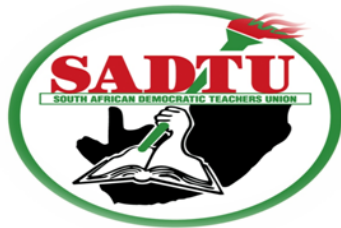


# South African Democratic Teachers' Union

## National Induction Manual

- 1) Organising,
- 2) Recruitment,
- 3) Retention Strategy,
- 4) Case Management



!!!!!!!!!!!!

**EVERY MEMBER,  
EVERY LEADER  
IS AN  
ORGANISER**

!!!!!!!!!!!!

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### Aims of the Trade Union is to:

- To **negotiate** with employers
- To **protect** workers
- To **educate** workers
- To **represent** workers
- To take **legal** action when necessary
- To **unite** with other unions, to strengthen the workers' power to negotiate with employers and other authorities
- To **advocate** better social and economic policy that is pro working class
- To organise a **strike** as the ultimate weapon for workers to put pressure on the employer

# HISTORY OF SADTU

- Formed at a teachers' conference in Harare in April 1988, this "Harare Accord" organizations formed the National Teachers' Unity forum (NTUF).
- Formed by the merging of; (ATASA), (UTASA), (TASA), (NUESA), (DETU), (WECTU), (EDASA), (PTU), and (PTL)
- COSATU became the midwife to this unitary non-racial, non-sexist, democratic union of teachers.
- (ECTU), (LEPTU) and (MATU) were admitted as affiliates and the (NTS) and (TTA) as observers by (NTUF).
- This unity process culminated in the establishment of SADTU, launched in Johannesburg on the 6<sup>th</sup> October 1990

## History of ..Cont/.....

- SADTU challenged the legitimacy of ethnic education departments.
- SADTU made an important contribution to the struggle for non-racialism in South Africa.
- Cde Shepherd Mdladlana, founding President, 1991, re-elected President at the first Congress.
- The General Secretary was Cde Randall van der Heever and the Assistant GS was Cde Thulas Nxesi.
- Congress resolved to discuss of affiliation to COSATU and the National Council resolved favourably.
- Aim is to eradicate all forms of discrimination.

- Is now largest education union, 260,000 members.
- International affiliation to (EI), (AATO) and the (SATO).
- Continue to participate in a transformative programme of national reconstruction and development.
- Championed the installation of democratic government, with COSATU and its unions.
- Is involved in transformative processes in the form of policy making, review and implementation.



# FUNCTIONING OF A TRADE UNION

- **Constitutions**, is the rule book, the bible and life of the union
- **Organizing**, ensure that members play an active and ongoing role in the trade union
- **Purpose**, lays out the reason for the union existing and will relate to protecting workers and advancing their interests.
- **Principles**, are set out in the constitution through policy, e.g. Workers control, democratic centralism,
- **Decision making structures**, is a congress, council, or conference of membership representatives, parliament
- Election of office bearers at various meetings, conference, councils and congress

## Functioning of..cont/...

- **Financial controls**, stipulate who can make decisions and limit transaction that officials make,
- Stipulates books be audited, deals with roles and duties of the treasurer and regular reporting
- **Meeting rules and procedures**, sets out how meetings, Council, Conferences and congress should be run
- Deals with powers and duties of the chairman of a meeting.

# CONSTITUTION

## **Introduction:**

- A constitution is the rulebook , a guide , prevents disputes and arguments and all office bearers must know it to save time,

## **Constitution sets out:**

- The aims and objectives of the union and what the benefits are to union members, Who can be a member of SADTU.
- The rights and duties of members, The structures of the union, from workplace up to national level
- Who sits on each SADTU structure , The procedures and rules for meetings of the union, How the finances are controlled

## Constitution cont.....

- Which structures will deal with the day-to-day affairs of the union
- Matters concerning industrial dispute and how to conduct ballots
- How union leaders or office bearers at each level are elected
- And powers of these office bearers

# RULES OF PROCEDURE FOR MEETING

## Introduction:

- For a meetings to succeed in carrying out the business and take decisions, procedures must be adhered to

**Meetings legality/validity** is if held in accordance with:

- Country's laws, common law and the union Constitution of
- Custom and tradition (i.e. procedures at meetings) of union
- Convened by a person authorized to do so
- If a quorum is attained
- If the Chairperson has been properly appointed

## Meetings

- Meetings are determined by structures found in the Constitution.
- Programm of meetings must be drawn annually i.e. frequency of per Constitution.

**NB: Ref. to Const**

# COLLECTIVE LEADERSHIP

- Move from more autocratic, rule-bound approaches of the apartheid government to democratic, accountable, participative and equitable forms of leadership
- Build shared visions and goals, and acting together to achieve those visions and goals
- Take views and ideas of others in the group into account.
- Leaders delegates tasks but must ensure that the delegated members have a clear understanding of what is expected
- Since we value human rights and equality; needs to involve both men and women
- Female leadership is particularly pertinent in our Union

# DEVELOPING COLLECTIVISM

Attempt the Activities below

- Activity no. V –
- Activity no. W –
- Activity no. X –
- Activity no. Y –
- Activity no. Z –



# POWER, AUTHORITY AND ACCOUNTABILITY

- **Power** ,if you are able to get others to do what they want by force , oppressive regimes or by persuasion, democracy
- **Authority** is if you hold power legitimately, through appointment or election, thus earns the respect of others
- **Accountability** is when leadership is prepared to explain their decisions and actions to those they lead
- Constantly **communicate** to members, and report significant developments in union activities, policy or decisions
- NB: Non-communication brings about rumour mongering, disorientation, dissent, volatility and disgruntlement

# MANAGING INTERNAL CONTRADICTIONS

- Cultivate a culture of open debate to avoid suspicion
- Leaders are not immune from criticism
- But must be constructive and done to build the movement
- Cadres must reflect upon in a quest to improve their revolutionary activities and comradely behavior

# RESPECTING ELECTED LEADERS

- All of us possess leadership qualities but few cadres will be entrusted to lead the organization at different levels
- Thus deserve the respect of all, no matter how intelligent we think we are in comparison to them.
- Our duty is to strengthen the capacity of these leaders and work with them and regard leaders as unitary figures

# ORGANISATIONAL DISCIPLINE

- Every member must adhere to organizational principles and objectives
- Issues must be raised internally and constructively.

# STRATEGIC PLANNING

## Introduction

- About clarifying aspects, which should be used to analyze and planning in an organization

## Features of a turbulent environment:

- Socio-economic changes, Economic patterns, Breaking with existing trends.
- Increase in dynamic complexity in social and economic areas
- Organisations therefore face increasing unpredictability of social and economic future
- patterns and increasing potential instability in social, economic and institutional life.

### **Strategic planning**

- Is charting way forward towards the envisaged future.
- Is to outline strategic and necessary objectives, procedures and implementation strategies to achieve set objectives.
- Is a commitment to change and implement decisions
- About accountability and responsibility
- Its characterized by organizational self-examination, confronting difficult choices, targets and setting new priorities

## **Strategic perspective deals with the following:**

- Drawing out where, when and how an organization might position itself
- This is in relation to essential stakeholders and a constantly changing world.
- This is about balancing the interests of a number of different stakeholders.

## **Possible shortfalls in strategic process**

- Not enough information can result in decisions being taken on misinformation, thus mislead the organisation.
- The synthetic process is often weak if some data is not well understood or it is simply left out.
- Assessing the implications of taking certain options not done.
- Ideas are not anchored into shared objectives, and objectives are often not converted into operational plans.
- Structures and systems are not reformed to carry the organization's new direction.



## Strategic thinking process?

- About striving for organizational success and sustainability.
- Achieving goals and objectives as well as developing to be more complex and operate at higher level
- A reflective and continuous process.
- A way of looking at your organization in relation to its broader and ever-changing environment.

- It seeks opportunities for change development and strategies to adapt to new changes.
- The important thing is to do environmental Scanning of what influences the organization.
- mainly, it is the implementation considerations on an ongoing review at each phase of Strategic Planning
- Determine which elements need immediate implementation.

## What it is not

- An event conducted once a year for two or 3 days
- It is not program or activity planning
- It is not SWOT analysis
- It does not seek status or stability

## It Deals With

**Vision:** Which briefly points to outstanding structures in an organization including its daringness and foresightedness about where that organization should go and what to do to get there.

**Mission:** Refer to the reason for the existence of that organization, i.e. the aims, objectives and purpose.

## **Environmental Scanning**

- Know the environment in which the union finds itself in.
- That way its easy to adapt or if not the union dies.

## **The following factors are critical**

- Political climate
- Economic factors
- Social factors
- Technological factors

## SWOT Analysis

- **Strengths:** Specific advantages used to exploit an opportunity or reduce or overcome a threat.
- **Weakness:** A specific disadvantage in an organization.
- **Opportunity:** A favourable or unexploited situation not yet utilized favourably to the advantage of the Organization.
- **Threat:** Is the unfavourable situation, which, if not proactively dealt with, could lead to harm in the organization.

## Implementation Consideration

- It is necessary to understand that the important test of implementation is the degree to which leaders use the Strategic Plan in their everyday decisions.
- What is important in this regard is how the financial and human resources are utilized in taking the organization forward.

## Human Resource Management

- Skills audits must be conducted from to time to
- Success of organization lies in the ability of the leadership to lead and management to manage.
- Someone who leads must be a complete leader.
- The trade union movement, like all organizations, needs these skills.



## Conflict

- Excellence in an organization process depends on conflict.
- Only conflicts can raise the different points of view, surface innovations, hone ideas that may be initially rough, tap all the resources of all participants.
- Learn to use conflict productively, it teaches one to be involve in communication skills.
- Communication is merely about listening to you and others, lack of it causes conflicts.

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!!! Introduction to SADTU, the Union of  
Choice, and What it Stands for !!!

# How Unions Exist ????

## How Unions Exists

- Chapter 2 of the RSA Constitution guarantees the right to **“Freedom of Association”**
- Section 23, confers a right to: **“Labour Relation”** as follows:
  - 1) Right to fair **labour practice**.
  - 2) **Organise** (recruit) members.
  - 3) Form and **join trade union**.
  - 4) Form and **join a federation**.
  - 3) Engage in **collective bargaining**
  - 4) **Strike**

# How Unions Exist ????

- Chapter 2 of **Labour Relations Act** then gives effect to the allude Constitutional rights
- Section 4, 6 and 8 of LRA, clarifies and explains these “**organisational right**” in depths
- All trade unions are thus expected to be **formed, operated, registered** strictly in terms of the LRA

# How Unions Operates ????

Unions are also expected to **comply with LRA** provisions;

- 1) Have a clear **Scope of operation**
- 2) **Have a specific Sector** it operates on
- 3) Controlled, Run and Paid for **by its members**
- 4) Have approved **constitution, and policies**
- 5) **Have congress and elections**
- 6) **Have Reports, Minutes and Audited finances**

# DUTY and RESPONSIBILITY of UNION

## Duty is to:

- **Organise and recruit** workers in factories; institutions, schools etc.
- Elect shop/site stewards, and (executive) committees to **represent members**
- **Discuss the problems** with members at workplaces
- The shop/site stewards or committees should take the **workers' problems to the management**
- **Always report back** to members at workplaces
- To **protect and educate** workers from time to time

# IMPORTANT TOOLS FOR SADTU LEADERS

Important documents for a SADTU **leaders to possess and know**

- **RSA Constitution and LRA, BCEA, EEA** and related Policies
- SADTU and COSATU **Constitution, Policies and Resolutions**
- **SACP, ANC Constitutions** and relevant Policies
- The PSCBC and ELRC **Collective Agreements**
- A list of **Updated Member's Records** of names, addresses, and phone numbers, seniority, classification and wage rates.
- **Membership Forms** and cards
- A copy of the employees' **Rules and Regulations**
- **Grievance forms**
- Pencil and Paper (**Notebook**)

# ORGANISING AND RECRUITMENT STRATEGY

## Tips for **persuading workers** to join SADTU:

- Have **enough time for a discussion** and meet more than once.
- Give **copies of the constitution** and help them understand it
- **Take views seriously**, and try and answer their questions and assist to address their fears and doubts.
- Explain **how democracy in the Union works**, and how members can influence decisions and play a meaningful role
- Explain what the union does and explain the **conditions of service** that have been negotiated and that SADTU achieved.
- State that you will **find out and report-back** to them.
- **Don't over-react** to what the workers might say.



## Tips for **persuading workers** to join SADTU:

- Try and be **calm and friendly**.
- Be ready to **explain various policies** of SADTU
- Persuade workers to **advance transformative campaigns** of the union and play an active role.
- Don't be afraid of **discussing politics**.
- Have a copy of a **training manual on handling cases**,
- Make the new members aware of **SADTU code of conduct**.

# FACTS to STATE ABOUT SADTU

State and Confirm that SADTU:

- Is **registered as per LRA** 66 of 1995 as amended.
- Organising in the Public & Private **education sector**.
- Has over 260 000 now from initial 30 000 in 1990.
- Has a **viable constitution**, consists of structures, has sound finance policies and rules and procedures.
- Represents **70%** in the (ELRC) and **22% in the Public Service Co-ordinating Bargaining Council (PSCBC)**.
- Requirements to participate in ELRC is 100 000 and 50 000 members PSCBC.
- An **affiliate of COSATU, which in** tripartite alliance.

# Scope of Operation of SADTU

State that SADTU operates within the **Education Sector**:

- **School-based**: teachers, General Assistants, Admin assistants, etc in the persal payroll
- Recruits **SGB and College Councils'** employees
- **Office-based**: Specialist Educators, Assistants, Clerks, Administators, Managers and Officials.
- In **Vulnerable Sectors** such as: FET/TVET Colleges, ECD, Service Centres and ABET/AET
- **Private, Independent and Special** Schools (LSEN).
- Works closely with **COSAS, NASGB and SASCO**.

# What to Tell about SADTU

- **Achievements at:** bargaining, government policies,
- **Campaigns:** QLTC, SADTU Fridays,
- **Programs:** SAC, Education and Gender, May Day, Mandela Day, World teachers day
- **Participation in:** Equity Forums, Departmental consultation meetings, ETDP Sita, SACE, NECT, ELRC, PSCBC, FETCBU
- **Teacher Development**, led by Curtis Nkondlo, JET
- **Site Steward Training** and Inductions for leaders, seminars for school managements

# Talk About SADTU Struggles

- Against continuing of **yearly ANA**
- Against introduction of compulsory **Mandarin**
- Introduction of **African Languages as medium** of instructions
- **Anti-Commodification of education** by Curro, Monash and Sparks Schools
- Heightened **safety and security** measure at schools
- Against **Corruption in schools, Dept and society**
- Seek **decent pay, parity** payment and more benefits
- Demand **improvement of conditions of service**

# CASE HANDLING

## Distinctions; **Complain, Grievance and Dispute**

- A **complaint** is a petty and **informal clarity seeking** statement from a member about certain anomalies, inconsistencies etc
- A **grievance** a dissatisfaction **formally registered** by an employee, arising as a result of various issues of concern.
- A **dispute** is any serious disagreement or opposing views from an individual or a group, a formal complaint **arising out of an existing right** conferred by a legislation, contract of employment, policies or rules.
- Such may arise out of a **breach or violation** as well as variation thereof .

A legitimate grievance means **management has violated** either:

- **A collective agreement,**
- **law,**
- **Acted unfairly**
- **Individual rights**
- **Policies**
- **Rules**
- **Procedures**
- **Principles**
- **Acted unethically**
- **Acted inconsistently**

# How to Represent a Member

## Techniques

- **Remain calm**, it helps to defuse the situation.
- **Listen attentively and patiently** to worker's story.
- **Set ample time** to discuss the grievance, no rush
- Let the **aggrieved member explain** the problem.
- Ensure you get the **facts right on key points**
- **Use the SIX Ws'** to ask all the basic questions.
- Explain why you want to **have all the facts** before you meet with management; to increase chance of winning the case.



# Preparations Stages

## Stage 1

- **Explain the Case or Charges**, what determines a just cause, prior grievance settlements or similar issues
- Make the **aggrieved write down the full story** themselves, giving names, dates and places and refresh his/her memory.
- Tell the aggrieved member **what you will do next** to avoid misunderstandings with the aggrieved member
- Collect **statements from all available witnesses** in order to find out what really happened.
- Brief members in advance of any meeting with employer, to **help the member to keeping a cool head**

# Preparations Stages

## Stage 2

- **Call for expert advice** before attending any meeting or taking action, call your union office, if the matter is urgent, say so
- Remember, **ask permission to leave job**, if not fulltime, in order to investigate a grievance, do uphold the law yourself.
- **Ensure confidential matters** are treated as such at all levels
- Once you have completed your investigation, you should make a written record to ensure **key points are not forgotten**
- One test to ensure that you have done a thorough investigation is to check **The Six W,**

# The Six W's

The Six W's that should be included:

- **WHO** is involved in the grievance? Name, profile, etc
- When did the grievance occur? Date, time, etc.
- **WHERE** did the grievance occur? Location, depart, class, etc.
- **WHY** is a grievance? What has been violated”? This “W” directs your attention to what has been violated.
- **WHAT** has happened that caused the violation? What is involved? What is management's contention?
- **WANT !!** What adjustments are necessary to correct the injustice and please the aggrieved?

# Preparations Stages

## Stage 3

Get copies of all relevant documents including;

- **Charge Sheet** or grievance copy
- Copies of **relevant and useful documents**
- Copies of employers' **rule, procedures**, etc

Important points to Remember:

- Be **tactful**
- When in doubts, **seek help from experts**
- **DO NOT TRY TO BE A HERO**

# Preparations Stages

## Stage 4

- Prepare a written **admission or denial**
- Obtain an **explanation for the charge**
- **Request evidence** that the employer may want to submit
- Obtain the **story of the accused** as related to the charges
- Obtain **documentary proof** of the story told
- Obtain names and addresses of **potential witnesses**

# Preparations Stages

## Stage 5

### Consult or Interview Witnesses

- **In private**; one on one
- Establish their **relationship with the client /accused**
- Find out **if they have been approached** by the investigating officer
- Inform them they have been **called upon to testify**
- **Compare version of the witness** to that of accused

# Preparations Stages

## Stage 6

### Preparing the Legal Issues

- This should be as **thorough as possible**
- Make a **summary of the legal position**
- **Record sources** like textbooks and decided cases
- Note **where the onus lies** and its effect on the case
- **Summarize the facts** of the member and match it to the legal position

# Preparations Stages

## Stage 7

### Securing witnesses

- **Subpoenas** should be secured for witnesses
- Help secure **time-off** for the witness(es)



# Preparations Stages

## Stage 8

### Final consultations

- **Take the member through** the initial statement and find out if there are changes to be made.
- **Explain the documentary evidence** and its effect on the case
- Assess the **strengths and weaknesses** of the witness(es)
- **Avoid suggesting** how the client should testify
- Discuss the **possibilities of settlement** or plea bargaining
- Explain to the witness the **procedures during the hearing** and what is expected of them
- **Conduct a mock examination in chief, play devil's advocate**

# Preparations Stages

## Stage 9

### PRE-TRIAL CONFERENCE

- Should be considered to attempt to **narrow down the issues**

### ESTABLISHING RELATIONS

- Establish relations **with the Presiding** Officer / opponent / witness (es) / etc.
- Treat all parties with **respect to avoid prejudice** to your case

# Preparations Stages

## Stage 10

### Language and demeanour

- Use a language of your choice, **agree to a language code**
- Make a **request for an interpreter** where necessary
- **Speak clearly** and at a reasonable speed
- **Be brief** and to the point
- **Avoid verbosity** and repetition
- Use **simple language**, avoid too much jargons and bombastic
- **Avoid confrontation** with the parties
- Concentrate on **important aspects**

# Case Administration

## How to Process a Case Administratively

- Opening a file
- Putting tags
- Variation of cases in terms of priority: urgent, etc
- Indicate status; complete, referrals, ongoing
- Separate according to institution: ELRC, PSCBC, Court
- Coding file alphabetically
- Archiving in safe lockers/shelves
- Keep list for ease of reference

# Conclusion

## In conclusion

- The more the membership **the more the power** to negotiate, influence and dictate policy direction.
- There should be **nothing about us without us.**
- **No; to unilateralism** and disrespect for bargaining
- Need to **implement Pillar number One (1)** of SADTU's 2030 Vision, Recruit and Retain members.

!!!!!!!!!!!!!!!!!!!!

**THANK YOU**



**LET US ALL REMEMBER THAT**



**WE ARE ALL ORGANISERS**



!!!!!!!!!!!!!!!!!!!!