



Province of the  
**EASTERN CAPE**  
EDUCATION

**Human Resource Planning & Provisioning Services**  
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Ref:

**MEMORANDUM**

**TO : DDGs**  
**: CLUSTER CHIEF DIRECTORS**  
**: CHIEF DIRECTORS AT HEAD OFFICE**  
**: DISTRICT DIRECTORS**  
**: EDUCATION DEVELOPMENT OFFICERS**  
**: SCHOOL PRINCIPALS**  
**: LABOUR UNIONS**

**FROM : ACTING HEAD OF DEPARTMENT**

**DATE : 22 DECEMBER 2015**

**SUBJECT : EXTENSION OF TEMPORARY EMPLOYMENT: EDUCATORS**

**1. PURPOSE**

The purpose is to provide a standard procedure regarding the extension of contract of employment of temporarily employed educators whose term of employment with this department will expire on 31 December 2015.

**2. BACKGROUND**

2.1 The Department is currently employing three categories of Temporary Educators. The first category can be referred to as "Protected Temporary Educators" to whom the provisions of ELRC Resolution 1 of 2008 apply. Information available to the Department indicates that

there are currently 568 Educators employed in this category whose term of employment will expire of 31 December 2015.

- 2.2 The second category can be referred to as “Critical Temporary Educators” employed to meet the operational requirements of the Department in the critical offerings of Mathematics, Science, Commercial Studies and Technology. Educators in this category are those who do not qualify for permanent employment due to not being -
- a South African Citizen; or
  - professionally registered but academically fully qualified,
- to do offering(s) in the critical subject areas.
- 2.3 The third category can be referred to as “Irregular Temporary Educators”. Educators in this category include those appointed through past practices who have no valid Work Permit, who’s qualifications have not been verified or qualifications do not meet the profile of the post and/or the requirements of the education phase.
- 2.4 Districts Offices were requested on 23 November 2015 to submit, on an individual basis, motivation for the extension of the term of employment of all Temporary Educators up to 31 March 2016 to facilitate the implementation of the 2016-PPN but also to ensure that there are Educators in classes on the first day of the 2016 school-year. The response to this request was unfortunately inadequate to finalise the “re-appointment process.

### 3. 2016- EXTENSION DIRECTIVE

#### 3.1 Category 1: “Protected Temporary Educators”

All serving Temporary Educators falling in this Category may be allowed to assume duty on 11 January 2016 at the school where they are currently employed. If there is not a vacant post available on the 2016-PPN allocation, such an Educator will be employed additional to the post establishment. Assumption of duty must be reported by the completion and submission of **Form A** attached hereto, to enable the Central Processing Centre to obtain approval for an extension up to 31 December 2016.

## 3.2 Category 2: “Temporary Educators / Expatriates”

- 3.2.1 Serving “Foreign” Temporary Educators falling in this category may be allowed to assume duty on 11 January 2016 **subject to all of the following conditions:**
- 3.2.1.1 Employment can only take place against a vacant 2016-PPN post with a critical post profile.
- 3.2.1.2 There is no Permanent Educator declared additional at the school or a school nearby who can provide the required critical subject offering.
- 3.2.1.3 The Educator **must** be in possession of a valid Work Permit. Special authorisation was granted for the extension of employment period of **Zimbabwean nationals** falling in this Category on an once-off bases to 31 March 2016 **subject to** proof being provided that an application for the Special Zimbabwean dispensation has been made with the Department of Home Affairs/its Agent.
- 3.2.1.4 The Educator’s foreign qualification(s) **must be** duly evaluated by the Department of Higher Education and Training’s Evaluation of Qualifications Programme (EQP).
- 3.2.1.5 The Educator’s qualification profile must comply with the standards set for the critical subject offering and/or Phase. (must have at least completed the subject(s) of critical offering(s) at second year level.
- 3.2.1.6 The Educator must be duly registered in the category “provisionally registered” with the South African Council for Educators (SACE).
- 3.2.2 Serving Temporary Educators who are South African Citizens, meeting the qualification requirements for a critical offering and/or phase, but not registered with SACE, may be allowed to assume duty on 11 January 2016 **subject to the following conditions:**
- 3.2.2.1 Employment can only take place against a vacant 2016-PPN post with a critical post profile.
- 3.2.2.2 There is no Permanent Educator declared additional at the school or a school nearby who can provide the required critical subject offering at the requisite phase.
- 3.2.3 In both instances assumption of duty must be reported by the completion and submission of **Form B** attached hereto, to enable the Central Processing Centre to obtain approval for the extension of the employment period up to **31 March 2016**. A further extension will be

considered following the completion of the 2016-PPN implementation process and after completion of processes to appoint Students from the 2015-Funza Lushaka Group.

### 3.3 Category 2: “Irregular Temporary Educators”


Although a once-off condonation for non-compliance with appointment requirements were granted for cases submitted before 24 November 2106, the Department cannot continue with irregular administrative actions compromising learning, teaching and audit outcomes. For this purpose **no** Serving Temporary Educator **not meeting** the prescribed requirements may be allowed to assume duty on 11 January 2106 or on any date thereafter. The Accounting Officer of a Department is in terms of the provisions of the Public Finance Management Act **compelled** to declare all irregular expenditure (the irregular appointment of an Educator is regarded as irregular administrative action resulting in irregular expenditure) and to institute appropriate consequence management procedures.

### 3.4 Assumption of Duty Reporting

Principals must ensure that the **applicable** Assumption of Duty Form, with specified source documents attached, is completed for a Serving Temporary Educators who comply with the directives as indicated above by no later than 12 January 2015. The Form must be submitted **immediately** to the District Office for quality assurance and certification by the **Deputy Director HR and the District Director**. The District Office must ensure that THE duly certified Assumption of Duty Forms are submitted to the CPC by hand no later than close of offices on 15 January 2015 to process the extensions. Failure to comply with this arrangement will result in Temporary Educators not receiving salary at the end of January 2016. This will under no circumstances be allowed as the Department cannot again from the first month of the 2016-school year allow new backlogs to develop.

Where possible completed Assumption of Duty Forms and the source documents can be e-mailed to Mr J Daniel at [josedanielrsa@gmail.com](mailto:josedanielrsa@gmail.com) or Mr C Dreyer at [cldreyer@mweb.co.za](mailto:cldreyer@mweb.co.za) before the original documents are delivered to the CPC by hand as this may assist to speed-up processes.

District Directors must ensure that the content of this Memorandum is communicated to all Circuit Managers and Principals.

 5/1/2016

**MS SN NETSHILAPHALA  
ACTING SUPERINTENDENT-GENERAL**



# FORM A

## ASSUMPTION OF DUTY: SERVING PROTECTED TEMPORARY EDUCATOR

This is to report the assumption of duty of the following Serving Protected Educator on 11 January 2016.

PERSONAL DETAILS			
Surname			
Initials			
Identity Number		PERSAL Number	
School		District Office	
PROGRESS MADE TOWARDS PROFESSIONAL QUALIFICATION			
Institution		Qualification	
Year of Enrolment		Current Year	
<b>Instruction:</b> Attach copy of latest academic record.			
Principal Date:		Circuit Manager Date:	
Deputy Director: HR Date		District Director: Date:	



# FORM B

## ASSUMPTION OF DUTY: SERVING "CRITICAL" TEMPORARY EDUCATOR

This is to report the assumption of duty of the following Serving "Critical" Educator on 11 January 2016.

PERSONAL DETAILS					
Surname					
Initials					
Identity Number			PERSAL Number		
School			District Office		
FOREIGNER (Complete if not RSA Citizen)					
Vacant Post exist on the 2016 PPN	YES	NO	Is there a Permanent Additional Educator at the School or nearby who can do the offering?	YES	NO
Critical Post Profile	Critical Subject(s)				
	Phase				
Educator Profile	Subjects up to at least second year level matching post profile.				
<b>Instructions:</b> Attach certified copies of Valid Work Permit, Qualification Certificate, EQP Certificate and SACE Registration Certificate.					
RSA Citizen					
Although not professionally qualified, it is confirmed that the Educator's services are still needed to offer one of the critical subjects, he/she is duly qualified, a vacancy exist on the 2016-PPN and no Additional Educator is available for absorption.					
Principal Date:			Circuit Manager Date:		
Deputy Director: HR Date			District Director: Date:		

