



TO: NATIONAL DEPARTMENT OF EDUCATION
MINISTER OF BASIC EDUCATION

EMAIL: mabua.s@dbe.gov.za

AND TO: NATIONAL DEPARTMENT OF HEALTH
MINISTER OF HEALTH

EMAIL: lwazimanzi@gmail.com

17 August 2021

Dear Ministers

SOLIDARITY OBO OF EDUCATION MEMBERS

Please find below comments prepared by the Solidarity Education Guild in response to the Department of Basic Education's proposal on the amendment of the school calendar for the 2021 school year.

A. INTRODUCTION

1. Solidarity is a trade union registered in terms of section 96 of the Labour Relations Act (No. 66 of 1995).
2. We confirm that we act on behalf of our members in education, in terms of section 200 of the Labour Relations Act ("LRA"). We further confirm that it is upon the aforesaid authority that we address this letter to you.



3. Section 200 of the LRA confirms that a registered trade union may act in its own interest, on behalf of any of its members, or in the interest of any of its members.
4. We wish to make it clear from the outset that this letter is not intended to be exhaustive of all matters, issues or rights of our members, and we reserve the right to address same at an appropriate time and in an appropriate forum, should it become necessary to do so.
5. The proposed amendment of the school calendar and expiration of the October school holiday for the 2021 school year, refers.
6. We are writing this letter on behalf of the 2 204 members in our Educator's Guild that are directly affected by this proposed amendment.
7. In this matter we act on behalf of, and in the interest of our members employed within the sphere of basic education.

B. SUBSTANTIVE COMMENTS

8. We would like to formally express our concern on the matter. The proposal is unfair, unreasonable and irrational as the gross exploitation of educators cannot be allowed. In addition, it is in direct contradiction with policy and legislation. (Refer to section marked same below.)



9. The Department of Basic Education is once again making a blanket statement and trying to utilize a "one size fits all" approach to a complex and diverse issue.
10. As it stands, if the current proposal is implemented by the DBE it will result in a 21-week school term for educators and learners alike. It has to be noted that the pandemic has taken a toll on all South Africans, be it mentally, physically, emotionally and financially. It is irresponsible to expect learners to apply themselves for an extended period of time, without proper rest.
11. Furthermore, our educators are already forced to work under pressure and are expected to perform without considering the emotional and strenuous pressure that the pandemic had on them.
12. We acknowledge that contact time has been reduced due to the pandemic and lockdown rules that was instated. Further to that, we agree that this directly places pressure on the curriculum. However, we are strongly of the opinion that due to this ludicrous proposal it can only be concluded that the DBE and its decision makers are not in touch with the current state of affairs within our schools.
 - a. Firstly, a blanket statement cannot be made that all schools in the country are behind in their schoolwork. There are numerous schools and educators that have worked very hard, despite difficult circumstances, to ensure that their learners remain up to date with their schoolwork.



- b. In addition, the DBE is clearly unaware of the two weeks at the end of the school year, after which formal assessments have been concluded, when students are not returning to school. We therefore advise that the time rather be utilized to ensure that all work is caught up. Promotion and marksheets will need to be submitted at a later stage and the onus are thus on the DBE to ensure the timeous processing of the marksheets that will not result in further delays to the academic year.
- c. Furthermore, we propose that the DBE should cease to exert central control and hand over the reign to the principals, school governing bodies and school communities. Each principal is fully capable of assessing his or her own school and making the necessary recommendations pertaining to their own unique requirements.

C. RELEVANT LEGISLATION

13. Section 3 (3.1.2.) of the National Policy for Designing School Calendars for Ordinary Public Schools in South Africa as included in the National Education Policy Act, 1996 (No. 27 of 1996), published on 1 March 2000 in the **Government Gazette** states:

(3.1.2) Number of terms

The South African school calendar assumes a four-term structure.

14. In addition, section 3 (3.1.4.) of the National Policy for Designing School Calendars for Ordinary Public Schools in South Africa as included in the National Education Policy Act (No. 27 of 1996), published on 1 March 2000 in the **Government Gazette** states:



(3.1.4) Length of school holidays

School holidays should provide learners and educators with sufficient opportunity to rest. At the same time, holidays should not be so long as to adversely affect learning retention.

D. OUTCOMES

15. In light of the above mentioned we request the following:

- a. The DBE seriously rethink its proposal.
- b. The DBE provides us with factual information that informed this proposal.
- c. The DBE start ensuring that they act with the learners' and educators' best interests at heart.
- d. The DBE consult all stakeholders before making a decision that will lead to the exploitation of educators.
- e. The DBE take all factors into consideration when making recommendations by ensuring that they remain in tune with the reality of what is happening at ground level.

We demand an undertaking that you will not amend the school calendar as proposed. Please be advised that we are currently in the process of consulting with our legal team and will not hesitate to take the necessary action in the event of non-compliance with our demands.

Yours faithfully,



SOLIDARITEIT
BEROEPSGILDES

Johan Botha

Adjunkhoofsekretaris: Professioneel

Deputy General Secretary: Professional

Tel: 012 644 4380

Fax: 012 664 6531

Cell: 076 727 4071

jbotha@solidariteit.co.za