



FOR PSA MEMBERS: **EDUCATION LABOUR RELATIONS COUNCIL (ELRC)**

09-04-2025

## Feedback: ELRC Bargaining meeting

An ELRC meeting was held on 19 March 2025 where the following issues were discussed:

### **Investigation of irregular appointment of under-qualified Grade-R Practitioners as Educators in public schools**

Members would recall that the employer had reported that under-qualified Grade-R Practitioners were appointed in public schools. Further, the employer obtained a legal opinion, which posited that the employer, *i.e.*, nine provincial departments, must approach the court to set aside the appointment, although labour was not in favour. Labour proposed that a collective agreement could be concluded to allow a process and timeframe for these employees to complete the required qualification. The employer submitted a draft agreement that will be referred to the task team although it was reported that the process to collect information in terms of personal details and the number of employees is still underway. Further, noting that the employer has not exercised the right to approach the court in terms of the legal opinion, the Council would write a letter to the Director-General and even prepared to address the Heads of Education Departments Committee (HEDCOM) to bring this matter to finality.

### **Draft proposed review: Promotion requirements**

Members are aware that the employer previously tabled the review of the promotion requirements, which was referred to the task team. The task team presented the draft document, and labour requested the opportunity to consider the document to get a mandate from their principals and revert in the next bargaining meeting. In the meeting, labour indicated that consultation with principals has not been finalised and requested more time.

### **Request for research: Proposed Public Service Exit Programme (early retirement) without penalisation of pension benefits as well as retirement with financial incentives**

The Council was informed that EXCO took the decision that research needs to be conducted on the proposed early retirement without penalisation of pension benefits as well as retirement with financial incentives. The Council ratified the EXCO decision, and the matter will be referred to the task team.

### **Reports from Provincial ELRCs**

The third-quarter reports pertaining to the vetting of educators, teacher wellbeing/safety in schools, and implementation of ELRC national agreements were presented for noting. Parties were urged to ensure accuracy at PELRCs.

### **Amendments to PAM**

Members would recall that the employer had tabled the proposed amendments to the PAM and *Government Gazette No 38249*, 27 November 2014, where the employer requested two weeks to submit its inputs. The employer reported that labour inputs were received and would be considered, thus paving the way for the submission to the Minister for signature before the amended PAM will be gazzetted. The final document will be shared with labour before it is gazzetted.

### **Performance assessments: Full-Time Shop Stewards (FTSS) and seconded officials**

The office of General Secretary raised a concern regarding the failure to comply with the Performance Management policy in that FTSS and seconded officials are not submitting their performance assessments to the employer. The non-compliance has a bearing on the budgetary processes, which could affect the payment of pay progression and even result in irregular expenditure on the side of the employer as there would be no documentary evidence to support such. Labour noted the challenge and committed to comply, noting the impact of non-compliance.

### **Eastern Cape Collective Agreement 1/2024: Guidelines for advertising and filling of Educator posts at education institutions**

Members would recall that the Eastern Cape PELRC concluded a collective agreement (1/2024), which was submitted to the Council for ratification. The Council has subjected the collective agreement to legal requirements and has thus ratified this as it complied with legal framework. PSA shop stewards and members are urged to familiarise themselves with the agreement to ensure compliance.

Employees who want to join the PSA can visit the PSA's website or contact PSA Provincial Offices for assistance.

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GENERAL MANAGER