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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF EDUCATION DEPARTEMENT VAN ONDERWYS

No. R. 1003

14 June 1996

EDUCATION LABOUR RELATIONS ACT, 1993

INTENTION TO EXTEND THE AGREEMENT TO INCLUDE ALL EMPLOYERS AND EMPLOYEES AS DEFINED IN THE ACT

I, Sibusiso Mandlenkosi Emmanuel Bengu, Minister of Education, give notice, in terms of section 12 (6) (a) of the Education Labour Relations Act, 1993, of my intention to publish in the *Gazette* a notice extending the agreement in the Schedule hereto to all employers and employees as defined in the Act.

Any interested persons who have any objections to the publication of the proposed notice, or to the provisions thereof, are required to lodge such objections with the Secretary of the Education Labour Relations Council, Mr A. Brandt, at Private Bag X895, Pretoria, 0001, Fax (012) 325-1405, within **30 days** from the date of this notice.

S. M. E. BENGU

Minister of Education

No. R. 1003

14 Junie 1996

WET OP ARBEIDSVERHOUDINGE IN DIE ONDERWYS, 1993

VOORNEME VAN UITBREIDING VAN DIE OOREENKOMS TER INSLUITING VAN ALLE WERKGEWERS EN WERKNEMERS SOOS OMSKRYF IN DIE WET

Ek, Sibusiso Mandlenkosi Emmanuel Bengu, Minister van Onderwys, gee hierby ingevolge artikel 12 (6) (a) van die Wet op Arbeidsverhoudinge in die Onderwys, 1993, kennis van my voorneme om 'n kennisgewing in die *Staatskoerant* te laat publiseer waarby die ooreenkoms in die Bylae hiervan uitgebrei word na alle werkgewers en werknemers soos omskryf in die Wet.

Belanghebbendes wat enige beswaar het teen die voorgestelde kennisgewing of die voorgestelde bepalings daarvan, word versoek om sodanige besware in te lewer by die Sekretaris van die Raad vir Arbeidsverhoudinge in die Onderwys, mnr. A. Brandt, Privaatsak X895, Pretoria, 0001, Faks (012) 325-1405, binne **30 dae** vanaf die datum van hierdie kennisgewing.

S. M. E. BENGU**Minister van Onderwys****SCHEDULE • BYLAE****EDUCATION LABOUR RELATIONS COUNCIL****RESOLUTION No. 4 OF 1996:****EXTENSION OF RESOLUTION No. 1 OF 1995: RATIONALISATION OF EDUCATION: INTERIM MEASURES RELATING TO THE STAFFING OF RATIONALISED STRUCTURES OF EDUCATION OUTSIDE EDUCATION INSTITUTIONS**

1. It is noted that Resolution No. 1 of 1995 provided for interim measures relating to the staffing of rationalised structures of education outside education institutions during the process of rationalisation of education.
2. It is further noted that Resolution No. 1 of 1995 lapsed on 1 April 1996.
3. It is further noted that due to unforeseen circumstances the absorption of personnel of the various relinquishing departments by the nine provincial education departments are not yet completed and may take a further 6 months to complete. No measures therefore exist according to which these remaining personnel should be dealt with during the further processes of their redeployment or termination of service.
4. In order to enable departments to complete the rationalisation process and to ensure that all personnel are treated in accordance with fair and uniform measures it is agreed that Resolution No. 1 of 1995, with the exception of the initiative whereby serving educators were offered the option to request early retirement, be extended until 30 November 1996.
5. It is recorded that all the provisions of Resolution No. 1 of 1995 will be applicable, except the early retirement package. It is further recorded that these educators are also entitled to opt for the voluntary severance package provided for in Resolution No. 3 of 1996.
6. It is agreed that the Minister be requested that the agreement be extended in terms of section 12 (6) of the Act, to apply to all employers and employees.

EDUCATION LABOUR RELATIONS COUNCIL**RESOLUTION No. 5 OF 1996:****AMENDMENT OF RESOLUTION No. 3 OF 1996**

1. It is noted that Resolution No. 3 of 1996 is subject to agreement being reached on certain matters, some of which pertain to pension benefits and which have been referred to the Pensions Task Team (PTT).
2. It is further noted that the PTT had its 12th meeting on 3 May 1996 during which discussions took place on some of the matters referred to it.

3. The parties to the Education Labour Relations Council (ELRC) therefore agree that Resolution No. 3 of 1996 be amended as follows:

Paragraph 2. Voluntary Severance Package

(Words in square brackets are to be deleted)

A voluntary severance package for educators as set out in Annexure A is introduced [subject to the provisions of paragraph 9.1 (b) (ii).] The addendum at Annexure I is agreed to.

Paragraph 3: Delete the last sentence of paragraph 3 and add the following: The contents of Annexure B are agreed to, except paragraph 8 of the said Annexure and the related Annexure B1 on which a separate agreement should be reached.

Paragraph 9. General Provisions

Paragraph 9.1 (b) (ii) is deleted.

Paragraph 9.1 (b) (iii) is deleted.

4. It is agreed that this agreement be extended by the Minister to all employers and employees in terms of section 12 (6) of the Education Labour Relations Act, 1993.
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