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ENQUIRIES: N. Khan TEL: 021 467 2000 FAX: 021 467 2996

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TO: **CHIEF DIRECTORS, DIRECTORS, CIRCUIT TEAM MANAGERS, DISTRICT DIRECTORS, HEADS OF ALL EDUCATIONAL INSTITUTIONS, PRINCIPALS AND CHAIRPERSONS OF SCHOOL GOVERNING BODIES**

BRIEF SUMMARY: *Industrial action contingency plan to ensure co-ordination of emergency activities during industrial action.*

SUBJECT: **INDUSTRIAL ACTION CONTINGENCY PLAN**

1. The purpose of the [attached](#) Industrial Action Contingency Plan is to ensure that the Western Cape Education Department co-ordinates and synchronises activities for emergencies during strikes. The attached Industrial Action Contingency Plan outlines the procedures that managers need to follow to manage strikes efficiently and effectively.
2. The right to strike is a fundamental right and is entrenched in section 23(2)(c) of the [Constitution of the Republic of South Africa \(Act 108 of 1996\)](#). This right is given effect in Chapter IV of the [Labour Relations Act \(Act 66 of 1995\)](#).
3. In order to manage the implications of the right to strike within the public education sector, a Strike Management Plan was developed for all provinces by the Department of Basic Education. Furthermore, a Generic Contingency Plan was developed by the Western Cape Government to ensure that this right to strike has minimal impact on all provincial departments. The said Contingency Plan is aimed at upholding prescribed obligations and consistency.
4. While recognising the right to strike and its place within the negotiation arena, the Western Cape Education Department has a duty to uphold section 28(2) of the Constitution, read together with section 29(1)(a), which holds that the best interest of the child, including the right to basic education, is paramount in any matter concerning the child.
5. It is, therefore, within the context of protecting the best interests of the learners whilst still respecting the right of our employees to strike, that this Industrial Action Contingency Plan has been developed within the framework of national and provincial policies.
6. Kindly acquaint yourself with the content of the [attached](#) Industrial Action Contingency Plan and bring it to the attention of all relevant role-players.

SIGNED: PA VINJEVOLD
HEAD: EDUCATION
DATE: 2013:01:14

Grand Central Towers, Lower Parliament Street, Private Bag X9114, Cape Town 8000
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[Industrial Action Contingency Plan](#) (size: 176 KB)

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