



FOR PSA MEMBERS: **DEPARTMENT OF EDUCATION (DOE) – KWAZULU-NATAL**
(PIETERMARITZBURG AREA)

18-08-2025

Victory for PSA member: KwaZulu-Natal Department of Education

A PSA member who is an Educator was unfairly declared as an additional educator in terms of the Post Provisioning Norms (PPN) by the principal of the school without following proper procedures in terms of the ELRC Resolution No 4/2016 read together with KZN HRM Circular No 40 of 2024.

The ELRC Resolution instructs that, “The principal after consulting with an educator staff of the institution at a formal staff meeting, may recommend that educators who may be declared in addition, be absorbed in vacancies that exist or will exist in the near future (not longer than six months) at that education institution.” HRM Circular No 40 of 2024, 5.1.1 stipulate that “At the outset it must be mentioned that all additional educators identified and placed in 2024, but have not been moved, must move to their new school, provided posts are still available in terms of the new PPN. Those additional educators that have been placed must be given priority for placement”. 5.1.2 “The processes of declaration of vacancies and educators additional to the educator post establishment must be consulted upon by the principals with the educator staff of the institution as outlined in this circular. The declaration of educators must be undertaken in a fair, transparent and objective manner and should not be used as punitive measure.”

The member immediately submitted a grievance in terms of the ELRC Grievance Procedure and demanded reversal or cancelation of the declaration as the employer had failed to follow proper procedure before declaring the educator. The employer did not respond to the member's grievance and the PSA declared a dispute at the ELRC, seeking cancellation of the declaration and for the employer to follow the correct procedure before declaration is pronounced. A set down date was received from ELRC and the matter was conciliated, however, it remained unresolved, and a certificate of outcome was issued by the Commissioner.

The ELRC scheduled the matter for arbitration but before the date for arbitration, the employer called a bilateral meeting to discuss the matter. The PSA attended the bilateral meeting together with the member. The employer admitted that the procedure in HRM No 40 of 2024 was not followed by the school principal and a declaration against the member was reversed/cancelled. The employer further committed in ensuring that in the next coming process with regards to PPN, the school will be assisted in ensuring that it follows the procedure correctly.

Employees who would like to join the PSA, can reach Zweli Msane, Organising/Marketing Officer on **082 880 8944** / Zweli.Msane@psa.co.za and Zinhle Manyoni on **063 400 1036** / Zinhle.Manyoni@psa.co.za.

Reuben Maleka
GENERAL MANAGER