

## **DRAFT**

### **GHANA NATIONAL ASSOCIATION OF TEACHERS**

#### **PRESS STATEMENT ON STATUS OF NEGOTIATED AGREEMENT BETWEEN THE TEACHER UNIONS IN THE GHANA EDUCATION SERVICE AND THE GHANA EDUCATION SERVICE MANAGEMENT (2006-2010)**

#### **INTRODUCTION**

The Ghana National Association of Teachers (GNAT) and the National Association of Graduate Teachers (NAGRAT) submitted a draft collective agreement to the Ghana Education Service (GES) on September 26, 2006. The Director General of the Ghana Education Service by a letter referenced D-G/192/11/50 dated October 12, 2006 acknowledged receipt of the document and invited the Teachers Unions to commence negotiations on the document on October 16, 2006.

#### **NEGOTIATION OF COLLECTIVE AGREEMENT**

On October 17, 2006, The Ministry of Finance and Economic Planning by two letters referenced DMB/EDU/104 and PAD/06/SAL.1 mandated the Ghana Education Service Management to re-negotiate the collective agreement for the teaching personnel in the Ghana Education Service as enjoined by Part XII of the Labour Act, 2003 (Act 651). The negotiations began with the review of the Scheme of Service and migration of the teaching personnel onto the revised scheme. This process took almost one year to complete.

At the sixth meeting of the Joint Negotiation Committee of the Ghana Education Service held on November 3, 2006 the Management side requested to be permitted to consult with their principals before coming back to the table. On November 16, 2006, the Teacher Unions wrote to the Director General of the Ghana Education Service reminding him of the unfinished business and requesting that negotiations resumed on Monday, November 20, 2006. The Teacher Unions did not

receive any response to their request forcing them to write to the National Labour Commission complaining and consequently declaring a dead-lock in the negotiations in a letter dated November 21, 2006.

The Director General having received his copy of the letter to the National Labour Commission was compelled to call a meeting on Monday, November 27, 2006. On January 12, 2007, the Teacher Unions reached agreement on the salary levels and signed an agreement to that effect. The National Labour Commission was duly informed about the state of affairs.

### **SUPERVISION ALLOWANCES**

On February 6, 2007, the Unions again wrote to the Director General requesting that negotiations be resumed. The Director General acknowledged receipt of the letter and fixed Friday, March 3, 2007 for the negotiations. On resumption of business, the Teacher Unions requested that the joint negotiation team should take up issues related to **supervision allowance**. These are allowances paid to certain categories of GES teaching staff that perform extra duties outside the core teaching assignments. (E.g. Heads of schools, House masters, Guidance and Counselling Officers) to compensate for their time and energy spent on the extra work. This allowance from its inception, had been low because they are paid in absolute figures and had no relationship with the wage levels of the beneficiaries. For example the Basic School Head takes GH¢1.00 per month whilst the Headmaster of a Senior High School takes GH¢5.00 per month. The Teacher Unions therefore, decided that the allowances would be negotiated as a percentage of the employee's income.

The stand of the unions on this principle forced GES Management to request for adjournment to enable it consult its principals. Management did not come back to the negotiation table. On April 7, 2008 the Unions were forced to write to the

National Labour Commission giving notice of a Deadlock. On 16th April, 2008 the then Minister of Manpower, Youth and Employment invited Management and the Unions to a meeting on Tuesday, April 22, 2008 to address the impasse. The discussions led to a meeting of the Joint Negotiation Committee on May 12, 2008 where the salary levels for 2008 were determined and agreed upon.

### **LEVELS OF RESPONSIBILITY ALLOWANCES**

On 23rd May, 2009, the committee met again to deal with the levels of responsibility allowance but still no agreement was reached on the levels. Management was given one week to come up with new proposals on the levels but the earliest time Management could do so was on July 9, 2008 and subsequently on September 8, 2008. These meetings ended in 'fiasco' as still no agreement was reached on new levels of supervision allowances

On September 23, 2009, by a letter referenced JSNC/GES/06/05, the Director General informed the Teacher Unions that the then Minister for Education had directed that negotiations should be halted for the Ministry of Education to meet the **Fair Wages and Salaries Commission** on all allowances in the draft collective agreement for a decision to be taken. Management came back to the negotiation table on Friday November 28, 2009 with an offer of 5% which was rejected by the unions so the year ended without conclusions.

### **SIT DOWN STRIKE**

On December 10, 2009, The Ghana National Association of Teachers(GNAT) wrote to the Director General of the Ghana Education Service,(GES) expressing regret and displeasure at the way and manner the negotiations were being carried out. The letter also stated that the Teacher Unions did not have any confidence in GES Management with regard to its capacity to complete the negotiations. Against this

backdrop and considering the level of frustration among teachers, the Ghana National Association of Teachers in a letter dated Monday, December 14, 2009 advised its members **to go to school and sit down till the agreements were fully negotiated and implemented.**

### **THE NATIONAL LABOUR COMMISSION INTERVENES**

The National Labour Commission intervened and directed the parties to resume negotiations and report back to it within 14 days. The Joint Negotiation Committee re-convened and completed the negotiations on December 31, 2009 .The resulting agreement was endorsed by the **Minister for Education** after which it was sent to the Fair Wages and Salaries Commission as existing document to be used in all matters related to teachers in the implementation of the Single Spine.

### **THE SIGNED AGREEMENT**

The following are some of the specific agreements reached by the Joint Negotiation Committee.

1. Payment of Professional Allowance of 15% of monthly gross salary to all certificated teachers who are at post
2. Payment of special allowance of 10% of monthly gross salary to teachers who studied Science, ICT, Technical/ Vocational and Mathematics and who are teaching the subjects
3. Incentive of 20% of monthly gross salary for teachers who work in underserved communities
4. Financial support for teachers who are on distant learning programmes in the universities
5. Promotion interviews for back lock of teachers who were due for promotion and had not had opportunity to be interviewed.

The completed agreement was signed for the GES Management by the Director General and countersigned by the Hon Minister for Education whilst the General Secretary of GNAT signed for the Teacher Unions and countersigned by the President of NAGRAT. Copies of the agreement were sent to the National Labour Commission and the Fair Wages and Salaries Commission. The National Labour Commission advised Government to implement the agreed clauses as signed by Management.

### **IMPLEMENTATION OF THE SIGNED AGREEMENT**

To facilitate the implementation of the agreed Clauses, the teacher unions provided a roadmap for GES Management. The road map for implementation is as follows:-

January – March 31, 2010	Education of members of GNAT & NAGRAT on the agreement	GNAT & NAGRAT
April, 2010	Payment of Professional Allowance to all certificated teachers	Fair Wages, GES and Controller & Accountant-General, Ministry of Finance, Ministry of Education
May 2010	Payment of Allowance for Science, Mathematics , ICT & Tech./Vocational Teachers	Fair Wages & Salaries Commission, GES, and Controller & Accountant-General, Ministry of Finance, Ministry of Employment, Ministry of Education
June 2010	Payment of Difficult/Deprived Areas. Allowance to those who qualify	Fair Wages, & Salaries Commission, GES, Ministry of Education, Ministry of Finance, Controller & Accountant General
July 2010	Implementation of SSSS	Fair Wages and Salaries Commission, Controller & Accountant-General, Ministry of Finance

The roadmap was also copied to the National Labour Commission, the Minister for Education, the Minister for Finance and Economic Planning, and the Fair Wages and Salaries Commission among several others. Ironically, the Teacher Unions did not receive any response from any of the above mentioned in the form of acknowledgment and as whether the roadmap was implementable. At the end of April 2010, when teachers' salaries were paid, the 15% professional allowance had not been factored into the salary.

The Teacher Unions requested for explanation from the Management of the Ghana Education Service for not paying the professional allowance at the end of April as contained in the roadmap which argued that what they had signed was a proposal to the Fair Wages Commission to be considered during the implementation of the Single Spine Salary regime and not an agreement reached with the teacher unions for implementation.

**POSITIONS OF THE FAIR WAGES AND SALARIES COMMISSION,  
AND THE MINISTRY OF FINANCE AND ECONOMIC PLANING ON  
THE SIGNED AGREEMENT AND THE ROADMAP.**

The position of GES Management was collaborated by the Minister for Education and the Fair Wages and Salaries Commission and the Ministry of Finance and Economic Planning at a meeting called by the Minister for Employment and Social Welfare on Friday, April 30, 2010. This was to address the apparent impasse between the GES Management and the Teacher Union which is likely to affect the industrial peace in Ghana. These institutions, argued that the GES Management should have obtained another mandate from the Fair Wages and Salaries Commission or the Ministry of Finance and Economic Planning before committing the Government to the agreed levels.

It should be noted that, throughout the negotiations, the Teacher Unions were made to believe that, the GES had the necessary mandate to negotiate the levels, and more so, when the negotiations took place within the purview and with the tacit understanding of the Minister for Education.

## **PROGRESS: APRIL 30- MAY 12, 2010**

### **TECHNICAL COMMITTEE**

The meeting with the Minister of Employment and Social Welfare resulted in a communiqué that a Technical Committee should look at the implementation possibilities to avoid confusion in the Education Sector. The committee, of which GNAT and NAGRAT are members, met at the Conference Room of the Director General of GES on Tuesday, May 4, 2010 at 2.00 pm under the Chairmanship of a representative of the Minister for Employment and Social Welfare. At the end of its deliberation, the committee was of the view that the agreement should be ratified for implementation pending the provision of statistical data from the GES Management to determine the cost implications.

The committee further agreed that the issue of supervision allowances and support for Distance Learners should also be brought before the technical committee so that all the issues having budgetary implications are resolved holistically.

It was also agreed that the Joint Negotiating Committee of the Ghana Education Service should re-convene on Monday, May 10, 2010 to complete work on all outstanding issues to enable the committee present its report at the plenary scheduled for May 14, 2010 at the Ministry of Employment and Social Welfare.

### **CONCLUSION**

From the above narration, we need not remind the Government and the Country that the Teacher Unions have gone through this lengthy process of collective bargaining without striking the 'JUICY' deals, or refusal on the part of the employer to implement these agreements. The teachers of Ghana have been patient for so long that it even sounds ridiculous!

The leadership of the Unions have demonstrated enough patience, tact and maturity by doing our utmost best to hold the emotions of the general membership in check

The clear message that teachers are sending out is that the terms of the signed agreement should be implemented this year (2010) before the implementation of the Single Spine Salary Structure. They will no longer allow their Conditions of Service to be used merely as propaganda items on plat forms of partisan politics. Their patience has been tried for too long!

How does the Government of Ghana intend to achieve the objectives of Quality Public Education without showing the required commitment to the welfare of its teachers?