

SADTU 4th NATIONAL CONGRESS: 6-9 September 1998

Resolutions

1.0 LEGAL STATUS

Noting:

1. That the Registrar of Labour Relations certified SADTU as a trade union in terms of section 96(7) of the Labour Relations Act No. 66 of 1995 with effect from 11 November 1996;
2. That together with certification of registration the Registrar of Labour Relations directed SADTU to rectify its Constitution in a number of respects, namely:
 - 2.1 To include a provision in the Constitution that SADTU is not an association for gain as required by section 95(5)(a) of the LRA;
 - 2.2 To consider the inclusion of a provision in clause 7.5 of the Constitution which provides for an exact subscription payment, whether that be in the form of a specific amount of money and/ or a percentage of a member's salary in each month. The Registrar of Labour Relations noted that this is not a definite requirement of the LRA but suggested that this clause be revised by SADTU for the benefit of its members;
 - 2.3 To include provisions of the conducting of ballots as required by section 95(5)(o), (p) and (q) of the LRA (section 95(5) of the LRA which deals with requirements of a trade union's constitution is attached marked Annexure "A");
 - 2.4 To amend clause 17 of the SADTU constitution in order to ensure that it is brought in line with section 103 of the LRA (section 103 of the LRA is also quoted in Annexure "A");
 - 2.5 To amend clause 18 to bring it in line with section 101(3) of the LRA. The Registrar of Labour Relations suggested the following wording:

"No changes or additions shall have any force or effect until certified in terms of section 101(3) of the Act".

3. That the Registrar of Labour Relations has granted SADTU until 1 November 1998 to amend its constitution as directed above;
4. That the suggested wording below is reflected as follows: additions are underlined and deletions are between square brackets and in bold;

Believing:

5. That SADTU should ensure that its constitution is brought in line with the relevant provisions of the Labour Relations Act;
6. That it is in the interests of SADTU and its members to specify in the Constitution the issues identified by the Registrar of Labour Relations.

Hereby resolve to:

1. Amend Clause 4 by re-numbering the present sub-clause as 4.1 and inserting sub-clause 4.2 as set out below. The amended clause will read:

4.0 LEGAL STATUS

- 4.1 The Union shall be a body corporate with perpetual succession, capable of entering into contractual and other relations and of suing and being sued in its own name. It shall hold property apart from its members. The liability of members shall be limited to the amount of their subscriptions outstanding or other monies due to the Union at any time.
- 4.2 The Union is an association not for gain.

Mover: Vryheid; Seconder: Khayalitsha. Carried.

4. Add clause 17 (which will now become clause 18 as a result of paragraph 3 above)

Amend clause 17 to read:

- 17.1 The Union may be dissolved by resolution of the National Congress in which a majority of at least two-thirds have voted in favour.

- 17.2 In the event of a resolution being adopted as provided by above the National Congress or the remaining members of the National Executive Committee shall appoint a liquidator to wind up the affairs of the Union. The liquidator shall not be a member of the Union.

Mover: Eastern Cape; Second: Gauteng. Carried.

- 17.3 The liquidator shall take the necessary steps to liquidate the debts of the Union from its unexpended funds and any other monies realised from any assets of the Union. The liquidator's fees and expenses shall rank in order of preference as though the expenses were the cost of a sequestration of an insolvent estate.

Clause 17.4 Dissolution

After payment of all debts the remaining fund, if any, shall be transferred to another non-profit, tax exempt organisation(s) with objects similar to the Union, decided upon by the National Congress.

Mover: Eastern Cape; Second: Northern Province. Carried.

- 17.5 The available members of the Union's last appointed NEC shall ensure that the provisions of section 103 of the Labour Relations Act No. 66 of 1995, as amended, are complied with in the winding up of the Union.

Mover: Vryheid; Second: Rustenburg. Carried.

5. Add Clause 18 (which will now become Clause 19 as a result of paragraph 3 above).

Amend Clause 18 by adding the following:

No changes or additions shall have any force and effect until certified in terms of Section 101(3) of the Labour Relations Act, No. 66 of 1995, as amended.

Mover: Mokopani; Second: Rustenburg. Carried.

2.0 NATIONAL OFFICE BEARERS

The National Congress hereby resolve that the National Office Bearers be constituted as follows:

- 2.1 President
- 2.2 Deputy President
- 2.3 General Secretary
- 2.4 Assistant General Secretary
- 2.5 Treasurer
- 2.6 Education
- 2.7 Sports, Arts & Culture
- 2.8 Gender

Mover: Eastern Cape; Seconder: Gauteng. Carried.

3.0 SITES

The National Congress hereby resolve that at the level of the Sites, the Site Committees be constituted as follows:

- 3.1 Site Steward
- 3.2 Site Secretary
- 3.3 Site Gender/Education Officer

Mover: Eastern Cape; Seconder: Gauteng. Carried.

4.0 TERM OF OFFICE

The National Congress hereby resolve that the term of office of the following structures be as follows:

- | | | | |
|-----|------------|---|---------|
| 4.1 | National | - | 4 years |
| 4.2 | Provincial | - | 3 years |
| 4.3 | Regional | - | 2 years |
| 4.4 | Branches | - | 2 years |
| 4.5 | Sites | - | 2 years |

Motion carried unanimously.

5.0 STRUCTURES AND REPRESENTATION

5.1 REPRESENTATION AT CONGRESS

The National Congress hereby resolve that representation at Congress be made up as follows:

- i) National Office Bearers
- ii) Provincial Office Bearers
- iii) Regional Chairpersons and Regional Secretaries; and
- iv) One Branch delegate per 350 paid-up members or part thereof in the Branch, provided that each Branch shall be entitled to at least one delegate.

Mover: Gauteng; Seconder: North West. Carried.

5.2 NATIONAL GENERAL COUNCIL (NGC)

The National Congress hereby resolve that:

The National General Council shall consist of the National Office Bearers, Provincial Chairpersons and Secretaries, Regional Chairpersons and one delegate per 5 000 members or part thereof.

Mover: KwaZulu Natal; Seconder: North West. Carried unanimously.

5.3 NATIONAL EXECUTIVE COMMITTEE (NEC)

The National Congress hereby resolve that the composition of the National Executive Committee shall be the National Office Bearers and the Chairperson and Secretary of each province.

Mover: Eastern Cape; Seconder: Gauteng. Carried.

5.4 THE NATIONAL OFFICE BEARERS SHALL:

- a) Be the working committee of the Union with limited and specific decision-making powers;
- b) Carry out decisions and instructions of the National Congress, NGC and NEC;
- c) Ensure that Provinces, Regions and Branches are functional; and
- d) Submit a report to each NEC meeting.

5.5 PROVINCIAL CONFERENCE

The National Congress hereby resolve the Provincial Conference of the Union shall consist of Provincial Office Bearers, Regional Office Bearers and one representative for every 200 paid up members or part thereof in the branch.

NB: Status quo remains.

Mover: Free State; Seconder: North West . Carried.

5.6 PROVINCIAL GENERAL COUNCIL

The National Congress hereby resolve that:

The Provincial General Council shall consist of the Provincial Office Bearers, Regional Chairpersons and Secretaries, Branch Chairpersons plus one representative per 500 members in a branch or part thereof.

Mover: Mpumalanga; Seconder: North West. Carried unanimously.

5.7 PROVINCIAL EXECUTIVE COMMITTEE (PEC)

The National Congress hereby resolve that:

The composition of the Provincial Executive Committee shall be the Office Bearers of the Province and the Chairperson and Secretary of each Region.

Mover: Eastern Cape; Seconder: Mpumalanga. Carried unanimously.

5.8 REGIONAL CONFERENCE

The National Congress hereby resolve that:

The Regional Conference shall comprise of the Regional Office Bearers, Branch Office Bearers plus one representative per 100 members in a branch or part thereof.

Further, that the Regional Conference be called the Biennial Regional Meeting.

Mover: Western Cape; Seconder: North West. Carried unanimously.

5.9 REGIONAL EXECUTIVE COMMITTEE (REC)

The National Congress hereby resolve that:

The Regional Executive Committee (REC) shall consist of Regional Office Bearers and Chairpersons and Secretaries of Branches.

NB: That the REC remain as is.

Carried unanimously.

5.10 BRANCH CONFERENCE (BIENNIEL)

The National Congress hereby resolve that:

The Branch Conference hereby be referred to as the Branch Biennial General Meeting and be attended by all branch members.

Carried unanimously.

5.11 BRANCH GENERAL COUNCIL (BGC)

The National Congress hereby resolve:

That the composition of the Branch General Council shall be the Branch Executive Committee (BEC) plus one Site Steward per site. Further that the Branch General Council be referred to as the Site Steward Council, and be held at least once per quarter.

Carried unanimously.

5.12 BRANCH EXECUTIVE COMMITTEE (BEC)

The National Congress hereby resolve:

That the composition of the Branch Executive Committee shall be all the elected office bearers of that branch.

Carried unanimously.

6.0 POWERS OF THE NEC

The National Congress hereby resolve:

That the National Executive Committee (NEC) shall from time to time assess and determine the positions of the Office Bearers. Further, consideration shall also be given to the need for full time officials at all levels of the Union.

Mover: Belhar-Delft; Seconder: Bloemfontein. Carried unanimously.

7.0 CONSTITUTIONAL AMENDMENTS

7.1 CLAUSE 1 PREAMBLE

Amendment:

"We, teachers of South Africa, having committed ourselves to the transformation of education and dedicated ourselves to the development of an education system which is fully accessible, equal and qualitative, free of apartheid legacy and which is the just expression of the will of the people, as enshrined in the Constitution of the country, hereby proclaim the need for a single teachers' union in our land."

Mover: Eastern Cape; Second: KwaZulu Natal. Carried.

7.2 **CLAUSE 6 : OBJECTIVES**

Addition: (6.17)

To foster an understanding of social, political and economic matters at National and International level.

Mover: Northern Province; Second: North West. Carried.

7.3 **CLAUSE 9 : SITE LEVEL MEETINGS AND REPRESENTATION**

Amendment: (9.1)

For the purpose of this clause a site refers to the registered scope of the Education Labour Relations Council in respect of which the Educator's Employment Act, 1994 applies.

Mover: Eastern Cape; Second: North West. Motion in abeyance.

7.4 **SITE MEETING**

Amendment: (9.2.3)

"Elect, mandate and recall representatives to a SADTU Site Executive Committee".

Amendment: (9.3)

Meetings of the members of the union at a Site shall be convened (by SADTU Site committee) by the SADTU Site Executive Committee at least once a month acting on its own or on the request of members.

Addition: Site Meetings (9.3)

At every Site where there are members of the union in employment, all those members shall meet frequently to:

Addition: (9.3.1)

Discuss grievances.

Addition: (9.3.2)

Discuss and implement policy and decisions of the union.

Mover: Eastern Cape; Second: North West. Carried.

7.5 FUNCTIONS

Amendment: (9.4.6)

"To report to the Branch site steward's Council."

Mover: Eastern Cape; Second: North West. Carried.

7.6 DEPUTY CHAIRPERSON

Addition: (10.11.2)

"... and any other duties it be assigned by the constitutional structures."

Mover: Mpumalanga; Second: North West. Carried unanimously.

7.7 CLAUSE 11 - REGIONAL STRUCTURES

Amendment: (11.1)

Regions may be established in any area demarcated by the Provincial Executive Committee (PEC), provided that there shall be not less than two and not more than eight Regions in the Province and that the National Office be advised accordingly.

Mover: Northern Province; Second: KwaZulu Natal. Carried.

7.8 CLAUSE 12 : PROVINCIAL STRUCTURES

The Provincial Office Bearers shall:

- Be the working committee of the union with specific and limited decision making powers;
- Carry out decisions and functions of the PEC to which it shall be accountable;
- Meet at least once a month;
- Ensure that regions and branches are functional.

Mover: Eastern Cape; Second: North West. Carried.

.9 **Clause 12.1**

This National Congress hereby resolve that the provincial headquarters shall be determined by the Provincial Executive Committee (PEC).

.10 **CLAUSE 13.9**

That the National General Council shall meet at least once per year excluding the year of the National Congress.

7.10 **CLAUSE 19 : INTERPRETATION**

Addition: (19.3.7)

"Unless the context indicate otherwise words denoting masculine Gender shall also mean feminine gender and vice versa.

Mover: Free State; Second: North West. Carried.

<h2 style="margin: 0;">8.0 FINANCE: CONSTITUTIONAL AMENDMENTS</h2>
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8.1 **CLAUSE 14.1**

All subscriptions and levies from members, or any other funds payable to the Union, shall be remitted to the General Secretary and shall be deposited to its credit within three days of receipt thereof.

8.2 **CLAUSE 14.2**

One or more bank accounts shall be operated by the Union with such approved financial institution as the National Executive Committee may from time to time decide upon and all such accounts shall be in the name of the "South African Democratic Teachers' Union."

8.3 **CLAUSE 14.3**

The National Executive Committee (NEC) shall from time to time direct the monies not required for immediate use be invested with approved financial institutions.

8.4 **CLAUSE 14.4**

The signatories to the National Account shall be the President, Treasurer, General Secretary and two members of the National Executive Committee (NEC) appointed for that purpose by the National Executive Committee, any three of whom shall jointly sign cheques. The signatories to the other accounts of the Union shall be decided upon by the National Executive Committee (NEC) who may delegate such power to the Provincial Executive Committees, Regional Executive Committees and Branch Executive Committees of the Union. All payments shall be made by cheque.

8.5 **CLAUSE 14.5**

In the event of any one or more signatories being unable or unwilling to be a signatory to such cheques, the National Executive Committee may appoint such other signatories as it deems suitable provided that all cheques shall be signed by three persons who shall be the General Secretary and / or members of the National Executive Committee.

8.6 **CLAUSE 14.6**

Monthly allocation to Provinces, Branches and the Head Office shall be made on the authorisation of three signatories to the National Account. The National Congress shall determine the proportional basis according to which allocations are to be made to Provinces, Regions and Branches. The National Executive Committee shall decide on any appropriate measures to be taken in the event of failure by a Province, Region, or Branch to account for funds allocated.

8.7 **CLAUSE 14.7**

The Treasurer shall submit to the National Executive Committee at each Ordinary Meeting a detailed financial report of the financial affairs of the Union.

8.8 **CLAUSE 14.8**

The books of the Union shall be audited, at least once a year, by certified auditors approved by the National Executive Committee (NEC).

.9 **CLAUSE 14.9**

The financial year of the Union shall commence on 1 January and end on 31 December of each year.

8.10 CLAUSE 14.10

All funds of the Union shall be managed according to the financial policy stipulated in the SADTU Finance Manual and determined by the National Executive Committee (NEC) from time to time.

8.11 CLAUSE 14.11

True copies of the consolidated audited financial statement of the Union together with the auditors' report shall be made available to all members of the Union at all offices of the Union.

8.12 CLAUSE 14.12

The National Executive Committee may at any time with a view to securing funds for any particular lawful purpose contemplated by the Constitution impose a levy provided that not less than 14 day's notice of the proposed levy has been given to all Provinces, Regions and Branches; provided further that any provincial Conference may demand that a ballot of members of the Union be taken on the subject. The purpose of the levy shall be clearly set out in the notice as well as the period of operation of such levy. Such levies may differentiate on the basis of earnings and may be either fixed amounts or a percentage of earnings. Under no circumstances shall the amount of the levy exceed two and a half percent of any member's earnings for any calendar year and shall not apply for more than one year.

8.13 CLAUSE 14.13

No profits or gains of the Union will be distributed to any person and the funds of the Union shall be utilised solely for the attainment of the objectives for which the Union was established.

8.14 CLAUSE 14.14

"Site funding. Site should be given fund raising powers. The nature and extent of these powers be determined in line with the union's Finance Policy.

9.0 POLITICAL

9.1 STRENGTHENING THE LEFT/MDM

Noting that:

- The weak state of relations with fraternal MDM organisations.
- Some of these organisations are collapsing.
- The political vacuum created by the dissolution of the NECC.

Believing that:

- These organisations are necessary to consolidate the gains of the NDR.
- SADTU has a crucial role to play in organising and supporting other educational formations.

Resolving that:

- SADTU should assist in the resuscitation of structures that have/ are collapsing and should provide material support with a view to fostering self sufficiency and accountability;
- That SADTU should consciously work towards capacitating the youth and should participate strategically in the Department's initiated youth and SRC programmes;
- SADTU should lead in coordinating the educational front of the Alliance, and in particular, to work with COSAS, SASCO, ANC and SACP Education Desks;
- To support SANCO and to urge SADTU members to participate in SANCO structures and programmes.

Mover: Resolutions Committee. Second: North West.
Carried unanimously.

9.2 THE TRIPARTITE ALLIANCE

Noting that:

- There has been a decline in the health of the Alliance as a result of serious political leadership problems, inconsistencies and tactical differences;
- The rumour mongering and calls from enemy forces for the demise of the Alliance;
- The Alliance is led by the ANC.

Believing that:

- Differences should be handled through structural interaction including reviving Alliance structures at branch level;
- A healthy Alliance is the only strategic vehicle to achieve the objectives of the national democratic revolution;
- A strong relationship between the Alliance and government is crucial to delivering transformation.

Resolving that:

- The Alliance be maintained and strengthened to ensure the objectives of the NDR are realised;
- Alliance partners be collectively engaged in policy formulation which should be based on policies of equity, redress, democratic participation and be people-driven.
- Principles of democracy, consultation, accountability and transparency be observed by all Alliance partners;
- Notwithstanding the centrality of the ANC leadership of the Alliance, the autonomy of Alliance partners should not be sacrificed;
- The Alliance be deepened to ensure meaningful consensus on major policy matters and participation in joint programmes to drive transformation;
- Regular meetings and summits of the Alliance be held to assess government performance and to render assistance where possible.

Mover: Resolutions Committee; Second: Mpumalanga.
Carried unanimously.

9.3 ALIGNMENT

Noting that:

SADTU should have working relations with all progressive organisations that share our interests.

Believing that:

- This is in the interest of the working class;
- This would strengthen our base;
- Our membership is drawn from a broad base of society.

Hereby resolve that:

- SADTU align itself with all progressive organisations which promote our interests;
- Such alignment should in no way hamper decision making and action.

Mover: Resolutions Committee; Seconder: Western Cape.
Carried unanimously.

9.4 1999 ELECTIONS

Noting that:

- the majority of SADTU members participated in the 1994 elections very fruitfully;
- The confusion of some of our members in standing for elections as independents eg. In the 1995 local elections;
- The misconception that SADTU as an organisation can contest elections;
- The respect for and expectations from SADTU leaders by the community.
- COSATU CEC Resolution on the General Elections.
- The successful voter education programme undertaken by SADTU especially in the disadvantaged provinces.

Believing that:

- The ANC remains the only relevant vehicle to address the interests of the majority of South Africans;
- SADTU has a crucial role to play in campaigning for the ANC in the 1999 elections;
- SADTU is not a political organisation and cannot register for elections;
- Members of SADTU should be discouraged from standing as independents, but may be nominated for the ANC list;
- There is a need to deploy comrades to government structures to enhance transformation;
- A two-thirds majority for the ANC would allow transformation to proceed unfettered by the efforts of former servants of apartheid.

Hereby resolve that:

- SADTU encourage its members to vote for the ANC and to campaign on its behalf to achieve a two-thirds majority;
- Union members should only go into government through ANC structures – which should nominate election candidates;
- To deploy comrades to government for the clearly defined purpose of crafting programmes to deepen transformation in education;
- To campaign in the workplace for an ANC victory;

- To commit material and human resources to the ANC election campaign and to support the COSATU resolution calling for the collection of an election levy.
- To establish a national voter education fund to be allocated to provinces proportionately;
- To call for an Alliance Summit to draw up an election manifesto and electoral pact;
- To compile an achievement / delivery register to be distributed nationally and to assist the campaigning process;
- SADTU branches assist in voter registration and ID campaigns.

Mover: Resolutions Committee; Second: Eastern Cape.
Carried unanimously.

9.5 STATE AND PUBLIC SERVICE RESTRUCTURING

Noting that:

- The transformation process is proceeding at a slow pace;
- Transformation is undermined by reactionary bureaucrats;
- SADTU has played a minimal role in transforming the public service.
- Political careerism is a matter of fact.

Believing that:

- A transformed state is urgently required;
- Affirmative action is part of transformation;
- Transformation should be accelerated through the deployment of cadres from MDM structures;
- SADTU through COSATU must participate in the transformation process and needs to develop and disseminate concrete positions around this debate.
- The process should be properly monitored.

Hereby resolve that:

- Alliance structures help government in identifying and exposing reactionary bureaucrats for disciplinary action to be taken;
- Alliance structures establish monitoring teams to oversee the process of transformation;
- The recruitment of civil servants be open and free of nepotism and be guided by principles of affirmative action and commitment to transformation;
- The deployment of comrades from the MDM into strategic positions be accompanied by appropriate developmental policy;

- SADTU hold a national workshop on transformation of the public service to be preceded by provincial workshops.

Mover: Resolutions Committee; Second: KwaZulu Natal.
Carried unanimously.

9.6 **POLITICAL EDUCATION**

Noting that:

- There is an absence of clear political direction and understanding amongst the majority of SADTU members;
- The absence of political and economic education workshops for SADTU members;
- Capitalist ideology is intimidating and enticing our members.

Believing that:

- Political education should be conducted throughout the structures of the Union;
- Political education should be geared towards enhancing understanding of our agenda to establish socialism.

Hereby resolve that:

- SADTU and SACP embark on joint political education programmes.
- Political education together with capacity building programmes be implemented at branch level.

Mover: Resolutions Committee; Second: Gauteng. Carried.

10.0 ORGANISATIONAL

10.1 DISCIPLINE AND PROFESSIONAL CONDUCT

Noting:

1. The legitimate concerns of our communities regarding examples of indiscipline and unprofessional conduct amongst teachers;
2. The deplorable behaviour of a minority of teachers is tarnishing the image of SADTU and of the profession in general and is further demoralizing to the majority of teachers who give devoted service often under difficult circumstances;

3. SADTU has adopted a code of conduct designed to maintain the highest professional standards amongst members, which defines unprofessional conduct of teachers to include:
- Maliciously, carelessly, irresponsibly or otherwise not in fulfillment of official duties;
 - Addiction to the excessive use of intoxicating liquors or the excessive habitual use of opiates or narcotics whilst on duty;
 - Conviction in a court of law of an offense of a serious nature; and
 - Sexual harassment of teachers or pupils.

Believing that:

- Committed, motivated and well-trained teachers are key to educational transformation and the delivery of quality public education;
- Indiscipline and unprofessional conduct amongst educators undermines the fundamental objectives of the Union.

Hereby resolved:

- To recommit the union to the objects of the COLTS campaign for a Culture of Learning, Teaching and service exhorts all members to fulfill their responsibilities as educators;
- To empower SADTU branches to be vigilant in ensuring that members live up to their responsibilities as educators and where breaches of the Code of Conduct occur, the appropriate disciplinary procedures are vigorously pursued;
- Whilst seeking to root out indiscipline and unprofessional conduct, that SADTU reaffirm its commitment to defend and extend the rights and conditions of teachers, the majority of whom are committed to the delivery of quality public education.

Mover : Resolution Committee; Secunder Mpumalanga .
Carried unanimously.

.2 PARAPHERNALIA

Noting that:

- Paraphernalia administration is not properly located in the Union.
- There is a grey area in terms of design, control, accountability, etc.
- There is a serious contestation between Media, Culture and Marketing and Benefits (MABCOM) / Portfolios on the administration of same.

Believing that:

- Media is our channel of communication both within and outside the Union.
- Paraphernalia is an expression of our cultural content, both as a union and the nation.
- Paraphernalia is not intended to be profit making.

Hereby resolve that:

- Paraphernalia be handled by the Art, Culture and Sport portfolio.
- Paraphernalia be used to promote the image of the Union.

Mover: Resolutions Committee; Second: North West.
Carried unanimously.

.3 PENSIONS AND HOUSING SUBSIDY

Noting that:

- The Marketing and Benefits report has declared pensions and housing subsidies as grey area in terms of design, control, accountability, etc.
- Pensions and subsidies are statutory benefits.

Believing that:

- Pension and housing subsidies are bargainable matters.

Hereby resolve that:

- Pension and housing subsidies be pursued by the bargaining structures of the Union.

Mover: Resolutions Committee; Second: Free State.
Carried unanimously.

.4 SUBSCRIPTIONS INCREASE

Noting that:

- Capacitating membership and providing benefits to members requires large sums of money.
- The current economic climate is adversely affecting members.
- Congress will only meet in four years time and inflation will erode the value of subscriptions.

Believing that:

- An increase in subscriptions would make developmental programmes for members of the union financially viable.

Hereby resolve that:

- The current subscription of R20 be retained. However, the National General Council (NGC) be mandated to increase subscriptions after consultation with SADTU structures, if necessary.

Mover: Resolutions Committee; Second: Kwa-Zulu Natal.
Carried.

10.5 MEMBERSHIP RECRUITMENT

Noting that:

- The PSCBC resolution on agency fees.
- Branches should vigorously campaign for recruitment in the technical colleges, educator training colleges, universities and previously "whites only schools."

Believing that:

- SADTU's power base in the education arena will increase further with a larger membership.

Hereby resolve that:

- A recruitment strategy be developed along the lines of strengthening the organising department.
- Meetings of educators be convened, irrespective of affiliation, to market SADTU and popularise the organisations operations and programmes.
- Organising be done in a co-ordinated manner by organising teams.
- SADTU should work towards improving our image by dealing decisively with tendencies and conduct that undermine the image of the union (this would take the form of enforcing the code of discipline).

Mover: Resolutions Committee; Second: Gauteng. Carried.

11.0 LABOUR

11.1 CONVENING OF A BARGAINING CONFERENCE

Noting that:

1. The issues of labour are intensive and specific that requires lengthy debate.
2. Congress has time constraints, which does not allow for this intense debate.

Believing that:

SADTU needs to set aside sufficient time to debate labour issues in order to develop a clear bargaining strategy and new mandates.

Hereby resolve to:

- Call an urgent Bargaining Conference which develops a bargaining strategy and renews our mandates.
- Defer all resolutions tabled under labour issues of Congress to this Bargaining Conference.

Carried unanimously.

11.2 POST PROVISIONING

Noting that:

- The employer has presented a proposal on post provisioning which reflects a differentiated norm in each province .
- This proposal is still informed by provincial budgets rather than educational needs of the country.
- The proposal of the employer does not consider national norms and standards to be expressed as a target or range.

Believing that:

- National norms and standards need to be expressed as a ceiling (target or range).
- We need to engage the employer's proposal as it is presently expressed.

Hereby resolve that:

- We call for national norms and standards to be declared by the Minister of Education in terms of NEPA that accommodates all provinces and reflects a class size in the form of a ceiling.
- The Minister brings those provinces that fall above the ceiling in line with the ceiling.

Carried unanimously.

.3 SALARIES

Noting that:

- The 3 year agreement (Resolution 3/96) of the ELRC has lapsed.
- Although the increases for 1996 were satisfactory, favourable increases received in 1997 were only as a result of joint action by COSATU Public Sector Unions.
- This year the state has come up with a proposal that does not realise broadbanding and its first offer was rejected by SADTU.
- The first offer of the state of 3-5% increase for educators was dismal.
- The joint COSATU Public Sector Unions developed a proposal, which was rejected by the SADTU NEC of 13-14 August 1998.
- Subsequently this proposal was improved by the intervention of the joint COSATU/Labour caucus. The bulk of teachers now get between 6.8% to 7%.
- The debate within SADTU has long been suspended and the membership is anxious of receiving salary increases.

Believing that:

- The grading system in education is deficient and requires investigation and rectification.
- There is a need for a salary progression in the grading system.

Hereby resolve to:

Accept the offer by the employer to:

- a) (i) Fund the investigation on job evaluation, pay and grading in education as part of the public service.
- (ii) Commence with such joint investigation within 30 days of signing of the agreement and that this be done under the auspices of the ELRC.
- (iii) Report to the council within 4 months of the commencement of such investigation.
- b) (i) Agree, in the short term, to review the decision of the NEC and to accept the joint COSATU/Labour alliance proposal that was accepted by the Employer.
- c) (i) Finalise the COSATU proposals on Remuneration Issues in the Public service within 3 months.
- d) (i) Initiate negotiations on Remuneration Issues with the employer after such finalisation.

Mover: Resolutions Committee; Second: Western Cape.
Carried unanimously.

12.0 SOCIO-ECONOMIC

12.1 CRIME AND VIOLENCE

Noting that:

- Criminal and domestic violence is escalating in the country.
- The present judiciary needs to be restructured.
- Sentences meted out do not deter potential offenders.
- Crime and violence are undermining the culture of teaching and learning.
- Our schools are being vandalised and have become unsafe for teachers and learners.
- Provincial education departments are not addressing the provision of security due to financial constraints.

Believing that:

- Safety and security of communities is a right.
- Government has the capacity to combat crime.
- Teachers and learners have a right to a safe environment which is necessary to enhance the culture of learning and teaching.
- Provincial education departments are insensitive to these problems.

Hereby resolve that:

- The judiciary be restructured taking community sentiments into consideration.
- Corrupt law enforcement officers must be exposed and disciplined.
- Communities be educated about the negative effects of crime and violence and how to combat them.
- Adequate resources be availed to safety and security agencies.
- Educators become actively involved in fighting crime.
- Education sector take part in CPUs and RDP forums as a platform to address crime in schools.
- SADTU vigorously start alternative programmes at school to combat crime, eg. clubs, cultural groups etc.
- SADTU actively engage provincial education departments to make security personnel available at schools and if necessary embark on protest action to highlight the security situation at educational institutions.

Mover: Resolutions Committee; Secunder: Western Cape. Carried.

.2 MACRO ECONOMIC POLICY : GEAR

Noting that:

- The current macro economic policy has failed in terms of its own projections.
- GEAR policy of fiscal restraint, privatisation and rationalisation leads to job loss, downsizing and cheap labour.
- GEAR has replaced the objectives of the RDP.
- Globalisation produces negative economic effects.

Believing that:

- The basic needs of our people are for job creation and greater equality in the distribution of wealth and income and that the government has a moral obligation to meet these needs.
- Basic needs cannot be met by the present conservative macro economic policy.

Hereby resolve that:

- SADTU endorse COSATU's rejection of GEAR and calls on the Alliance to revoke the GEAR policy.
- SADTU through COSATU enhance debates on the implementation of the RDP.

Mover: Resolutions Committee; Secunder: Eastern Cape. Carried.

.3 NATIONAL DEBT**Noting that:**

- The largest share of the national debt is owed internally, ie. within the country.
- A large share of the budget goes towards servicing the national debt.
- Most of this debt burden is inherited from the apartheid era.

Believing that:

- The budget must prioritise basic social needs.
- There is no moral obligation on the present government to repay the apartheid debt.

Hereby resolve that:

- The COSATU Central Committee Resolution on internal debt be implemented (Resolution 5. Sub-section 5.1).
- The government, together with other African countries, negotiate with the IMF and World Bank for the scrapping of debts. Further, that the national debt which accrued in pursuance of apartheid programmes be written off.

Mover: Resolutions Committee; Seconder: Northern Province.
Carried.

.4 RESTRUCTURING, RETRENCHMENT AND THE JOB SUMMIT**Noting that:**

- Plans are being developed for the restructuring and rationalisation of the public sector.
- Retrenchment creates insecurity and poses a threat to labour peace.
- Government has called a Job Summit.

Believing that:

- Retrenchment increases unemployment and contributes to crime.
- Restructuring of the public sector should not mean downsizing and that a strategy of job creation through redeployment should be employed.
- Retrenchment of educators will result in non-delivery of quality public education.
- GEAR policy is leading to an increase in unemployment.

- The Job Summit will be ceremonial in character if the GEAR policy remains in place.

Hereby resolve that:

- To oppose retrenchments and downsizing at all costs and to ensure job retention in the education sector.
- To campaign for redeployment of workers to areas of shortage in the public service.
- To campaign for the redeployment of unemployed teachers to sectors such as ABET and ECD with full and equal status and conditions of service.
- SADTU continue to campaign for the retraining of educators both within the system and the unemployed.
- Clear terms of reference be drawn up for the Job Summit and the COSATU public sector unions to strategise around the implications of the summit.

Mover: Resolutions Committee; Second: Northern Province.
Carried.

.5 CHILD LABOUR

Noting that:

- The provisions of the Basic Conditions of Employment Act with regard to child labour.
- ILO conventions with regard to child labour.
- Child labour compromises labour standards and negatively affects the health and life expectancy of the children involved.
- Child labour continues to be practiced in South Africa especially on farms and in the informal business sector.
- There are positive steps taken against those who still practice child labour in South Africa.

Believing that:

- Child labour has a negative effect on teaching and learning and undermines COLTS.
- SADTU has a moral obligation to fight the use of child labour.

Hereby resolve:

- SADTU should undertake research in the field and bring to the attention of the Department of Labour those institutions and business sectors which practice child labour.
- NEDCOM and GENCOM should jointly draft a policy declaration on the eradication of child labour.

- SADTU and COSATU should act as a watchdog on legislation regarding child labour and lobby the appropriate authorities to take action against those who practice child labour and should further interact with the Department of Education on an implementation strategy.
- The Departments of Education and Labour should design measures to ensure that parents realise it is compulsory to send children to school.

Mover: Resolutions Committee; Seconder: Eastern Cape. Carried.

.6 HOUSING

Noting that:

- The 1995 Congress resolutions on this matter have not been implemented.
- Rural people are still being disadvantaged by the land tenure system to qualify for housing subsidy.

Believing that:

- It is a right to live where one wishes without being discriminated against by the state in terms of subsidy.

Hereby resolve that:

- SADTU lobby the government for the amendment of the land tenure system to accommodate rural workers to qualify for housing subsidy.

Mover: Resolutions Committee; Seconder: Eastern Cape. Carried.

13.0 INTERNATIONAL

13.1 LABOUR MOVEMENTS IN AFRICA

Noting that:

- AATO is defunct.
- SADTU's contact with the rest of Africa is through the EI - Africa Regional Structure.
- AATO is an affiliate of OATUU.

Believing that:

- AATO has a crucial role to play in Africa.
- SADTU has a crucial role to play in the revival of African teacher unions.
- OATUU has a responsibility to revive its affiliates.

Hereby resolve that:

- SADTU assist these African teacher unions by way of availing human and material resources on the basis of agreed upon principles.

Mover: Resolutions Committee; Seconder: Northern Province.
Carried.

14.0 GENDER

14.1 LEARNER PREGNANCY

Noting that:

- The high rate of learner pregnancy.
- Pregnancies sometimes cause health complications.
- Learner pregnancies have long lasting social problems.
- Every learner has a right to learn and to proper health care.
- There should be no discrimination against such learners, as per the Bill of Rights and SASA.
- Sexuality education is part of the school curriculum.

Believing that:

- SADTU has a moral obligation to protect the rights of its learners in schools.

Hereby resolve that:

- Sexuality education programme should be aimed at curbing learner pregnancies.
- Such a programme should not be used to discriminate against learners.
- Learners should be afforded an opportunity to access learning programmes with a view to promoting lifelong learning.
- Pregnant learners should have time off as per the advice of the guidance teacher, the medical practitioner, a Site Steward or Site Committee.

- A policy be drafted by the union which would be communicated to all MDM structures and the Department of Education.

Mover: Resolutions Committee; Seconder: Eastern Cape. Carried.

14.2 STATUS OF WOMEN IN SADTU

Noting:

- That women comprise the majority of SADTU members.
- That the union does not reflect this in its leadership and activities.
- That the union is committed to gender equity.
- That COSATU took a resolution on reflecting the membership of the unions in its workshops, conferences and Congress.

Believing that:

- There is a need to reflect our principles in our practices.

Hereby resolve that:

- The 40/60% representation in capacity building programmes be implemented.
- The delegates to Congress, conferences and workshops as per the COSATU resolution be implemented.

Mover: Resolutions Committee; Seconder: North West. Carried.

15.0 MEDIA

15.1 MEDIA

Noting that:

- The National media desk has developed and produces a monthly national newspaper, The Educator's Voice, for all SADTU members.
- Provincial and regional newsletters / newspapers / bulletins are essential to inform membership at a local level.
- Very few provinces and regions are generating their own media.
- There is a lack of capacity and skills at all levels of the union to produce and print media.
- SADTU has the basic infrastructure and the technology to effectively communicate with membership.

- The national media desk has allocated a section of its budget for training.

Believing that:

- Every SADTU member should have access, information and participate in an effective and efficient communications network of the union.
- SADTU members have to be knowledgeable and be able to work within a multi-media framework.
- These multi-media skills will enhance the innovative classroom practices and methodologies which the new curriculum demands.

Hereby resolve to:

- Devise a training programme which will assist with the development of the multi-media skills training at all levels of the union.
- Encourage all provinces and regions to produce their own newspapers / newsletters at least once a quarter.
- Investigate the possibility of making computers accessible to the SADTU membership.

Movers: Resolution Committee; Seconder: North West. Carried.

16.0 OTHER MATTERS

OUTSTANDING CONGRESS BUSINESS

Noting that:

- The outstanding business of this 4th National Congress of SADTU.
- The urgency with which some of the issues need to be attended to.

Believing that:

- Such resolutions, policies and programmes are necessary to guide the union to the next millennium.
- The Resolutions Committee should refine and consolidate the outstanding motions.

Hereby resolve:

- That such motions be debated at a special NGC to be convened not later than February 1999.

Mover: Resolutions Committee; Seconder: Eastern Cape. Carried.