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TVET/CET NNF 5 of 2020

19 November 2020

FOR ATTENTION: TVET/ CET MEMBERS

TVET BARGAINING UNIT MEETING HELD ON TUESDAY, 10 NOVEMBER 2020.

TVET COLLEGE CALENDAR FOR 2021

The employer presented a calendar for 2021. The only matter raised by NAPTOSA and CTU-ATU was on the National Certificate Vocational (NCV) where the closing date is Monday, 14 June 2021. NAPTOSA and CTU-ATU proposed the closure of colleges to be on Friday, 11 June instead.

The employer agreed to take the matter back to the calendar committee for consideration, but came back to indicate that they could not accede to the proposal.

The final calendar has now been circulated amongst members.

NAPTOSA AND CTU-ATU INPUTS

NAPTOSA submitted the following agenda items and led discussions on behalf of the CTU-ATU:

Recruitment and Selection during COVID-19

NAPTOSA and CTU-ATU acknowledged and appreciated the fact that DHET has a Recruitment and Selection Policy that was signed by the Director General on 14 May 2019. The employer was requested to include in the policy, a clause that would cover employees that are acting in advertised posts to be automatically included in the number of shortlisted candidates if they applied for such posts.

The employer was also requested to develop a protocol document that would address the health and safety measures when recruitment and selection processes take place during the period of the COVID-19 pandemic. The employer agreed to look into the matter and to report back at the next meeting.

Disciplinary Processes in the TVET Sector

PSCBC Resolution 1 of 2003 and FETC Collective Agreement 1 of 2013 provide for the disciplinary processes and procedures in the TVET Sector. The processes and procedures are conducted on a face-to-face basis.

Seeing that COVID-19 was still a challenge, NAPTOSA and CTU-ATU proposed that the employer puts in place mechanisms that would include virtual hearings. The employer agreed to look into the matter and to report back at the next meeting.

Procedure for Dispute Resolution in the TVET Sector

Parties within the Department of Basic Education in the ELRC recently adopted amendments to the ELRC Constitution to include virtual hearings in their dispute resolution processes as a way of embracing the “new normal”. NAPTOSA and CTU-ATU proposed that the employer investigate the possibility of implementing similar progressive innovations within the TVET sector. The employer was amenable to the proposal

Salary Progression

NAPTOSA and CTU-ATU indicated that it was inundated with queries of salary progressions not yet paid at colleges. The employer was asked to explain why salary progressions were not paid. The employer explained that they had been waiting for the Cost of Living Adjustments (COLA) to be implemented before salary progressions could be paid.

NAPTOSA and CTU-ATU urged the employer to follow the route followed by DBE by paying salary progressions based on current salary notches. Adjustments would be done once the 2020 salary impasse was resolved.

NAPTOSA and CTU-ATU indicated that the delay in paying salary progressions had the potential of disadvantaging employees who were retiring.

The employer indicated that assessment reports had already been received and made a commitment to process salary progressions within this current year.

Temporary Lecturers

FETC Collective Agreement 2 of 2013 provides for the permanent appointment of serving temporary and contract lecturers who have been in the employ of Further Education and Training Colleges for a continuous period of 12 months or longer, provided they have served in vacant funded, substantive posts.

NAPTOSA and CTU-ATU requested the employer to apprise Council on how they are dealing with such matters. The concern raised was that there was no consistency in the application of the Collective Agreement as there were instances where employees had been given short term contracts that were renewed on a three months basis to avoid absorbing them permanently into such posts after having served for 12 months or more.

NAPTOSA and CTU-ATU requested the employer to regularly provide Council with information pertaining to the permanent absorption of lecturers that have completed a continuous period of 12 months’ service.

NAPTOSA and CTU-ATU emphasized the importance of implementing the Collective Agreement as it provided employment security to lecturers.

Employees with temporary status often miss out on important benefits such as housing schemes, medical schemes, pay progressions and long service awards.

Labour Forums

NAPTOSA and CTU-ATU noted the provisions of Circular 4 of 2016 with all its intentions to promote effective communication and labour peace within colleges. The intentions/objectives of the Circular are laudable, however, some colleges like the Ekurhuleni West in Gauteng, and Vuselela in the North West had not implemented the Circular.

NAPTOSA and CTU-ATU pronounced their support for these structures as they minimized conflicts, unnecessary misunderstandings and disputes within colleges.

NAPTOSA and CTU-ATU also acknowledged the Labour Forums' intention to promote mutual respect and good will amongst the role players within colleges.

The Circular is explicit that Labour Forums will not deal with matters outside of their scope. Matters that fall within the ambit of the collective bargaining will not be dealt with in such Forums.

The employer was urged to encourage colleges that have not yet established Labour Forums to do so and to ensure that where such forums are already established, they are functional.

SADTU requested that there be further engagement on the Circular before they can make a firm commitment to support it.

BASIL MANUEL
EXECUTIVE DIRECTOR