

**EDUCATION LABOUR RELATIONS COUNCIL**  
*Established in terms of the LRA of 1995 as amended*



**DRAFT COLLECTIVE AGREEMENT  
X OF 2021**

**DATE**

**AMENDMENT OF CLAUSES 15.1, 17.1.1, 17.1.2,  
30.1.1 AND 30.6.3 OF THE ELRC CONSTITUTION AS  
RATIFIED BY THE REGISTRAR OF LABOUR  
RELATIONS ON 29 NOVEMBER 2016**

## EDUCATION LABOUR RELATIONS COUNCIL

### COLLECTIVE AGREEMENT X OF 2021

#### AMENDMENT OF CLAUSES 15.1, 17.1.1, 17.1.2, 30.1.1 AND 30.6.3 OF THE ELRC CONSTITUTION AS RATIFIED BY THE REGISTRAR OF LABOUR RELATIONS ON 29 NOVEMBER 2016

#### 1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to amend clauses 5.1, 17.1.1, 17.1.2, 30.1.1 and 30.6.3 of Part A: General Provisions of the constitution of the ELRC.

#### 2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- 2.1 The employer;
- 2.2 All the employees of the employer as defined in the Employment of Educators Act, 1998 (as amended) whether such employees are members of trade union parties to this agreement or not;
- 2.3 All trade unions admitted to the Council whether such trade union is a party to this agreement or not; and
- 2.4 All trade unions not admitted to the Council, that utilise the services of the Council in terms of the certified ELRC Constitution.

#### 3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- 3.1 Collective Agreement Number 6 of 2016: ELRC Constitution.

#### 4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- 4.1 The parties to Council therefore agree that clauses 15.1, 17.1.1, 17.1.2, 30.1.1 and 30.6.3 of the constitution are amended as follows:

*“15.1 Council Meetings  
The Council shall meet at least once a year at such venue **or any other format including virtual platforms**, date and time as may be determined*

*by the General Secretary, or as agreed to in terms of the Council year planner: Provided that one such meeting must be the Annual General Meeting.”*

*”17.1.1 At least 14 days written notice of a meeting of the Executive Committee or its Sub - Committees shall be given, setting out the time, date, venue **or any other format including virtual platforms** and business to be transacted. However a shorter notice period may be agreed to by a preceding meeting;*

*17.1.2 Representatives should be given at least 5 days' notice, or such shorter period as provided in clause 0, of the venue **or any other format including virtual platforms** of such a meeting.”*

*“30.1.1 At least 14 days' written notice shall be given, or such shorter period agreed to by all parties or agreed to at a previous meeting, setting out the time, date and business to be transacted; and at least four days' written notice, or such shorter period agreed to, of the venue **or any other format including virtual platforms.**”*

*“30.6.3 The Provincial Manager shall give at least 14 days or such shorter period agreed to by all parties, written notice, setting out the time, date and business to be transacted, and at least four days' notice or such shorter period agreed to, of the venue **or any other format including virtual platforms** of the meeting.”*

## 5. DISPUTE RESOLUTION

Any dispute about the interpretation or application of this agreement shall be resolved in terms of the dispute resolution procedure of the Council.

## 6. DEFINITIONS

6.1 **“constitution”** means the constitution of the Education Labour Relations Council.

6.2 **“Council”** means the Education Labour Relations Council.

**7. DATE OF IMPLEMENTATION**

The provisions of this Collective Agreement shall take effect on the date of signing.

**8. SIGNING OF THE COLLECTIVE AGREEMENT**

Thus done and signed at \_\_\_\_\_ on the \_\_\_\_\_ day  
of \_\_\_\_\_ 2021

**ON BEHALF OF THE STATE AS EMPLOYER**

DEPARTMENT	NAME	SIGNATURE
BASIC EDUCATION		

**ON BEHALF OF THE EMPLOYEE PARTIES**

TRADE UNION	NAME	SIGNATURE
SADTU		
CTU-ATU		