

Have Teacher Unions taken over the South African education system? Redeployment in Progress

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ABSTRACT

Anarchy, intimidation and nepotism have characterised the filling of promotional posts in South Africa since 1994. The inherent promotions of key union members to management positions have led to a decline in the motivation and dedication of academically and professionally deserving teachers. The undue influence of teacher unions seems to play a major role in the filling of promotional posts in schools. In this study, reference is made to the Mexico when the ruling party awarded management positions to senior union officials as a thank you for helping the ruling party win the 1966 elections. Findings demonstrate that South Africa has followed Mexico system as key union members were offered promotional posts for helping the ruling party to win the 1994 elections. In this study the author argues that promotional posts filled in this manner may lead to ineffective educational management and subsequent loss of dedicated teachers to other professions. A focus-group interview was conducted with key teacher unionists using open-ended questions. This was followed by a one on one interview with the Labour Relations Officer from the Department of Education and another one with the Sadt National Education Officer in order to elicit the unionists' views on their agenda in education management. Verbatim transcribed data were analysed by means of the constant comparative method. Recommendations focus on the improved process in the filling of promotional posts in order to retain the much needed teachers for effective educational management and enhanced culture of learning and teaching in South Africa.

INTRODUCTION AND BACKGROUND

The filling of promotional posts in South Africa has been marked by controversy since the advent of the newly formed democratic government in 1994. This happened despite regulatory measures in the form of circulars 42/2006, 43/2006, 47/2007 and 55/2008 of the Gauteng Provincial Government and the Employment of Educators' Act 74 of 1998 (EEA). The above circulars indicate the role of teacher unions during the rationalization process as that of observers and not active participants. There is ongoing general concern that a new culture of entitlement to management positions among key union members has therefore been created when promotional posts are advertised and eventually filled.

Expectations for promotions were brought about by the redeployment of past leaders of the South African Democratic Teachers' Union (Sadt) leaders since 1994. Sadt is reported in www.sadt.org.za as having a membership of more than 80% of teachers in South Africa which makes it the biggest teacher union and the most influential. Redeployment is the term that has been used by the ruling African National Congress (ANC) led government when placing loyal party members to management and cabinet positions. Sadt is an affiliate of the Congress of South African Trade Unions (Cosatu) which forms part of the tripartite alliance with the ANC. Several Sadt leaders have been appointed to senior government positions. A few examples are Mr Duncan Hindle, the former Sadt President and former teacher with an honours degree in education became the Director General of the Department of Education (DoE) in 1994 which is the highest office in the education ministry. Another former primary school principal and past Sadt President, Mr Membathisi Mdladlana, became the Minister of Labour while the former Secretary General of Sadt, a teacher himself, Thulas Nxesi recently became a cabinet minister in government. There are scores of senior positions within the DoE, including district and school management positions that have been filled by key Sadt leaders. As a result, there seems to be a tendency by teachers to get themselves fully involved in union work instead of spending more time in class in order to be rewarded with promotions. This leads to teachers neglecting their chore responsibilities in the school thus retarding the learners' progress.

Gershwin Chuenyane (City Press 11 June 2009) reported on 8 June 2009 that Sadt affiliated teachers who form 96% of district 12 of the Gauteng Department of Education (GDE) embarked on a strike for two full weeks.

Gauteng is one of the 9 South African busiest provinces. The reason for the strike was that the GDE District Director refused to endorse the appointment of 2 candidate principals who were Sadtu preferred and redeployed members. Although the GDE explained to the union that it was the responsibility of the School Governing Body (SGB) to recommend such appointments teachers refused to teach. They took to the streets leaving learners and committed teachers that wanted to teach were threatened with violence by the striking Sadtu members. Gershwin again reported in the City Press on 14 June 2009 that a GDE employee who refused to be identified stated that one of the Sadtu recommended members for the principalship had 18 years experience as an administration clerk and only six months as a teacher. The second candidate according to the same source was the wife of a SADTU official with a teaching diploma. While other candidates with post graduate degrees had been sidelined during the short listing and interview processes.

The author refers to Govender (2004: 267) as he attributes such nepotism to the notion in Mexico in 1966 where the National Union of Education Workers, a teachers' union was established with the strong backing of the Institutional Revolutionary Party, which won the Mexican Government elections. In return for their loyalty, union leaders were rewarded with management positions and appointed to key positions in government. This, according to the author resembles the relationship between SADTU and the ANC in 1994 after the first democratic elections in South Africa. Sadtu, as an affiliate of Cosatu played a significant role in assisting the ANC win the 1994 elections. The ruling party is again reported by Govender (2004: 267) to have offered Sadtu leadership key positions as a sign of gratitude for their support during the election campaign.

There are scores of other former Sadtu officials that still occupy senior positions in government. Ironically, these are the same officials who are tasked with ensuring that the filling of promotional posts at all levels of the DoE structures is not marred by acts of political nepotism. It is a huge challenge for these officials to discourage such acts at school level if schools still fail to deliver on learning programmes even after the appointments of such individuals. Maluleke (1998:6) says that some of these managers are more politically correct, than suitable for their posts. Maluleke also affirms that the employment of some of these managers was a show of gratitude by the ANC government in the form of affirmative action. The author views such leaders as having the potential to preserve the *status quo* when making important decisions regarding the filling of management positions. Another reason for nepotism would be the potential threat posed by some competent and politically unaffiliated post level 1 teachers who may feel that they, rather than their Sadtu counterparts, deserve management positions.

Murillo (1999: 38) cites the following as the consequences in Mexico where management positions were controlled by the key union members: The unionized administrators' loyalty was directed towards the union rather than the Secretariat of Public Education (SEP). The resulting politicization of the SEP caused the SEP's control of education especially inefficient, because the union affiliated managers knew that they owed their positions to their union careers. Murillo further reported that when the government realized this problem, attempts were made to remove management positions out of the union. These attempts were not implemented for a long time because those who were supposed to implement such decisions were unionists themselves. The removal of positions was accomplished when the SEP introduced decentralization, which reduced the competence of managers to handle school procedures only in respective regions, according to Arnaud (1992:20).

This Mexican crisis is in line with the story reported in the Sunday Times (2009) when the Minister of Basic Education failed to attend an important meeting to address an urgent issue of delayed matriculation results. When asked by the media why she had not attended, the Minister allegedly responded by saying she was not employed by the Department of Education, but by the ANC. The Minister had been interviewed while attending the ANC President's court case hearing in Bloemfontein at the time. The court hearing took place just before the ANC would contest the general elections that were eventually won by the ANC. After the 2009 elections, the then newly elected president of South Africa stated in no uncertain terms that the new appointments in cabinet and all other key positions would be based on competence, and not on favour or comradeship. In his own words he uttered, "*I don't owe anyone any favour*" (Sunday Times, 19 April 2009). During the current President's term of office more Sadtu activists have been appointed to senior management and government positions like Thulas Nxesi, the former SADTU General Secretary and the same Minister of Basic Education who is also one of the Sadtu founder members.

There are scores of SADTU officials who were promoted to management positions, including school principals, who are likely to be viewed with suspicion by post level 1 or classroom based educators. Many of these officials only have a diploma in education, while suitably qualified teachers with honours, masters and even doctoral degrees in educational management remain in the classroom and some have ended up resigning to become university academics. Sayed (2002:30) states that such appointments have been problematic, in the sense that the new political appointees were amalgamated with the "old technocrats" of the apartheid era in some structures. He further asserts (ibid) that the new appointees are not well versed in relation to system management. On the other hand, the unionists argue that all of the persons deployed by them are well prepared for managerial posts through workshops before they

are deployed. A case in point is the recently widely reported issue of undelivered text books to schools 6 months into 2012 in the Limpopo Province which is one of the poorest in the country. The current Minister of Basic Education has received widespread criticism among other reasons for failing to honour the delivery of books in the province as some were found dumped in deserted buildings.

According to chapter 3, section 3.6 of the EEA, the powers to transfer, promote and appoint teachers are left in the hands of the SGB under the authority of the Director General (DG). Section 3.7 of the Act stipulates that the process has to be based on the ability of the candidate, and the need to redress the imbalances of the past in order to achieve broad representation in the civil service. This article also aims to determine if the various policies are followed when promotional positions are filled. Section 3.2.1(d) of Collective Agreement No. 2 of 2005 of the LRA states that there should be one union representative that assumes the observer role during redeployment and promotions. By means of this study the author wishes to determine if the union representatives indeed become observers or assume other roles contrary to the provisions of the said collective agreement.

It is worth noting that SASA does not make any provision for teacher union representation at school level in management and governance. Teachers have to constantly report to their unions if there are problems in schools. This leads to union delegations mandated to confront principals on matters of concern. Various American studies on teacher unionism, such as those by Bascia (2000), Poole (1999) and Peterson (2006), argue that in the United States of America (USA) unions have become indispensable partners of education departments with a view to the successful implementation of educational policies at school level and this seems contrary to prevailing conditions in South Africa. Poole (1999: 699) also states that one of the prime motivations for teacher unionism during the 1960's in the USA was the potential to help educators influence education policy. In view of the stated comments, the inappropriate involvement of unions in South Africa by ignoring their observer status, may lead to the infringement of teachers' rights if it goes unchecked by the DoE. This may consequently result in poor performance by teachers who may feel discriminated against during the filling of promotional posts. The author believes that proper implementation of policies may result in the retention of suitable and eligible teachers that are needed for the benefit of learners.

Theoretical perspective and literature review

This study falls under the broad umbrella of governance and management in education. Burchell (1993:267-282) describes 'governance' as an act for acting on the actions of others. There is an indication in this article that proper implementation of policies is at the heart of participative governance by all stakeholders. According to Schneider (1999:521), participatory governance that includes teacher unions at school level can be regarded as having potential impact on maximum transparency. However, the author argues that union participation may equally be detrimental to democratic governance at school level. The open mind approach was followed in this study, as recommended by Gall, Gall and Borg (1999:362) who also hold the view that those who are privileged always have an interest in preserving the *status quo* in order to protect their positions. This may be the case when union leaders in management positions recommend the appointment of comrades to promotional posts. The following section describes the methodology that was followed in this study.

METHODOLOGY

This was a qualitative study that was conducted by means of one focus group interview with a group of 9 teacher unionists. There was also a one on one interview with the National Education Officer for Sadtu who came in the place of the Sadtu President who could not attend the interview on grounds that he was writing university examinations at the time. Finally another one on one interview with the Labour Relations Officer (LRO) of the Department of Education. During this study the following questions were posed, namely: How do unions actually get involved in the filling of promotional posts?

This question needed a lot of probing during the interviews. The same question was asked during all the interviews to enhance the reliability and validity of findings. Lewis (2000:4) also supports this questioning strategy when suggesting that open-ended questions allow respondents to answer from a variety of dimensions. To increase the possibility that the respondents would reveal their true feelings and opinions, the author used the same open-ended questions that would promote an in-depth discussion by the research participants during interviews. The author had previously worked alongside some of the participants, and they had no reason not to trust the author with the required data. Measuring validity and reliability was not difficult because the author is a former teacher and school principal and was able to share some of their experiences in the teaching profession. Furthermore, the author identified respondents who had been involved in the various union and education department activities including the training of teacher members. Measor (1985:57) maintains that while it is important for the researcher to build a cordial relationship with the participants, the quality of data is ensured when there is an element of trust. To ensure that bias and partiality did not prevail, the author used tape recording equipment during interviews in order to isolate

his views from the actual findings. The recording was done with the consent of the participants, as suggested by Henning, Van Rensburg and Smit (2004: 73) as one of the ethical prerequisites for a scientific researcher.

The population sample

The study was conducted in the D11 and D12 Districts of the Gauteng Department of Education because of their representativity in terms of race, ethnicity and demographics. The D11 District consists of more than 300 schools while the D12 District consists of more than 250 schools. Sadtu and Naptosa unionists were invited but only Sadtu unionists accepted the author's request to be interviewed. All participants had considerable years of experience in education. The unionists were already in leadership positions both in their schools and Sadtu while some were district office managers. One of the unionists was stationed at the Sadtu regional office in Soweto. The LRO was a former teacher and unionist currently serving in her position due to her prior involvement in union and ANC activities. The LRO was selected for the interview because she was knowledgeable on most labour matters within the DoE as she had to officiate in all processes involving redeployment and the filling of promotional posts within District 11. There was also as earlier reported, a one on one interview with the National Education Officer for Sadtu who came in the place of the Sadtu President who could not attend the interview on grounds that he was writing university examinations at the time. Data was analysed by means of the constant comparative method and it did not take place in linear fashion. The process was somewhat ambiguous, time consuming and messy as Rossman (2003:150) says it is not a neat process. There was coding and identification of themes and categories. All the recorded data were transcribed verbatim for ease of analysis. The author became selective as indicated by Denscombe (2007:303) by prioritizing certain aspects over others because it is not possible to present all qualitative data.

RESULTS

Direct quotations have been used to substantiate certain findings. These quotations are typed in *italics* in this article. To gain more impetus on specific aspects, the author employed the use of discourse analysis to report on the implicit rather than the explicit responses. Responses were elicited from unionists and the LRO regarding their role expectations during the implementation of policy.

The responses of the unionists

The researcher asked the unionists what dictated their actions when observing the filling of posts, their own or the learners' interests. The answer was that as a labour movement they had to look after the needs of their members before those of the learners. Another unionist explained that for effectiveness of schooling, "... *once the needs of educators have been attended to, then those of the learners will also be satisfied*". They further explained that their members were able to deliver in respect of learners' needs because the union has capacitated them in terms of the curriculum as well during their own workshops. They also stated that sometimes the interviewing panel handed over its powers to the union observer. When asked what prompted the takeover they replied that when the observer provided all the answers to the problems, the panel then abdicated, and then the union took over. They asserted that a decision taken this way would be a fair one, because it had been influenced by the union. Another unionist reiterated that all unions were invited to attend the short listing and interviewing processes and those that were not present during the selection process could not nullify the process, according to the SASA. When asked about the changing role of the observer, another unionist explained that it was in the interests of the school and the department that the observer should be allowed to help the panel to avoid a dispute. Another unionist explained, "*Remember that we get there as unions with different agendas, if I have to put it that way.*"

The unionists explained that the reason for taking over the selection process was that the DoE only provided short training sessions that looked like meetings, instead of a workshop. So, the SGB was not well trained hence the take-over. The take-over could also be influenced by the fact that the principal as a resource person, together with the teachers on the panel, could also be union members. In that way the union took over the situation. Another unionist explained that in a specific case the union observer even phoned the union (Sadtu) and said, "*Hey Comrades, send another observer to the school now because I am already a panel member here.*" At this point all the members laughed. One unionist added, "*In schools where this happens we think that the panel shouldn't exist at all because we take over.*" They also added that the principal, by virtue of his knowledge as a resource person and a unionist, could also end up becoming a panel member and recommending a candidate. One unionist also explained that problems occurred when the principal, who had to assume the position of a resource person, was asked by the panel to assist during short-listing and interviewing. The principal then got a chance to manipulate the process. This is how one of them justified this action, "*The observer status of the union member does not mean that he has to keep quiet all the time but must intervene when the panel does not follow correct procedures. Sometimes you have to assist the panel because they don't know the process and sometimes the principal might take advantage of the panel. So, because you are there the panel says, 'Let's do the process the way it should be done'*".

When asked if the unionists should be part of the panel, they responded that by virtue of their knowledge they should be allowed to “assist” the panel in order to avoid disputes. One unionist also explained as follows, *sometimes the union gives a principal, who is a unionist, the instruction to appoint a certain member. In union terms, the principal is told to deploy a comrade, and he or she is bound to do so.* In his own words, the unionist said, “*The union will say, ‘Mr. X, you are given a mandate to appoint a Sadtu member at the school’. The principal has no option but to see to it that the member is appointed*”. Another unionist mentioned the situation where a competent person had to be appointed, but he could not do anything without the union’s approval. When the researcher asked if the involvement of the unions during interviews was viewed as assistance or a hindrance, one unionist replied, “*It’s twofold Meneer. We can’t say it hampers the process because some union members are very informed regarding policies and procedures, and some of the unions are not* (implying the National Association of Professional Teachers’ Association (Naptosa) which is the second major union). *So it is always advisable to keep people who are informed like unionists on the panel to avoid disputes being lodged.*” The other unionists seemed to agree with the point that union representatives on the panel needed to assume an active status because “*...most parents on the SGB were ill-informed and needed the assistance of the observer that was informed.*” This observer could be the Sadtu unionist. When asked about the process of filling promotional posts, the unionists responded rather interestingly. They stated that the union member as an observer has to be present throughout the process in case there is some form of malpractice by the principal or the SGB that was not knowledgeable about the process. One member said, “*It is very important for the observer to be there because principals might take advantage of the SGB that is not so educated. Sometimes the SGB itself is poorly equipped to manage human resource matters.*” The unionists further reiterated that this was to the benefit of the school.

The responses of the National Education Officer of Sadtu

When the Education Officer (EO) was asked about union involvement during the interviews he said, *there is no evidence to suggest the taking-over of the selection process by the unions from the SGB selection panel, and thus influencing the decisions of the panel.* However, he did indicate that it could be happening in a very subtle way that could make it difficult for stakeholders to report and win a case of corruption. The unionist maintained that procedures did exist for reporting such malpractices. When further asked if the union received any reports of such inappropriate involvement of unions at school level he responded *it was not impossible, but could be reported, if there was sufficient evidence.* The EO argued that when principals and the DoE fail to do their work they tended to place the blame on the union. The union has the responsibility to ensure the protection of its members and to promote professionalism. The EO further argued, “*What kind of a union would we be if we failed to protect our members?*” Here the assumption could be that the unions are scared of losing members if they do not support them. This raises the question whether the unions are interested in protecting the educators, or in merely gaining popularity, that includes the members’ affiliation fees.

The views of the Labour Relations Officer (LRO)

The LRO reported that “*...the modus operandi for various unions differs, for example, some unions go according to the letter of the law*”. She further continued “*...some unions violate the rules by placing friends for positions long before they are advertised. For instance, they know that a principal is about to retire. Strategically they have someone reserved for that position. In so doing, they do not consider the curriculum and leadership needs of the institution. They want to influence the SGB by bringing their lists of people to take over the positions.*” The LRO further put it this way, “*They bring their lists; it’s like political lists. They go to short-listing meetings and scare or intimidate the SGB panel by threatening to lodge a grievance should their member be unsuccessful. The bigger union (Sadtu) is always guilty of this. The bigger union also has a vast membership of younger educators who have little respect for authority.*” The LRO explained that the trend amongst younger educators was to look after their own interests rather than those of the learners. The LRO, however, indicated that that were isolated cases whereby young educators were properly placed in positions. Generally speaking she said, *the union deploys members to schools rather than helping them to be employed.* The LRO indicated that there was little that could be done to resolve the situation because the senior management of the DoE were also well-known unionists. In the LRO’s own words, “*What do you do when the employer is also in the same organization? You are helpless in this kind of situation.*” The LRO even stated fearfully that they were not free to be interviewed in this respect because some of their colleagues at District office have been appointed on, what is generally referred to, “*...the SADTU ticket.*” The following section forms a discussion on findings during the study.

DISCUSSION

The actual involvement of teacher unions at school level during the filing of promotional posts is marked by commotion and turmoil. Most stakeholders acknowledge that Sadtu involvement becomes deplorable when the post in question is a promotional one. Several stakeholders also stated that individuals come to the business of filling posts at school level with varying agendas other than the one of ensuring that the best candidate gets the job.

Nepotism seems to have long-term effects on the incapability of the school to meet the needs of learners, if aspirations of a personal nature, rather than academic and professional considerations, are to be met. Findings indicate that the unions interfere with the constitutional processes, either intentionally in the name of “assistance to the SGB panel”, or with ulterior motives. Section 20(1) of SASA states that the SGB has to recommend the appointment of teachers at a school to the Director General, subject to the principles of the EEA and the LRA. The author has every reason to believe that the actions of Sadtu at school level could, in some cases, be spurned by personal ambition rather than professional conduct and objectivity. This assumption is based on the amount of emphasis placed by unions on their role when they define the need for their participation, which is to protect their members at all costs. When the fate of a particular union lies in membership numbers, the union is left with no alternative but to protect its members. Sometimes the type of protection afforded to some members compromises on the integrity of such unions.

There are scores of other former SADTU officials occupying senior positions in government. Ironically, these are the same officials who are tasked with ensuring that the filling of promotional posts at all levels of the DoE structures is not marred by political nepotism. It is a huge challenge for these officials to discourage such acts at school level if schools still fail to deliver on learning programmes even after the appointments of such individuals. Maluleke (1998:6) says that some of these managers are more politically correct, than suitable for their posts. Employing such managers, according to Maluleke, was a “thank you” by government and a form of affirmative action (ibid). The interview reports with the LRO show that it is not easy to deal with such corruption and nepotism when some of the District appointees are a product of nepotism. On the other hand, the report by the senior officials that it is difficult to deal with nepotism does not hold water when their own appointments are viewed with suspicion by the educators at lower levels of the DoE bureaucracy, due to their connections within the ANC and its affiliated structures.

CONCLUSION

The author does not allege that all the management positions are occupied by Sadtu activists, but most of them are. In the same vein, the author does not allege that all Sadtu activists appointed to key positions are not suitably qualified, experienced or hard working, but it is a fact that there are some poorly qualified and less experienced persons who occupy senior positions within the entire bureaucratic structure of the DoE. It is also a fact that such individuals are Sadtu members as this emerged during the all the interviews. Finally it is also a fact that more than 75% of teachers are affiliated to Sadtu and there is nothing wrong with the affiliation but reduced commitment to teach when positions are advertised becomes a serious threat to the education of South African children. If the DoE is serious about becoming a reputable provider of basic education to all children, control of education has to be wrenched from Sadtu. The big question is, who will take control of basic education in South Africa when those appointed to all management positions got there on the *Sadtu ticket* as referred to, by the research participants during this study. Has the South African Democratic Teachers’ Union taken over the control of Basic Education in South Africa?

RECOMMENDATIONS

The following are recommendations based on findings during all the interviews:

- The Department of Education must engage the service of employment agencies to handle all the advertising, shortlisting, interviews and recommendations for appointment processes to avoid all forms of subjectivity and nepotism. This is viewed as having potential to allow serving union members who are teachers and principals to dedicate more of their time in preserving the culture of learning and teaching.
- There must be legal officers employed to observe all rationalization processes to minimize the number of grievances pertaining to unprocedural appointments.
- Management positions in under performing schools and districts must be re advertised and filled with agency appointed managers to enhance professionalism.
- All management appointments must be based on renewable 3 year contracts pending satisfactory work performance before they are considered for renewal.

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