

EDUCATION LABOUR RELATIONS COUNCIL

NEGOTIATIONS AND CONSULTATIONS

1. OBJECTIVES OF COUNCIL

Subject to the provisions of *the Act*, the objectives of the Council shall be:

- a) To maintain and promote labour peace in education;
- b) To prevent and resolve labour disputes in education;
- c) To perform dispute resolution functions in terms of section 51 of the Act;
- d) To promote collective bargaining in relation to all matters of mutual interest;
- e) To conclude and enforce collective agreements;
- f) To grant exemptions to parties and non-parties from collective agreements, where appropriate;
- g) To conduct research, analyse and survey education nationally and internationally, and to promote training and build capacity in education;
- h) To develop proposals for submission to the *Public Service Coordinating Bargaining Council (PSCBC)* and NEDLAC, or any other appropriate forum, on labour policy and labour legislation that may affect education;
- i) To confer on workplace forums such additional matters for consultation;
- j) To determine by collective agreement the matters which may not be an issue in dispute for the purposes of a strike or a lock-out; and
- k) To consider and deal with any other matters that may affect the interests of the parties.
- l) To promote and establish training and education schemes
- m) To establish and administer pension, provident, medical aid, sick pay, holiday, unemployment and training schemes or funds or any similar schemes or funds for the benefit of one or more of the parties to the Council or their members;
- n) To appoint a panel of conciliators and arbitrators or an accredited agency/agencies in terms of the provisions of the Act.

2. POWERS OF THE COUNCIL

The Council shall have the following powers (only three are quoted):

- a) To establish and administer a fund through the raising of levies to be utilised for the administration of the Council, resolving disputes and other Council activities;
- b) To exercise any other powers that may be necessary or desirable to achieve the objectives of the Council and which shall include the authority to overrule matters which had been dealt with in a Chamber and which are in conflict with the provisions of this constitution or any national agreement;
- c) To delegate such matters as the Council may deem necessary to any Chamber, committee or sub-committee of the Council for conclusion and subject to any conditions that the Council may attach thereto.

3. ISSUES CURRENTLY UNDER NEGOTIATION

- (a) Conduct a national summit on the supply and demand of educators. (Possibly during March/April 2003)
- (b) Negotiate a resolution on the "Implementation of a new Salary Grading System" for educators, drafted by the Special Committee of Council.
- (c) Negotiate a resolution on "Evaluation Procedures, Processes and Performance Standards for Institution based Educators" as drafted by the Special Committee of Council.
- (d) Negotiate a resolution on the "Procedure for dealing with personnel affected by a declaration or merging of institutions by an MEC (Education) in terms of the FET Act (1998)", drafted by the Special Committee of Council.
- (e) Negotiate a resolution on "The Permanent Appointment of Unqualified Educators"
This follows upon an investigation into the position of unqualified educators that was provided for in paragraph 4.2 of Resolution 4 of 2001.
- (f) Conduct an investigation into the norms regarding the grading of institutions so that such grading is based on all relevant factors. (As provided for in paragraph 4.7 of Resolution 3 of 2001)
- (g) To conduct a workshop on the mechanisms to evaluate progress on issues identified at the PSCBC Job Summit.

- (h) To determine systems, measures and instruments linked to Performance, Salary Grading and Career Pathing.
- (i) To amend the measures dealing with the recognition of experience of educators gained outside public education prior to 01 July 1996.
- (j) To revise the post-provisioning model.
- (k) To conduct negotiations on matters of mutual interest between the parties to the Council.
- (l) To consider the admission of a party to the Council upon receipt of such application.