



# NAPTOSA FET Unit

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## NEWS FLASH

TO THE NAPTOSA UNION REPRESENTATIVE

### **DHET Human Resource Circular 5 of 2014: Annual leave provisions for support staff and office-based lecturers employed by public Technical and Vocational Education and Training (TVET) colleges**

TVET colleges recently received DHET's Human Resource Circular 5 of 2014, dated 12 September 2014.

The circular is applicable to "support staff and office-based lecturers employed by TVET colleges" and the purpose is to standardise the annual leave of support staff and office-based lecturers. The circular sets out the annual leave provisions of the staff concerned (employees with less than 10 years' service have 27 working days' leave and employees with more than 10 years' service have 30 working days leave).

The circular confirms that colleges will officially close on 10 December 2014 and open on 5 January 2015. It also clarifies the question of whether these employees must complete leave forms for the period that a college is officially closed. Employees must complete leave forms for this period. These leave days form part of the 27 or 30 working days' leave each employee has. **This is in line with paragraph 6 of the *Determination of Leave of Absence in the Public Service*.**

Of concern, however, is the misinterpretation of the last paragraph of the Circular:

*"Please note that the measures as outlined above were discussed with Unions in the Further Education and Training Colleges Bargaining Chamber of the GPSSBC and there was agreement on the contents of the Circular."*

There are currently TWO bargaining units operational in the TVET sector, namely the FETCBU that falls under the GPSSBC and the FETCBU that falls under the ELRC. It is clear that the matter was discussed in the GPSSBC's Bargaining Unit, which in NAPTOSA's opinion, was the correct unit where the matter should have been tabled. The unions with whom DHET clarified these leave provisions are PSA, NEHAWU and POPCRU.

The CTU:ATU (NAPTOSA, SAOU, NATU, PEU, etc) and SADTU represent college employees in the FETCBU (ELRC). DHET has not submitted any proposal in the FETCBU (ELRC) with regard to the amendment of the leave dispensation of these employees.

The question may arise who these employees are. There are two ways in which lecturing staff and so-called "office-based lecturers" can check whether they fall under the FETCBU (ELRC): (i) the salary advice must indicate under "Deductions" that an amount is deducted for the ELRC (not GPSSBC) and (ii) if the individual is on the OSD salary scale for lecturers (in line with FETCBU (ELRC) Collective Agreement 1 of 2010), it means that the individual still falls under the FETCBU (ELRC) for bargaining purposes and decisions taken in the GPSSBC are not applicable to them. Until lecturers are transferred to the employ of DHET in April 2015 any amendment to conditions of service must be negotiated in the FETCBU (ELRC).

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