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**GOVERNMENT NOTICE**

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**DEPARTMENT OF EDUCATION****No. R. 1140****7 December 2007**

**A BASIS FOR PAYMENT OF EDUCATORS EMPLOYED IN THE NATIONAL DEPARTMENT OF EDUCATION OR ANY OF THE PROVINCIAL DEPARTMENTS OF EDUCATION IN TERMS OF REGULATION 22(C) OF THE REGULATIONS IN TERMS OF THE EMPLOYMENT OF EDUCATORS ACT, 1998**

**I, Grace Naledi Mandisa Pandor, Minister of Education, have in terms of section 4 of the Employment of Educators Act, 1998 determined that the following (Annexure A) shall be a basis for payment to educators in terms of section 22(c) of the Regulations made in terms of the Employment of Educators Act, 1998:**

**ANNEXURE A****GUIDELINES AS BASIS FOR THE PAYMENT OF EDUCATORS VOLUNTARILY PERFORMING ADDITIONAL DUTIES**


1. Paragraph 22 of the Regulations regarding the Terms and Conditions of Employment of Educators provides that "... a non-pensionable allowance determined by the employer and according to a system determined by the Minister may be paid to an educator ...". (c) for the execution of specific assignments; ...". This provision shall be used to compensate educators participating in additional education related activities, subject to the following:
  - That participation by educators is optional and not compulsory;
  - That the payment be linked to clearly identified additional work requirements, and not usual duties which may or may not have been performed during this time;
  - The schools identified for offering these projects or the teachers involved may not charge or levy any costs or contributions from other parties including payment from the School Governing Body for rendering such assistance;
  - Selection of educators for specific tasks/assignments must be done on clear, open and transparent criteria;
  - The educator must have performed his/her duties at a satisfactory level and the task/assignments should not interfere with the normal duties of the educator. In

this regard, the Principal/supervisor of the educator will need to sign a statement to this effect.

- The employer and employee signs a contract which would detail the nature of the task, the time frames, the deliverables, the authorisation by the Principal/supervisor, the remuneration, the time frames of the contract and any other relevant details;
- That the employer maintains a register of the individuals required to undertake such assignments, as well as the exact tasks that are to be performed, and the time that would be allowed for this; and
- That the employer, at an appropriate level, would verify and sign off on all work, confirming that it has been done to the satisfaction of the employer.
- The employer should design the necessary criteria, forms and registers to manage this system.
- A report on the utilisation of this mechanism needs to be reflected in the Annual Report of the employer concerned.

2. I hereby determine that the payment to be made to such employees by employers is:

- Limited to the number of hours or days worked, times a rate, calculated by dividing the annual basic salary of the educator by 1 800 (the number of working hours expected per year), for hourly based work or the annual basic salary of the educator divided by 225 for a 7 hour workday.
- Employers may negotiate a lower rate.
- Employers may only consider payments for such additional tasks/assignments where they are fully convinced of the need for these, and can demonstrate the ability to properly administer such programmes and ensure they are not abused.

  
**Grace Naledi Mandisa Pandor, MP**  
**Minister of Education**  
**Date: 23-11-2007**

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