



Honourable members of the Education Portfolio Committee:

Prof S Mayatula, Chairperson	ANC
Mr R Bhoola	MF
Mr G Boinamo	DA
Ms C Dudley	ACDP
Adv A Gaum	ANC
Ms P Mashangoane	ANC
Ms J Matsomela	ANC
Mr I Mfundisi	UCDP
Mr G Mosala	ANC
Mr A Mpontshane	IFP
Ms Z Ndlazi	ANC
Mr R Ntuli	ANC
Mr R van den Heever	ANC
Ms D van der Walt	DA
Ms S Sigcau	UDM
Mr Anele Kabingesi, Committee Secretary	PC on Education

We appreciate the oversight role played by the Portfolio Committee. The theme of our presentation is the location of the ELRC as a player in the Skills Revolution focusing on professionalism of teachers.

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(HUMAN RESOURCES MANAGEMENT)

Accounting Officer – Mr M Govender

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CFO – Mr J Moshakga

CONCLUSION

Accounting Officer – Mr M Govender



VISION

To strive towards the continuous maintenance and **promotion of labour peace**, accomplished in the spirit of parties to the Council **working together** and contributing towards the **transformation** and **development** of a quality South African Public Education sector.



MISSION

To be the leading provider of **quality, effective, efficient** and **non-partisan administration** and **facilitative mechanisms** for Labour Peace and for the development of a quality South African Public Education sector.



ORGANISATIONAL VALUES

As an organisation, the ELRC is guided by the following Batho Pele principles and values:

- We **value people** that we serve and those with whom we work;
- We commit ourselves to be **fair, ethical, trustworthy** and **accountable** in all of our work;
- We endeavour to be **customer-service oriented**, striving to meet the needs of our clients;
- We aim to **work together** as a team, encouraging co-operation both from ourselves and others around us;



ORGANISATIONAL VALUES (Cont.)

- We strive to achieve and maintain **excellence**; always meeting the highest standards of performance at all levels of service outputs and professionalism in all of our work;
- We strive to **promote communication** between ourselves and our clients;
- We commit to the **development** and **capacity building** of our staff through learning and growth;
- We encourage **innovation** as a means to continually address new issues and seek better ways to achieve our goals;
- We **commit** to our work and to the vision and mission of the ELRC.



PRINCIPAL ACTIVITIES OF THE ELRC

Primary business of the Council

Is to promote the maintenance of labour peace in public education sector through the provision of dispute resolution (and prevention) services

Secondary business of the Council

Is to promote the maintenance of peace in the public education sector through the provision of consultation and negotiations between trade unions and the state as the employer, as represented by the Department of Education.



PREAMBLE

- Fulfilled mandate to promote and maintain labour peace in public education
- Extended the scope of its constitution to include bargaining and dispute resolution for the FET sector
- Dispute Resolution Services had 62% increase in caseload.
- 187 Practitioners enrolled for the Commission for Conciliation, Mediation and Arbitration (CCMA) training course.
- 50 % completed all modules.
- Finalised the framework for an Occupation Specific Dispensation for educators in public education signed 3 April 2008
- Introduced its HIV/AIDS Intervention Programme for South African educators, through the Prevention, Care and Treatment Access (PCTA) Project.



Compliance Report

SECTION A



APPLICABLE LEGISLATION

Key legislation directing the ELRC in its core business:

- Labour Relations Act 66 of 1995;
- Public Finance Management Act 1 of 1999;
- Promotion of Access to Information Act 54 of 2002;
- Employment of Educators Act 76 of 1998 (Prior to amendment by Act 57 of 2001); and
- Further Education and Training Colleges Act 16 of 2006



APPLICABLE LEGISLATION (Cont..)

Supporting legislation assisting the ELRC in its employer/business role:

- Basic Conditions of Employment Act 75 of 1997;
- Employment Equity Act 55 of 1998;
- Skills Development Act 97 of 1998; and other legislation

LITIGATION AND APPEALS

During the period under review, the total number of Labour Court reviews decreased from 58 to 17.



SECTION B

Performance Report



PROGRAMME 1
DISPUTE RESOLUTION AND SUPPORT SERVICES

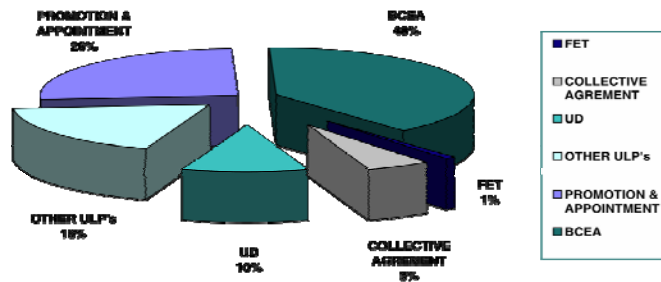
NATURE OF DISPUTES 2007/08

The majority of disputes referred to the Council relates to:

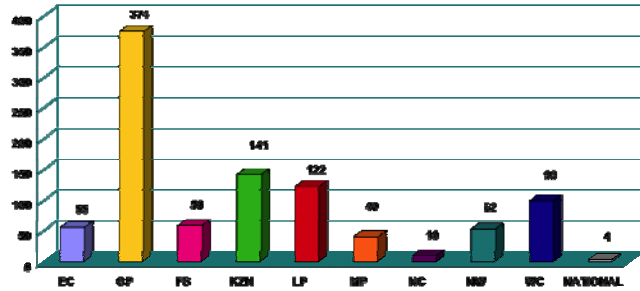
- Appointments/Promotion 26%
- Dismissal 10%
- Unfair Labour Practice 18%
- Other 1%
- Interpretation 5%
- BCEA 40%



REFERRALS BY ISSUE IN DISPUTE



REFERRALS BY PROVINCE

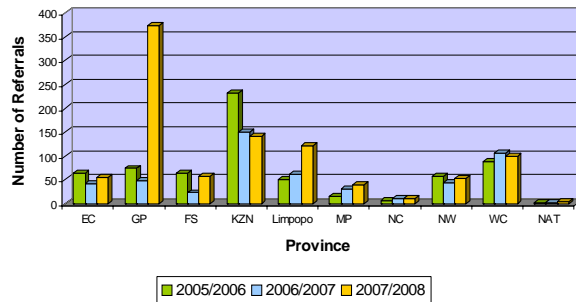


CASELOAD BREAKDOWN BY PROVINCE

Year	EC	GP	FS	KZN	Limpopo	MP	NC	NW	WC	NAT
2005/2006	68	74	64	205	63	14	6	37	88	2
2006/2007	42	49	23	151	62	31	10	44	105	2
2007/2008	55	374	58	141	122	40	10	52	99	4

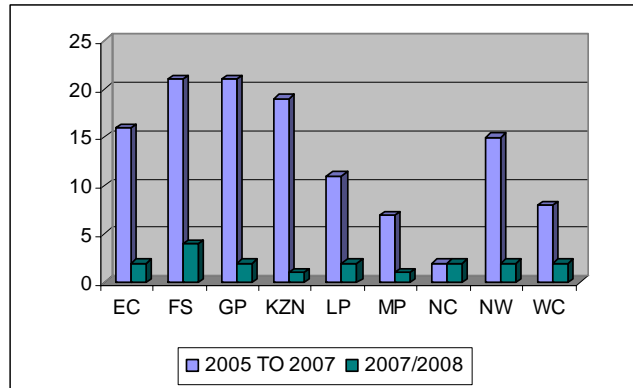
Year	EC	GP	FS	KZN	Limpopo	MP	NC	NW	WC	NAT
2007/2008	6%	39%	6%	15%	13%	4%	1%	5%	10%	1%

Referrals by Province



LABOUR COURT REVIEWS

	EC	FS	GP	KZN	LP	MP	NC	NW	WC
2005 TO 2007	16	21	21	19	11	7	2	15	8
2007/2008	2	4	2	1	2	1	2	2	2



TRAINING AND DEVELOPMENT

CCMA Training

Course	FS	NW	GA	KZN	LP	NC	WE	EC	MP	TOTAL
Substantive Law	19	21	23	37	24	12	21	7	23	187
Conciliation	16	20	20	37	20	12	18	24	22	189
Jurisdictional Rulings	16	18	20	37	21	9	18	15	14	168
Managing Dismissals	11	16	19	21	12	5		8		92
Arbitration 1	5	12	16	28	9		13			83
Arbitration 2	8	12	16	23	6		7	18		90



ALLOCATION AND DISTRIBUTION OF SHOP STEWARDS

As stipulated in Clause 3.3.3 of the Agreement, the distribution of shop stewards shall take into cognisance the size of the province and the vote weights of the admitted trade unions in that province. The determination for the succeeding years shall be based on the vote weights calculated as at the 30th September of the preceding year, and shall be valid for the period 1 January to 31 December of each calendar year (no change in allocations during the course of the year).



FUNDING

According to Section 9 of the Agreement, the ELRC funds the provisioning of the shop stewards as follows:

- (a) The amount budgeted for the Shop Stewards (SS) shall be divided by the total number of SSs (120), to determine the cost of one SS per annum.
- (b) The provincial department would receive payment, in arrears, for SSs as calculated above, on a 6 monthly basis during November and May of each year.

SS APPOINTMENTS PER PROVINCE

120 SS were appointed as follows:

	EC	FS	GP	KZN	LP	MP	NC	NW	WC	TOTAL
CTU-SADTU	13	6	8	10	12	9	7	9	8	80
CTU-SAOU	4	4	6	8	3	3	2	4	4	40
TOTAL	17	10	14	18	15	12	9	13	12	120

Trade unions submitted reports on work of SS

ACHIEVEMENTS

SS work covered the following areas:

- Represented educators in disciplinary and con-arb (DR) hearings;
- Represented unions in negotiations and consultations – provincial level;
- Involved in the HIV/AIDS intervention programmes;



ACHIEVEMENTS (Cont..)

- Assisted and communicated with educators about education, employment and TU related matters;
- Assisted TU in monitoring the employer's compliance with provisions of CA's and workplace-related laws; and
- Reported any alleged contravention of a workplace-related provision of any law and any CA binding on employer and employee, the TU and responsible authority or agency.





ACHIEVEMENTS

- Facilitating the implementation of the FETC Act of 2006
- Arranged a national workshop on all ELRC research reports
- Reached agreement on the framework for the establishment of OSD
- Facilitated meetings to amend the ELRC Constitution regarding the inclusion of the FETC sector
- Agreement on levy increase
- FETC Employers' Organisation founded
- Establishment of an OSD framework for educators and for which special task teams were created to ensure finalisation

COLLECTIVE AGREEMENTS

The following collective agreements were signed at a national level:

- **Collective Agreement No. 2 of 2007:** Shop Stewards in Education
- **Collective Agreement No. 3 of 2007:** Levy Agreement
- **Collective Agreement No. 4 of 2007:** Implementation of the FETC Act of 2006
- **Collective Agreement No. 5 of 2007:** Further Agreement on the transfer of employees from the Department of Education to individual FET Colleges
- **Collective Agreement No. 6 of 2007:** Ratification of ELRC constitution as certified by the Registrar



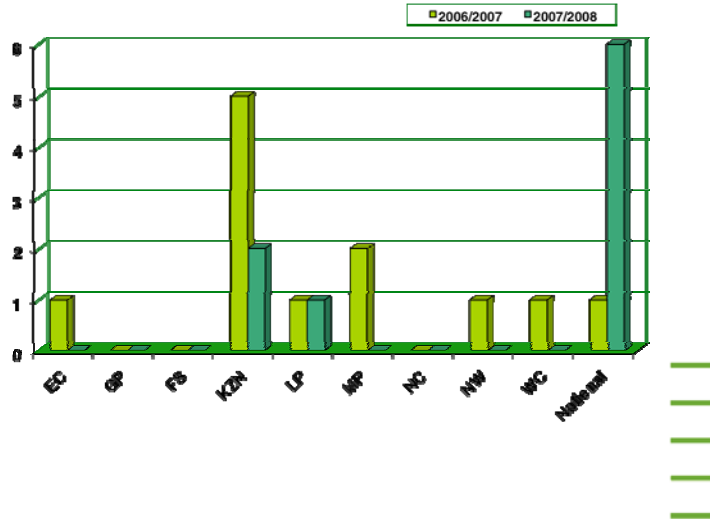
RATIFICATION OF COLLECTIVE AGREEMENTS

The following collective agreements were signed in the provincial chambers

- 1) **KwaZulu-Natal**
 - **Collective Agreement 1 of 2007:** Distribution of ECD posts for 2007.
 - **Collective Agreement 2 of 2007:** Multi-term agreement in the staffing of schools
 - **Collective Agreement 3 of 2007:** Placement of educators declared as additional to the school's establishment in 2007 but who are not yet placed



COLLECTIVE AGREEMENTS 2007/08 vs 2006/07



4.1 MANAGEMENT, INTERVENTION AND FACILITATION SERVICES

- FETC Facilitation
- Occupation Specific Dispensation Negotiations
- ELRC Eastern Cape Chamber

4.2 SUPPORT SERVICES

- IIRA 5TH African Regional Congress – IRASA
- ELRC – HIV/AIDS Intervention Programme



4.3 MOBILISING EMPLOYEES (Human Resource Management)

- The ELRC is committed to the continues development of its staff and to creating a culture of unity and harmony amongst its diverse workforce.

We therefore make it our mission to invest in skills and knowledge development.

- Staff have been enrolled in various programmes related to their specific functions:
Example: Advanced Security Officers Course
as well as specific courses to enhance theoretical knowledge
Example: A Certificate in Labour Relations, Computer Literacy (Support Staff)



SECTION C

Annual Financial Statements

FINANCIAL PERFORMANCE

For the year ending 31 March 2008

	Notes	2008 R	Restated 2007 R	Restated 2006 R
REVENUE		36,792,195	14,703,438	14,834,678
Levies	2	35,903,139	13,869,260	13,662,150
Investment income	3	881,256	824,503	1,160,730
Other income	3	7,800	9,675	11,798
EXPENDITURE		27,721,625	21,983,424	22,081,425
Arbitration and mediation		1,551,613	2,837,694	3,505,530
Audit fees	9	733,058	485,420	215,604
Depreciation	9	1,155,023	1,213,964	1,313,457
Rental	9	1,303,472	1,053,980	936,384
Staff cost	9	7,371,733	7,153,000	6,293,608
Other administration and operating expenses		15,606,726	9,239,366	9,816,842
NET SURPLUS/(DEFICIT) FOR THE YEAR		9,070,570	(7,279,986)	(7,246,747)

FINANCIAL POSITION

As at 31 March 2008

	Notes	2008 R	Restated 2007 R	Restated 2006 R
ASSETS				
Non-Current Assets				
Property, plant and equipment	4	8,117,496	9,133,973	10,302,359
Current Assets				
		24,272,468	5,893,868	16,119,932
Trade and other receivables	5	745,118	229,072	348,299
Cash and cash equivalents	6	23,527,350	5,664,796	15,771,633
Total Assets		32,389,964	15,027,841	26,422,291

FINANCIAL POSITION

As at 31 March 2008 (Continued..)

	Notes	2008 R	Restated 2007 R	Restated 2006 R
LIABILITIES				
Current Liabilities				
Trade and other payables	7	12,007,197	3,702,350	7,752,530
Total Liabilities		12,007,197	3,702,350	7,752,530
Net Assets		20,382,767	11,325,491	18,669,761
NET ASSETS				
Designated funds	8	20,382,767	11,325,491	18,669,761
Total Net Assets		20,382,767	11,325,491	18,669,761

TRANSFORMATION FUNDS

31 MARCH 2008

- FETC Facilitation
- Dispute Resolution Practitioners' Training (CCMA)
- Policy Handbook



TRANSFORMATION FUNDS STATEMENT OF FINANCIAL PERFORMANCE

As at 31 march 2008

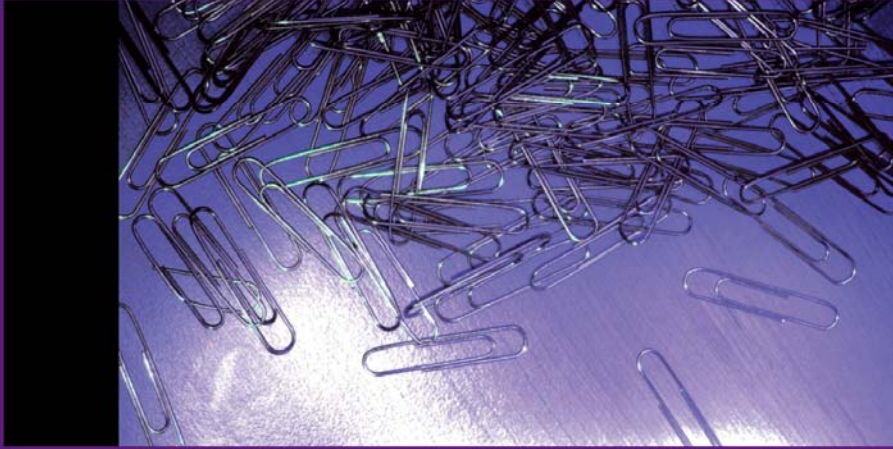
	2008 R	2007 R
INCOME	738,052	929187
Interest received	738,052	929187
EXPENDITURE	1,452,841	10632535.61
Transformation Fund	62,971	200484
Research and Development Fund	688,377	2633807
Shop Stewards Fund	-	1760027.61
Special Programmes Fund	701,493	6038217
Net deficit for the year	(714,789)	-9703348.61

TRANSFORMATION FUNDS STATEMENT OF FINANCIAL POSITION As at 31 march 2008

	Notes	2008 R	2007 R
ASSETS			
Non-current Assets			
Property, plant and equipment	2	78,816	108,830
Current Assets			
		7,376,623	10,805,447
Trade and other receivables	3	882,321	1,401,286
Cash and cash-equivalents	4	6,494,302	9,404,161
Total Assets		7,455,439	10,914,277

TRANSFORMATION FUNDS STATEMENT OF FINANCIAL POSITION As at 31 march 2008 (Continued..)

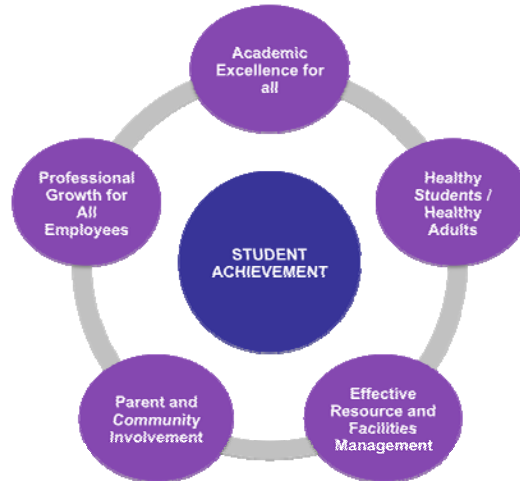
	Notes	2008 R	2007 R
LIABILITIES			
Current Liabilities			
Trade and other payables	5	2,695,843	5,439,892
Total Liabilities		2,695,843	5,439,892
Net Assets		4,759,596	5,474,385
NET ASSETS			
Trust Funds	6	4,759,596	5,474,385
Total Net Assets		4,759,596	5,474,385

Conclusion**FRAUD**

- In respect of the alleged fraud I can report as follows:
 - It covered a period of 3 Financial Years
 - The bulk of the fraud occurred in the FY 2006/07
 - An amount of R124,589 fraud occurred in the FY 2007/08
 - The matter is now with the SAPS and the State Prosecutor
 - *Sub Judice*
(See Attached Single Page Report)



THE NEW FOCUS OF NEGOTIATIONS



CONCLUSION

The challenges for the ELRC are:

- To ensure the professionalism of teachers; and
- To develop standards for attainment of competence and excellence for teachers as professionals:-
 - a) graduates; interns; teachers; teaching and learning specialists (senior teachers); senior teaching and learning specialists (master teachers);
 - b) education leaders – HOD; Deputy Principals and Principals and office based professionals (district and head office)

CONCLUSION Continued ...

- As the Accounting and Chief Financial Officers, of the ELRC, and on behalf of the Executive Committee, we would like to thank the PC for your support and giving us the opportunity to present the ELRC Annual Report for the Financial Year ended 31 March 2008.
- **END - Thank You**

