

# Education Labour Relations Council (ELRC)



elrc

EDUCATION LABOUR  
RELATIONS COUNCIL

## ANNUAL REPORT 2015/16

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**PART A:**  
**GENERAL INFORMATION**

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**PART B:  
PERFORMANCE INFORMATION**

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## 2 PERFORMANCE INFORMATION BY PROGRAMME

### 3.1 Programme 1: Administration Services

#### Purpose

The purpose of Programme 1 is to provide support services to the core operational functions of the Council, to ensure that it delivers an efficient and effective service based on its mandates.

#### Sub-programmes

- Finance and Administration
- Compliance, Risk and Audit
- Mobilising Employee Services
- Communication Services

#### Strategic Objectives

- To instil fiscal discipline, sound corporate governance and compliance with regulatory framework;
- To add value through assisting the organisation to meet overall corporate objectives by establishing a systematic and disciplined approach to assessing, evaluating, and improving the quality and effectiveness of risk management processes, systems of internal control, and corporate governance processes;
- Professionalise the ELRC by investing in human capital;
- To promote the image of the ELRC.

#### Annual targets for 2015: Administration Services

Administration Services						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
Achieve unqualified audit opinion from external audit at year end	n/a	Introduction and Implementation of ERP system upgrade completed during the financial year 2015/16	<b>Not Achieved</b>	100%	The procurement of the ERP system has been cancelled, due to budgetary constraints.	
Quality assurance and effective of the internal control systems	n/a	100% completion of approved Annual Internal Audit Plan and	<b>Achieved</b> All 25 planned audit engagements were performed	None		

Administration Services						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
		issuance of audit reports				
Presentation of quarterly risk reports on implementation of risk management	n/a	Presentation of risk quarterly reports and risk monitoring reports to AC	<b>Achieved</b> A Risk Assessment report and three Risk Management Reports were presented to the Audit Committee	None		
Compliance management, approved Compliance register	n/a	Compliance register updated and reviewed by the AC quarterly (4)	<b>Achieved</b> The 2015/16 Compliance Register, compliance register, three Compliance Management reports were presented to the Audit Committee	None		
30 employees to participate in Human development programmes matching entity requirements	<b>Achieved</b> 53	30 employees to participate in Human development programmes matching entity requirements	<b>Achieved</b> 45 employees trained	None		
All vacant funded positions filled within 3 months of request received	n/a	30 employees to participate in Human development programmes matching entity requirements	<b>Achieved</b> All recruitment was done within 90 days or less	None		
Number of employee wellness programmes conducted	<b>Achieved</b> 4	6 employees wellness programmes during the financial year	<b>Achieved</b> Six wellness events were conducted	None		

Administration Services						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
Advertising and marketing to improve the image of the council	<b>Achieved</b> Survey research conducted and findings presented to management (Sample: 1 862 educators)	Conduct 4 advertising campaigns to market the Council in different medias (e.g. magazines, radios, social media, newspapers, exhibitions, distribution of material, etc.)	<b>Achieved</b> <b>Exhibitions</b> Education Week at Gallagher Estate from 01 to 02 July 2015;  Inspired Teacher's Conference at Varsity College on 18 August 2015 in Sandton;  ILERA Congress from 07 to 11 September 2015 in Cape Town;  SACE Inaugural Fun Walk on 19 September 2015 in Centurion.  Exhibition at the Naptosa National Congress on 28 <sup>th</sup> October 2015.  <b>Print Media</b>  Advertorial in SAOU's August 2015 newsletter  <b>Distribution of material</b>  Provincial Strategic Planning Workshops (9) in February and March 2016  Naptosa's Annual Staff Training in January 2016  <b>Poster Advertising</b>  In the Education	None		

Administration Services						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
			faculties of 18 tertiary institutions  <b>Stakeholder Events</b>  Council participated in World Teachers' Day Gala Dinner event on 30 <sup>th</sup> October 2015			

\* After approval and publication of the Annual Performance Plan, an error was identified in terms of the planned target on vacant posts (All vacant funded positions filled within 3 months of request received). The correct planned target is: Vacant positions filled within three months of request received.

## Overview of the Administration Services Department's performance for the 2015/16 financial year

### Internal Audit

The following audit engagements were finalised:

- Human Resource Management
- Supply Chain Management
- Collective Bargaining Services – National
- Collective Bargaining Services – Provincial (all nine provinces)
- Dispute Management Services
- Finance
- Payroll
- **IOR**
- ICT
- Follow-up audits (AG and prior audit reports)

Internal Audit performed the following ad-hoc engagements:

- Attending and observing of stock counting processes;
- Observed the fairness and the transparency of the tender and request for proposal briefing sessions; opening of received proposals; and evaluation processes for all awarded tenders and RFPs;
- Review of the effectiveness of time and attendance after implementation of the biometrics system.

The following policies were reviewed and updated and submitted for approval to the General Secretary:

- Risk Management Policy;
- Policy on Delegations and Scheduling of Authorisation Levels;
- Performance Information Policy; and
- Management Corrective Action Plan Policy.

Two new policies were developed, namely the Risk Management Framework and Compliance Management Policy and Operating Procedure Manual.

Internal Audit assisted the external auditors in collating supporting documentation needed for audit purposes. The unit also developed the EXCO Charter and Performance Assessment Template.

## **Research and Media**

The Council implemented a media strategy during the period under review that was focused on creating brand awareness amongst educators in public education. The Council participated in five exhibitions during the period under review and distributed branded material at two stakeholder events, World Teachers' Day Gala event and Naptosa's Annual Staff Training. In addition, branded material was also provided for each of the nine ELRC Provincial Strategic Planning workshops, which were held in February and March 2016.

The Council also published an advertorial in SAOU's August 2015 newsletter. As one of the key stakeholders at the ILERA Congress in September 2015, the Council's logo featured in the conference brochure and the congress bag that was handed out to all delegates.

In an effort to reach new entrants in the system and create awareness of the Council, an A3 poster advert was sent to the education faculties of 18 universities across the country.

The following institutions received posters:

1. Walter Sisulu University
2. Rhodes University
3. University of Pretoria
4. University of Fort Hare
5. North West University
6. University of Free State
7. University of Venda
8. Central University of Free State
9. University of Zululand
10. National Institute for Higher Education: Northern Cape
11. National Institute for Higher Education: Mpumalanga
12. University of KwaZulu-Natal
13. University of Western Cape
14. University of Stellenbosch
15. Tshwane University of Technology
16. Cape University of Technology
17. North West University, Mafikeng Campus
18. University of Johannesburg

## **Information Technology**

The IT department was established during the 2015/2016 financial year. The unit managed to address the following audit findings:

### **Auditor General Findings**

- Draft policy on IT System Security
- Draft policy on Information Technology Government framework
- Draft policy on Change Program Management

- Information Technology Strategic Plan

#### Internal Audit findings

- Limiting user access to the area of work
- List of persons with authorised access to server room
- Timely disabling or termination of employee user accounts who left the organisation
- Password sharing amongst employees
- Inadequacies over returning of computer equipment/assets for clearance immediately upon termination of employment or transfer
- Proper maintenance of IT infrastructure

In addition, the following were achieved:

Three ICT policies were approved during the period under review, namely the ELRC User Access Control; the IT Change Management Policy and the Patch Management Policy.

Four policies were developed during the period under review, namely the IT Governance Framework; the Business Continuity plan (BCP); IT Change Management Policy and User Access System Policy.

The Council's Password Policy was implemented, which allows for a password change every 30 days. The auto-screen locking procedure that was also implemented will ensure added protection of confidential information.

The Windows Server Update Service (WSUS) server was configured for deploying security updates.

IT configured secured Virtual Private Network (VPN), for employees to work from home or outside of the office.

A SharePoint based Intranet for ELRC internal communications with rapid response was also launched during the period under review. The Intranet automates the following functions that were previously done manually: IT Logging Fault, Driver Request, Travel management, Leave application and Petty cash application. Portals were also created for divisions where users can share documents.

IT implemented new unified 3CX telephone system, which will improve productivity, as it features desktop based control and extension management. All computers were also configured to run on the domain to ensure policy enforcement from the server.

The unit upgraded XP machines to the new operating system to ensure compatibility with new systems.

The biometric system was installed at the new ELRC building to monitor attendance and access to the different departments. The IT installation (network system) at the new ELRC building which includes new Wi-Fi's to ensure reliable connectivity for all users.

The implementation of an audio visual conferencing system is underway, this is a cost effective method of conducting meetings and will also help to improve communication and reinforce relationships.

## **ICT Control Forms**

The IT department put controls in place to safeguard the organisation's data from both fraud and accidental loss. The following ICT control forms exist to enhance the ICT environment and management:

- Authorisation form to work on ELRC network,
- User access request form,
- IT asset removal form,
- IT requisition form, and
- IT equipment distribution.

IT also established a Help Desk, which provides technical assistance to staff from the intranet. The Help Desk responds to an array of requests for assistance, which includes email problems, desktop issues, service outages, etc.

There are finding only three findings that remain and will be addressed in the 2016/17 financial year, these are:

- The approval of IT policies
- Complete IT asset register
- IT asset cycle plan

### ***Strategy to overcome areas of underperformance***

The introduction and Implementation of an ERP system upgrade was cancelled due to budget constraints during the period under review.

### ***Changes to planned targets***

No changes were made to planned targets.

### ***Linking performance to budget***

### 3.2 Programme 2: Dispute Management Services

#### Purpose

The purpose of Programme 2 is to manage disputes proactively. This includes prevention of disputes by, for example, defusing conflicts that can disrupt teaching and learning; it also includes dispute resolution. Professional development and training is included in Programme 2 to ensure that Dispute Resolution Practitioners (DRPs) and Panellists operate effectively.

#### Strategic Objectives

- Provide efficient dispute resolution services;
- Ensure quality over arbitration awards;
- To provide training to Dispute Resolution Practitioners and/or Negotiators;
- To provide Professional Development to Panellists.

Dispute Management Services						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Provision of dispute resolution services</b>						
Scheduling cases in jurisdiction for conciliation within 30 days of receipt	<b>Not Achieved</b> 67%  464 disputes in jurisdiction, 309 were conciliated within 30 days	Scheduling cases in jurisdiction for conciliation within 30 days of receipt	<b>Not Achieved</b>  94%  378  Out of 403 cases conciliated, 378 were conciliated within 30 days	6%  25	None achievement of the objective can be attributed to school recess periods and the unavailability of Commissioners in certain rural areas.	
To schedule cases for arbitration within 45 days after conciliation		All cases within 45 days	<b>Not Achieved</b>  81%  182  Out of 224 cases arbitrated, 182 cases were arbitrated within 45 days	19%  42	School recess periods. Unavailability of Commissioners in certain rural areas.	
Quality Control (QC) done in all arbitration awards concluded during the financial year		All cases awarded	<b>Achieved</b>  100%	None		
Facilitate session to train Dispute Resolution Practitioners and/or Negotiators	<b>Achieved</b> 345	Six (6) training sessions conducted annually for Dispute Resolution Practitioners and/or Negotiators	<b>Achieved</b>  11 training sessions conducted	+5	All Provinces were trained. One additional training was done to complete CTU-ATU Commissioners Course. Additional training was also conducted for KZN Dispute Resolution Practitioners	

Dispute Management Services						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
Facilitate session of professional development for Panellists	Achieved 94	Four (4) training sessions conducted annually for Panellists	Not Achieved	4	The training has been deferred to the next financial year. The training which was secured was cancelled due to budgetary constraints.	

## Overview of the Dispute Management Services Department's performance for the 2015/16 financial year

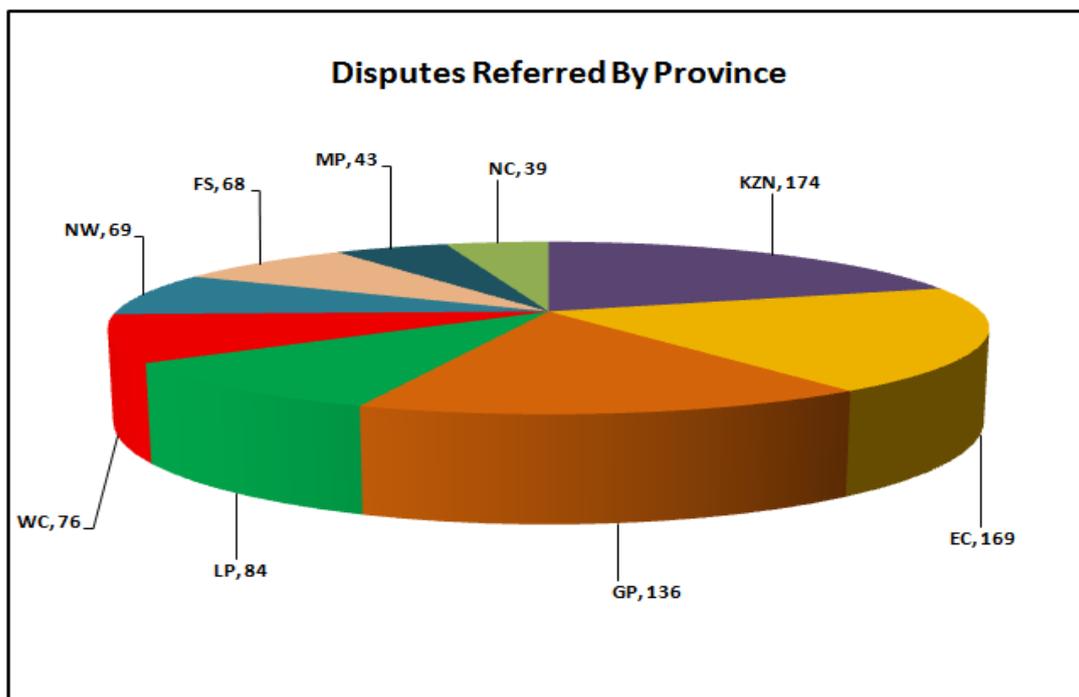
### Disputes Referred by Financial Year

A total of 858 disputes were received by the Council for the 2015/2016 financial year. This marked an increase of 96 disputes, compared to the 762 received in the 2014/15 financial year. The nature of disputes referred to the Council during the period under review predominantly relate to Unfair Labour Practices relating to "Promotion and Appointments" and "Unfair Dismissals". The Council intends to reduce the number of disputes referred by embarking on training for Parties on grievance and disciplinary procedures.

### Disputes Referred by Jurisdiction

For the period under review, the ELRC received a total of 858 disputes. Of these, 459 disputes were deemed to be "In Jurisdiction" and 399 disputes were found to be "Out of Jurisdiction".

### Disputes referred by Province



Kwazulu-Natal referred the highest number of disputes which totalled to 174. This was followed by Eastern Cape with 169 and Gauteng Provinces with 136 disputes. Limpopo Province referred 84 disputes; Western Cape referred 76 disputes; Free State referred 68 disputes; North West referred 69 disputes; Mpumalanga referred 43 disputes and Northern Cape referred 39 disputes.

In comparison to the 2014/15 financial year, the Council has seen fluctuations in disputes in the 2015/16 financial year. Eastern Cape increased with 20 disputes; Kwazulu-Natal with 38 disputes; Limpopo with 25 disputes; North West with 15 disputes; Northern Cape with 11 disputes; Gauteng increased slightly with three disputes and Mpumalanga increased with only one dispute, whereas Western Cape decreased by nine cases. Free State decreased by five cases.

### Nature of disputes referred

Provinces	ULP Promo/App	Other ULP	Unfair Dismissal	Special dismissal related to abuse of learners	BCEA	Interpretation of Collective Agreements	Mutual Interest	Total
EC	74	30	28	0	13	24	0	169
GP	30	32	53	8	8	5	0	136
FS	5	23	22	0	2	16	0	68
LP	20	36	19	2	5	2	0	84
MP	6	15	15	3	3	1	0	43
NW	1	12	32	0	19	5	0	69
NC	11	9	15	2	1	1	0	39
WC	29	12	28	0	3	4	0	76
KZN	72	49	26	1	7	19	0	174
NAT	0	0	0	0	0	0	0	0
<b>Total</b>	<b>248</b>	<b>218</b>	<b>238</b>	<b>16</b>	<b>61</b>	<b>77</b>	<b>0</b>	<b>858</b>

### In jurisdiction as per nature of dispute

Provinces	ULP Promo/App	Other ULP	Unfair Dismissal	Disputes related to abuse of learners	BCEA	Interpretation of Collective Agreements	Mutual Interest	Total
EC	47	12	9	0	5	14	0	87
GP	18	12	26	5	5	2	0	68
FS	3	10	15	0	2	15	0	45
LP	7	21	9	1	3	2	0	43
MP	1	8	10	3	1	0	0	23
NW	1	8	24	0	14	3	0	50
NC	4	4	7	2	0	1	0	18
WC	15	6	17	0	1	3	0	42
KZN	29	25	13	0	4	12	0	83

NAT	0	0	0	0	0	0	0	0
<b>Total</b>	<b>125</b>	<b>106</b>	<b>130</b>	<b>11</b>	<b>35</b>	<b>52</b>	<b>0</b>	<b>459</b>

Of the 858 disputes that were received by the Council, 459 were found to be jurisdictional. Of the 459 that were jurisdictional, 125 related to Promotion and Appointments, 130 to Alleged Unfair Dismissals and 106 to Other ULP's. A total of 52 disputes related to Interpretation of Collective Agreements and 35 related to BCEA. A total of 11 disputes involved learners.

#### Out of jurisdiction as per nature

Provinces	ULP Promo/App	Other ULP	Unfair Dismissal	Disputes related to abuse of learners	BCEA	Interpretation of Collective Agreements	Mutual Interest	Total
EC	27	18	19	0	8	10	0	82
GP	12	20	27	3	3	3	0	68
FS	2	13	7	0	0	1	0	23
LP	13	15	10	1	2	0	0	41
MP	5	8	4	0	2	1	0	20
NW	0	4	8	0	5	2	0	19
NC	7	5	8	0	1	0	0	21
WC	14	6	11	0	2	1	0	34
KZN	43	24	13	1	3	7	0	91
NAT	0	0	0	0	0	0	0	0
<b>Total</b>	<b>123</b>	<b>113</b>	<b>107</b>	<b>5</b>	<b>26</b>	<b>25</b>	<b>0</b>	<b>399</b>

Of the 399 disputes found to be out of jurisdiction, 123 related to ULP- Promotion and Appointments, 113 were other ULP's, 107 were related to Unfair Dismissals, 26 related to BCEA, 25 related to Interpretation of Collective Agreements and five related to special disputes (abuse of learners).

It must be noted that the substantive amount of disputes that were screened as out of jurisdiction, were due to defective referrals and incomplete referrals, including those that were referred outside time-frames and condonation were not granted.

#### Processes Conducted: 01 April to 31 March 2016

Provinces	Conciliation/Pre Arbitration	Arbitration	Total
KZN	77	155	232
GP	69	201	270
FS	49	118	167
EC	74	221	295
WC	39	91	130
NC	17	42	59
MP	22	47	69
NW	36	122	158
LP	46	91	137
NAT	0	0	0
<b>Total</b>	<b>429</b>	<b>1088</b>	<b>1517</b>

A total of 1 517 events were conducted for the 2015/16 financial year. Of these, 429 were conciliations and 1088 were arbitration processes. The statistics reveal that all conciliations were concluded in a single event. The Council had an increase of 224 events in the 2015/16 financial year, compared to 1 293 in the 2014/15 financial year. This can be attributed to the increase in the number of referrals received in the 2015/16 financial year.

### **Dispute by Outcomes**

The ELRC finalised a total of 538 disputes during the 2015/16 financial year. A total of 217 arbitration awards were rendered. A total of 60 disputes were settled at arbitration, whilst 30 were settled at conciliation. A total of 117 were withdrawn, with 50 being withdrawn at conciliation and 67 withdrawn at arbitration. A total of 14 cases were dismissed at arbitration and 100 rulings were handed down during this period.

### **Outcome of Special Disputes**

A total of 19 special disputes were referred to Council during the period under review. These disputes involved the child/learner as victim or witness. Six awards relating to special disputes were rendered in the period under review. The speedy finalisation of special disputes are dependent on the complexity of the cases as well as the number of adjournments and postponements granted. Some of these special disputes are inherently complex and require a great number of witnesses.

### **Carried over cases per financial years**

A total of 194 cases are to be carried over to the first quarter of the 2016/17 financial year. Of these, 152 are for the period under review, while 42 cases are from the previous years and remain unresolved.

### **Postponements and Adjournments**

A total of 246 cases were postponed for the period under review and 83 adjournments took place. The adjournments are as a result of the complex nature of cases and these cases are not finalised during the first hearing. Postponements occur as a result of matters not sitting due to the fact that some Panellists are unable to conclude pre-arbitration minutes with the Parties (as those parties either come unprepared to the hearing or the person attending the hearing was appointed on the day of the hearing and does not know much about the dispute). Clause 55 of the Council's constitution however provides for the postponement of matters.

### **Labour Court Reviews**

In the period under review, a total of 73 Arbitration Awards/Rulings were referred to the Labour Court for review in terms of Clause 71 of the ELRC constitution or Section 145 of the Labour Relations Act of 1995, as amended. The remaining 73 review applications are still in the process of being heard by the Labour Court.

### ***Strategy to overcome areas of under performance***

The Council continues to recruit interpreters and intermediaries in order to overcome delays and postponement problems associated with unavailability of such persons when they are so requested. These persons are very critical in ensuring that the rights of the child is protected in disputes where the child is attending arbitration processes, either as a victim or witness.

Furthermore, in hearings where a child is a victim or a witness, the Council continues to ensure that appropriate venues are booked for these special hearings e.g. Magistrate Court, Children's Court or Teddy Bear Clinic (Johannesburg) and the Department of Social Development in Free State and Northern Cape. The Council will also ensure that intermediaries are appointed to protect the rights of the child, as stipulated in Section 28 of the Constitution, "*The right of the child is of paramount importance in all matters concerning the child*". The Council will issue an advertisement to recruitment commissioners, interpreters and intermediaries in the first quarter of the 2016/17 financial year.

***Changes to planned targets***

No changes were made to planned targets.

***Linking performance to budget***

## Dispute Management Services – Higher Education And Training (FET)

### 2.1. Cases referred

During the 2015/16 financial year, a total of 87 FETC disputes were referred to the Council. The number of disputes referred decreased by 11 as compared to 98 disputes received in the 2014/15 financial year. Of these, 54 were found to be jurisdictional, 30 were out of jurisdiction and three had condonation applications.

### 2.2. Disputes referred by Nature

Of the 87 disputes referred. 44 related to Dismissals; 25 related to ULP-Other; six related to Promotion and Appointment, 10 related to BCEA and two related to Interpretation of Collective agreements.

ULP-Prom/App	Other-ULP	Dismissals	BCEA	Application/Interpretation	Total
6	25	44	10	2	87

### 2.3 Events/Processes Conducted

During the period under review a total of 187 events/processes were conducted as follows:

Conciliation/Pre Arbitration	Arbitration	Total
50	137	187

### 2.4 Dispute Outcomes

During the period under review 57 cases were finalised. Seven cases were withdrawn at conciliations and seven were withdrawn at arbitration. Nine cases were settled at arbitration, three were settled at conciliation and three case were dismissed at arbitration. 16 arbitration awards were rendered and 12 rulings were issued.

Withdrawn Conc	Dismissed Conc	Settled Conc	Withdrawn Arb	Dismissed Arb	Settled Arb	Award	Ruling	Total
7	0	3	7	3	9	16	12	57

### 2.5. Postponements and adjournments

During the period under review 28 requests for postponement were granted. There were 14 adjournments to matters which were convened for a hearing.

### 2.6. Cases carried over from previous financial years

A total of 21 cases are being carried over to the 2016/17 financial year, five of these cases relate to the 2014/15 financial year.

### *Changes to planned targets*

No changes were made to planned targets.

## **TRAINING AND DEVELOPMENT SERVICES**

### **Training of Dispute Resolution Practitioners**

The ELRC arranged 11 training sessions for Dispute Resolution Practitioners. They were trained on Practice in Education Labour Law, Substantive Law; Ethics and Social Justice; Managing dismissals; Unfair Labour Practices; and Labour Dispute Resolution. The CTU-ATU Practical Labour Law Training (Commissioner's Course) provided by the Nelson Mandela Metropolitan University (NMMU), was completed and 12 certificates were issued to the candidates.

During the 2015/16 financial year, the Council arranged facilitated training of Dispute Resolution Practitioners as follows:

- Kwazulu-Natal: 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> August 2015
- Mpumalanga: 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> August 2015
- Free State: 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> September 2015
- Eastern Cape: 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> October 2015
- Gauteng: 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> October 2015
- Limpopo: 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> November 2015
- Western Cape: 27<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> January 2016
- North West: 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup> February 2016
- Northern Cape: 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> March 2016

Additional training was conducted for Kwazulu-Natal Dispute Resolution Practitioners on discipline and grievance handling.

### **Professional Development and Training Workshops for Panellists**

Professional development and training of Panellists has been deferred to 2017/18 financial year.

### 3.3 Programme 3: Collective Bargaining Services

#### Programme 3.1: Collective Bargaining - National

##### Purpose

The purpose of Programme 3 is to contribute to the Council's vision of a strengthened social contract between government, teacher unions and civil society that helps to create a conducive environment for improved quality in teaching and learning, by promoting collective bargaining at national and provincial levels, to ensure the development of effective policies for quality public education in a non-disruptive environment for teaching and learning.

##### Sub-programmes

- Collective Bargaining (Provincial)
- Research Services
- Dispute Prevention Support Services

##### Strategic Objectives

- To facilitate bargaining on identified matters of mutual interest in public education;
- To administer research programmes on identified issues for research on evidence based teacher welfare and national development;
- To facilitate dispute prevention support services through providing effective administrative functions to shop stewards.

Collective Bargaining Services: National						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
Schedule ad hoc meetings within fourteen (14) days from date of agreement	n/a	All ad hoc meetings schedule within fourteen (14) days	<b>Achieved</b> 24 meetings	None		
Issue notice for scheduled meetings within fourteen (14) days	n/a	All meetings schedule within fourteen (14) days	<b>Achieved</b> 29 meetings	None		
Annually table the management plans for approval for the next bargaining cycle	n/a	Table management plans annually	<b>Achieved</b>	None		
Administer resources allocated to approved research	<b>Not Achieved</b>	Approved (by EXCO) annual budgets/resources for identified research	<b>Achieved</b> Three Projects: • PAM – Advocacy &			

Collective Bargaining Services: National						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
programmes			<ul style="list-style-type: none"> <li>• Training</li> <li>• ECD</li> <li>• Job Evaluation</li> </ul>			

### **Performance Overview of Collective Bargaining Services: National for the 2015/16 financial year**

Council concluded Collective Agreement 2 of 2015: “Amendment of Clauses 12.1(l) and 16.2.11 of the ELRC constitution at the Bargaining meeting held on 20<sup>th</sup> August 2015, where the term of office of the Chairperson and Deputy Chairpersons and the members of the Audit Committee was extended.

Training was conducted for Council members on King III Corporate Governance, which was necessitated by the delisting of the ELRC as a Schedule 3A Public Entity and Council’s commitment to maintain its practices of good governance in serving teachers and the cause of education in a transparent and honest manner.

A major achievement was that the Revised PAM which was gazetted by the Minister of Basic Education on 12<sup>th</sup> February 2016.

A service provider, 21<sup>st</sup> Century Pay Solutions was appointed to conduct the job evaluation for Circuit Managers and the Job Profile and Sizing Model Report for Circuit Managers was presented to the EMS for Office Based Educators Task Team on the 29 February 2016.

A service provider, LVG Consulting, was appointed to conduct in-country research on the conditions of service for Grade R Practitioners and the research report was presented to the Research Task Team on 4<sup>th</sup> March 2016.

A review of the ELRC constitution to align it with the current status of the ELRC as a bargaining council, in line with the Labour Relations Act as amended is in its final stages. The general provisions and the dispute prevention procedures documents of the ELRC constitution are well on course for completion.

#### **Strategy to overcome areas of underperformance**

Not applicable.

#### **Changes to planned targets**

No changes were made to planned targets.

#### **Linking performance to budget**

## PROGRAMME 3.2: COLLECTIVE BARGAINING – PROVINCIAL

### Purpose

The purpose of the provincial chambers is to promote collective bargaining at provincial level to ensure the development of effective policies for quality public education in a non-disruptive environment for teaching and learning.

### 3.2.1 Eastern Cape

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Eastern Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Achieved</b> 4 Meetings  A consolidated report on the consultation process for post provisioning is available.	Reports (4)	<b>Not Achieved</b> 4 Meetings  27 <sup>th</sup> August 2015  1 <sup>st</sup> September 2015  21 <sup>st</sup> September 2015  29 <sup>th</sup> September 2015  13 <sup>th</sup> October 2015  22 <sup>nd</sup> October 2015	The final consolidated report on the process of consultation for post provisioning is not available.	There has been a delay in the finalisation of the process as there was a delay in the completion of a settlement agreement between SADTU and the Department on filling of 1665 posts for 2016.	
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Achieved</b> 4 Meetings  Monitoring reports on the implementation of incentives for educators are available.	Meetings (4)	<b>Achieved</b> 11 <sup>th</sup> May 2015  05 June 2015  10 <sup>th</sup> September 2015  27 <sup>th</sup> October 2015  05 <sup>th</sup> February 2016	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Not Achieved</b> Only one meeting took place on 11 <sup>th</sup> May 2015	Three meetings scheduled for the 10 <sup>th</sup> September 2015; 28 <sup>th</sup> October 2015 and 19 <sup>th</sup> February 2016 did not sit	The meetings did not sit due to the absence of the Department representatives.	

Collective Bargaining Services: Eastern Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 14 <sup>th</sup> May 2015 09 <sup>th</sup> September 2015 29 <sup>th</sup> October 2015			
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Not Achieved</b> 3 Meetings 21 <sup>st</sup> May 2015 14 <sup>th</sup> September 2015 28 <sup>th</sup> October 2015	1 Meeting did not sit.	One meeting did not sit due to the absence of the Department representatives.	

## Overview of the Eastern Cape Chamber's performance for the 2015/16 financial year

### Post Provisioning 2016 – Consultation meetings on Post Distribution by the HOD:

No meeting has been called to conclude on the distribution of posts for PPN 2016.

Even though there were six meetings held during the period under review, two meetings were held for the distribution of posts but they did not actually conclude and come up with the final report on the post provisioning and distribution of posts.

No final report is therefore available on the distribution of posts for PPN 2016.

### Proposed Management Plan for PPN 2016

The proposed Management Plan was presented and adopted in the Chamber meeting of the 25<sup>th</sup> January 2016.

No follow up meetings have been called for the implementation of the Plan and for monitoring of the Plan.

### Incremental Introduction of African Languages (IIAL):

A Task Team meeting was called and sat on the 17<sup>th</sup> February 2016. A workshop was convened on the 14<sup>th</sup> and 15<sup>th</sup> March 2016 to deal with the challenges in the implementation of IIAL.

### Monitoring of Infrastructure Plans and LTSM delivery to schools:

No report was received on Infrastructure Plans. No report was received and submitted on Learning and Teacher Support Materials (LTSM).

### ***Strategy to overcome areas of underperformance***

The Employer has committed to take action to resolve the problem within its members. A letter was written to the Leader of the Employer delegation and Acting SG on non-attendance of members of some of the Task Teams, with specific reference to the Dispute Task Team and Teacher Development. No response has been received as yet.

A meeting with the Senior Management of the Department of Education in the Eastern Cape Province is needed to resolve the problems encountered by the Chamber of the Province, and to clarify the role played by the ELRC in relation to Labour relations in education.

### ***Changes to planned targets***

No changes were made to the planned targets.

### ***Linking performance to budget***

### 3.2.2 Free State

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Free State						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Not Achieved</b> Consultation was concluded and staff establishments issued on 13 <sup>th</sup> September 2013.	Reports (4)	<b>Achieved</b> Consultation meetings on 31 July and 11 September 2015. Consolidated reports were presented in each chamber meeting.	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Not Achieved</b> Monitoring reports available  935 posts were identified, however, due to transfers and farm school closure, the number reduced to 754.	Meetings (4)	<b>Achieved</b> 11 <sup>th</sup> August 2015  23 <sup>rd</sup> September 2015  8 <sup>th</sup> December 2015  4 <sup>th</sup> March 2016	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 5 <sup>th</sup> June 2015 23 <sup>rd</sup> September 2015 8 <sup>th</sup> December 2015 4 <sup>th</sup> March 2016	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 5 <sup>th</sup> June 2015 4 <sup>th</sup> March 2016	None		
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Not Achieved</b>	1 meeting	Dispute Prevention Task Team was not convened in the 3 <sup>rd</sup> quarter due to other commitments and pressing matters that had to be prioritised by the Chamber.	

## **Overview of the Free State Chamber's performance for the 2015/16 financial year**

The Free State Chamber managed to perform in accordance with the Annual Performance Plan wherein programme performance indicators were implemented as follows:

**Post provisioning consultation** meetings were convened and Parties expressed dissatisfaction in relation to 1:35 ratio that was initially presented. After lengthy deliberations, the consultation process was concluded with parties reaching consensus on the revised learner ratio of 1:30. Following the conclusion of the consultation process, 20460 total educator posts were distributed to schools for the 2016/17 financial year.

In the last quarter of the 2015 financial year, the Chamber received a report on the placement of educators additional to establishments, which highlighted that out of 1 191 educators declared in excess, 813 educators have already been placed and 378 are not yet placed. Progress on the placement of 591 temporary educators on substantive posts; 132 Funza Lushaka; 52 departmental bursary holders and 314 temporary educators against promotional posts was also presented.

### **Incentives for educators**

The Chamber received and adopted reports showing that 731 educators were beneficiaries of incentives and confirmed that the policy was fully implemented. However, Parties' attention was further drawn to the fact that the number of educators enjoying incentives may vary from time to time as a result of closure of farm schools for hostel projects and the appointment of new educators or transfer of educators to viable farm schools in terms of post provisioning norms.

### **Employee Wellness**

Implementation reports on health and wellness activities with respect to the four pillars were presented with the information on educators who participated in the HIV/AIDs counselling and testing; Screening for TB; Blood pressure; Diabetes and Cholesterol. PILIR cases under health and productivity management as well as education and training provided in relation to wellness management. A total number of 1 555 female and 1 222 777 male condoms were distributed to all the districts as well as head office. The Employee Health and Wellness Forum was being attend to by Parties to address challenges and other issues related to the wellness of employees.

### **Dispute Prevention**

Provincial Dispute Prevention Task Team Meetings were convened, except in the third quarter, to receive statistical information on grievances lodged with the Department, disputes declared with the dispute resolutions services, nature and trends of cases were looked into and mechanisms were developed to address challenges.

### **Teacher Development**

The training programme for 2015/16 was presented in the first quarter and it was reported that emphasis would be placed on teacher attendance, improving teacher content knowledge and teaching skills. Progress recorded per type of training provided for educators in each district was received and adopted by Parties.

**IQMS and PMDS** implementation progress was reported as follows:

- a) Monitoring and support visits to schools have been an on-going activity and visits took place at 224 schools between July and September 2015. Some of the challenges were that educators

did not have Personal Growth Plans, there was no record to reflect evidence that educators engaged in self- developmental activities, lack of monitoring and support in line with developmental needs by School Management Teams in relation to Integrated Quality Management System implementation. Intervention mechanisms had been put in place to intensify follow-up visits and a reporting template has been developed to monitor progress at the school level in response to findings during visits. Pay progression was paid to educators who qualified with effect from 1<sup>st</sup> July 2015.

- b) Recommendations made based on the findings were that schools should include names of officials to provide support as per the School Improvement Plan and Personal Growth Plan should also include person responsible and subject where development is needed.
- c) Submission of end-year-cycle summative evaluation documents was concluded by schools on 23<sup>rd</sup> November 2015, 90% of schools complied in terms of submitting required documents as evidence for evaluation and the mop-up process took place early in 2016.

### **Campaign on Sexual Harassment and Strategic Plan Workshop**

The Chamber successfully launched a campaign on sexual harassment against children and also conducted the strategic plan workshop for the development of the Annual Performance Plan and Budget for the 2016/17 financial year.

### ***Strategy to overcome areas of underperformance***

To address underperformance on dispute prevention, Chamber resolved that provincial dispute prevention task team meetings should be convened once a quarter to ensure that task team deals with its mandate and reports to Chamber.

Quarterly task team meetings will enable district committees enough time to investigate cases received at district level and submit progress recorded for consolidation into the provincial task team reports to be presented in all Chamber meetings.

### ***Changes to planned targets***

No changes were made to planned targets.

### ***Linking performance to budget***

### 3.2.3 Gauteng

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Gauteng						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Achieved</b> The Chamber meeting of 26 <sup>th</sup> November 2014 endorsed the PPN and a circular implementing the Post Provisioning Norms.  500 Growth Posts were distributed.	Reports (4)	<b>Not Achieved</b> 2 Meetings  13 <sup>th</sup> November 2015  4 <sup>th</sup> December 2015	Two meetings not held.	Unavailability of parties.	
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Not Achieved</b>	Meetings (4)	<b>Not Achieved</b>	Scheduled meetings to deliberate on the matter were deferred indefinitely.	The Province has been encountering difficulty in its desire to implement the policy. The Chamber has since agreed to remove this policy as a target for the 2016/2017 Financial Year.	
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Not Achieved</b> 15 <sup>th</sup> March 2016	Three meetings not held.	Unavailability of parties.	
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 4 <sup>th</sup> December 2015  15 <sup>th</sup> March 2016	<b>None</b>		
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Achieved</b> 19 <sup>th</sup> August 2015  27 <sup>th</sup> October 2015  18 <sup>th</sup> -19 <sup>th</sup> February 2016	<b>None</b>		

Collective Bargaining Services: Gauteng						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
Consultation, Implementation and Monitoring of Collective Agreements and Policies						
			11 <sup>th</sup> March 2015			

### Overview of the Gauteng Chamber's performance for the 2015/16 financial year

The Chamber has in the period under review succeeded to attain targets set, espoused in the 2015/2016 Annual Performance Plan. The performance of the 2015 Matric Class cannot be divorced from the performance of the Gauteng Chamber, a closer analysis of the result in question reflect a qualitative outcome which is as a result of the maintenance of labour peace prevalent in our Province.

The Chamber has concluded negotiations on a Draft Collective Agreement linked to recruitment processes of educators. The draft Collective Agreement will once ratified by Council and signed by parties lead to a decline in promotional posts disputes. It shall to a large extent affirm credibility to the recruitment process.

#### Strategy to overcome areas of underperformance:

The province has acknowledged the difficulty in the implementation of the Incentives for Teachers policy. The Province has since adopted an Annual Performance Plan for 2016/2017 that is realistic, easy to measure and achievable. The policy in question does no longer feature in our current Annual Performance Plan. However it is important that the Policy be revisited and areas that are difficult to actualise be eliminated. The issue around the purpose of the policy should be clarified and the selection criteria be simplified whiles equally threading carefully as to avoid dividing labour.

#### *Changes to planned targets*

No changes were made to planned targets.

#### *Linking performance to budget*

### 3.2.4 KwaZulu-Natal

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: KwaZulu-Natal						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Not Achieved</b> 3 Meetings	Reports (4)	<b>Not Achieved</b> 10 <sup>th</sup> June 2015  3 <sup>rd</sup> September 2015  30 <sup>th</sup> November 2015	One meeting not held.	No report was tabled at Chamber and no posts were created for distribution	
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Not Achieved</b> 3 Meetings	Meetings (4)	<b>Not Achieved</b> Workshop was not held during the first quarter  No Chamber meeting was held in the second quarter	4	In the first quarter of the 2015/16 financial year, Chamber activity was affected by the deadlock in salary negotiations at the PSCBC and no Workshop took place.  In the second quarter, the Task Team awaited the response from the Employer for an additional R 10 million top-up to add to allocation of 114,5 Million and no Report was ready to be presented to Chamber.	
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Not Achieved</b> One meeting was postponed on the day as Parties did not form a quorum.	Three meetings were not held.	The Chamber meeting set for 30 <sup>th</sup> September 2015 to adopt the report from the Task Team had to be postponed on the morning of the meeting due to the unavailability of Parties, which affected quorum.	
<b>Teacher Development</b> Monitoring reports on provision of	n/a	Meetings (2)	<b>Achieved</b> 30 <sup>th</sup> June 2015	None		

Collective Bargaining Services: KwaZulu-Natal						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
teacher development programs			30 <sup>th</sup> March 2016.			
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Achieved</b> 30 <sup>th</sup> June 2015 30 <sup>th</sup> November 2015 15 <sup>th</sup> December 2015 30 <sup>th</sup> March 2016	None		

### Overview of the KwaZulu-Natal Chamber's performance for the 2015/16 financial year

The Parties to the KZN Chamber remain firmly committed to contribute towards the Quality Teaching and Learning Programme (QLTP). To this end, the KZN Chamber has adopted this campaign as the over-arching theme for all programmes of the Chamber.

It is pleasing to report that the performance of the KZN Chamber for the period under review had been very productive and rewarding, despite the first and second quarters having been affected due to the deadlock in salary negotiations (no bargaining meetings took place) and the last minute postponement of the Chamber meeting of 30<sup>th</sup> September 2015, respectively. However the productivity and effectiveness of the KZN Chamber must also be measured by the additional matters which were tabled and discussed.

#### **Additional items tabled and dealt with at Chamber, some of which remain work in progress:**

A Task Team meeting was held on 1<sup>st</sup> April 2015 to deliberate on the status of protected temporary educators and the placement of Funza Lushaka bursary holders.

Task Team meetings were held on 7<sup>th</sup> April 2015 in Durban and 9<sup>th</sup> April in Ladysmith to offer some FET remainees posts for placement.

The Staffing task team met on 14<sup>th</sup> April 2015 to deal with problems encountered in respect of the school based Promotions Bulletin, HRM 24 of 2014.

Task team meetings were held on 15<sup>th</sup> April 2015 to deal with the appointment of protected temporary educators, the placement of Funds Lushaka Bursary holders and the placement of FET Remainees

The ELRC attended and made a presentation at the KZN Education Summit held on 24<sup>th</sup> and 25<sup>th</sup> April 2015.

A comprehensive three-day workshop was held between 12<sup>th</sup> and 14<sup>th</sup> August 2015 to train Dispute Resolution Practitioners. The Workshop was facilitated by the National Office.

There were five task team meetings held to prepare for the World Teachers Day Celebrations which took place under the auspices of the KZN PELRC. These meetings took place on 8<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup> and 29<sup>th</sup> September 2015 and on 2<sup>nd</sup> October 2015. The World Teachers' Day celebration on 5<sup>th</sup> October 2015 was well attended by educators. The Keynote address was delivered by Mr Maluleke, the Vice President of Education International).

A workshop to roll out the Post Provisioning Norms for 2016, as per provisions of HRM 46 of 2015, was held on 22<sup>nd</sup> October 2015.

On 6<sup>th</sup> November 2015, a follow up workshop was held to deal with objections and queries received with regard to the issuing of PPN Certificates to schools

A workshop was held on 14<sup>th</sup> December 2015 to deal with provisions of Departmental Circular, HRM 51 of 2015, which regulated the selection and appointment of level one educator posts and Therapists posts. The workshop also dealt with Departmental Circular, HRM 55 of 2015, which regulates the process to be followed when having to take over the selection process from School Governing Bodies.

A Special Chamber meeting was held on 15<sup>th</sup> December 2015 to adopt the decision to increase the stipend for practitioners from R 5 500 to R 6 000.

Task Team meetings were held on 11,15 and 29 January 2016 to deal with placement of surplus educators.

A dispute Resolution Workshop for Chamber delegates was held on 4<sup>th</sup> and 5<sup>th</sup> February 2016. The workshop was conducted by Adv. L Bono.

The KZN Operational Planning Workshop for 2016/17 was held on 18<sup>th</sup> and 19<sup>th</sup> February 2016.

The Parties have, through Chamber, agreed that a total of 40 delegates (20 from the Employer and 20 from Organised Labour) will be enrolled for a one year Post Graduate Diploma In Industrial Relations through the University of KwaZulu-Natal. The Programme will commence in July 2016 and be completed in July 2017. Funding has been sourced from the ETDPA-SETA. The ELRC KZN Chamber is playing a facilitative and co-ordinating role in this regard. This initiative has commenced and remains work in progress.

The Parties to Chamber are currently working on two draft collective agreements. These are the Draft Multi-term agreement and the Draft agreement to deal with the 'migration' of employees from the Employment of Educators Act to the Public Service Act. These Draft Agreements have been tabled at the Staffing Task Team meetings and remain work in progress.

### **Report of Dispute Prevention Strategies**

The Dispute Prevention Task Team continued with its endeavours to promote labour peace in the Province. As per the motivation of the Task Team, a comprehensive, contemporary Dispute Resolution Workshop was held for Chamber delegates on 11<sup>th</sup> and 12<sup>th</sup> February 2016. The workshop was conducted by Advocate Bono.

Amongst other issues dealt with by the dispute prevention task team as standing items: standing items were; the presentation and analysis of reports on Grievance and misconduct by the Employer and the presentation, a report and analysis of dispute statistics by the Provincial

Manager of the ELRC, a report on the presentation and analysis of deemed discharge in terms of section 14 of the Employment of Educators Act, No.76 of 1998, as amended, a report on grievances relating to conversion of educators status by the Employer, a discussion on contemporary case law which have implications on the Education, Formulation of Dispute Prevention Strategy to deal with Charges relating to insubordination and other categories of Grievances/Disputes; the non-adherence to Grievance Procedure / Centralisation of grievance handling for promotion disputes, and, the status of Provincial Collective Agreement 2/2008 (Dealing with Displacement of Educators).

### ***Strategy to overcome areas of underperformance***

Whilst underperformance has been recorded in the achievement of some pre-determined objectives, there have been no profound issues / challenges that would warrant serious concerns of the productivity and effectiveness of the KZN Chamber going forward. But for the underperformance on some areas of the pre-determined objectives during some quarters, the KZN Chamber has otherwise been very productive. This is evidenced by the number of meetings /workshops that have been held to deal with other identified activities, over and above the pre-determined objectives. The underperformance on the pre-determined objectives in terms of the Annual Performance Plan was occasioned by three reasons.

First, the withdrawal of organised labour from Chamber activities during the first quarter due to the deadlock in the salary negotiations.

The second reason related to delays in furthering the work on payment of Incentives during the second quarter , because of awaiting a response from the Employer, whether or not it could top-up the existing incentive allocation by R10 million.

### ***Changes to planned targets***

No changes were made to planned targets.

### ***Linking performance to budget***

### 3.2.5 Limpopo

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Limpopo						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Not Achieved</b> 2 Meetings	Reports (4)	<b>Achieved</b> 3 <sup>rd</sup> November 2015 21 <sup>st</sup> January 2016	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Achieved</b> 4 Meetings Monitoring reports on the implementation of incentives for educators are available.	Meetings (4)	<b>Achieved</b> 11 <sup>th</sup> June 2015 28 <sup>th</sup> September 2015	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 22 <sup>nd</sup> May 2015 22 <sup>nd</sup> July 2015 28 <sup>th</sup> October 2015 25 <sup>th</sup> February 2016	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 2 <sup>nd</sup> June 2015 30 <sup>th</sup> March 2016	None		
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Achieved</b> 10 <sup>th</sup> June 2015 2 <sup>nd</sup> September 2015 24 <sup>th</sup> November 2015 23 <sup>rd</sup> March 2016	None		

## **Overview of the Limpopo Chamber's performance for the 2015/16 financial year**

During the period under review the Chamber monitored the implementation of the 2016 post establishment. Chamber successfully monitored the payment of educators' incentives by analysing reports as tabled. Chamber was also monitoring progress regarding schools and educators who lodged disputes through various representatives and the inclusion, in this initiative for incentives, of schools that were formerly under the Mpumalanga administration. The ELRC's facilitation process regarding disputes on this initiative was wrapped-up.

### **Additional achievements**

#### **IQMS and PMDS**

The pay-progression for the IQMS (integrated quality management system) in the 2014/15 financial year was completed in the Waterberg district whereas the summative evaluation for 2015/16 was still ongoing in all districts. Regarding Performance Management and Development System for the 2014/15 financial year, 764 officials out of 874 (i.e.87.41%) were paid for their respective performances.

#### **Merging of schools**

The process of merging of schools is ongoing. Out of a total of 301 schools identified for merging, 106 have been successfully merged and 58 of them have already been relocated to the receiving stations. Merged schools that needed to be provided with scholar transport and mobile classrooms were still 45 and 159 respectively.

#### **Funza Lushaka**

In the 2015/16 financial year, 425 applicants/students were identified as beneficiaries of Funza Lushaka bursaries. Two of them had not completed their studies, four were appointed in other provinces and six were not traceable. Subsequently, 413 of the beneficiaries were eligible for appointment as teachers. Notwithstanding the above, only 194 of them had been successfully appointed by the LDoE. These newly appointed educators will bring new energies to the education department and reduce the shortage of skills in various learning areas.

#### **The filling of vacancy lists**

Out of a combined total of 782 available promotional posts advertised in the 2012 vacancy list, 779 of them were successfully filled. Regarding the 153 available promotional posts advertised in the 2013 vacancy lists, 151 of them were also successfully filled. In the 2014 vacancy list for available principals' posts, 312 of them were filled out of a total of 333. The above will enhance stability and quality learning and teaching in schools.

#### **School safety**

Over 1 457 schools were linked to police stations and new committees have been elected. This will enhance safety at schools. The provincial schools' safety guidelines have been approved by the senior management of the LDoE. However, the implementation of this provincial schools' safety guidelines was reportedly hindered by the lack of funds for the school's safety initiative.

#### **Advocacy workshops for task teams**

District task teams were workshopped in the third and second quarter on their terms of reference and functionality as commissioned by the Chamber.

## **Curriculum and Examinations**

Parties shared and discussed information on e.g Grade 1 to 11 curriculum and examinations as well as the state of readiness for Grade 12 examinations. The implementation of the ANA (Annual National Assessment) examinations was also discussed and the employee parties indicated their non-availability regarding the invigilation and marking of ANA examinations.

### ***Strategy to overcome areas of underperformance***

Not applicable

### ***Changes to planned targets***

No changes were made to planned targets.

### ***Linking performance to budget***

### 3.2.6 Mpumalanga

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Mpumalanga						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Not Achieved</b> 2 Meetings	Reports (4)	<b>Achieved</b> 11 <sup>th</sup> June 2015 10 <sup>th</sup> September 2015 3 <sup>rd</sup> December 2015 17 <sup>th</sup> March 2016	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Not Achieved</b> 1 Meeting	Meetings (4)	<b>Achieved</b> 8 <sup>th</sup> September 2015 3 <sup>rd</sup> December 2015 17 <sup>th</sup> March 2016 13 <sup>th</sup> May 2015	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 13 <sup>th</sup> May 2015 3 <sup>rd</sup> December 2015 17 <sup>th</sup> March 2016 11 <sup>th</sup> June 2015	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 10 <sup>th</sup> June 2015 18 <sup>th</sup> February 2016	None		
<b>Dispute Prevention</b> Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged	n/a	Meetings (4)	<b>Achieved</b> 11 <sup>th</sup> May 2015 9 <sup>th</sup> June 2015 28 <sup>th</sup> July 2015 1 <sup>st</sup> September 2015	None		

Collective Bargaining Services: Mpumalanga						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
			25 <sup>th</sup> February 2016			

## Overview of the Mpumalanga Chamber's performance for the 2015/16 financial year

There were considerable achievements recorded on post provisioning norms, incentives for educators, employee wellness, teacher development and dispute prevention as follows:

The chamber was able to hold successful consultations on both the 2016 post provisioning norms and the implementation of the policy on incentives for educators that translated to 261 educators teaching maths in Grade 12 in the Comprehensive Rural Development Programme municipalities incentivised.

Parties were briefed to receive and discuss reports on the monitoring of the implementation of developmental programs for educators (on continued professional development, financial management, curriculum management, etc.) and learners with special educational needs.

Information was shared on the implanted programs and 703 applications on the policy and procedure on incapacity and ill health retirement.

Parties noted that there were educators charged with misconduct cases, high number of educators resigning and that there are educators charged for doing business with the State without permission.

The following measures were agreed upon to mitigate the challenges:

- ✓ That South African Council for Educators be requested to conduct a workshop on the code of professional ethics for educators, and the said institution has accepted to assist and arrangements for the training are currently at an advanced stage,
- ✓ That Government Employee Pension Fund be requested to clarify the new amendment to the tax laws, and that the said clarity was given and parties further requested that Government Employee Pension Fund to conduct a full workshop on the matter, and
- ✓ That a joint forum be convened to conduct a workshop on the public administration management act.

### **The following are some of the noticeable additional achievements:**

The chamber was updated on the successful implementation of Collective Agreement 1 of 2014, which recorded that 1,366 temporary educators and 202 educators in addition were respectively confirmed permanent, matched and placed.

In addition to the above an update was received on the professionalisation of 170 Grade R practitioners, all educators participating in the 1+4 project have attended to its programs and paid the transport stipend, state of readiness for the maths, science and technology concept to be rolled out by 2016.

In monitoring the implementation of collective agreements on the Integrated Quality Management System, it was reported that 27,223 school based educators were assessed and paid pay progression.

Parties were consulted and accepted the introduction of the deworming programme and the measures for the re-employment of foreign educators.

The Chamber managed to conduct workshops on the new amendments on the tax laws and the 2016/17 annual performance plan and budget.

***Strategy to overcome areas of underperformance***

Not applicable

***Changes to planned targets***

No changes were made to planned targets.

***Linking performance to budget***

### 3.2.7 Northern Cape

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Northern Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Achieved</b> 4 Meetings  A consolidated report on the consultation process for post provisioning is available.	Reports (4)	<b>Achieved</b> 23 <sup>rd</sup> June 2015  11 <sup>th</sup> August 2015  9 <sup>th</sup> September 2015  15 <sup>th</sup> September 2015	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Achieved</b> 4 Meetings  Monitoring reports on the implementation of incentives for educators are available.	Meetings (4)	<b>Achieved</b> 6 <sup>th</sup> May 2015  3 <sup>rd</sup> June 2015  9 <sup>th</sup> September 2015  15 <sup>th</sup> September 2015  13 <sup>th</sup> October 2015 7 <sup>th</sup> March 2016	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 12 <sup>th</sup> May 2015  15 <sup>th</sup> September 2015  13 <sup>th</sup> October 2015  31 <sup>st</sup> March 2016	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 14 <sup>th</sup> April 2015  26 <sup>th</sup> August 2015  23 <sup>rd</sup> February 2016	None		
<b>Dispute Prevention</b> Monitoring	n/a	Meetings (4)	<b>Achieved</b> 9 <sup>th</sup> September	None		

Collective Bargaining Services: Northern Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
reports on the categories and status of the Grievances, Misconduct and disputes lodged			2015 31 <sup>st</sup> March 2016.			

## Overview of the Northern Cape Chamber's performance for the 2015/16 financial year

Chamber was able to achieve its standardised provincial objectives as identified in the performance plan. Apart from those identified objectives, chamber also adheres to the ELRC's constitutional obligations. Chamber was able to monitor a number of programmes that had been identified during the previous financial years and built on the progress of the implementation of those programmes.

In the first quarter the Employer reported in the Chamber meeting held on 10<sup>th</sup> June 2015 on PILLIR cases per district and provincial office as follows: Frances Baard 121 cases, Namakwa 39 cases, JTG 36 cases, Pixley ka Seme 44 cases and ZFM 33 cases and Education provincial office 26 cases and the total number of cases 299 PILLIR cases in the province.

The Chamber also conducted a Dispute Resolution meeting where the Northern Cape Department of Education has been embarking on a dispute prevention strategy to ensure that disputes are minimised in the province.

They tabled the following programs: misconduct workshops to be conducted for principals, circuit managers and line managers; labour forums were also established as they seek to draw closer relationships between the employer and labour parties.

The Employer reported in Chamber meeting that they have converted 333 educators in the province, in Frances Baard 57 educator salaries were corrected and adjusted and in Namakwa, 13 educator salaries were corrected.

The employer reported that on the implementation of OSD for Therapists 2015, that as a department they have employed 20 therapists and that they are currently appointed in terms of the Educators OSD on persal and these therapists are paid from a conditional grant.

The employer indicated that they needed R9. 158 million to correct the salaries including backdated salaries with effect from 2010, and had numerous engagements with DBE in May 2015 to request an intervention with National Treasury.

The Employer also reported on payment of acting allowances and mentioned that they did not have any backlogs on payment of acting allowance. They have paid 252 educators acting allowance in the province.

The Employer also reported on education infrastructural grant (budget) and explained the aim of this grant, which is to help accelerate construction, maintenance, upgrading and rehabilitation of new and existing infrastructure in education.

The Chamber also received a report on termination of service by educators and reported under resignations 394 educators resigned in the province and 211 educators retired and 52 deaths were reported throughout the province.

The Employer reported on long service leave encashment under two categories 20 years = 60 educators and 30 years = 17 years of service in the province.

The Employer presented a report on the National School Nutrition Programme (NSNP) on advocacy workshop, which started from 1<sup>st</sup> June and ended 12<sup>th</sup> June 2015, where the following topics were addressed: National School Nutrition Programme guidelines; Deworming and food safety and the monitoring tool.

The Employer reported on training for food handlers as from 29<sup>th</sup> June until 17<sup>th</sup> July 2015. Topics on meal planning and food safety, personal hygiene and gas safety, training on financial management as from 3<sup>rd</sup> August until 7<sup>th</sup> August 2015, National School Nutrition Programme funding and transfers, payment processes and supplier tax invoice verification and Cheque requisition form completion were also covered.

The Employer reported on profiling of Dinaledi educators in the province per district.

The employer also reported on national policy on the standardisation of circuit managers and on progress on the implementation of 1+4 model in the province.

A Special Chamber meeting was also held during the said period, which led to an agreement of a flat rate of R1000, 00 For PL1 Educators and School Management Team for 2015/2016 financial year in terms of payment of Rural Incentives being reached by parties.

A total number pertaining to post provisioning of affordable posts tabled for 2016 academic year were 10,342 and posts available for distribution for 2016 academic year is towards institutions is 8,551. Parties were satisfied with progress made in that respect and indicated that there were no issue(s) that surfaced which requisite further intervention regarding post provisioning.

### ***Strategy to overcome areas of underperformance***

The two meetings that did not take place in the third quarter were rescheduled for the fourth quarter and the reports were tabled.

The two meetings that did not take place in the third quarter were re-scheduled to the fourth quarter and sat on 27<sup>th</sup> January 2016, wherein the reports were tabled and discussed.

### ***Changes to planned targets***

No changes were made to planned targets.

### ***Linking performance to budget***

### 3.2.8 North West

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: North West						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Achieved</b> 4 Meetings A consolidated report on the consultation process for post provisioning is available.	Reports (4)	<b>Achieved</b> 12 <sup>th</sup> June 2015 17 <sup>th</sup> July 2015 22 <sup>nd</sup> July 2015 21 <sup>st</sup> August 2015	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Achieved</b> 4 Meetings Monitoring reports on the implementation of incentives for educators are available.	Meetings (4)	<b>Not Achieved</b>	75%	In terms of the MTEF meeting held on 25 <sup>th</sup> August 2015, the Employer indicated that there was no budget for incentives for 2015/16, and this was reiterated by Chamber on 11 <sup>th</sup> September 2015. In the workshop on 21 <sup>st</sup> August 2015, the policy for incentives was presented and accepted.	
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 12 <sup>th</sup> June 2015 22 <sup>nd</sup> July 2015 21 <sup>st</sup> October 2015 13 <sup>th</sup> November 2015	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 12 <sup>th</sup> June 2015 13 <sup>th</sup> November 2015	None		
<b>Dispute Prevention</b>	n/a	Meetings (4)	<b>Achieved</b>	None		

Collective Bargaining Services: North West						Status
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
Monitoring reports on the categories and status of the Grievances, Misconduct and disputes lodged			24 <sup>th</sup> July 2015 15 <sup>th</sup> September 2015 24 <sup>th</sup> August 2015 30 <sup>th</sup> November 2015			

### Overview of the North West Chamber's performance for the 2015/16 financial year

The beginning of the 2015/16 financial year started with unfortunate developments emanating from the discord at the PSCBC negotiations, which culminated into the suspension of the North West Chamber activities during the first quarter. The deadlock was as a result of the impasse on payment of a 0,6%, as part of the salary increment and Labour Parties at the PELRC pledged support in favour of Labour Parties at the PSCBC. There was a decision that all North West Chamber Programmes be put in abeyance.

The programmes of the Province were revived by the second quarter, and the Chamber managed to embark on a recovery plan to achieve planned objectives.

Apart from the standardised objectives, the North West Chamber received, analysed and adopted the following unique objectives: (QLTC;1+4 Programme; Rationalisation of schools; Temporary educators; IQMS/PMDS; Terminations and NECT reports) at Chamber meetings. The same meetings proactively adjudicated on the draft Annual Performance Plan for 2016/17, including the report from the Task Team on draft collective agreement for temporary educators. The Task Team sat seven times to produce a collective agreement with the aim to respond to the challenges endured by temporary educators. However, Labour and the Employer representatives had divergent views on a number of aspects and the task was ultimately taken back to the chamber.

The Chamber participated in the activities co-ordinated by the Provincial Quality of Learning and Teaching Campaign (PQLTC) and the National Education Collaboration Trust (NECT), which mainly focused on improving the quality of education within the North West Province. The other obligation of the Council is to enhance strategies on marketing the ELRC and promoting labour peace within the education sector. In responding to this call, the Chamber conducted workshops on labour relations matters such as grievance procedure; misconduct; case management; disputes; leave measures; duties and responsibilities of the employees in favour of the members of the school management teams and unions. The Chamber also participated at the conferences as convened by Labour Parties during the period under review.

The North West Chamber held two workshops during August 2015, which sought to define and deliberate on the objectives, operations and implementation of Policy on Incentives for Educators and 1+4 programme.

The Dispute Resolution Practitioners Training which was convened during February 2016 for three days, mainly discussed aspects such as meaning and reasons for dismissal; procedural and substantive fairness; overview of Section 198 amendments; jurisdictional ruling on promotional disputes; cross examination and re-examination; forms of evidence and rules of admissibility.

The Chamber managed to host a Strategic Planning Workshop on 17<sup>th</sup> and 18<sup>th</sup> March 2016, and the aim thereof was to review the performance of the Provincial Chamber through engaging with the three quarterly reports of the 2015/16 financial-year, with the view of realigning the Annual Performance Plan with the budget for the subsequent year (2016/17). The Strategic Planning Workshop was successful in that the facilitations, presentations and discussions were commendable.

***Strategy to overcome areas of underperformance***

There is no strategy to overcome the underperformance as relates to the non-achievement of the standardised objective on Incentives for Educators, given the fact that the Employer indicated that this objective was provided for in the 2015/16 budget.

***Changes to planned targets***

No changes were made to planned targets.

***Linking performance to budget***

### 3.2.9 Western Cape

#### Key performance indicators, planned targets and actual achievements

Collective Bargaining Services: Western Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
<b>Post Provisioning</b> A consolidated report on the consultation process for post provisioning is available	<b>Achieved</b> 4 Meetings  A consolidated report on the consultation process for post provisioning is available.	Reports (4)	<b>Achieved</b> 11 <sup>th</sup> June 2015  3 <sup>rd</sup> August 2015	None		
<b>Incentives for Educators</b> Monitoring reports on the implementation of incentives for educators are available	<b>Not Achieved</b> 3 Meetings	Meetings (4)	<b>Achieved</b> 15 <sup>th</sup> May 2015  26 <sup>th</sup> August 2015  30 <sup>th</sup> September 2015  5 <sup>th</sup> November 2015  15 <sup>th</sup> February 2015	None		
<b>Employee Wellness</b> Monitor the introduction and implementation of Employee wellness activities	n/a	Facilitate and convene meetings in line with the ELRC constitution for tabling of reports	<b>Achieved</b> 11 <sup>th</sup> June 2015  30 <sup>th</sup> September 2015  3 <sup>rd</sup> December 2015  15 <sup>th</sup> March 2016	None		
<b>Teacher Development</b> Monitoring reports on provision of teacher development programs	n/a	Meetings (2)	<b>Achieved</b> 15 <sup>th</sup> June 2015  30 <sup>th</sup> September 2015  3 <sup>rd</sup> December 2015  15 <sup>th</sup> March 2016	None		
<b>Dispute Prevention</b> Monitoring	n/a	Meetings (4)	<b>Achieved</b> 6 <sup>th</sup> August	None		

Collective Bargaining Services: Western Cape						
Programme Performance Indicator	Actual Achievement 2014/2015	Planned Target 2015/2016	Actual Achievement 2015/2016	Deviation from planned target to Actual Achievement for 2015/2016	Comment on deviations	Status
<b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>						
reports on the categories and status of the Grievances, Misconduct and disputes lodged			2015 20 <sup>th</sup> October 2015 27 <sup>th</sup> -29 <sup>th</sup> January 2016 18 <sup>th</sup> February 2016			

### Overview of the Western Cape Chamber's performance for the 2015/16 financial year

Labour peace was maintained through common understanding between the Employer and the Employee parties. This is evident through the regular meetings and consultations held over the period under review. Task Team meetings and Chamber meetings were convened to oversee this process in line with the ELRC's constitution and other policy documents. Collective Agreements signed at national and Common Understandings reached in the Chamber were successfully implemented by the Employer and monitoring of such policies and collective agreements are monitored in the chamber meetings.

Notwithstanding the fact that the implementation of Collective Agreement No. 8 of 2003 started in 2006, the Employer is continuously giving training on the Integrated Quality Management System (IQMS) and Whole Schools Evaluation (WSE) to new entrants in the system. WSE mainly focusses on the School Self Evaluation (SSE) process and the School Improvement Plan (SIP) processes. Regular reports have been submitted to the IQMS task team regarding the strengths and weaknesses identified. On insistence from the employee parties on how WSE is used to see improvement in schools, a WSE Recommendations Tracking system has been developed. The purpose of the system is twofold name, to implement the recommendations emanating from the findings at an institutional and to evaluate or monitor improvement based on the recommendations.

Parties have managed to sustain a partnership approach in support of quality public education and service delivery. This was mainly done through regular STANCO, Chamber and Task Team meetings where issues were addressed to enhance the performance of education at public schools in the province. Due to this relationship the identified objectives by chamber were successfully achieved. This is plausible as Parties were committed to ensuring that burning issues were addressed in the interest of all to enhance labour peace and improve the quality of learning and teaching in line with the QLTC principles.

Service Category	Services utilised	Current %
Professional Counselling	Telephone counselling	60.8%
	Face-to-face	39.5%
	Legal	65.5%

Life Management	Family Care	24.4%
	Financial	9.8%
Referral Services	Formal Referral	90.7%
	Assisted Referral	9.3%
Managerial Services	Managerial Consulting	100.0%

**Incentives:** A total number of 1062 qualifying educators received the remoteness incentives for the academic year (2015). There was a drop in the actual number of recipients from 2012 to 2015 as a result of a number of school closure or amalgamation of certain schools. A number of schools have also been added since 2012. The costs associated with the payment of the remoteness incentives have gradually increased due to the annual Cost of Living Adjustments (COLA). Employee Wellness: Reports have been submitted on a regular basis to chamber meetings for monitoring purposes. A number of wellness days were held over the year at different schools, district offices and Head office. Awareness raising topics included topics such as Breast Cancer; Arthritis; Diabetes, World Aids Day and Leprosy. Employee Wellness Engagement reports gave a summary of the services being utilised; the utilisation rate was established at 4.2%

The top five psycho-social issues employees experienced during the annual reporting period were as follow:

Psycho-social Issues	Cases attended
Organisational Issues	14.7%
Relationship Issues	14.1%
Stress	13.5%
HR Issues	8.4%
Loss Issues	6.1%

The Workplace Skills Plan 2015/2016 was monitored on a quarterly basis through the submission of Quarterly Monitoring and Expenditure reports and was compiled and submitted to PSETA. The Skills Development Levy 2015/2016 payment of R 6 450 000 was made via BAS on 1 February 2016. The Skills development committee meeting was held on the 17 February 2016 for districts to report on training conducted. Public Services Bursaries (in-service personnel staff) spend R18 800 in the third quarter; the amount spent to date was R168 425.80; invoices from tertiary institutions are received in the first quarter of the year. Graduate Internship programme spent R204 028.44 during the third quarter. The total spending to date was R735 141.12; out of the 17 interns appointed, 8 have since left the programme for permanent positions in the public and private sector. Pre-service educator bursaries had no intake for 2015 and 2016; the spending for the third quarter was R74 000 and the total expenditure to date was R1 500 000.

The Dispute Prevention task team met on a quarterly basis to discuss reports received from the national dispute services department of the ELRC. The task team is in the process of arranging a workshop to develop a mechanism to reduce disputes as well as addressing corporal punishment cases that seems to be on the increase.

The employer has introduced e-recruitment system; all applicants must register online as no manual applications are being dealt with. The employee parties have registered some concerns on the usage of the system; the employer has indicated since the introduction of the system fewer disputes had been declared.

***Strategy to overcome areas of underperformance***

Not applicable.

***Changes to planned targets***

No changes were made to planned targets.

***Linking performance to budget***

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**PART D:**  
**HUMAN RESOURCE MANAGEMENT**

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## **1. INTRODUCTION**

The Human Resources report summarises the employment relations activities of the ELRC during the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016. Human Resource issues include: Recruitment, Resignations (turnover), Employee Wellness, Further Studies and Training and Development, Performance Management and Labour Relations.

The Council had 58 approved positions and reviewed the organogram as there was a need for personnel in the Internal Audit Department and Corporate Services (IT section).

Following the Work-Study Project that was conducted in the 2013/14 fiscal year, it was recommended that a Total Reward Strategy, Salary Benchmarking and Remuneration Policy be established to ascertain if the employees of the Council were remunerated in line with market standards. A service provider was identified and results were implemented accordingly with effect from 1<sup>st</sup> April 2015.

### **Recruitment/Appointments**

The Council has 58 positions with a staff complement of 57 employees and one vacant position.

The vacant position will not be filled, due to financial constraints that the Council is faced with.

### **Industrial Relations**

One employee was charged for fruitless and wasteful expenditure and unpaid sick leave, as the employee had exhausted sick leave days.

There were two grievances, one disciplinary and one incapacity hearing. The two grievances were due to dissatisfaction with the implementation of the salary benchmarking exercise, the process of the implementation of the salary benchmarking was explained to the employees and they later understood. The disciplinary was due to not following the HR Policy on the leave process and lastly the incapacity hearing was due to poor performance. The results of the incapacity hearing resulted in a demotion.

The National Education Health and Allied Workers' Union (NEHAWU) is officially a recognised union for the Council. The Council awaits a Collective Agreement from the union.

### **Further Studies and Training Development**

A total of 45 employees attended training during the financial year 2015/16 viz: First Aid, Report Writing, Asset Management, Caseware, Contract Management, and other courses related to their daily operations.

### **Employee Wellness**

A teambuilding session was held for all staff on 2<sup>nd</sup> December 2015 at Emerald Casino.

The Council also observed the following days during the period under review: Fathers' Day and Mothers' Day in May and June 2015; Youth Day on 12<sup>th</sup> June 2015; Women's Day in the month of August 2015; Spring Day in the month of September 2015; Valentine's Day on 12<sup>th</sup> February 2016.

## Performance Management

The Annual Performance Assessments were successfully conducted and will be finalised in the first quarter of 2016/17 financial year.

Poor performance remains a challenge for the Council, especially from newly appointed employees. The Council continuously engage and counsel employees with performance challenges and refer them to necessary training for improvement.

## Resignations/Retirement

Four employees resigned during the 2015/16 financial year and this was due to better remuneration offered by other employers in the market and career progression.

## Highlights

- The Salary Benchmarking exercise was conducted and implemented for all employees affected. The implementation was effected in the month of April 2015.
- Only one position is vacant.
- Bursaries were obtained for eight employees to the value of R150 000.00 from ETDP-SETA.

## 2. HUMAN RESOURCE OVERSIGHT STATISTICS

Personnel expenditure for the financial year 2015/2016.

### Personnel cost by programme

Programme	Total Expenditure for the entity (R'000)	Personnel Expenditure (R'000)	Personnel exp. as a % of total exp. (R'000)	No. of employees	Average personnel cost per employee (R'000)
Collective Bargaining		9 519,255.41		22	432 693
Dispute Resolution		3 000,586.76		7	428 655
Corporate Services		9 045,354.31		24	376 889
Executive Services		2 646,497.14		4	661 624
<b>Total</b>		<b>24 211,693.63</b>		<b>57</b>	<b>1 899,861</b>

### **Personnel cost by salary band**

<b>Level</b>	<b>Personnel Expenditure (R'000)</b>	<b>% of personnel exp. to total personnel cost (R'000)</b>	<b>No. of employees</b>	<b>Average personnel cost per employee (R'000)</b>
Top Management	2 316,703.31	10%	2	<b>1 158, 351.65</b>
Senior Management	2 975,126.63	12%	4	<b>743 781.65</b>
Professional qualified	9 293,500.83	38%	17	<b>546 676.51</b>
Skilled	8 637,398.21	36%	28	<b>308 478.50</b>
Semi-skilled	542 941.31	2%	2	<b>271 470.65</b>
Unskilled	451 958.33	2%	4	<b>112 989.58</b>
<b>Total</b>	<b>24 222,628.63</b>	<b>100%</b>	<b>57</b>	<b>9 831,748.54</b>

### **Performance Rewards**

<b>Programme</b>	<b>Performance rewards</b>	<b>Personnel Expenditure (R'000)</b>	<b>% of performance rewards to total personnel cost (R'000)</b>
Top Management	0	0	0
Senior Management	0	0	0
Professional qualified	0	0	0
Skilled	0	0	0
Semi-skilled	0	0	0
Unskilled	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Training Costs

Programme	Personnel Expenditure for the entity (R'000)	Training Expenditure (R'000)	Training expenditure as a % of personnel cost	No. of employees trained	Average training cost per employee. (R'000)
Collective Bargaining		28 896.16	0.30%	6	4 816
Dispute Resolution		746.62	0.02%	1	746.62
Corporate Services		260,537.49	2.88%	45	5 789.72
Executive Services		24 978.6	0.94%	2	12 489.3
<b>Total</b>		<b>315,158.87</b>	<b>4.14%</b>	<b>54</b>	<b>23 903.02</b>

## Employment and vacancies

### *Employment levels per program*

Programme	2014/15	2015/2016 Approved Posts	2015/2016 No. of Employees	2015/2016 Vacancies	% of Vacancies
	No. of employees				
Executive Office	4	5	4	1	2%
Collective Bargaining	22	22	22	0	0%
Corporate Services	21	24	24	0	0%
Dispute Resolution & Prevention	4	7	7	0	0%
<b>TOTAL</b>	<b>51</b>	<b>58</b>	<b>57</b>	<b>1</b>	<b>2%</b>

### *Employment and vacancies per level*

Programme	2014/15	2015/2016 Approved Posts	2015/2016 No. of Employees	2015/2016 Vacancies	% of Vacancies
	No. of employees				
Top Management	2	2	2	0	0%
Senior Management	3	4	4	0	0%
Professional qualified	14	17	17	0	0%
Skilled	26	29	28	1	0%
Semi-skilled	2	2	2	0	0%
Unskilled	4	4	4	0	0%
<b>TOTAL</b>	<b>51</b>	<b>58</b>	<b>57</b>	<b>1</b>	<b>2%</b>

### **Employment changes**

Salary Band	Employment at beginning of period	Appointments	Terminations	Transfers	Employment at end of the period
Top Management	2	2	0	0	2
Senior Management	3	1	0	0	4
Professional qualified	14	6	2	1	17
Skilled	26	4	2	0	28
Semi-skilled	2	0	0	0	2
Unskilled	4	0	0	0	4
<b>Total</b>	<b>51</b>	<b>13</b>	<b>4</b>	<b>1</b>	<b>57</b>

### **Reasons for staff leaving**

Reason	Number	% of total no. of staff leaving
Death	0	0%
Resignation	4	6%
Dismissal	0	0%
Retirement	0	0%
Ill health	0	0%
Expiry of contract	0	0%
Other	0	0%
<b>Total</b>	<b>4</b>	<b>16%</b>

### **Labour Relations: Misconduct and disciplinary action**

Nature of disciplinary Action	Number
Grievance	2
Incapacity	1
Disciplinary	1
Dismissal	0
<b>Total</b>	<b>4</b>

**Equity Target and Employment Equity Status**

Levels	MALE							
	African		Coloured		Indian		White	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	1	0	0	0	0	0	0	0
Senior Management	2	0	0	0	0	0	0	0
Professional qualified	8	0	0	0	1	0	0	0
Skilled	11	0	0	0	0	0	0	0
Semi-skilled	2	0	0	0	0	0	0	0
Unskilled	3	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

Levels	FEMALE							
	AFRICAN		COLOURED		INDIAN		WHITE	
	Current	Target	Current	Target	Current	Target	Current	Target
Top Management	1	0	0	0	0	0	0	0
Senior Management	2	0	0	0	0	0	0	0
Professional qualified	5	0	2	0	0	0	1	0
Skilled	13	0	1	0	1	0	1	0
Semi-skilled	0	0	0	0	0	0	0	0
Unskilled	1	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>22</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>0</b>

Levels	DISABLED STAFF			
	Male		Female	
	Current	Target	Current	Target
Top Management	0	0	0	0
Senior Management	0	0	0	0
Professional qualified	0	0	0	0
Skilled	0	0	1	0
Semi-skilled	0	0	0	0
Unskilled	1	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>

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**PART E:  
FINANCIAL INFORMATION**

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