consistent and uniform manner.
- 7.5.3 An observer has the right to intervene in terms of the procedures if he/she deems that there is an infringement of agreed upon procedures.
- 7.5.4 In such an instance the observer must indicate to the Chairperson that he/she wishes to intervene. It is expected that the observer shall observe the following:
- Must not discuss or make a comment **about anything** in the presence of the interviewee.
 - Discussions concerning the intervention must take place after the interviewee has left the room.
- 7.5.5 Observers must sign the declaration of confidentiality form and uphold the code of confidentiality.
- 7.5.6 Observers must sign all the relevant documents for short listing and interviews.
- 7.5.7 An observer must first attempt to resolve any concern with the Interview Committee. Should consensus not be reached, he/she must inform the Interview Committee in writing that he/she is lodging a grievance.
- 7.5.8 An observer must continue to participate in the process while the grievance is being addressed by the Grievance Committee **of the Department**.

8. ELIGIBILITY OF OBSERVERS

An educator is precluded from serving as an observer on an Interview Committee if he/she is an applicant for the post at that College.

9. RECUSAL BY MEMBERS OF INTERVIEW COMMITTEE AND GOVERNING BODY

Members of the Interview Committee or College Council must recuse themselves for the duration of the discussion and decision-making on any issue in which the members have a personal interest.

10. CONFIDENTIALITY

10.1 Personal information pertaining to the individual applicant is confidential and should as far as possible not be discussed outside the meeting of the interview committee or college council.

10.2 All members of the interview committee, observers and College Council members must **sign the declaration of confidentiality.**

11. SIFTING

11.1 The College shall acknowledge receipt of all applications by:

- Informing all applicants in writing of receipt (see paragraph 4.1.4);
- Clearly indicating whether the application is complete or not; and
- Indicating whether the applicant meets the minimum requirements for the post.

11.2 The College shall handle the initial sifting process to eliminate applications of those candidates who do not comply with the requirements for the post(s) as stated in the advertisement,

11.3 Trade Union parties to Council will be given a full report at a formal meeting on:

11.3.1 Names of educators who have met the minimum requirements in terms of the advertisement;

11.3.2 Names of educators who have not met the minimum requirements in terms of the advertisement; and

11.3.3 Other relevant information that is reasonably incidental thereto.

11.4 The College will compile separate schedules of applications per post, which comply with the minimum requirements.

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12. SHORTLISTING

12.1 The Interview Committee may conduct short listing subject to the following guidelines:

12.1.1 The criteria used must be fair, non-discriminatory and in keeping with the constitution of the country. (The CV form may be used for this purpose.)

12.1.2 The curriculum needs of the College.

12.1.3 The obligations of the employer towards serving educators.

12.2 The list of short listed candidates for interview purposes should not exceed five (5) per post.

12.3 In addition to the number of short listed applicants any eligible applicants from the under mentioned categories should be included:

a) Any permanent serving educator who has acted for longer than two (2) continuous years in the post at historically disadvantaged institutions [that fell under the control of the ex-Department of Education and Training, Homeland Governments and TBVC States] must also be included in the shortlist provided that:

- The Educator is currently acting in the post;
- The post is part of the post establishment of that institution;
- The Department had approved the appointment; and
- All the; educator's application documents for the post are in order.

b) Any serving educator in a substantive promotion post who is declared in addition as a result of operational requirements based on change in student enrolment, curriculum changes, change in grading of the college or financial constraints must be shortlisted provided that:

- The additional educator has appropriate curriculum expertise for the post, where applicable;
- Her/his current post level is the same as that of the vacant post, and
- All the educator's application documents for the post are in order,

c) Educators declared as additional must be given priority hence automatically short-listed. These persons must indicate, "ADDITIONAL" on the application form.. A displaced educator must attach to the application form a letter certified by the releasing principal and countersigned by the Superintendent of Education Management that s/he is a displaced educator displaced in terms of HRM Circular No. 12 of 1997

12.4 Any permanent serving educator who acted for longer than two (2) continuous years in the post and meet the requirements as set out in paragraph 5.1.2 must indicate boldly the words "ACTED FOR LONGER THAN TWO YEARS" on the application form in order to ensure that the application receives due attention.

13. NOTIFICATION TO APPLICANTS

13.1 Applicants must be given five (5) working day's notice to attend the interviews. This period could be reduced if all parties are available at shorter notice.

13.2 Telephonic notification should be confirmed in writing.

14. TRAVEL AND OTHER COSTS

14.1 Applicants invited to an interview, travel to the college at their own expense.

15. INTERVIEW

15.1 Applicants must produce proof of identity and qualifications. at the interview.

15.2 Each member of the Interview Committee will assess the applicant according to criteria agreed upon as indicated in the PAM.

15.3 All interviewees must receive similar treatment during the interviews.

16. RATING SCALE

The assessment for interviewing will be based on a 7-point scale applied as follows:

SCORE	SCALE	DESCRIPTION OF SCALE
1	Weak	Does not meet an requirements for the post
2	Poor	Far below minimum requirements for the post
3	Fair: Just below average	Meets some of the requirements for the post
4	Satisfactory: Adequate, Average	Meets most of the requirements for the post
5	Good: Above average	Meets most of the requirements more than adequately for the post
6	Very Good: Considerably Above Average	Meets all the requirements considerably more than adequately for the post
7	Excellent: Outstanding	Exceptional, very little room for improvement

17. RANKED ORDER OF PREFERENCE OF CANDIDATES

17.1 At the conclusion of all the interviews, the Interview Committee shall rank the candidates in order of preference, preferably using interview scores together with a brief motivation and submit to College Council.

17.2 The College Council must submit their recommendations taking into account the provisions of the Employment Equity Act, no. 55 of 1998, in their order of preference

17.3 The above mentioned recommendation together with the following documentation must be submitted to the Rector for onward transmission to the **Department**:

17.3.1 List of the recommended candidates;

17.3.2 Schedule of short listed candidates;

17.3.3 Interview Assessment of the recommended candidates;

17.3.4 Signed copies of minutes of the interview Committee and of the ratification by the College Council's meeting;

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- 17.3.5 Motivation for the rank order of the recommended candidates only where candidates with lower scores are preferred over candidates with higher scores;
- 17.3.6 Application forms for all recommended candidates;
- 17.3.7 Proof of transmission of invitations to Unions.

18. PLACEMENT OF CANDIDATES

- 18.1 The *Department* will do the placement from the list of recommendations of the College Council.
- 18.2 Should an applicant be chosen by more than one College Council in the same rank order the applicant will be placed in the post of his / her highest preference
- 18.3 In such a case the next unplaced candidate will be placed in the affected post.

19. APPOINTMENT

The *Department*, after validating the relevant documents from the College Councils, will compile a schedule of recommendations in post number order and forward the same to the Human Resource Systems and Policy Directorate. A comprehensive schedule of promotions will be submitted to the *Superintendent General* for his approval having taken into consideration agreed upon procedures and compliance with the Employment of Educators Act of 1998, the FET Act of 1998 and the Labour Relations Act of 1995 as amended.

20. DATE OF APPOINTMENT

The appointment and salary commencement date will be determined in terms of paragraph 6 of chapter 2 of the Regulations regarding the terms and conditions of Employment of Educators Act as amended.

21. GRIEVANCES / DISPUTES

- 21.1 The *Department* will establish a Grievance Committee comprising the following members:
 - a) Chairperson: To be appointed by the Director *for Employee Relations*, and should at least be on a post level higher than the post under consideration.
 - b) Members
 - (i) Member from the Directorate FET Colleges
 - (ii) A practitioner from the Employee Relations Office of the region where the College is located.
 - (iii) A HRM practitioner from the Service Cluster where the College is located.
 - (iv) A member from the College Council, who was not involved in the interview process.

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- 21.2 An aggrieved applicant may lodge a grievance on attached Grievance Form through the Union directly to the **Department** to the offices of the Director Employee Relations and copied to the Rector of the affected College.
- 21.3 A grievance may also be lodged by a Union Observer by completing the Grievance Form and submitting it to the **Department** to the offices of the Director Employee Relations and copied to the Rector of the affected College.
- 21.4 A grievance should ideally be lodged within 7 days from the date of any process being completed.
- 21.5 A declaration of a grievance will not prevent the Interview Committee from proceeding with the Selection Process unless it is advised to halt the proceedings by the **Department**.
- 21.6 The **Department** may establish a Grievance Committee(s) to ensure that all grievances are heard within 30 days of receipt of such grievances.
- 21.7 Should the matter not be resolved to the satisfaction of the aggrieved party, a formal dispute may be lodged with the Education Labour Relations Council using prescribed procedures.
- 21.8 Subject to the lapsing of time stipulated in clause 21.4 and 21.6 the Department shall not make appointments to posts in dispute.

22. CONCLUSION

- 22.1 Rectors of FET Colleges are requested to ensure that this bulletin is brought to the attention of their College Councils Bodies and all educators on their staff should sign a notice to that effect. This acknowledgement must be submitted to the **Department in terms of paragraph 17.3**.
- 22.2 A supply of forms has been included with this manual. Additional copies may be reproduced locally.

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RECOGNISED TRADE UNION

UNION	ADDRESS	TELEPHONE NO	FAX NUMBER
CTU SADTU Contact Person K.K.Nkosi	SADTU HOUSE Provincial Offices 321 Smith Street, DURBAN 4001	(031) 305-1828 (031) 305-1930	(031) 305-1847
	North Coast Region Shop 9A Centre, 68 Temple Street EMPANGENI 3880	(035) 772-1649	(035) 772-1649
	EThekweni North Suite F1, 13 Arbee Drive, Dicks Centre TONGAAT 4439	(032) 944-1958	(032) 944-4971
	Durban South Region 8 th Floor Colonial Building, Mark Lane	(031) 304-3313	(031) 304-4792
E Mail tchitoo@sadtu.org.za	Lower South Coast Region Wooly Street, PORT SHEPSTONE 4240	(039) 682-6932	(039) 682-6938
	Northern Natal Office 324, 3 rd Floor Nedbank Circle Harding Street, NEWCASTLE 2940	(034)312-5330	(034) 312-3397
	Midlands 210, Main City Bld, Office No.11 Ground Floor, Long Market Street Pietermaritzburg 3201	(033) 394-26527	(033) 394-2629
	Inland No 5 Presbanc Building Cnr President and Hlobane Street VRYHEID 3100	(034) 983-3215	(034) 983-3215
	NAPTOSA PO Box 35613 NORTHWAY, 4065	(031) 563-1966 (031) 304-9452	(031) 563-1611 (031) 304-9452
CTU SAOU Contact Person Mr E.M. Biyela E Mail biyela@natu.co.za	NATU Durban Region PO Box 181 DURBAN 4000	(031) 304-9452	(031) 304-1715
	NATU Pietermaritzburg	(033) 394-0924	(033) 394-0924
	NATU Port Shepstone	(039) 682-7010	(039) 682-7011
	NATU North Coast	(035) 787-0986	(035) 787-0988
	NATU Ulundi Region PO Box 897 ESHOWE 3815	(035) 474-2682	(035) 870-3094
	NATU Northern Natal Region PO Box 141742 MADADENI 2951	(034) 329-2716	(034) 329-2716
	NATU South Coast Region PO Box 199 HIBBERDENE 4220	(039) 682-7010	(039) 682-7011
	SAOU PO Box 41885 ROSSBURGH 4072	(031) 205-9424	(031) 205-2020
	SAUVSE P.O.Box 11147 Centurion 0046	012 663 1104 /05	012 663 9561

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