

Appendix I

Guidelines on Exam, Study and Sabbatical Leave

1. Introduction

The NUMSA CC meeting on the 12-14 March 1993 agreed to Exam, Study and Sabbatical Leave.

Guidelines as to how these decisions were to be implemented, the processes to be followed and the contract to be entered into, were decided on at the NEC in April 1993. These guidelines are set out below.

2. Subjects that qualify as "useful to the Union"

The NUMSA Three Year Programme sets out four work areas:-

- * Political
- * Socio-economic
- * Build a National Union
- * Restructure Industry

These four areas and the specific objectives set within the main departments offer a wide range of work and require a wide range of skills.

The following breakdown is not meant to be exhaustive but indicates the areas related to our Three Year Programme

- * Political Economy
 - Industrial policy
 - Constitutional law
 - Economic Policy
 - Development Policy
 - Labour Market Institutions / Labour Law
- * Restructuring Industry
 - Industrial Policy
 - Study of Specific Industries
 - Science and Technology
 - Training and Adult Basic Education
 - Work Organisation
 - Health and Safety and Environment
- * Organisation, Administration and Education
 - Union management skills
 - Systems analysis and development
 - Computer skills
 - Financial skills
 - Advanced organising
 - International Unions

- Educator skills
- Communication skills
- Publishing skills

Any course within these broad areas could qualify provided that the training and/or educational institute providing the course is of an acceptable and reasonable standard.

3. Exam Leave

- 3.1 Exam leave is designed to assist individual comrades who want to study in their own time whilst still employed as a full time employee of NUMSA. The request being made is therefore for leave to prepare for the examinations at the end of a course.
- 3.2 If a person wants to take such study leave they should apply as follows:-

3.2.1 At the beginning of the course apply to:-

- * the Regional Secretary if employed in a Region
- * the General Secretary if employed nationally

indicating that you will be studying in your own time and that the course you are taking is useful to the union (provide information on the type of course and who gives the course).

This application will be considered by the REC or NEC as appropriate and they will decide on the basis of the information whether the applicant will be eligible for Exam Leave.

- 3.3 When the applicant is informed of the date of exams s/he should submit an application for Exam Leave. This should be at least 30 days before the leave requested. Documentary proof that the applicant will be writing the exam or exams must be provided.
- 3.4 The application made in terms of 3.3 should be made to the Regional Secretary if employed in a Region or the General Secretary if employed Nationally.
- 3.5. The person is requested to make the results of their exam available to the union for its records.

4. Study Fund

- 4.1 Numsa will provide assistance for employees to further their studies on condition that such studies are relevant to their line of work within a career that they want to pursue in the union.

4.2 Numsa will assist by re-imbursing the employee with 50% of the tuition fees provided that the employee passes his/her exam and has documentary proof of passing.

5. Study Leave

Such leave will be paid leave of absence to undertake study and includes time to write the necessary examinations.

5.1 Areas of study will fall within the broad areas in 2.1 above. The decision as to who will be allowed such study leave will be taken by the union in terms of the process set out below.

5.2 The proposal for a person to take study leave could be initiated in the following ways:-

5.2.1 The Leadership Development programme could make a proposal based on the courses a person may have attended. Such proposals will be discussed with the regional team or National Team as appropriate. A recommendation from the Regional Team should be tabled at the REC. The REC's decision should be tabled at an NEC for a final decision.

In the case of a national employee the General Secretary must table the proposal at the NEC for a decision to be taken.

5.2.2 A proposal could be initiated by either the Regional team or National team as appropriate. Once this happens the process would follow as in 4.2.1 above.

5.2.3 Any staff member could approach the Regional or National Teams as appropriate and make a proposal for study leave. This will be discussed and if it is appropriate and falls within these Guidelines then the proposal would proceed as outlined in 4.2.1 and 4.2.2 above.

5.3 The decision to approve study leave will be at the discretion of the NEC.

5.4 But any person going on such study leave will be obliged to meet the commitments set out in the Study and Sabbatical Leave Contract set out in Annexure "A".

5.5 A person going on study leave will have their job open for them upon completion of the study leave or be reassigned to an appropriate position in NUMSA on their return.

6. Sabbatical Leave

Any staff member, regional Office Bearer or National Office Bearer with more than 8 years service in the union can qualify for sabbatical leave on the terms and conditions set out below:-

6.1 The 8 year qualifying period shall be established as follows:-

6.1.1 Staff members - this will be eight years from the date of engagement. Provided the:-

NB – there are two differing views on this matter. We will seek clarity on this. Peter Dantjie.

View 1:

i) service credited to staff in other unions before their engagement will count toward the eight years.

View 2:

i) the above clause is deleted.

ii) service must have been continuous (excluding study leave).

6.1.2 In the case of National or Regional Office Bearers the qualifying period will be:

* at least one full-term of office plus

* active involvement in the union

* so that in total the above periods add to eight years.

6.1.3 A staff member who had qualifying service under 5.1.2 shall be entitled to add it to their service from date of engagement as a member of staff.

6.2 Sabbatical leave can be taken for up to 18 months of which 6 months shall be paid by the union for a course of study or research falling within the guidelines of 2.1 above. Such course or research need not take up the full period of sabbatical but must be a major portion thereof.

6.3 The granting of sabbatical leave can be initiated in the same manner as 4 above.

6.4 The granting of sabbatical leave will be at the discretion of the NEC. This discretion will be based on the availability of funds and the ability of the union to adjust its staff to fill the gap created.

6.5 A person going on sabbatical leave will be obliged to meet the commitments set out in Annexure "A".

NUMSA Study and Sabbatical Leave Agreement

In terms of a Central Committee decision on the 13th March 1993 the union provides for study and sabbatical leave as defined in the document *Guidelines on Exam, Study and Sabbatical Leave*. However, before taking Study or Sabbatical Leave the person is required to enter into an Agreement with NUMSA as set out in the attached document.

Memorandum of Agreement

(In respect of Study/Sabbatical Leave - hereinafter referred to as "leave")

between

THE NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA

(Hereinafter referred to as "NUMSA")

of the one part

and

(Hereinafter referred to as "the Applicant")

It is agreed by the parties that:-

1. Numsa has facilitated Study / Sabbatical Leave for the Applicant;

2. The details of the leave are the following:

2.1 The reason for the leave is to study or attend a course on

.....

2.2 The period of the leave shall be from the day of

..... 19.... to the day of

..... 19.....

2.3 The course will be conducted at

.....

2.4 Other details relating to the leave are

.....
.....

3. NUMSA shall pay to the Applicant his/her:-

3.1 Basic salary: R.....

3.2 Service allowance: R.....

3.3 Transport allowance R.....

on the 25th day of each month from the day of 19.....
to the day of 19.....

3.4 NUMSA shall continue to maintain the Medical Aid and Provident Fund contributions of the Applicant on a monthly basis from the day of 19..... to the day of 19.....

4. NUMSA guarantees that the applicant can resume his/her position upon return from leave;

ALTERNATIVELY

NUMSA may reassign the Applicant to an appropriate position within NUMSA.

5. The Applicant shall:-

5.1 Fulfill all the requirements of the course as referred to in 2.1 above.

5.2 Provided a bona fide effort was made this does not mean the candidate has to pass.

6. NUMSA may withhold payments referred to in paragraph 3 above if the Applicant breaches his/her obligations in terms of paragraph 5 above.

7. The Applicant is obliged to accept the position offered by NUMSA in terms of paragraph 4 above, for a period of years upon completion of the course. The NEC has the power to waive this provision.

8. In the event of the Applicant not complying with his/her obligation in terms of paragraph 7 above, NUMSA shall be entitled to:-

- 8.1 Reclaim any monies it has paid out in terms of paragraph 3 above;
- 8.2 Institute legal action to recover such monies.

9. In regard to worker leaders participating in this programme, arrangements will be negotiated with their employers and NUMSA. The agreement reached in such negotiations will apply to the participant.

Dated on this the day of 19.....

Applicant

FOR NUMSA

Witness 1

Witness 2

