

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



DRAFT COLLECTIVE AGREEMENT NUMBER OF 2007

October 2007

**Occupational Specific Dispensation (OSD)
for Educators**

EDUCATION LABOUR RELATIONS COUNCIL

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Occupational Specific Dispensation (OSD) for Educators

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to introduce an occupational specific dispensation for educators.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

2.1 The employer, and

2.2 All the institution-based 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 That this agreement gives effect to Paragraph 4 of PSCBC Resolution 1 of 2007.

3.2 Occupational Specific Dispensation (OSD) is the development and implementation of customised remuneration dispensations for educators.

3.3 OSD will ensure a fair, equitable and competitive remuneration structure for identified categories of employees. The remuneration structure will provide for longer salary bands and substantial overlaps between salary levels to facilitate adequate salary progression to employees who choose to remain in the classroom instead of aspiring to move into supervisory or management posts.

3.4 OSD will put in place a proper career pathing model that does not entail automatic increases; but is a forward looking plan to systematically increase salaries after pre-determined periods based on specific criteria such as performance, qualifications and competencies, scope of work, experience.

- 3.5 OSD provides for dual career paths in terms of which professionals and specialists can progress to levels where they earn salaries that are equal to/or higher than that of managers without moving into management/supervisory posts.
- 3.6 The OSD will allow Departments to address the challenges of attracting and retaining educators in Education.
- 3.7 The occupational specific dispensation for educators provides for:
 - 3.7.1 Salary/Remuneration structure, including number of notches and percentages between notches;
 - 3.7.2 Benefits and allowances to be consolidated into salaries (not applicable in Education);
 - 3.7.3 Frequency of pay progression;
 - 3.7.4 Accelerated progression;
 - 3.7.5 Career pathing;
 - 3.7.6 Priorities and implementation dates;
 - 3.7.7 Translation measures; and
 - 3.7.8 Required level of performance

with a view to attracting and retaining educator professionals in the public education sector.

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- 4.1 The Occupational Specific Dispensation (OSD) for Educators Will provide for the following:
 - 4.1.1 OSD for School based Educators
 - 4.1.1.1 School based educators provides for 3 streams to enhance career pathing, namely, general classroom, specialist educator and supervisory/management as contained in Annexure A.
 - 4.1.1.2 The general classroom stream consists of:
 - a) Teaching Assistant (Grade 12 certificate between 18 and 25 years of age)
 - b) Assistant Teacher (graduate with a 3 year qualification between 21 and 30 years of age)

- c) Teacher Intern (student in final year of 4-year professional education qualification) to be effected on a future date to be determined by the Minister of Education.
- d) New Entrant (first year fully qualified educator doing community service). Community Service will be effected on a future date to be determined by the Minister of Education.
- e) Teacher M+4 (2nd year in employment)
- f) Teacher M+3 (REQV 13) will be considered as fully qualified.
- g) Teachers with M+1/M+2 (REQV 10, 11 and 12) to be RPL through assessment or upgrade through training.

4.1.1.3 The specialist educator stream, to be effected from 1 January 2010, consists of:

- a) Teaching and Learning Specialist (Classroom educator who has demonstrated outstanding leadership and performance in a teaching phase/learning/subject area)
- b) Senior Teaching and Learning Specialist (Classroom educator who has demonstrated outstanding leadership in a teaching phase/learning/subject area as well as post graduate qualifications and developed/produced material in accordance with the NCS)
- c) NOTE: The existing titles of Senior and Master Teacher are abolished. Affected educators will retain the salary notch attached to the former levels.
- d) The number of such posts will be established relative to the number of Head of Department and Deputy Principal posts established at the school.
- e) Only teachers serving in the school for at least 24 months are eligible for the upgrading.

- f) The School DSG motivates and recommends a candidate for upgrading, taking into account the school based evaluation of 2007 and 2008 and other requirements.
- g) Teachers to prepare a portfolio of evidence (including record of learner performance) and complete an application form for consideration for upgrading. Endorsed by the DSG. The application form is submitted to the circuit manager before 31 January 2009.
- h) The Education Institution Manager (Circuit Manager) verifies that the process has been adhered to and endorses the application, The District Head forwards the application by registered or certified mail to the DoE (or PED) by 28 February 2009.
- i) The application forms are screened for compliance and non-qualifying candidates are informed on or before 31 March 2009.
- j) The DoE (or PED) undertakes an inspection of the individual to verify the application, the portfolio, evidence, observe the teacher in the classroom and assess learners workbooks and learners performance through sample testing of

learners in the absence of external assessments.

- k) The applicant is informed of the outcome of the process on or before 31 October 2009 with an effective date of appointment on 1 January 2010.

4.1.1.4 The supervisory/ management stream consists of:

- a) Head of Department
- b) Deputy Principal
- c) Principal (P1 to P5 based on the school grading norms)
- d) NOTE: The Deputy Principal and Principal (P1 to P%) will form part of the Education Management Service –school based as contained in Annexure B.
- e) Members of the EMS – school based will not be eligible for accelerated progression; but would be eligible for performance based rewards effective from 1 April 2011.
- f) Education Management Service (EMS) – school based
 - i. Applicable Salary Adjustments will only be implemented when affected employees conclude and submit written and signed Performance Agreements and the flexible option they would be choosing.
 - ii. The Performance Management And Development Cycle the period 1 April – 31 March of every year.
 - iii. In future (ie. 2009/10), Deputy Principals and Principals must finalise their Performance Agreements, three months prior to the start of the new cycle (ie 1 January 2009), failing in which no

salary adjustment would be implemented.

iv.

Affected employees have 3 months after the signing of this agreement to exercise their choice with regards to the flexible remuneration package, failing which Departments shall implement by default.

v.

The ELRC shall create an independent bargaining unit for the EMS school-based, within itself, and shall accordingly make provision for such to take effect from 1st January 2008;

4.1.2 OSD for Office based educators

4.1.2.1 Office based educators provides for 2 streams, namely, specialists and management.

4.1.2.2 The specialist stream consists of:

- a) Education Specialist
- b) Senior Education Specialist
- c) Deputy Chief Education Specialist
- d) Chief Education Specialist

4.1.2.3 The management stream consists of:

- a) Education Institution Manager - EIM (Circuit Manager)
- b) Head of District (part of Senior Management Service – not dealt with in this Agreement)

4.1.2.4 The two above-mentioned streams would form part of the Education Management Service – office based as contained in Annexure C.

- a) Members of the EMS – official based will not be eligible for accelerated progression; but would be eligible for performance based rewards effective from 1 April 2008 as current processes followed for Middle Management Service (MMS).

- b) Education Management Service – office based
- i. Applicable Salary Adjustments will only be implemented when affected employees conclude and submit written and signed Performance Agreements and the flexible option they would be choosing.
 - ii. The Performance Management And Development Cycle the period 1 April – 31 March of every year.
 - iii. In 2008/09, office based educators must finalise their Performance Agreements, three months prior to the start of the new cycle (ie 1 January 2008), failing in which no salary adjustment would be implemented.
 - iv. Affected employees have 3 months after the signing of this agreement to exercise their choice with regards to the flexible remuneration package, failing which Departments shall implement by default.
 - v. The ELRC shall create an independent bargaining unit for the EMS office-based, within itself, and shall accordingly make provision for such to take effect from 1st January 2008;

4.1.3 OSD for Educator Specialists

4.1.3.1 Educator specialists consisting of Psychologists, Therapists, Counsellors and Other categories are not dealt with in this Agreement and will be finalised once their OSDs are finalised by 1 April 2008 in the sector where the majority are employed for example Department of Social Welfare and Development/Department of Health.

4.1.4 The Salary Structure

4.1.4.1 The salary structure as contained in Annexure D is applicable.

4.1.4.2 The difference between notches is 3%.

4.1.4.3 In terms of PSCBC Resolution No. 1 of 2007, a two yearly pay progression based on satisfactory performance will apply.

4.1.4.4 No grade progression; but accelerated progression is provided for general classroom teachers, teaching and learning specialists, senior teaching and learning specialists and heads of department only.

4.1.4.5 Salary of EMS members will be in terms of flexible remuneration packages as contained in Annexure B and C.

4.1.4.6 The minimum and maximum salary of each job title for educators is as follows:

Minimum and maximum salary notches

<i>2008 new structure</i>		
<i>Career path</i>	<i>Minimum salary</i>	<i>Maximum salary</i>
General classroom teacher		
Teaching assistant	51,993	51,993
Teacher Intern	85,937	85,937
Assistant Teacher	85,937	85,937
Teacher M+1/M+2	51,993	81,004
Teacher M+3	85,937	99,625
New entrant	115,492	115,492
Teacher M+4	118,957	264,238
Specialist (school-based)		
Teaching and learning specialist	169,605	365,768
Chief teaching and learning specialist	190,891	399,684
Management (school-based)		
Head of Department	146,302	365,768
Deputy Principal	174,693	399,684
Principal P1	146,302	324,980
Principal P2	169,605	365,768
Principal P3	208,592	424,025
Principal P4	241,816	436,746
Principal P5	297,403	449,848
Specialist (office-based)		
First Education Specialist	146,302	365,768
Senior Education Specialist	174,693	399,684
Deputy Chief Education Specialist	214,850	424,025
Chief Education Specialist	288,740	449,848
Circuit Manager C1	214,850	424,025
Circuit Manager C2	288,740	436,746
Circuit Manager C3	334,729	449,848

4.1.5 PAY PROGRESSION

4.1.5.1 The introduction of a two-yearly pay progression dispensation within the limits of the relevant salary scale on condition that the relevant employee has maintained a satisfactory level of performance as set out in the performance management system that will be applicable at the time when such employee becomes eligible for pay progression.

4.1.5.2 The two yearly progression based on satisfactory performance to be conducted at school level with a modification of the school evaluation committee. The panel to include the Principal, SMT, Teacher Representative and SGB Representative other than a teacher. Learner performance to be taken into account. The committee to certify performance and sign

prescribed form. The District to moderate process.

4.1.5.3 The 1st two-yearly pay progression cycle commences on 1 January 2008 and will run until 31 December 2009.

4.1.5.4 The 1st two-yearly pay progression cycle for employees who are members of the Education Management Service (EMS) office-based and school-based commences on 1 April 2008 and will run until 31 March 2010.

4.1.5.5 That 1st pay progression will be awarded to all employees with effect from 1 July 2010 provided the employee has complied with the prescribed requirements for such pay progression.

4.1.6 ACCELERATED PROGRESSION

4.1.6.1 The OSD provides for the introduction of a system of accelerated progression for general classroom teachers, teaching and learning specialists, senior teaching and learning specialists and heads of department only. Other categories will be dealt with in terms of the EMS office-based and EMS school-based.

4.1.6.2 The accelerated progression will be based on condition that the relevant employee has maintained a level of “good” or “outstanding” performance as set out in the performance management system that will be applicable at the time when such employee becomes eligible for pay progression and subject to an external evaluation.

4.1.6.3 Accelerated progression will be based on good/outstanding performance for a cumulative period of 3 years in their respective post levels.

4.1.6.4 Accelerated progression after 2 years (in years between notch progression commencing in July 2011) of additional 2 notches based on outstanding performance or additional 1 notch based on good performance. The assessment/evaluation to be conducted by an external agency (NEEDU).

- 4.1.6.5 The provision for accelerated progression will only be effective from 1 July 2011 – based on the performance assessment cycles 1 January 2008 to 31 December 2008 1 January 2009 to 31 December 2009 and 1 January 2010 to 31 December 2010, based on the Integrated Quality Management System for Educators.
- 4.1.6.6 Employees to whom accelerated progression applies will in terms of the OSD, first qualify for accelerated progression on 1 July 2011.
- 4.1.6.7 Additional notches will be allocated as follows:
2 notches based on outstanding performance or additional 1 notch based on good performance subject to an external evaluation by the National Education Evaluation Unit.
- a) The School DSG motivates and recommends a candidate for good or outstanding progression taking into account the school based development appraisal of 2007, 2008 and 2009.
 - b) Teachers to prepare a portfolio of evidence (including record of learner performance) and complete an application form for consideration for the progression. Endorsed by the DSG. The application form is submitted to the circuit manager before 31 January 2010.
 - c) The Education Institution Manager (Circuit Manager) verifies that the process has been adhered to and endorses the application, The District Head forwards the application by registered or certified mail to the DoE (or PED) by 28 February 2010.
 - d) The application forms are screened for compliance and non qualifying candidates are informed on or before 31 March 2010.
 - e) The DoE (or PED) undertakes an inspection of the individual to verify the application, the portfolio, evidence, observe the teacher in the classroom and assess learners workbooks and learners performance through sample testing of learners in the absence of external assessments.
 - f) The applicant is informed of the outcome of the process on or before 31 March 2011

with an effective date of payment on 1 July 2011.

4.1.7 REQUIREMENTS FOR APPOINTMENT AND PROMOTIONS

Appointment and promotion requirements for each category as determined by the employer, subject to any statutory requirements determined by SACE, as indicated in Annexure A.

4.1.8 IMPROVEMENTS IN CAREER PATHS

4.1.8.1 The improvement of career paths for the various categories through the introduction of a set of salary grades attached to posts in each category. The salary grades will display longer career progression opportunities, as part of the defined career path, in order both to recruit and retain educators in the relevant areas of need and also to cater for the retention of educators in the classroom for longer periods.

4.1.8.2 The OSD will also provide for career paths that facilitate progression to other educator categories subject to the requirements and conditions for such progression being met.

4.1.9 COMPETENCY REQUIREMENTS

The employer will prescribe the competency requirements (generic, functional and experiential) per post level to provide for appropriate salary recognition and accelerated progression, as indicated in Annexure A.

4.1.10 RECOGNITION OF RELEVANT EXPERIENCE ON APPOINTMENT FROM OUTSIDE THE PUBLIC EDUCATION SECTOR

The employer will introduce a basis for salary recognition for relevant experience on appointment from outside the public education sector in production posts (general classroom teacher) as outlined in Annexure A.

4.1.11 SALARY RECOGNITION UPON PROMOTION

- 4.1.11.1 An employee who is promoted to a higher post and is earning an higher salary, shall gain at least 2 (two) notches on such promotion.
- 4.1.11.2 An employee in a one teacher school and acting as principal, shall gain at least 2 (two) notches while appointed to such post.

4.1.12 TRANSLATION MEASURES

Measures to facilitate translation from the existing dispensation to appropriate salary scales attached to the OSD based on the following principles.

- 4.1.12.1 NO person will receive a salary (notch or package) that is less than what he/she received on 31 December 2007 prior to the implementation of OSD.
- 4.1.12.2 Educators will receive a minimum of at least 1%.
- 4.1.12.3 The translation for all school-based educators is effected from 1 January 2008.
- 4.1.12.4 The translation for all office-based educators is effected from 1 January 2008 instead of 1 April 2008.
- 4.1.12.5 The translation of EMS office-based (not part of Middle Management Service) and EMS school-based members to a flexible remuneration package shall be effected from 1 April 2008.
- 4.1.12.6 Translation is done by means of two phases (steps)

- a) 1st Phase (in respect of post level one educators)

To deal with the recognition of experience (based on full years service/experience as on 31 December 2007) of post level 1 teachers, in order to award a higher notch at the production level subject to and within the measures for such recognition contained in Annexure E.

If the teacher is eligible for a higher notch on the scale attached (based on qualification and years of service/experience) in terms of the limits of limits of measures for recognition contained in Annexure E, then the higher notch applies.

The recognition of experience for other post levels is based on the average for post level 1 teachers.

b) 2nd Phase

Minimum translations to the appropriate salary scales are contained in Annexure F. This implies an implementation adjustment in salary to at least the next higher notch on the salary scale attached to the post to which the employee is translated.

4.1.13 RECOGNITION OF RELEVANT EXPERIENCE OF SERVING EDUCATORS

4.1.13.1 The recognition of relevant experience of educators who were in service on 31 December 2007 is contained in Annexure E.

4.1.13.2 The recognition of relevant experience not reflected on the existing personnel record will be based on verified proof of such experience. The verification will be undertaken at departmental level.

4.1.13.3 Proof of such experience must at the latest be submitted to the employer by 31 March 2008. Any submission received after the said date will not be considered.

4.1.14 ANNUAL GENERAL SALARY INCREASE LINKED TO CPI-X

The annual general salary increases for educators on 1 July for the financial years 2009/10; 2010/11 and 2011/2012 shall be based on the projected CPI-X for the respective financial years.

- I. If the actual CPI-X is higher than the projected CPI-X, the difference shall be added to the adjustment for the following year.

- II. The forecasts of National Treasury shall be used to determine the projected CPI-X.
- III. In the event that the Public Service Co-ordinating Bargaining Council (PSCBC) concludes an agreement providing for an annual general salary increase higher than the projected CPI-X, the same shall apply to educators

4.1.15 DATE OF IMPLEMENTATION

The provisions of this Agreement shall take effect on 1 January 2008

5. INTERPRETATION AND APPLICATION

5.1 In the event of any conflict between the provisions of this Agreement and any other Agreement of the Council, the provisions of this Agreement shall take precedence.

5.2 No amendments to this Agreement shall be of force or effect unless reduced to writing and agreed upon by the parties to the Council as a Resolution of 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 "**salary level**" means salary level as defined in Resolution 4 of 2003.

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.

Thus done and signed at *Centurion* on this day of *2007* by:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
EDUCATION		

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
“SADTU”		
“SAOU”		
