

## The Changing Landscape in the Conditions of Service for Teachers in South Africa

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**ABSTRACT** This article highlights the changes in the conditions of service for teachers in South Africa. Prior to 1994, teachers used to get salary increments without being evaluated. Using Clarke's Situational Matrix theory, this article explores the conditions of service of teachers with the Occupational Specific Dispensation in South Africa. Occupational Specific Dispensation is to ensure efficient and effective labour relations and improved conditions of service for educators. Occupational Specific Dispensation, among others, focuses on fifteen core management criteria for assessing performance of employees; and requires an employee to have a Personal Development Plan (PDP). The purpose of the PDP enables the manager/principal and the employee/educator in identifying skills development requirements and to agree on steps to be followed in addressing those gaps.

### INTRODUCTION

In South African schools teachers have labour rights. The term "teachers' labour rights in schools" in this article refers to teachers' fundamental labour rights as well as those rights contained in general labour laws as well as in education labour law. The Education Labour Relations Act No. 146 of 1993 provides for the regulation of labour relations in education, including collective bargaining, the establishment of an Education Labour Relations Council, the registration of certain organisations in the teaching profession, as well as the prevention and settlement of disputes. The Labour Relations Act No. 66 of 1995 aims to advance economic development, social justice, labour peace and the democratisation of the workplace. The Act also promotes orderly collective bargaining, employee participation in decision-making in the workplace and the effective resolution of labour disputes (Mahlangu 1998: 23-24). Perhaps, the one area where apartheid's legacy is still very much in evidence is the labour market, most noticeably in mass unemployment, racially defined wage gaps and conflictual labour relations. Already, South Africa's active labour market policies have run into competing demands for funds (Motala and Pampallis 2001: 115-116).

This article captures the assumptions about education and employment, Clarke's Situational Matrix theory, aims of Occupational Specific Dis-

pensation and its key features, and the Occupational Specific Dispensation discourse.

### The Objective of the Study

The objective of this article is to highlight the changes in the conditions of service for teachers in South Africa. Prior to 1994 teachers used to get salary increments without being evaluated by the Department of Education.

### ASSUMPTIONS ABOUT EDUCATION AND EMPLOYMENT

This section captures the basic assumptions about education and employment. It assumed that:

***Excessive Salary Differentials in the Interest of the Ruling Elite are Responsible for Educated Unemployment:*** Earnings differentials in developing countries are excessive by international standards. For example, in the United States a doctor earns five times the average income per earner; in India he earns twenty times as much. Nevertheless, earnings differentials associated with education are excessive in developing countries.

***Education is the Scramble for a Limited Supply of Top Jobs:*** Employers prefer the more highly educated person for the job, whether or not the higher qualifications are necessary for efficient job performance.

**Education Causes Unemployment:** What is meant by this statement in this article is that education raises people's aspirations beyond all hope of satisfying them. It gives them the wrong attitudes.

**Education Converts Underemployment into Open Unemployment:** Education gives awareness of greater earnings in towns and even greater opportunities for part-time employment while continuing the search for a full-time job. The real problem is that education absorbs resources that might have been devoted to creating employment opportunities. Thus educated unemployment represents a more serious economic problem than open employment.

**Public Subsidies to Promote Education Always Result in Excess Demand for Education:** The educated individuals who receive the benefits of education, in the form of higher salaries, while the costs of education are largely borne by society as a whole, further education continues to be a privately profitable investment far beyond the point at which it has ceased to be socially profitable (Simmons 1980: 145-152).

This article draws on Clarke's Situational Matrix theory in trying to understand the changing landscape in the conditions of service for teachers in South African schools. Clarke's Situational Matrix is the grounded theory approach that takes into account the postmodern turn. Notably, it presents an iteration of grounded theory that incorporates the construction of a series of illustrative maps, conceptualizes a situation as inclusive of what usually has been considered context, and explicitly and systematically includes missing or otherwise silenced data. As noted by Bryant and Charmaz (2007: 365), among others, Clarke's Situational Matrix assumes that: everything in the situation both constitutes and affects most everything else in the situation in some ways; and everything in the situation or understood to be so conditions the possibilities of action. In addition, it holds that people and things, humans and nonhumans, fields of practice, discourses, disciplinary and other regimes/formations, symbols, controversies, organisations, and institutions, each and all can be present and mutually consequential.

For Clarke (2003), the key concern that underlies negotiation, social world, and arenas is the *situatedness* of action and interaction. In situational analyses, the situation *itself* is a key unit of analysis per se. Situational analysis draws

deeply on Foucault's approach to the study of discourses and offers explicit strategies for such analyses. Hence in situational analysis, analysis of discourses can be placed in productive conversation with Straussian contributions to the analysis of action. Clarke's Situational Matrix employs three main cartographic approaches social worlds/arenas/discourse theory. Clarke's (2003: 554) Situational Matrix uses maps to: (1) "lay out the major human, nonhuman, discursive, and other elements in the research situation of inquiry and provoke analysis of relations among them" (situational maps); (2) "lay out the collective actors, key non-human elements, and the arena(s) of commitment and discourse within which they are engaged in ongoing negotiations—meso-level interpretations of the situation" (social worlds/arenas maps); and (3) "lay out the major positions taken, and not taken, in the data vis-à-vis particular axes of difference, concern, and controversy around issues in the situation of inquiry" (positional maps) (Wulff 2008: 31).

There is nothing new in the search for clear criteria by which to judge teachers. By the mid-nineteenth century concepts such as dominance, authority, respect and ideological reliability were commonly used to measure teacher performance (Cullingford 1997: 52). The Newcastle Commission of 1861 (England) reported the popularly held view that success was seen to be related to the role of maintaining exact order. The Revised Code of 1862, by measuring immediate pupil outcomes, radically changed the nature of teacher evaluation. Teacher quality was subjected to hard assessment through the testing of pupils by visiting inspectors (Cullingford 1997: 53).

From the end of the nineteenth century up to the mid-twentieth century the history of teacher assessment is one of movement between the hard assessment of payment by results, to be assessed by outside inspectors, and the softer internal assessment characterised by the notion of professional judgement. One measures those things which are not necessarily the result of good teaching, and the other draws a veil over those processes for which teachers are responsible. This failure to articulate these processes, and, indeed on occasions masking them, is being repeated in the second half of the 21<sup>st</sup> century (Cullingford 1997: 55).

The school is an integrated part of the community and cannot be separated from it. There-

fore the developmental and teacher appraisal is integrally linked with the school and the community. Schools must take into account community dynamics and thus have an obligation to help develop the communities, give to the community and include key community players to get their perspectives on running the schools. Public attitudes to education are changing and stakeholders feel that there is a need to question the management of schools by some school principals. During the last seventeen years there has been a slow but steadily growing recognition that many schools have become too isolated from the communities they were built to serve.

The right to education and the duty to transform education mean that all stakeholders have new rights and responsibilities. They have rights and responsibilities relating to the way in which schools are run and the way in which education takes place. Their most important duty is to provide the best possible education for all learners. This is the responsibility of the state and the parents, learners, educators and others. The government cannot provide everything and do everything for schools. The reason is that in a democracy a partnership and sharing is what matters most.

The teachers' ability to see themselves as part of the school organisation can create supportive behaviour that will move the organisation forward. Staff association of any kind should create behaviour towards moving the school forward rather than causing division among the members of the school (Adeyemo 2013:10).

The key objective of education transformation is to transform the quality of learning and teaching that takes place in the classroom. Teachers must teach better and the learning process needs to be developed and reorganised and made more creative (Department of Education 1996: 17). The implementation of the Occupation Specific Dispensation (OSD) may result in the emergence of the following types of conflicts in schools. Of the types of conflicts (interpersonal) identified by Erikson (1985: 290), two seem to be appropriate in this situation, namely, the hidden agenda and power play:

*The Hidden Agenda* is characterised by a lack of communication between the people involved, with the less powerful persons tending to feel anger, fear, frustration and insecurity. This precipitates the spiralling of conflict with more demands being added and more people becoming

involved. This is an eye opener as some principals or governing bodies may hold the school at ransom in order to push their own secret agendas and fail to lead the school in the right direction.

*Power Play* is a challenge to authority. The authority of principals is challenged particularly concerning educational policies. Individuals act to enhance their own positions, regardless of the cost to the organisations (schools) or to others, and the acquisition of power is the central aim (Wilson 2001: 70). Rami neé Shani and Lau (2000: 105) maintain that an organisation operates in an environment of multiple interest groups that place conflicting demands on the organisation.

To sum up, these conflicting demands converge sharply on school principals who operate in a boundary-spanning role, that is, between the schools and the education departments and the local communities. In this way, conflicts are, in effect, school conflicts. The above type of role conflict results in educational and non-educational issues precipitating conflict in schools. For example, any call for a work stay-away by a labour union, though not related to educational matters, becomes a school stay-away as well. This results in a role conflict where the focal person, in this instance, the school principals, has to confront seemingly incompatible demands or expectations from their persons in their role set (education department and the educators).

### **Aims of Occupational Specific Dispensation and its Key Features**

On one hand, the Occupation Specific Dispensation has a number of aims. Among others, it: ensures efficient and effective labour relations and improved conditions of service for employees; addresses the challenges of attracting and retaining educators in education; ensures a fair, equitable and competitive remuneration structure for identified categories of employees; and develops a remuneration structure to provide longer salary bands for teachers. On the other hand, the Occupation Specific Dispensation is underpinned by outstanding key features. These includes: salary progression is linked to the performance of educators; an educator who performs at a satisfactory level progresses by one salary notch every two years; an educator who

performs at a good level progresses by two salary notches every two years; and an educator who performs at an excellent level progresses by three salary notches every two years. In line with this, the employer offers 13% of a notch as employer contribution to Government Employment Pension Fund, 1/12 of a notch as service bonus. There is a rating scale which is used to rate the employee performance which ranges from 1 to 5.

- 1 represents - lack of knowledge;
- 2 represent - little knowledge;
- 3 represents - demonstrate knowledge;
- 4 represents - demonstrate sound knowledge; and
- 5 represents - outstanding knowledge.

There are fifteen core management criteria for assessing performance of employees, namely: Team work; leadership; technical skills; acceptance of responsibility; quality of work; reliability; initiative; communication; interpersonal relationships; flexibility; planning and execution; leadership; delegation and empowerment; management of financial resources; and management of human resources. According to the Occupational Specific Dispensation, an employee must have a Personal Development Plan (PDP). The purpose of the personal development Plan is to enable the manager/principal and the employee/educator to identify skills development requirements and as a result agree on the steps to be taken to address those gaps. Educators in some contexts are going to be held accountable for the following aspects:

*Meeting standards of professional knowledge and skill; Ensuring that specific organisational qualities considered to be critical to effectiveness are reflected in schools; Skillfully using organisational processes believed to contribute to the successful introduction of change (such as planning, school improvement planning, and the carrying out of quality reviews); Meeting standards of moral behaviour; Organisational efficiency, and Performance of best professional practices or specified duties (Leithwood et al.1999: 19).*

In sum, the Integrated Quality Management System (IQMS) plays a vital role in the implementation of Occupational Specific Dispensation. There will be monitoring of performance to determine progress, deal with performance related problems, identify and provide support, modify objectives and targets, and ensure

continuous learning and development (Education Labour Relations Council Collective Agreement 1 of 2008: 37). There will also be a separate bargaining unit for deputy principals and principals in the Education Labour Relations Council (Education Labour Relations Council) (Education Labour Relations Council Collective Agreement 1 of 2008: 4). There will be an Education Management System (EMS) which will enable deputy/principals to participate meaningfully in the management of their own performances.

### OCCUPATIONAL SPECIFIC DISPENSATION DISCOURSE

To start with, Foucault's concept of *discourse* has been extensively received in social sciences, including business studies and information systems. However, Foucauldian discourse has been received with varying degrees of enthusiasm within social sciences circles, more specifically in education. His ideas are said to offer both radical epistemological *decenterings* of knowledge and truth, while offering a *somewhat* structuralist account of the effects of discourse, knowledge, and power on society and the subject (Hobbs 2008). Etymologically, the concept "discourse" originated from Latin "*discursus*", meaning "running to and from", generally refers to "written or spoken communication". In the simplest sense discourse is conversation, or information. Quite often, it is frequently used by intellectual historians. Sociologists and philosophers tend to use the term discourse to describe the conversations and the meaning behind them by a group of people who hold certain ideas in common. As Lawson and Garrod (1999: 72) put it, a discourse is a collection of related statements or events which define relationships between elements of the social world. For Muller (2008: 325), a discourse is a socio-cognitive phenomenon; and as a concept that foregrounds "the people" and their communicative processes, with its focus on the construction of meaning.

Against this backdrop, Clarke's explicit inclusion of societal discourses and nonhuman elements as "players" in relationships is another insightful contribution of situational analysis of the Occupational Specific Dispensation. Using Clarke's Situational Matrix theory as a lens, this discourse reflects on the collective actors in the situation – salary structure, process of evaluation, purposes for evaluation of perfor-

mance, advantages and disadvantages, and challenges. Relations among the various elements are important.

### Salary Structure

The Occupational Specific Dispensation maximum salary structure was going to be improved with effect from the 1<sup>st</sup> July 2008: Principals are classified into five categories in terms of the school size and educator numbers

The new salary structure in ZAR and in US\$ is as follows: An educator with M+4 the Salary scale is R264 238 per annum US\$ 34 585 ; An HOD R365 768 per annum US\$ 47874; Deputy Principal R399 684 per annum US\$ 52 313; Principal 1 R315 515 per annum US\$ 41 297; Principal 2 R365 768 per annum US\$ 47 874; Principal 3 R424 025 per annum US\$ 55 499; Principal 4 R436 746 per annum US\$ 57 164; Principal 5 R449 848 per annum US\$ 58 879 (ELRC Collective Agreement 1 of 2008. 3 April 2008).

Prior to 1994, the education system in South Africa was extremely complex. There were fifteen different education ministries—one for each of the ten Bantustans. The principles on which the transformation of the entire education and training system was based on the following principles:

- ♦ The system must open access to education and training opportunities of good quality to all children, youth and adults;
- ♦ There must be redress of educational inequalities inherited from the past;
- ♦ The state's resources must be redeployed according to the principle of equity;
- ♦ The improvement of the quality of education and training services is essential;
- ♦ The education and training must be financially sustainable.

### Process of Evaluation

Both educators and laymen often use the word *standard* when evaluating the quality of school education. Quality refers to educational products, not to the resources and processes from which the products emerge. Quality means to what extent the objectives set for certain educational activities going on in schools have been achieved (Husen 1990:79). The process of evaluation will be conducted over two years. This

implies that there will be two sets of summative reports, for the first and second year. In respect of satisfactory performance, it will be done in-house for the two years. In respect of a good or outstanding performance in the first year, the envisaged external moderation team will conduct evaluations in schools.

The national executive committee of South African Democratic Teachers' Union took the view that the current offer on Occupational Specific Dispensation was an attempt by the employer to unilaterally restructure the profession and change job descriptions, and represented a fundamental attack on the labour rights and conditions of educators, and would reverse many of the gains made by South African Democratic Teachers' Union since the early 1990s.

The national executive committee has resolved to initiate a major consultation with grassroots teachers, while South African Democratic Teachers' union and the other teacher unions are to meet government negotiators in the Education Labour Relations Council (ELRC) to negotiate the Occupational Specific Dispensation. According to National Professional Teachers Organisation of South Africa, Occupational Specific Dispensation makes it possible for the educator who consistently performs at a "good" or "outstanding" level to earn more than a colleague who performs at a "satisfactory" level.

### Purposes for Evaluation of Performance

There are two main purposes for evaluation of performance. These are: *Accountability* to prove quality, for example, to demonstrate that funding is being properly deployed to maintain and improve standards. Nowadays change is the norm crucial decisions are often required very quickly. Managers need reliable information on an ongoing basis to inform *strategic forward planning*. The planned evaluation is characterised by agreed target areas for evaluation; explicitness about criteria for the evaluation of success; an evaluation plan which outlines who will collect the data, when, and what will be the source of the information; a systematic approach to the collection and recording of information where all involved use appropriate, agreed evaluation instruments. The aim of Developing teachers is to improve their quality, for example, to assist in the process of improving curriculum development and delivery (Rogers and Badham 1992: 3-6).

### **The Advantages of Occupational Specific Dispensation**

It makes it attractive for educators to remain in the classroom and for good and outstanding educators to receive salaries, overtime, which are equivalent to those earned by school principals; It creates two new positions in the classroom, which will improve the career path opportunities of classroom educators (Teaching and Learning Specialist; and the Senior Teaching and Learning Specialist); It is more attractive for new entrants to teaching; It substantially improved maximum salaries scales of educators; It is applicable to all public schools (primary and secondary); it is future oriented; Learner performance forms a basis for assessing the performance of educators.

### **The Disadvantages of Occupational Specific Dispensation**

There is no recognition of experience (service); Grade R (Crèche/School Readiness Programme) and Adult Basic Education and Training practitioners are excluded from Occupational Specific Dispensation. The non-recognition of academic qualifications that originated prior to 27 April 1994; Errors in previous salary adjustments due to educators originating from the period 1996 to 2002 were not correctly implemented by provincial education departments; Rating differs with individuals; therefore it is manifestly unfair. Good educators may be rated low and poor performing educators may be rated high due to lack of valid criteria; Costs that will be incurred in the implementation of OSD are unclear;

Credentialing problem-what credible and authoritative reassurances are there about the success of Occupational Specific Dispensation? The Integrated Quality Management System (IQMS) to be subjected to further negotiation.

### **Challenges**

For partnerships for learning (reconstruct sentence) to be effective, teachers must have a clear purpose; recognition of the complementary roles of those involved; good communication between them, regular monitoring, commitment to continually improve, and the need for mutual trust

and respect (Middlewood et al. 2005: 4). Educators may be reluctant to become involved in change because of little trust in the education department's administration. The point is that the Ministry of Public Service and Administration is indirectly running the affairs of the department of education by determining salaries for educators; The despondent educators leaving the profession due to curricular changes; The finding of ways of dealing with conflict and stress among educators; The politics of educator evaluation, that is, who will control the evaluation; the accuracy of evaluation tools may be a problem.

The perceptions that Occupational Specific Dispensation (OSD) and Integrated Quality Management System (IQMS) are the same or that the Occupational Specific Dispensation is going to replace IQMS is blur. The relationship problems in schools where there is conflict the implementation of Occupational Specific Dispensation is a challenge for all stakeholders involved. The influence of external politics from districts may jeopardise the accuracy of scores (how non-educators from districts may view the different kind of educators' scores). The implementation of systematic evidence that educators may have to provide to support their salary increments may be lacking.

### **CONCLUSION**

Clarke's Situational Matrix theory is critical in unpacking issues around Occupational Specific Dispensation – through the use of situational and relational maps. The changing of the political landscape has opened up the issue of authority and called into question the idea of public good and the authority of the underrepresented in the schooling system. Occupational Specific Dispensation can only succeed if it does not take up disproportionate amounts of teaching time. Practical constraints on the side of government include amongst others, shortage of time, lack of expertise in evaluation by some personnel, and reluctance of educators to embrace evaluation as an integral part of their salary increments/improvements. It makes it attractive for educators especially new entrants to teaching. In implementing the Occupational Specific Dispensation learner performance forms a basis for assessing the performance of educators.

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