



# higher education & training

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Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

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## CIRCULAR

To: Principals: Public FET Colleges  
FET College Administrators

Dear Sir / Madam

### CLARIFICATION ON IMPLEMENTATION OF GENERAL PUBLIC SERVICE BARGAINING COUNCIL (GPSSBC) COLLECTIVE AGREEMENT 2 AND EDUCATION LABOUR RELATIONS COUNCIL (ELRC) COLLECTIVE AGREEMENTS 2 AND 3 RATIFIED IN 2013

#### 1. GPSSBC COLLECTIVE AGREEMENT 2 AND ELRC COLLECTIVE AGREEMENT 3 OF 2013

In February 2013 and March 2013, GPSSBC Collective Agreement 2 of 2013 (for support staff) and ELRC Collective Agreement 3 of 2013 (for lecturers) were signed and ratified respectively. This meant that public Further Education and Training (FET) Colleges were required to ensure the implementation of these Collective Agreements which related to establishing parity between conditions of service (benefits) of College appointed staff (lecturers and support staff) in public FET Colleges with those employed in the Public Service.

These Collective Agreements clearly stated that with effect from the **date of ratification**:

1. The conditions of service (benefits) that are currently applicable to persons employed by the state under the Public Service Act (Act 103 of 1994) shall apply to all lecturers and support staff;
2. A 37% in lieu of benefits shall be paid for lecturers and support staff who are employed for six (6) months or less; and
3. All lecturers and support staff employed for six (6) months or longer shall receive his/her basic salary plus benefits or his/her basic salary plus 37% in lieu of benefits.

In addition, the Collective Agreements stated that the above arrangements were to be a transitional matter until the migration of staff is finalised.

Finally, it must be noted that the implementation date for these resolutions are stated as the date at which both were ratified. For purposes of clarity this means that the date of implementation for support staff (GPSSBC Collective Agreement 2 of 2013) will be no earlier than 26 February 2013 and for lecturing staff (ELRC Collective Agreement 3 of 2013), no earlier than 7 March 2013. No backdated payment of 37% in lieu of benefits is to be made prior to these dates.

## **2. ELRC COLLECTIVE AGREEMENT 2 OF 2013**

On 7 March 2013 the ELRC ratified Collective Agreement 2 of 2013 which related to the permanent appointment of serving temporary and contract lecturers who have been employed on a **continuous basis in the college establishment for a period of 12 months or more and are currently in a vacant funded substantive post.**

In addition clause 4.2 of this collective agreement states that the permanent employment of these lecturers shall be dependent on lecturers meeting the **minimum requirements of the posts** to which they shall be employed.

For clarity it must be understood that:

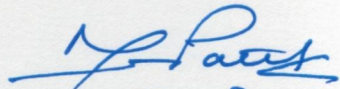
1. Continuous service means the current unbroken or broken service within the College as a lecturer provided that any broken service was of 120 calendar days or less.

2. The post being occupied must be a fully funded substantive post, that is funded via the college allocation and not any external or third party funding.
3. The current minimum requirements for such posts should be nothing less than what is outlined in Chapter B 2.2 (a) and (b) of the Personnel Administrative Measures (PAM):
  - a. Educational qualifications of at least a recognized three year qualification (REQV13) which must include appropriate training as an educator;
  - b. A minimum of 3 years relevant experience is required for level 2 posts; and
  - c. For an Artisan to be employed on a permanent basis as a lecturer, a N3 certificate in Engineering Studies which includes the trade theory plus a completed apprenticeship or passed trade test and two years of work experience. In addition, Artisans then may complete a full 12-subject National diploma and do a PGCE FET in order to be professionally qualified.

Should you need any further clarity please contact Mr JF Slater: via email [slater.j@dhet.gov.za](mailto:slater.j@dhet.gov.za)

You are required to ensure that you apply the resolutions as outlined above. Your cooperation on this matter will be highly appreciated. A training session will be conducted for all Human Resource Managers on 25-26 November 2013, details will follow.

Kind regards

  
Mr ~~GF Qonde~~ R.Y. PATEL  
Director-General  
Date: 12/11/2013