

EDUCATION LABOUR RELATIONS COUNCIL
Established in terms of the LRA of 1995 as amended



**COLLECTIVE AGREEMENT
2 OF 2013**

21 AUGUST 2013

**AMENDMENT OF CLAUSE 12.1(g) OF THE ELRC
CONSTITUTION AS CERTIFIED BY THE REGISTRAR
OF LABOUR ON 25th APRIL 2007 AND AS RATIFIED
BY COLLECTIVE AGREEMENT NO 6 OF 2007**

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COLLECTIVE AGREEMENT 2 OF 2013

AMENDMENT OF CLAUSE 12.1 (g) OF THE ELRC CONSTITUTION AS CERTIFIED BY THE REGISTRAR OF LABOUR ON 25th APRIL 2007 AND AS RATIFIED BY COLLECTIVE AGREEMENT NO 6 OF 2007

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to amend clause 12.1(g) of the constitution of the ELRC as certified by the Registrar on 25th April 2007 and as ratified by Collective Agreement No 6 of 2007.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- 2.1 The employer;
- 2.2 All the employees of the employer as defined in the Employment of Educators Act, 1998 (as amended) whether such employees are members of trade union parties to this agreement or not;
- 2.3 All trade unions admitted to the Council whether such trade union is a party to this agreement or not; and
- 2.4 All trade unions not admitted to the Council, that utilise the services of the Council in terms of the certified ELRC Constitution.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- 3.1 That the parties to the ELRC amended the 2000 ELRC constitution through Collective Agreement Number 1 of 2006 as certified by the Registrar on 25th April 2007 and subsequently ratified by Collective Agreement Number 6 of 2007.
- 3.2 Clause 36 of the ELRC constitution "Amendment of this Constitution".

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

4.1 That the number of Deputy-Chairpersons of the Council in terms of Clause 12.1(g) of the ELRC constitution be increased from two to four.

4.2 That amended clause 12.1(g) shall therefore read as follows:

"The provisions of clauses 12.1(a) to 12.1(e) shall, with the changes required by the context, apply in respect of the election of four Deputy-Chairpersons of the Council: Provided that two shall be elected from the employer and the other two from the Trade Unions: Provided further that the Deputy-Chairpersons shall be elected from the duly appointed representatives of the parties to the Council, and nothing herein prevents any party from replacing any representative with an alternate."

5. DISPUTE RESOLUTION

Any dispute about the interpretation or application of this agreement shall be resolved in terms of the dispute resolution procedure of the Council.

6. DEFINITIONS

6.1 "**constitution**" means the constitution of the Education Labour Relations Council.

6.2 "**Council**" means the Education Labour Relations Council.

7. DATE OF IMPLEMENTATION

The provisions of this Collective Agreement shall take effect on the date of signing.

8. SIGNING OF THE COLLECTIVE AGREEMENT

Thus done and signed at BALLITO on the 21 day
of AUGUST 2013



ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	NAME	SIGNATURE
BASIC EDUCATION	SG PRADYACHES	<i>[Signature]</i>

09/09/2013
(Patricia)

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
SADTU	M.J. Malyeke	<i>[Signature]</i>
CTU-ATU	H. Hendricks	<i>[Signature]</i>

[Signature]