

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



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EDUCATION LABOUR
RELATIONS COUNCIL

**COLLECTIVE AGREEMENT
NUMBER 5 OF 2003**

10 APRIL 2003

**Amendment to Measures
dealing with the
Recognition of Experience of
Educators gained outside
Public Education prior to
1 July 1996**

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EDUCATION LABOUR RELATIONS COUNCIL

COLLECTIVE AGREEMENT NO. 5 OF 2003

**AMENDMENT TO MEASURES DEALING WITH THE RECOGNITION OF
EXPERIENCE OF EDUCATORS GAINED OUTSIDE PUBLIC EDUCATION
PRIOR TO 1 JULY 1996**

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to amend the Personnel Administration Measures in order to give the same recognition for experience gained outside public schools to educators who are appointed for the first time after 1 July 1996 as for educators who were in service prior to this date.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- 2.1 The employer; and
- 2.2 All the employees of the employer as defined in the Employment of Educators Act 1998, whether such employees are members of trade union parties to this agreement or not.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS

- 3.1 Educators appointed after 1 July 1996 for the first time in public education are appointed to applicable minimum notches. No recognition is given for experience that such an educator may have gained outside public education.
- 3.2 On the other hand all appropriate experience gained prior to 1 July 1996 (inside and outside public education) is being recognized in respect of educators who were in service during any period before such date and who either remained in service or were reappointed after such date after a break in service.

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4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

4.1 That with effect from the date on which this agreement is signed, the same recognition for experience gained outside public education be given to educators appointed for the first time in public education after 1 July 1996, as for educators who were in public education at any period before 1 July 1996.

4.2 The effect of recognizing experience as explained in paragraph 4.1 would be as follows:

(a) The salary of an educator appointed for the first time in public education on or after 1 July 1996 who gained appropriate experience outside public education before 1 July 1996, will be adjusted. The date from which the adjustment will be effected is the month following the date on which this agreement is signed or the date of appointment, whichever is later. No retrospective payments will be effected.

(b) The salary of an educator appointed on or after 1 July 1996 will be determined as follows: The appropriate salary notch that the educator would have been appointed to on 30 June 1996 after recognition of appropriate experience must be determined. The salary position to which this notch translated on 1 July 1996 will become applicable to the educator after which all applicable subsequent adjustments must be effected. The salary scale that was applicable to educators in Category D (M 0) shall apply to an educator with a qualification of REQV 14 and higher.

The salary scales that applied on 30 June 1996 are as follows:

Post level 1

Qualification Category	Qualification Equivalent	Salary Scale
A2	REQV 10	20118 (Fixed)
A 1 (M 0)	REQV 11	20118 x 1854-27534 x 2271-29805
B (M 0)	REQV 12	21972 x 1854-27534 x 2271-38889
C (M 0)	REQV 13	29805 x 2271-38889 x 2709-49725
D (M 0)	REQV 14 +	34347 x 2271-38889 x 2709-49725 x 2964 - 55653

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Post level 2

Qualification Category	Qualification Equivalent	Salary Scale
A2	REQV 10	23826 (Fixed)
A 1	REQV 11	29805 x 2271 - 36618
B	REQV 12	36618 x 2271 - 38889 x 2709 47016
C	REQV 13	49725 x 2964 - 61581 x 3318 - 64899
D	REQV 14 +	55653 x 2964 - 61581 x 3318 - 71535

Post level 3

Qualification Category	Qualification Equivalent	Salary Scale
A2	REQV 10	27534 (Fixed)
A 1	REQV 11	34347 x 2271 - 38889 x 2709 - 41598
B	REQV 12	41598 x 2709 - 49725 x 2964 - 52689
C	REQV 13	55653 x 2964 - 61581 x 3318 - 78171 x 3444 - 81615
D	REQV 14 +	61581 x 3318 78171 x 3444 - 88503

Post level 4

Qualification Category	Qualification Equivalent	Salary Scale
A2	REQV 10	32076 (Fixed)
A 1	REQV 11	38889 x 2709 - 47016
B	REQV 12	47016 x 2709 - 49725 x 2964 - 58617
C	REQV 13	61581 x 3318 - 78171 x 3444 - 88503
D	REQV 14 +	68217 x 3318 - 78171 x 3444 - 95391

- (c) The type of experience and the extent to which recognition must be given for experience outside public education gained before 1 July 1996 is as follows:

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(i) Types of experiencea. Actual educator's experience

This pertains to all experience gained while the person held an educator's post inside and outside public education.

b. Appropriate experience

This pertains to working experience, which in the opinion of the employer, developed the candidate directly and appositely, in all respects regarding knowledge, skill and attitude, for holding an educator's post.

(ii) Extent of recognition

a. Actual educator's experience – full recognition.

b. Appropriate experience – full recognition.

(iii) Salary Determination

a. Appointment in a post at post level 1

- The qualification category and corresponding salary scale (paragraph 4.2(b)) are determined.
- The candidate's recognizable experience is determined.
- For each year of recognizable experience, one salary notch above the minimum of the scale is awarded to a maximum of the scale. (In respect of category A1 candidates, only recognizable experience after 1 November 1993 is considered for this purpose.)

b. Appointment in posts at post levels 2 and higher

- The qualification category and corresponding salary scale (paragraph 4.2(b)) are determined.
- The candidate's salary notch is calculated in terms of the measures in sub-paragraph a. above as though it were an appointment at post level 1.
- The candidate's salary must be further increased by one notch for each level that the appropriate post level grading is higher than post level 1. Provided that the salary notch so determined is at



least the minimum of the appropriate salary scale and does not exceed the maximum of such a scale.

5. DATE OF IMPLEMENTATION AND DURATION

This agreement shall, in respect of parties and non-parties come into effect on the date it is signed in Council.

6. 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.

7. DEFINITIONS

7.1 "**Constitution**" means the constitution of the Education Labour Relations Council.

7.2 "**Council**" means the Education Labour Relations Council.

7.3 "**employee**" means an educator as defined in the Employment of Educators Act, 1998, as amended.

7.4 "**employer**" means the employer as defined in the Employment of Educators Act, 1998, as amended.

7.5 "**Labour Relations Act**" means the Labour Relations Act No. 66 of 1995, as amended.

7.6 "**workplace**" means the registered scope of the Council.

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Thus done and signed at Centurion on this 10 day of April 2003 by:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
EDUCATION	S. G. PADAYACHEE	<i>S. G. Padayachee</i>

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
NAPTOSA	H. Hendrickse	<i>H. Hendrickse</i>
SADTU	T. W. Nxesi	<i>T. W. Nxesi</i>
SAOU	P BELFORT	<i>P Belfort</i>

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