

TEACHERS:

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DEFEND YOUR RIGHT

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THE DISPUTE RELATING TO THE STATUS OF 'TEMPORARY'
TEACHERS IN D.E.C. SCHOOLS.

A 'temporary' teacher is not clearly defined in the Act and Regulations. However it is assumed that a 'temporary' teacher is one who is not permanently appointed, and is one who has not officially been granted a probationary period, by the minister.

It is noted that Principals of D.E.C. schools can, according to their judgement, (i) advertise posts ; (ii) not advertise a post (iii) retain teachers of 'temporary' status (iv) dismiss 'temporary' teachers; noting that the criteria (Regulations) i

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governing this is not clear/ explicit to the general staff, nor is it explicit in the Regulations; save to say , that Principals have to submit recommendations to the minister or Director General, who
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may accept or reject.

All power to 'hire and fire' teachers are vested in the minister ultimately. It is necessary then to Enquire with which rights the Principals are empowered, besides school housekeeping, to hire and dismiss teachers.

We ask our Principals not to pander to the State's racist - bureaucratic system of oppressive rule.

We pledge our support to Principals who use their power to retain and encourage their staff to attain

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high professional status, in order to create collaborative hegemony instead of that which the State prescribes.

We call on Principals to retain whom they employed, being their moral duty to the staff. Temporary teachers should not feel that they are getting the job on the good favour of the Principal - but rather that it is their economic and social right to work unhindered and without unnecessary threat, once they have been appointed.

Regulation B6,1,2,5a,5b,50, concern the advertising of posts. It states; that all vacant posts "shall" be advertised, which implies that it may be filled or taken by another teacher "unless the Director General is satisfied that there is good reason to dispense with such advertisement."

That the Principal and school committee may peruse the applications and return it forthwith to the regional representative, with recommendations; upon which (i) one out of three may get the post, (ii) one may obtain the post (iii) the request is made that the position not be filled, meaning that the Principal keep the present teacher in that post.

It will therefore benefit the case of 'temporary' teachers, if Principals acknowledge / recognise their empowerment and execute their moral duty towards society by retaining the staff - (in the

interest or the students), as some are already doing.

The displacement of large numbers of 'temporary' teachers at our schools is not only absurd but also counter-productive and traumatic for the teachers involved.

While 'temporary' teachers may be displaced / dismissed "due to an end of contract" , it does not necessarily follow that a said teacher has been dismissed from the Department .

WHO IS THEN RESPONSIBBE FOR FINDING THAT TEACHER ANOTHER POST ?

WHO IS THEN RESPONSIBLE FOR THE INCONVENIENCE AND PSYCHOLOGICAL TRAUMA EXPERIENCED BY THE TEACHER AND HER/HIS FAMILY IN TERMS OF THE CONSTANT THREAT OF UNEMPLOYMENTCAN PRINCIPALS AFFORD TO BE PARTY TO SUCH A BARBARIC SYSTEM ?

While 'temporary' teachers work contractually, (3 , 6 , 12 months) , they may , with the goodwill of the Principal, be able to retain their post indefinitely, while others have to skip and jump each year. What are the rights of the teacher in terms of such a contract ? If Principals are prepared to retain some and not others, one may ask what the validity of those criteria are ?

Why should teachers migrate ? Does the teaching profession only offer security to those teachers who are prepared to accept racist / bureaucratic systems ? 'Temporary' teachers should, on the basis

of their mere employment in the institution, demand that the rights of 'permanent' teachers apply to them as well.

B7 of the Regulations stipulates that 'non advertised posts' may be filled by a 'temporary' person, who may in the course of his stay become permanent upon the recommendation of the Principal/ School Committee. If this is the case, then why do Principals not retain members of their staff. The displacement of teachers merely for reasons that applications have come via the bulletin , is 393 valid enough.

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Given this brief sketch of the situation, it has thus been noted with concern, that over the years Principals , with ease and calm have, unchallenged, dismissed, discharged, displaced teachers at the end of their respective 'contracts', without feeling responsible or obliged to provide adequate support and reasons in a moral and respectable manner for so doing, save to say that someone else has been appointed in that place; after having made no attempt to provide the said teacher with alternative employment; having shown little regard for uprooting and destabilising that teacher in his career; having shown no regard for the relationships the teacher had painstakingly built up with the students and community ; having shown no regard for the stability and the economy of the school ; having not considered the teachers family ; having

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made no attempt to assist the respective teacher with attaining necessary qualifications required - for permanency ; having no regard for the teachers' affinity to the school and her/his work with the students ; having allowed the 'BAASSKAP' and bureaucratic practice of the apartheid structure to disrupt and overpower logical judgement in relation to what is best for the school and the students in a democratic and independent educational process ; knowing that teachers cannot produce to the best of their ability with the threat of dismissal hanging over their heads and that this is one way of holding teachers in subserviance and forcing them to 'tow' the line . Teachers must secure the right to protect their positions where no valid reason exists for their dismissal.

'TEMPORARY' TEACHERS THEREFOR DEMAND :

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1. That the doors of teaching be open to all who want to become teachers, irrespective of race, sex or political affiliation / leaning and that Principals (i) establish structures for negotiating service contracts, (ii) teacher improvement programmes internally and externally with progressive teacher Unions . -
2. That teachers who have taught at a school for one year, and upon receiving a favourable evaluation in that post, retain the right to that post.
5. That when incompetance of a teacher is alleged,

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incompetance be proven. That the teacher must be granted the right to appeal.

That all qualified teachers, upon being granted

a.favourable evaluation gain the status and right to permanency : that the responsibility for the evaluation rests with:the Principal as an interal arrangement.

That upon employment at a school, a probationary period be mutually agreed upon by the parties concerned.

That No.15 of the Act may be retained as clear criteria for dismissal :

1. having attained pensionable age

ii. ill health

iii. abolition of post

iv. incapacity / unfitness for duty

v. does not promote the efficienctyof the school

vi. recklessness / purposefull negative acts detrimental to student progress.

That Principals note that the D.E.C.%S method of appointing / dismissing is fascistic and must be discarded.

That the number of students per class be reduced / that more schools be built /that 'white' schools be open to all : in order that teachers do not scab each others' jobs : in order that Principals cease "BAASSKAP" tactics, re: employment of teachers.

That the Principal, teachers , students and

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parents draw up without delay,a Declaration
of Teachers' Rights.

10. That women teachers not be discriminated
against in any sexist way (incl. maternity
benefits, perks, parity in salary, etc.).

11. That no teacher be victimized because of thair
involvement in political / community affairs.

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IT IS OUR DUTY AS TEACHERS FOR A FUTURE SOUTH AFRICA,
TO SECURE / CREATE A CLIMATE FOR LIBERATION ,
WHEREVER WE FIND OURSELVES - THAT SUCH A CLIMATE

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BE CONDUCIVE TO THE PROGRESS OF OUR SCHOOLS AND
OUR PEOPLE; THAT UNFAIR DISMISSALS IS CRIMINAL .

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FORWARD TO THE DEMOCRATIZATION OF OUR SCHOOLS :11: