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Latest News and Updates



ELRC LABOUR LAW SEMINAR **“The Rule of Law and Labour Dispute Resolution”**

By Thirona Moodley

The Education Labour Relations Council (ELRC) commemorated its 30th anniversary by hosting a landmark Labour Law Seminar in Cape Town from 28-30 August 2024. This prestigious event, attended by prominent legal minds and thought leaders, offered critical insights into South Africa’s evolving legal and labour landscape.

Chief Justice Zondo: Upholding the Rule of Law

Chief Justice Raymond Zondo captivated the audience with his reflections on the rule of law and its critical role in South Africa’s democracy. Highlighting contrasting examples, he referenced former President Jacob Zuma’s refusal to appear before the Constitutional Court as a blatant violation of the rule of law, juxtaposing it with President Cyril Ramaphosa’s voluntary participation in the Zondo Commission.

Zondo’s insights extended beyond domestic matters, touching on South Africa’s international obligations. He criticised the country’s failure to arrest Sudanese President Omar al-Bashir despite an ICC warrant, pointing to inconsistencies that undermine South Africa’s commitment to human rights. He warned that contemplating withdrawal from the ICC could send negative signals about the nation’s stance on global justice.

Zondo also addressed systemic challenges within the judiciary, lamenting its lack of institutional independence. He called for reforms, noting that the Executive’s control over court administration, such as appointing officials and building courts, hampers judicial efficiency.

One of Zondo’s most poignant moments was his acknowledgment of South Africa’s gender-based violence (GBV) crisis. During the COVID-19 lockdown’s first week, 10,000 GBV cases were reported, and 1,024 women were murdered by intimate partners during this time. He expressed deep concern over the inability of women to feel safe in public spaces and called for urgent societal and legal interventions.

Justice Sachs on Transformative Constitutionalism

Justice Albie Sachs, a founding architect of South Africa’s Constitution, reflected on the transformative vision embedded in the country’s supreme law. Sachs traced the Constitution’s origins, drawing inspiration from countries like India, Canada, and the United States, and emphasised its role as a cornerstone for protecting human rights.

He urged workers and unions to leverage constitutional protections to safeguard labour rights, stressing that the Constitution is not merely aspirational but a practical tool for achieving justice and equity.



NAPTOSA’s Thirona Moodley with Chief Justice Raymond Zondo



Above: NAPTOSA’s Intergenerational Delegation at the ELRC Labour Seminar



Left: NAPTOSA’s Limpopo Youth Leader, Ms. Precious Kgatla with the Executive Director, Mr Basil Manuel

Labour Disputes and Workplace Relations

Judge President Basheer Wagley offered insights into the evolution of labour law, advocating for conciliation over industrial action, particularly in education, where strikes adversely affect learners. Wagley questioned whether it was time to revisit the Labour Relations Act to address modern workplace challenges.

Other speakers, including Professor M. Reyneke and Dr. G. Van der Walt, delved into children’s constitutional rights, dispelling misconceptions that these rights overshadow those of others. Meanwhile, T. Qotoyi and Mr. M. Manny criticised delays in public sector disciplinary processes, stressing the need for efficient systems to uphold human dignity and social justice.

A Transformative Experience

The seminar left attendees with much to reflect on. It provided a platform to discuss key issues such as constitutional rights, labour law reforms, social justice, and the role of the judiciary in safeguarding democracy. The event also shed light on practical solutions, urging institutions and individuals alike to uphold the rule of law, protect workers’ rights, and address societal challenges like GBV and inefficient public systems.

The ELRC’s 30th-anniversary celebration was not just a reflection of its legacy but a call to action for the next era of labour law and justice in South Africa.



A youth Delegate’s Experience at the ELRC’s 30-year Celebration

By: Nwabisa Holby and Precious Kgatla

As NAPTOSA Youth members, we had the privilege of attending the ELRC’s 30th-anniversary seminar, where we gained invaluable insights into labour law and its impact on the education sector. Chief Justice Raymond Zondo’s presentation on *“The Rule of Law and the South African Judiciary in the First 30 Years of South Africa’s Constitutional Democracy”* highlighted the critical role of the rule of law in upholding justice and equity. His statement that “the rule of law is the foundation upon which our democracy is built” resonated deeply with us.

Judge Albie Sachs’ discussion on *“Transformative Constitutionalism in Pursuit of Ideal Justice”* was equally inspiring, emphasising the need for a transformative approach to labour law that prioritises social justice and equality. His assertion that “our constitution is a living, breathing instrument to transform society” broadened our understanding of labour law’s vital role in shaping education and society.

The seminar also provided an excellent platform for networking with union representatives and stakeholders. We were inspired by the collective passion for advancing fair labour practices and education sector employees’ interests. Key takeaways, included the importance of upholding the rule of law, embracing transformative constitutionalism, and leveraging collective action to drive change.

Overall, the seminar was empowering, offering both knowledge and a sense of solidarity. It reinforced the importance of youth involvement in union activities to ensure the continued advocacy for members’ rights and interests, securing the union’s legacy for future generations. Thank you for the opportunity NAPTOSA!

NAPTOSA Addressing Climate Change: A Collaborative Approach for South African Educational Organisations

By Alfonso King

As the world prioritises climate action, the involvement of youth is essential. The Local Conference of Youth (LCOY) South Africa 2024, organised by Climate Action Network South Africa (SACAN) in partnership with the Global Shapers Community Tshwane Hub and the African Climate Reality Project (ACRP), empowers young leaders to influence climate policy. Representatives from NAPTOSA highlighted the role of education in achieving a Just Transition to a low-carbon future.

Understanding Just Transition

Just Transition ensures that the shift to a sustainable economy addresses social and economic challenges. It focuses on procedural justice (inclusive decision-making), redistributive justice (fair resource allocation), and restorative justice (repairing harm). South Africa's policies, like the National Development Plan (NDP), aim to support vulnerable groups through skills development, economic diversification, and social protection, ensuring no one is left behind.

Education's Role in Climate Action

South Africa's climate policy, shaped by initiatives like the National Climate Change Response White Paper and the Paris Agreement, provides a framework for climate literacy in schools. Educators play a crucial role in fostering awareness and sustainable practices, inspiring students to be change agents. TVET programs can equip students with practical skills for green jobs, supporting a Just Transition in coal-dependent communities.

NAPTOSA's Commitment

NAPTOSA is driving climate action in education through:

- 🌱 **Curriculum Reform:** Advocating for climate education and school recycling programs.
- 🌱 **Engagement:** Hosting workshops and projects to promote environmental awareness.
- 🌱 **Policy Advocacy:** Aligning education policies with national climate goals.

- 🌱 **Community Empowerment:** Providing accessible climate education in local languages.
- 🌱 **Youth Collaboration:** Partnering with youth organisations to amplify their voices in climate policy.

NAPTOSA is leading efforts to integrate climate action into South Africa's education sector. Through collaboration and advocacy, the Union is fostering a generation equipped to address climate challenges, ensuring a sustainable and just future for all.



One of the clauses in the Paris Agreement is "holding the increase in the global average temperature to well below 2°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impact of climate change."

Trade unions do recognize that the fight against climate change and environmental injustice are an integral part of a broader fight against existing economic and social injustices faced by workers.

Research has shown that Trade union involvement in climate change and environmental justice remains low and slow. Trade unions must devise strategies for effective engagement, this must include adequate and accessible communications concerning workplace environments. Business must also respect the communities in which they operate in.

RESPONSIBILITIES OF TRADE UNIONS

1. Advocate for improved sustainable funding for climate change programs from both domestic and external sources.
2. Advocate for adequate national budgetary allocations for climate change.
3. Advocate for an effective inter-ministerial technical committee that will provide the overall political guidance and support towards the implementation of national climate change strategies.

It is obvious that Trade Unions and the Federations are integral to supporting a just transition. The workers of the country must stand up to climate change and understand their failure to act urgently will result in no jobs on a dead planet.

FEDUSA CLIMATE CHANGE AND JUST TRANSITION SUMMIT

By: Thirona Moodley

Climate change is one of the greatest threats to planet Earth and our society as we know it. Labour is central to the transformation and the impact of climate change on the environment. The Rio de Janeiro Earth Summit, in 1992, agreed that environmental destruction and destabilization must be combatted, and that environmental conservation and restoration must be built into all development efforts.

Africa is a continent that has a large land mass and will experience an increase in temperature one and a half times more than the average temperature will increase worldwide. A rise in a single degree will cause a 65% loss of the continent's maize producing capacity and a decrease of 20% of the continent's food production. It has also been predicted that Africa's wheat production will disappear, the price of wheat will increase by 120%, maize by 177% and rice by 107%. These products are staples in our diets and will become unaffordable and threaten our right to basic food. What is equally concerning is an increase in the temperature will result in a 10% decline in rainfall by 2050, creating water stress for 480 million people on the continent. Any increase in temperature will also impact coastal areas as sea levels rise, it will flood coastal communities and destroy coastal infrastructure.

Trade unions have played a limited role in their contribution to shaping the discourse and implementing climate change strategies at a national, regional and continental level. Trade unions that have participated in the discussion have yielded minimum results. Areas of intersection between environmental and climate change crisis can be found in a wide range of activities where workers make a living including agriculture, industry, construction transportation and energy sector. These sectors are connected by one factor - energy sources.

Environmental injustice occurs when individuals, communities and territories are denied their right to enjoy and manage their environmental goods and live in safety and dignity, leading to conflict situations. Environmental justice includes the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, culture, income or education level, with respect to development, implementation and enforcement of employment laws, regulations and policies.



NAPTOSA Victory in the Western Cape

Riedwaan Ahmed



NAPTOSA WC Staff building a strong case

Background

The 2025 Medium Term Expenditure Framework (MTEF) process for the proposed basket of Educator Posts in the Western Cape saw the potential loss of 2,407 Educators from the system. The Western Cape Education Department, in their attempt to remedy the shortfall in the allocated budget received from National Treasury proposed a reduction in the basket of posts allocated to ordinary public schools, in order to balance the Compensation of Employees (CoE). NAPTOSA and other relevant stakeholders were informed of the potential loss during consultations with the MEC and Head of Education which took place on 23 July and 15 August 2024, respectively.

NAPTOSA Western Cape acknowledged the WCEDs pro-poor commitments and applauded the retention of specialized education, together with its strategic priorities but from the onset, **VEHEMENTLY OPPOSED** and rejected the WCEDs proposal to reduce the 2025 Basket of Educator Posts. NAPTOSA Western Cape was of the view that the proposed reduction of posts would have a devastating impact on education in the province and raised concerns that the ideology of *quality education for every child in every classroom* (WCED mantra) faces a reality check.

The projected learner ratios (as seen below) left much to be desired as to HOW it would translate into the classroom.

School	Teacher to learner ratio 2024	Projected teacher to learner ratio 2025
Primary School	01: 34.7	01: 37.0
Secondary School	01: 35.2	01: 36.0
System average	01: 34.2	01: 36.7



NAPTOSA WC Staff Celebrating their Well-Deserved VICTORY

NAPTOSA Position / Action Taken - Dispute

NAPTOSA Western Cape urgently sought to establish a mandate from its members embarking on Mass Meetings, (continuously) conveying accurate and up to date information as received throughout the process and surveys to assess the impact and other member concerns. NAPTOSA Western Cape remained steadfast in its position to reject the proposed reduction in the basket of Educator Posts and through its interactions with members and consultations of the NAPTOSA PEC undertook to lodge a dispute with the ELRC on behalf of the affected members.

Outcome

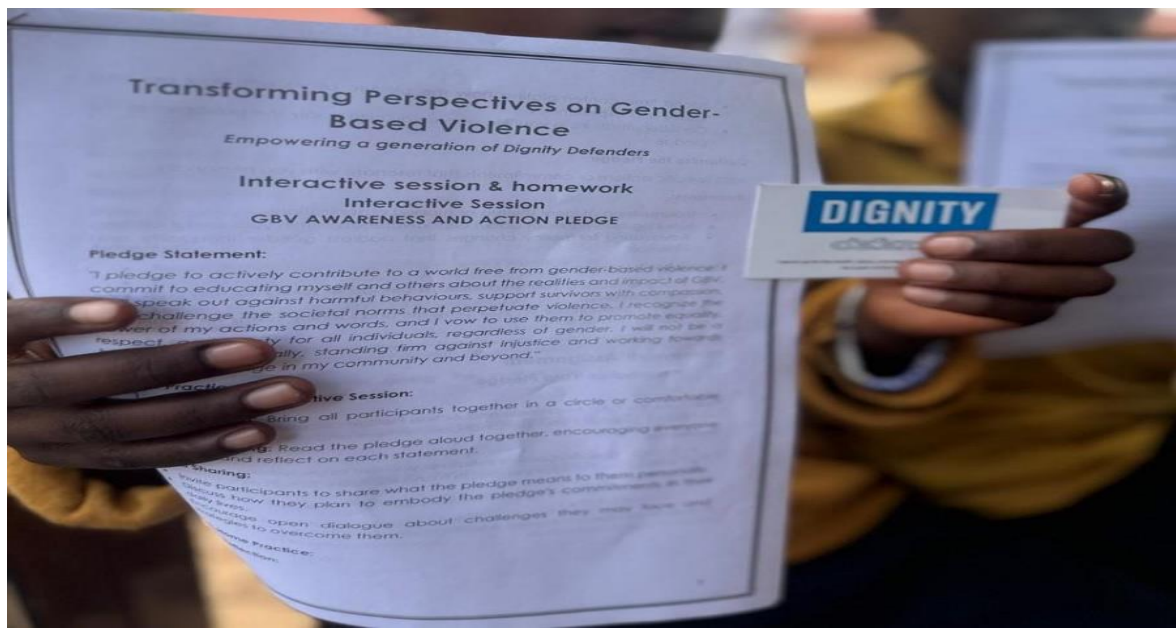
The conciliation for the dispute with case reference ELRC498-24/25WC between NAPTOSA and The Education Department of the Western Cape was heard on 3 October 2024. NAPTOSA, in its pursuit to secure teacher employment and ensure stability in education reached a settlement agreement (under the auspices of the ELRC). WCED will convert all 'Eligible' contract educators, in post level 1 substantive vacant posts, who meet the criteria, to a permanent position. The conversion will be in terms of Collective Agreement 4 of 2018 Annexure A (4.2). It was agreed upon to be finalized by no later than the 15th of November 2024. NAPTOSA continues the fight for quality education.

NAPTOSA and FEDUSA Cancer Outreach Projects



Scan the QR code to access the NAPTOSA WhatsApp Channel, click 'follow' to receive up-to-date information.





NAPTOSA Dignity Defenders: Transforming Perspectives on Gender-Based Violence.

By Lorvica Matthews and Michelle Mosupye



NAPTOSA's Hema Hariram addresses Participants

In a groundbreaking initiative, the National Professional Teachers' Organisation of South Africa (NAPTOSA), in collaboration with the Steven Simnot Foundation, has taken bold steps to address School-Related Gender-Based Violence (SRGBV). This transformative program, titled *"Dignity Defenders: Transforming Perspectives on Gender Based Violence,"* empowered 100 participants, including men and high school-aged boys, to become proactive advocates for dignity, respect, and non-violence within their communities.

Building a Legacy of Change

The program concluded with a powerful pledge ceremony where participants committed to upholding dignity and respect in their schools and communities. Resources developed through this initiative will be shared widely with educators and learners across South Africa to ensure lasting impact.



Participants listening attentively

The initiative was further strengthened by the active participation of the Department of Justice, the National Prosecuting Authority (NPA), and psychologists, whose expertise provided invaluable insights and practical tools to address SRGBV comprehensively.

Workshops Designed for Transformation

The initiative featured expert-led workshops held at Mandlomsobo in Bronkhorstspuit (Gauteng North District) across two phases: October 15-17 and October 22-24. These workshops brought together 90 male learners, 5 female learners, and 10 educators, representing 8 schools, including 2 high schools and 6 primary schools. Through dynamic sessions addressing GBV and bullying, participants were equipped with tools to challenge harmful social norms, advocate for survivors, and foster cultures of mutual respect and consent.

The involvement of key stakeholders brought unique perspectives to the program. The Department of Justice and the NPA emphasized the legal implications of GBV, highlighting the importance of accountability and justice for survivors. Psychologists offered critical guidance on emotional well-being and trauma management, helping participants understand the psychological impact of GBV and the importance of fostering safe, supportive environments.

Empowering Through Education

The workshops incorporated a comprehensive approach, addressing individual, community, and societal factors contributing to SRGBV. Facilitators encouraged discussions on personal dignity, the importance of consent, and the role of supportive networks in eradicating violence. Notably, initial hesitance from participants gave way to active engagement, underscoring the value of creating safe, open spaces for dialogue.

Key objectives included:

- 🌱 Raising awareness of GBV and SRGBV in schools.
- 🌱 Challenging harmful social norms that perpetuate violence.
- 🌱 Equipping attendees with practical tools to prevent and respond to GBV/SRGBV.
- 🌱 Building a support network among learners and educators.

Feedback and Insights

Participants reported a deeper understanding of personal dignity and the critical role of consent. Educators noted that the workshops highlighted systemic challenges, such as high teacher-to-learner ratios and the urgent need for safe spaces in schools. These insights are shaping future NAPTOSA programs aimed at promoting non-violence and equality in education settings.

The contributions of the Department of Justice, NPA, and psychologists also provided participants with a multidimensional understanding of SRGBV, from legal consequences to emotional resilience, further enriching the initiative's outcomes.

Looking Ahead

By investing in the next generation of leaders and advocates, NAPTOSA and the Steven Simnot Foundation, with other key players, have laid a strong foundation for transforming perspectives on SRGBV. This initiative underscores the importance of collective action in fostering safer, more equitable learning environments.

Together, through collaboration, empowerment, and education, NAPTOSA and its partners are redefining the role of schools in combating gender-based violence, ensuring that dignity and respect become hallmarks of South African education.

This is just the beginning. NAPTOSA aims to expand the reach of this program to more districts and ultimately take it nationally, ensuring that the culture of dignity and non-violence becomes an enduring pillar in schools across South Africa. Together, we can create a brighter, safer future for all learners and educators.



Involving the Boy child in the fight against GBV is imperative