



1. SBL KONTRAKTE:

Die meeste van die skole is tans besig met 'n begrotingsproses en gevolglik ook die vasstelling van SBL-aanstellings se salarisse. Graag wys ons lede op die volgende:

- a. Lede word daarop gewys dat 'n kontrak nie eensydig mag verander word om enigsins minder gunstig te wees as die kontrak waaronder u tans in diens is nie.
- b. Die SAOU sal lede bystaan in die interpretasie van kontrakte wat aangebied word en is by magte om namens u daarvoor te onderhandel met die SBL.
- c. Ons beveel ten sterkste aan dat u nie u kontrak sondermeer teken alvorens u nie ten volle vertrouwd is met die inligting wat daarin vervat is nie.

Vir enige navrae in hierdie verband is u welkom om ons kantoor te kontak.

1. SGB CONTRACTS:

The majority of the schools are currently busy with their annual budget process and as a result are also looking at SGB appointments' salaries. We would like to draw members' attention to the following:

- a. *Please note that no existing contract may be changed unilaterally to be less favourable.*
- b. *The SAOU is ready to assist members with the interpretation of contracts and we are there to negotiate on your behalf should you find it necessary.*
- c. *The SAOU strongly recommends that you should make a proper study and are indeed at ease with all the aspects of your contract before you sign it.*

Please feel free to contact us for any inquiries with regards to your contract.

2. 2018 PERSONEELVOORSIENING

Die SAOU is terdeë bewus van die feit dat daar skole is wat personeel moet afstaan ingevolge die personeelvoorsiening wat op 30 Augustus aan skole gestuur is.

Hierby aangeheg is twee dokumente (een in Afrikaans en 'n afskrif uit die PAM 2016 – soos aangepas in Engels) wat die prosedure vir bo-talligverklaring verduidelik. **Let aseblief daarop dat die Afrikaanse weergawe ons kantoor se eie weergawe is van die oorspronklike PAM-weergawe.**

- a. Die SAOU doen 'n vriendelik, dog ernstige beroep op skoolhoofde om in die eerste plek die prosedures 100% korrek te volg en ten tweede alle moontlike appélprosedures en vertoë soos voorgeskryf op die personeelvoorsieningstaat tot die NKOD te rig ten einde die bo-tallige pos te probeer behou.
- b. Graag wys ons lede wat bo-tallig verklaar word op die feit dat uself niks hoef te doen alvorens u nie 'n amptelike skrywe rakende

2. 2018 STAFF ESTABLISHMENT

The SAOU is well aware that there are a number of schools that have lost teachers according to the latest staff establishment for the 2018 academic year. Included herewith we attach the procedures to be adhered to in order to declare a teacher in excess to the staff establishment – according to PAM (2016)

- a. *The SAOU calls upon principals to follow the procedures 100% and that you should use all the measures at your disposal to appeal against the loss – if any – to try not to lose the post.*
- b. *For those teachers who has been declared in excess, the SAOU would like to point out that you are not obliged to do anything until you receive a written confirmation from the NCDoe. Once you have received such written confirmation from the Department, you are advised to contact our office so that we can assist in obtaining the best possible outcome.*

u bo-talligverklaring ontvang nie. Sodra u sodanige skrywe ontvang, kan u ons kantoor kontak en sal ons hulp verleen om te verseker dat u die beste bedeling daaruit ontvang.

- c. Ons wys ook graag daarop dat die NKOD heeltemal by magte is om u van u huidige skool oorteleas na 'n ander skool waar u kundigheid en ervaring nodig mag wees. Uit die aard van die saak moet die voorgenome oorplasing fisies haalbaar wees.
- d. Die SAOU vestig ook graag lede se aandag daarop dat – sou bevind kan word dat 'n voorgenome oorplasing billik en regverdig is – lede se weiering om oorgeplaas te word, die NKOD dit kan sien as 'n ontslag, of uitdientsstelling.

- c. *Please note the Employer may offer you an alternative post at another school where they are of the opinion that your skills and experience would benefit the other school. Obviously the intended transfer will have to be practical and feasible?*
- d. *It is very important that you should be aware of the fact that – should an intended transfer be found practical, fair and feasible – and you refuse to be transferred, the NCDoe may regard it as a dismissal.*

3. SAOU NOORD-KAAP LEDESIFERS:

Die SAOU Noord-Kaap is ongelooflik dankbaar vir die sigbare vertroue wat u in ons stel. Ons ledesifers toon 'n konstante groei en was ons totale aantal lede soos einde Augustus 2017, 'n pratige 1910. Dit blyk dat ons redelik maklik by die magiese 2000 sal kan uitkom.

DAAROM 'n DRINGENDE en ERNSTIGE beroep op elke SKOOLVERTEENWOORDIGER om SLEGS EEN lid te werf! As ons dit kan vermag, sal ons sommer op eenslag gerieflik by die 2000 lede verbyskuif!

Onthou dat die SAOU is nie slegs vir Departementele onderwysers nie! Ons bedien ook SBL-aanstellings, sportorganiseerders, sekretaresses, finansiële beamptes – kortom: ALLE WERKNEMERS WAT BY 'N SKOOL, OF DEPARTEMENTELE KANTOOR WERKSAAM IS, KAN BY DIE SAOU AANSLUIT EN SAL BEDIEN WORD.

3. SAOU NORTHERN CAPE MEMBER NUMBERS:

The SAOU Northern Cape is extremely grateful for the steady increase in our member numbers and it is with great pride that we can announce we had 1910 members at the end of August 2017. Thank you very much to every member who places his / her trust in us. It is indeed an honour and great privilege to represent all of you. We are looking forward to reach the mystical 2000 members!

Allow us to URGE each and every SCHOOL REPRESENTATIVE to RECRUIT only ONE NEW MEMBER towards the end of the year so that we can theoretically move even beyond 2000!

Please remember that the SAOU is not home to only Departmental teachers. We accommodate and SERVE all staff members in the employ of a school, or the Education Department, which will include general workers, SGB appointees and even sports organizers.

Vriendelike groete / Kind regards

HENK BRAND

Provinsiale Sekretaris \ Provincial Secretary



Lei, Leer & Inspireer / Lead, Learn & Inspire

PERSONNEL ADMINISTRATIVE MEASURES (P.1.1)

- B.5.6.6 In considering the applications, the Interview Committee must ensure that the principles of equity, redress and representivity are complied with and they must adhere to:
- B.5.6.6.1 The democratic values and principles referred to in paragraph B.5.1.1.
 - B.5.6.6.2 The applicable procedures stipulated in paragraph B.5.
 - B.5.6.6.3 The minimum requirements for appointment with regard to educational qualifications, statutory and experiential requirements stipulated in paragraph B.3.2.1.
 - B.5.6.6.4 Agreed upon procedures that would ensure that the recommendation is not obtained through undue influence on the members of the Interview Committee.
- B.5.6.7 The list of short-listed candidates for interview purposes should not exceed five per post. An educator who has been acting in the advertised post for 12 months or more and has applied for the post, must be shortlisted.
- B.5.6.8 The interviews will be conducted according to agreed upon guidelines.
- B.5.6.9 All interviewees must receive similar treatment during the interviews.
- B.5.6.10 At the conclusion of the interviews the Interview Committee must rank the candidates in order of preference, together with a brief motivation, and submit this to the relevant line functionary. The line functionary must ensure that the Interview Committee has met the requirements set out in paragraph B.5.
- B.5.6.11 If provisions and procedures were not adhered to, the recommendation must be referred back to the Interview Committee for rectification before submission to the DG/HoD.
- B.5.7 Appointment (office-based educator posts)**
- B.5.7.1 The DG/HoD must consider the recommendation for approval.
 - B.5.7.2 The employer will inform all unsuccessful candidates in writing within eight weeks of an appointment being made.
- B.5.8 Records**
- The employer must ensure that accurate records are kept of proceedings dealing with the interviews, decisions and motivations relating to the preference list submitted by school governing bodies and other such structures.
- B.6 TRANSFER OF SERVING EDUCATORS IN TERMS OF OPERATIONAL REQUIREMENTS (ELRC Collective Agreement 2 of 2003)**
- B.6.1 Operational requirements for education institutions are based on, but not limited to the following:

PERSONNEL ADMINISTRATIVE MEASURES (PAM)

- B.6.1.1 Change in learner enrolment.
- B.6.1.2 Curriculum changes or a change in learners' involvement in the curriculum.
- B.6.1.3 Change to the grading or classification of an institution.
- B.6.1.4 Merging or closing of institutions.
- B.6.1.5 Financial constraints.
- B.6.2 Subject to the measures applicable to post provisioning, a HoD must, from time to time, inform each institution of its new educator post establishment. As a result of operational requirements the new staff establishment may provide for fewer posts than the existing staff establishment or the skills requirements of the new establishment may not match the skills profile of the incumbent educators. As a result, some serving educators may be in addition to the new establishment.
- B.6.3 Each principal must inform his/her staff of the institution's new educator post establishment and of the procedure, as set out in the next paragraph, that will be followed in identifying educators who cannot be accommodated on the new establishment. This information must be accessible to all members of staff.
- B.6.4 The procedure for the identification of serving educators in addition to the establishment as a result of operational requirements is:
- B.6.4.1 The principal, after consulting with the educator staff of the institution at a formal staff meeting, may recommend that educators who may be declared in addition to the staff establishment be absorbed in vacancies that will occur in the near future (not longer than six months) at that education institution.
- Vacancies that will occur in the near future refers to vacancies as a result of educators, at the particular institution, leaving as a result of retirement, boarding, resignation, promotion and employer initiated discharges, where the date of exit is known.
- B.6.4.2 After considering B.6.4.1 above, the relevant departmental official, together with the principal will identify the educators, who are in addition to the staff establishment, taking into account the following:
- B.6.4.2.1 The views of the educator staff of the institution as expressed at a formal meeting convened by the principal.
- B.6.4.2.2 The needs of the institution, more particularly in relation to its specific curriculum obligations, the number of classes, the timetable and the allocation of learners to classes.
- B.6.4.2.3 The relevant departmental official must take cognisance of the fact that there is not necessarily a direct relation between the posts identified as in addition to a staff establishment as there may be more than one post with substantially the same duties attached to it.



PERSONNEL ADMINISTRATIVE MEASURES (PAM)

- B.6.4.2.4 If a decision has to be taken regarding two or more educators competing for the same post, the principle of "last in, first out" (LIFO) must be applied. An educator's service period for the application of LIFO includes all continuous service (including service on different post levels) rendered at any public education institution.
- B.6.4.2.5 One representative per trade union party to the ELRC must be invited by the district manager to observe the process.
- B.6.4.3 An educator who has been identified as in addition to the staff establishment will be so informed in writing by the provincial department of education concerned.
- B.6.5 The following procedure will be followed in filling vacancies in cases where a department has educators in addition to a staff establishment:
- B.6.5.1 All vacancies must be advertised and filled in terms of paragraph B.5 with the proviso that:
- B.6.5.1.1 Applications of suitably qualified educators in addition to an establishment as a result of operational requirements must be considered before any other applications may be considered.
- B.6.5.2 A provincial department may publish a closed vacancy list for which only educators in excess may apply. A recommendation by the SGB may only be made from candidates identified by the HoD and who are in excess and suitable for the post concerned. (*Section 6(3)(a), EEA*)
- B.6.6 In terms of section 6 or 8 of the EEA the HoD may transfer an educator who is in addition to an establishment to another post in the department that matches his/her skills and experience.
- B.7 POSITION OF A PRINCIPAL IN A CASE WHERE A SCHOOL IS REGRADED (UPGRADED OR DOWNGRADED) (*Government Gazette No. 22594, dated 24 August 2001*)**
- B.7.1 When a school is regraded, the post of the principal is regarded as a new and, therefore, vacant post. Such a post must, subject to these measures, be filled in terms of paragraph B.5 without undue delay.
- B.7.2 If the permanent incumbent of a principal post that has been upgraded, qualifies to be upgraded to the new level and the SGB recommends in writing that the person may be upgraded to the higher level, such appointment may be made without having to advertise the post. If the SGB does not make such a recommendation, the post must be advertised in which case the incumbent will be entitled to apply for the upgraded post and he/she must be short-listed.
- B.7.3 If such a principal's application for appointment to the upgraded post is unsuccessful, he/she will be regarded as in addition to the establishment as a result of operational requirements and must be dealt with in terms of paragraph B.6.
- B.7.4 A principal whose post has been downgraded, will retain his/her salary position against the downgraded post for a reasonable period up to a maximum of 2 years.

PROSEDURE BY BO-TALLIGVERKLARING

PAM DOKUMENT – 2016 SOOS HERSIEN

B.6 OORPLAAS VAN DIENSDOENENDE OPVOEDERS IN TERME VAN OPERASIONELE VEREISTES (RAVO Kollektiewe Ooreenkoms 2 van 2003)

B.6.1 *Operasionele vereistes vir opvoedkundige instellings word gebasseer op (maar word nie beperk tot):*

B.6.1.1 'n Verandering in leerdergetalle

B.6.1.2 'n Veranderinge in die kurrikullum OF veranderinge in die leerders se betrokkenheid in die kurrikullum.

B.6.1.3 'n Verandering in die gradering of klassifikasie van die instelling.

B.6.1.4 Samesmelting of sluiting van instellings

B.6.1.5 Finansiële oorwegings

B.6.2 *Die HOD moet – onderhewig aan die maatreëls met betrekking tot Personeelvoorsiening – van tyd tot tyd die instelling inlig/in kennis stel rakende die nuwe posvoorsiening. Dit mag wees dat die nuwe personeelvoorsiening minder onderwysposte voorsien as gevolg van operasionele oorwegings. Dit mag ook wees dat die vaardighede wat benodig word vir 'n nuwe instelling verskil van die bestaande vaardigheidsvlakke van die personeel by die instelling.*

B.6.3 *Dit is elke skoolhoof se verantwoordelikheid om sy / haar personeel in te lig insake die nuwe personeelvoorsiening, sowel as die prosedure (soos beskryf in die volgende paragraaf) wat gevolg moet word om opvoeders te identifiseer wat nie op die nuwe personeelvoorsiening ge-akkomodeer kan word nie. Die inligting hieromtrent moet aan elke personeellid beskikbaar gestel word.*

B.6.4 *Die volgende prosedures moet gevolg word om opvoeders aan te wys wat bo-tallig tot die personeelvoorsiening van die instelling is:*

B.6.4.1 *Die skoolhoof moet 'n personeelvergadering belê waartydens die nuwe personeelvoorsiening bespreek word. Na volledige konsultasie met die personeel, mag die skoolhoof aanbeveel dat personeel wat bo-tallig verklaar word, geabsorbeer kan word in vakatures wat in die nabye toekoms (nie langer as ses maande nie) by die skool mag ontstaan.*

Sodanige vakatures verwys na personeel wat die instelling sal verlaat a.g.v. bedanking, aftrede, bevordering ens. – indien die datum van sodanige vakature bekend is.

B.6.4.2 *Die betrokke departementele amptenaar moet saam met die skoolhoof – na behoorlike inagneming van B.6.4.1 hierbo – die personeellid identifiseer wat bo-tallig tot die personeelvoorsiening is. Die volgende moet in ag geneem word:*

B.6.4.2.1 *Die insette van die opvoeders van die instelling soos hulle dit gelug het tydens die formele personeelvergadering wat deur die skoolhoof belê is.*

B.6.4.2.2 *Die behoeftes van die instelling, meer spesifiek die kurrikulum verpligtinge, die getal klasse, die rooster en die aantal leerlinge in die klasse.*

B.6.4.2.3 *Die relevante (verkose, betrokke?) departementele amptenaar moet bedag wees op die feit dat daar nie noodwendig 'n direkte verband of korrelasie is tussen die poste wat bo-tallig verklaar word nie, aangesien daar meer as een pos kan wees wat in wese dieselfde pligte en verantwoordelikhede toegewys het.*

B.6.4.2.4 *Indien 'n besluit geneem moet word m.b.t. twee of meer opvoeders wat om die selfde pos kompeteer, sal die beginsel van "Laaste in, eerste uit" (LIFO) toegepas moet word.'n Opvoeder se dienstydkompleks wat ter sprake kom, is alle aaneenlopende diens (ingesluit diens in verskillende posvlakke) wat gelewer is by enige opvoedkundige instelling.*

B.6.4.2.5 *Een verteenwoordiger van elke vakbond wat tot die RAVO toegelaat is, moet uitgenooi word deur die Distriksdirekteur om as waarnemer op te tree gedurende die proses.*

B.6.4.2.6 *'n Opvoeder wat d.m.v. die bogenoemde proses bo-tallig verklaar word, sal skriftelik deur die betrokke provinsiale onderwysdepartement in kennis gestel word.*

B.6.5 Hierdie afdeling handel oor die adverteer van poste

B.6.6 *Die HOD mag 'n diensdoenende opvoeder wat bo-tallig verklaar is, oorplaas na 'n ander pos indien die betrokke opvoeder se vaardighede en ondervinding by die beoogde pos pas.*
