



FREE STATE HIGH COURT, BLOEMFONTEIN
Republic of South Africa

Case No: 742/2013

Before the Honourable Justice BC MOCUMIE

On the 6th day of JUNE 2013

In the matter between:

LETTIE FOUCHÉ SCHOOL 1st Applicant

**THE GOVERNING BODY OF
LETTIE FOUCHÉ SCHOOL** 2nd Applicant

MARTIE DU PLESSIS SCHOOL 3rd Applicant

**THE GOVERNING BODY OF
MARTIE DU PLESSIS SCHOOL** 4th Applicant

AMARI SCHOOL 5th Applicant

THE GOVERNING BODY OF AMARI SCHOOL 6th Applicant

and

**THE MEMBER OF THE EXECUTIVE COUNCIL
FOR EDUCATION: FREE STATE PROVINCE** 1st Respondent

**THE HEAD OF DEPARTMENT: DEPARTMENT
OF EDUCATION, FREE STATE PROVINCE** 2nd Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicants,

IT IS ORDERED THAT: (By agreement)

1. Second respondent as HOD of the Department of Education, Free State Province shall permanently employ the following number(s) of general assistants currently working at the first, third and fifth applicants respectively, with effect from 1 July 2013:

- 1.1 **Lettie Fouché School (Bloemfontein)** : 16
- 1.2 **Martie du Plessis School (Bloemfontein)** : 12
- 1.3 **Amari School (Welkom)** : 16

2. The appointments referred to in 1. herein above shall be made by the second respondent as follow:

- 2.1 The following number(s) of appointments at the respective schools, with effect from 1 July 2013, will be made on a 6/8-basis, with the balance to be full time-, or so-called 8/8-posts:

- 2.1.1 **Lettie Fouché School (Bloemfontein)** : 11
- 2.1.2 **Martie du Plessis School (Bloemfontein)** : 07
- 2.1.3 **Amari School (Welkom)** : 11

- 2.2 All 6/8 appointments at the respective school will be converted to full time-, or so called 8/8-posts with effect from 1 January 2015.

3. Second respondent shall pay on/before 31 May 2013 an additional, once-off *ad hoc* subsidy in respect of the year 2012 to each of the first, third and fifth applicants, equivalent to the following respective amounts for these schools:

- 3.1 **Lettie Fouché School (Bloemfontein)**
R708,000.00 (seven hundred and eight thousand rand);

- 3.2 **Martie du Plessis School (Bloemfontein)**
R1,110,000.00 (one million one hundred and ten thousand rand);

- 3.3 **Amari School (Welkom)**
R216,000.00 (two hundred and sixteen thousand rand).

4. Applicants may still approach the second respondent with proof of salaries paid to general assistants at the first, third and fifth applicants, in excess of the respective amounts referred to 3 herein above, for the period from 1 January 2012 to 30 June 2013, and may request and/or claim such amount(s) exceeding the respective amounts in 3 herein above from the second respondent.

5. Second respondent shall pay the applicant's taxed or agreed costs for this application on the scale as between party-and-party.

BY ORDER OF THIS COURT



COURT REGISTRAR

**HORN & VAN RENSBURG
STATE ATTORNEY**