



## MEMORANDUM OF DEMANDS

**17 October 2017**

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| FROM<br>SOUTH AFRICAN DEMOCRATIC<br>TEACHERS UNION (SADTU)   | TO: DEPARTMENT OF BASIC<br>EDUCATION   |
| PORTION 74 CNR DANN ROAD &<br>LOAM STREET, GLEN MARAIS,<br>KEMPTON PARK<br>TEL: 011 971 2000<br><a href="mailto:cindy@sadtu.org.za">cindy@sadtu.org.za</a> | SOL PLAATJIE HOUSE, 222<br>STRUBEN STREET, PRETORIA<br>TEL: 012 357 3000<br><a href="mailto:mabua.S@dbe.gov.za">mabua.S@dbe.gov.za</a> |

1. We, the members of SADTU representing more than 260,000 members, noting the ongoing challenges we, the children and the communities we serve continue to face and confront on a daily basis, come here today to declare that our patience and flexibility has now been tested to the extreme end.

2. We have had to leave our work stations and the children because it has become clear to us that we need to constantly remind you of your legal and constitutional obligations.
3. We are here because we are frustrated by the persistent failure of the government to attend to pressing matters in education.
4. Firstly, it is important to remind you and government that education is the right guaranteed in Section 29 of our Constitution. As a democratic government, you should be the first to always remember this and remember your obligations in terms of Section 8(1) of the Constitution to adopt measures to promote, protect and fulfill this right. We are disappointed that in addition to the difficult task we have to teach in the present circumstances, it has also become our job to keep reminding you and government of your constitutional obligations. We hope that you appreciate that our patience is not endless and urge you and government not to test it beyond here.
5. We are workers with human rights. Our rights as workers are guaranteed in Section 23 of the Constitution. **Our rights are there to give meaning and effect to the rights of the children of this**

**country.** The persistent violation of our rights as workers is a direct affront to the rights of the children of this country.

6. One of your primary responsibilities is to ensure full compliance and adherence to the laws which give effect to our rights and those of our children. **When you violate these laws, you violate us and the children.** You humiliate us and the children. **You take away our dignity and that of the children.** You perpetuate our inequality and that of the children as well as the poor and marginalised.

7. **Our members serve in the main the poorest of the poor.** Our members see and live poverty and inequality. We are already frustrated by the levels of the poverty and inequality of the communities we serve. We work in communities where unemployment is the highest. The last thing we need is to commit our time and energy forcing a democratic government to give effect to the fundamentals of our National Democratic Revolution. We need all the time and energy as educators to focus on the poor and working class. Please, please make it easy for us.

8. Secondly, we wish to remind you that our rights as workers, **the rights of our children and the rights of communities are not a privilege but a right indeed.** We are therefore not here to ask for any privileges. We are here to demand the realization of the objectives and goals of our struggle. We are here to demand no less than the real and immediate opening of the doors of learning. We are here to demand no less than the implementation of our rights.

9. We should and would not be here today if you and the government respected our rights and that of the children. We would not be here today if the many concerns we raised over many years had been addressed. We would not be here today if the poor and working class receive quality public education. We would not here today if enough resources are put into education particularly for the poor and working class.

10. We have over many years interacted with various government Ministers to address some of the persistent problems in education covering both the conditions of service and other pertinent issues in education. **We have been promised a Commission to look into the conditions of service of**

**educators many years ago. We have been promised that outstanding anomalies would be addressed. We have been promised that education infrastructure would be improved. We have been promised that more resources would be availed in education. We have been promised that conditions of service and other collective bargaining matters will be resolved.**

11. We keep being reminded of the Freedom Charter and the National Development Plan. Recently, we hear more about the so-called Radical Economic Transformation. As people who serve the poor and working class we can no longer wait and believe in slogans of convenience. **We are here to demand radical education transformation.**

12. As a progressive trade union, we shall never apologise for standing up for the poor and working class. We shall never apologise for asserting the constitutional rights of workers. We shall never apologise for demanding a better transformed education system for our children. We were established for this purpose and can never betray the mission of our existence.

13. We are here today as a matter of right in the full exercise of our constitutional right to protest the behavior of this lethargic administration which appears oblivious to the deepening levels of poverty, inequality and unemployment. We are here to remind his administration of its immediate task to **give effect to our rights and the children's constitutional right.**

14. More than anything, we are here to **demand answers to the issues we raised over many years.** We are also here today to demand our dues and reiterate our position on the various genuine issues we raised over a period of time. We are here to **demand equality with other government employees** and to demand that our conditions of service be the same in all respects with that of other government employees.

**The disparity in conditions of service between the Educators and the rest of the Public Service**

15. **Since 2009 there has been a disparity of 0.5% between educators and other government employees.** We have over these years raised this matter with the Basic Education Minister and successive Public Service and Administration Ministers. We

have raised this matter in various bargaining council sessions. We have raised this matter during all salary negotiations. We have raised this matter in all bilateral meetings we held with the Minister and her Department. Despite all these efforts this matter remains unresolved.

16. We now demand that the Minister should ensure that this matter is addressed within 21 days hereof. We believe that the government has had more than enough time to address this matter.

### **Collective Bargaining**

17. Over many years now the department has frustrated efforts to have numerous issues on the agenda of the bargaining council.

18. We demand that that **all the outstanding matters of mutual interest** that have long been serving on the agenda of the **ELRC be concluded as a matter of urgency;**

19. We further demand that the process of **review of the current National Policy on Rural Incentives be concluded;** As

this continue to be a sore point in Provinces due to its inconsistent and divisive implementation modalities;

20. We further demand the **formalization of the conditions of service of all ECD practitioners**, as this continue to undermine the rights of our children to quality learning and teaching because the practitioners are highly demoralized;

### **District Recapitalisation across all Provinces**

21. We call on the **Department to expedite the programme of District Recapitalisation** in order to bring uniformity to the Departmental Structures across all provinces;

### **On Infrastructure Development**

1. We call on the **Department to completely eradicate the dilapidated infrastructure** which do not conform to the notion of an ideal school, thereby hampering on the delivery of Quality Public Education.

We are of the view as a union that the failure by the DBE to address the above listed issues would have a negative effect on the much desired delivery of Quality Public Education in the Sector.

NB. The Minister needs to note that after twenty-one (21) days of no positive action on the 0,5% parity, the union shall be continuing to ballot members to vote on the strike action.

**Issued by SADTU:**

Name: \_\_\_\_\_  
\_\_\_\_\_

Date:

Signature: \_\_\_\_\_

**Received on behalf of the office of the Minister of DHET**

Name: \_\_\_\_\_  
\_\_\_\_\_

Date:

Signature: \_\_\_\_\_