



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
ROADS AND TRANSPORT**

LEARNERSHIP POLICY

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1. INTRODUCTION

Skills development is an urgent priority for South Africa as an integrated part of the country's overall objectives of reduced poverty, increased competition, reduced crime and increased economic development and growth.

To achieve these objectives education and training in South Africa had to change and is in a process of changing as has been seen in the release of the Green paper on Skills Development Strategy for economic growth in South Africa in 1997 and the acceptance of the Skills Development Act in November 1998.

The people of South Africa are without doubt the country's most valuable assets and if they are to participate meaningfully in the economic and social development of the country as well as their own advancement, they must not only have general capabilities such as the ability to read and write, but also the ability to communicate effectively and to solve problems in their homes and in their workplaces.

The department acknowledges and recognize that the demands of a more complex and changing economy, characterized by increasing use of information and more complex technologies and a general rise in the skills requirements of jobs also necessitates that people must have rising levels of applied competence, i.e. practical, foundational and reflective competence.

The Skills Development Act of the department proposes a comprehensive learnership system as a key means to solve the country's skills problems. This system is expected to provide the mechanisms of facilitating the linkages between learning and work as well as a continuous learning experience in order to obtain NQF registered qualifications. The learnership system thus brings a new way of gaining NQF recognized qualification which provides opportunities for life long learning.

This policy thus supports the objectives of the National Skills Development Strategy and those of Skills Development Act and should not only further the competency levels in the country, but also make it possible for employees to acquire or achieve nationally recognized qualifications.

2. PURPOSE OF THE POLICY

These policy guidelines thus details how the learnership process or system should be carried out in the department as far as 18.1 and 18.2 learners is concerned.

3. OBJECTIVES

The departmental policy on learnerships aims to address the following:

- 3.1 Promote application of learning in the department.
- 3.2 To align ETD with labour market needs.
- 3.3 Provide for a framework for training and development for unemployed and employed and thus making South Africa globally competitive.
- 3.4 Bridge the gap between current education and labour needs.
- 3.5 Help reduce unemployment resulting from skills development deficiencies.
- 3.6 Help ensure transformation of the department in a way that promotes continuous learning.
- 3.7 Provide opportunity to obtain nationally recognized qualifications through a combination of formal and hands on working settings.
- 3.8 Provide opportunities to obtain higher levels of competency and certification that will enhance marketability and opportunities for job advancement/or promotion.

4. WHAT IS A LEARNERSHIP

A Learnership is a world-based route for learning and gaining a qualification within the National Qualification Framework (NQF) from level 1- 8. Learnerships include both structured work experience (a practical component) and instructional learning (a theoretical learning component). They relate to an occupation and qualifications based on unit standards. The successful completion of the learnership results in a learner receiving qualification that is accredited by SAQA, registered by DOL and within the National Qualification Framework (NQF).

The Employer enters into a learnership agreement with the learners and training providers. The Employer will provide the practical part of the learnership while the training and education provider will offer the theoretical learning part of the learnership.

5. LEGISLATIVE FRAMEWORK

- 5.1 Skills Development Act 97 of 1998
- 5.2 Skills Development Levies Act 9 of 1999
- 5.3 South African Qualification Authorities Act 58 of 1995
- 5.4 National Qualification Framework
- 5.5 National Skills Development Strategy
- 5.6 Learnership Regulations 2001
- 5.7 Basic Conditions of Employment Act

6. STRUCTURE OF LEARNERSHIP

It has five components, which are:

- 6.1 Qualification
- 6.2 Unit standards
- 6.3 Assessment criteria
- 6.4 Credits
- 6.5 Outcomes

7. ROLE AND RESPONSIBILITIES

7.1 LEARNERSHIP COMMITTEE

- 7.1.1 Drive the project through the project plan.
- 7.1.2 Clarify roles of individual committee members.
- 7.1.3 Ensure that deliverables reach project office by due date.
- 7.1.4 Maintain role clarity and manage expectation of stakeholders.
- 7.1.5 Set up legal contracts and agreements.
- 7.1.6 To make sure that every individual committee member has a role to play.
- 7.1.7 Plan marketing strategy including media campaign and launch.
- 7.1.8 Resolve problem encountered during the implementation.
- 7.1.9 Ensure HR policies, procedures, disciplinary codes; legislative requirements are adhered to for the duration of the learnership.
- 7.1.10 Coordinate the management of the learnership.
- 7.1.11 Ensure transparency and consultation in committee meetings.
- 7.1.12 Compile criteria for the selection of learners.
- 7.1.13 Assist with selection of learners.
- 7.1.14 Contribute to learnership marketing strategy.
- 7.1.15 Assist with ongoing marketing of learnership to workforce.
- 7.1.16 Inform employees, Skills Development Facilitators Forum and line managers of the learnership progress.
- 7.1.17 Devise system to support and motivate learners.
- 7.1.18 Track effectiveness of coaches, mentors and training providers.
- 7.1.19 Agree on system for evaluating impact of learnership on business and employees.
- 7.1.20 Monitor impact of learnership and document findings.

7.2 THE LEARNER

- 7.2.1 Share ideas.
- 7.2.2 Support one another.
- 7.2.3 Learn from mistakes.
- 7.2.4 Take responsibility for own learning and progress.

- 7.2.5 Make suggestions on how to improve things.
- 7.2.6 Listen to one another.
- 7.2.7 Are committed to completing the learnership.
- 7.2.8 Ask for help when need it.
- 7.2.9 Follow our learning schedule.
- 7.2.10 Be punctual at all times.
- 7.2.11 Regular attendance to all sessions.
- 7.2.12 Dedication, eagerness and motivation.
- 7.2.13 Comply as stated in the Learnership agreement.
- 7.2.14 Make preparations for assessment.
- 7.2.15 Adhere to Human Resources Policies.

7.3 ROLE OF DEPARTMENT

- 7.3.1 Promote the learnership.
- 7.3.2 Show good behavior that motivate and encourage learners.
- 7.3.3 Provide relevant input and guidance as required and in accordance with learning plans.
- 7.3.4 Release learners to training sessions timeously.
- 7.3.5 Take learners through on the job training.
- 7.3.6 Adhere to Human Resources policies and procedures regarding learners.
- 7.3.7 Report problems immediately to learnership committee.
- 7.3.8 Provide learners with appropriate supervision in work environment.
- 7.3.9 Provide facilities in accordance with workplace component of learning.

7.4 TRAINING PROVIDER

- 7.4.1 Assist with the launching of learnership.
- 7.4.2 Plan presentation of material to ensure high level of interaction.
- 7.4.3 Use appropriate language when presenting.
- 7.4.4 Ensure that there are training facilities available.
- 7.4.5 Ensure that facilitators are competent.
- 7.4.6 Ensure that training materials are in place.
- 7.4.7 Ensure that presentations are outcome based and that the approach of andragogy is used.
- 7.4.8 Present material in a logical sequence.
- 7.4.9 Encourage learners to participate and ask questions.
- 7.4.10 Guide learners to achieve competence in learning outcomes.
- 7.4.11 Assist learners to compile portfolio of evidence.
- 7.4.12 Promote life long learning to learners.

7.5 LEARNERSHIP COORDINATOR

Provide logistical support to a training course by:

- 7.5.1 Applying and maintaining relevant management and administrative procedures.

- 7.5.2 Following externally directed procedures.
- 7.5.3 Manage and maintain learning records to be kept, taking account of prescribed procedures.
- 7.5.4 Contribute to the budgetary process.
- 7.5.5 Providing appropriate information.
- 7.5.6 Reflecting on financing in order to contribute to future financial planning.
- 7.5.7 Contribute to evaluation and coordination of the learnership by making
- 7.5.8 recommendations for improved procedures or support throughout implementation.

7.6 COACH

- 7.6.1 Plan induction program and assist with implementation.
- 7.6.2 Demonstrate tasks in a practical manner and explain in appropriate language.
- 7.6.3 Demonstrate task in practical manner.
- 7.6.4 Demonstration must comply with company procedure and policies.
- 7.6.5 Assess learners competence
- 7.6.6 Provide appropriate opportunities for learners to practice skill and knowledge.
- 7.6.7 Ensure tasks are appropriate for learners' needs.
- 7.6.8 Support and advise the learners in relation to the task.
- 7.6.9 Make sure learners achieve the set outcomes.
- 7.6.10 Redirect learners if they are not achieving the required performance standards.
- 7.6.11 Evaluate own performance as a coach and plan to integrate lessons learned into future coaching sessions.
- 7.6.12 Monitor progress of learners through learning plan.

7.7 MENTOR

- 7.7.1 Steer the learner through the process.
- 7.7.2 Help learner collect evidence for portfolio.
- 7.7.3 Establish and maintain non-threatening relationship with the learner.
- 7.7.4 Support learners through learning process.
- 7.7.4 Challenge learner to find own solutions in a supportive way.
- 7.7.5 Monitor learner's performance and progress.
- 7.7.6 Provide constructive feedback.

7.8 ASSESSOR

- 7.8.1 Evaluate for prior learning.
- 7.8.2 Plan the assessment with the learner.
- 7.8.3 Communicate organizational requirements.
- 7.8.4 Estimate completion time.
- 7.8.5 Provide feedback or set date to provide feedback.

- 7.8.6 Explain performance measures and criteria.
- 7.8.7 Choose suitable assessment methods.
- 7.8.8 Assess candidates against standards.
- 7.8.9 Record the assessment decisions and collect evidence.
- 7.8.10 Provide continuous and regular feedback.
- 7.8.11 Provide coaching when necessary during the assessment procedure if this will assist the learner to gain competence.
- 7.8.12 Forward relevant documentation to learnership coordinator.

8. IMPLEMENTATION PROCESS

8.1 Department as employer

- 8.1.1 Skills gap to be identified by the Training Committee.
- 8.1.2 HRD to liaise with the line manager with regard to identified skills gap.
- 8.1.3 Learnership Committee to be established.
- 8.1.4 Communicate with different stakeholders with regard to available and existing learnerships.
- 8.1.5 Project proposal to be submitted to the management.
- 8.1.6 Submit agreement to SETA.
- 8.1.7 Contract Training Providers.
- 8.1.8 Identify and prepare mentors.
- 8.1.9 Prepare workplace.
- 8.1.10 Liaise with stakeholders to get relevant information with regard to 18(2) learners.
- 8.1.11 Resolve allowance and salary issues.
- 8.1.12 Submit funding applications to SETA if necessary.
- 8.1.13 Communicate regularly with the SETA.

8.2 Learner

- 8.2.1 Learners inducted.
- 8.2.2 Recruit learners.
- 8.2.3 Select learners.
- 8.2.4 RPL learners.
- 8.2.3 Learners are educated and prepared.
- 8.2.4 Learners sign contract.

8.3 SETA's

- 8.3.1 Communicate with the Employers.
- 8.3.2 Support signing of Learnership Agreements if required.
- 8.3.3 Receive and process Learnership Agreements.
- 8.3.4 Capture agreements.
- 8.3.5 Manage database and submit quarterly reports.

- 8.3.6 Return copies of the agreements to signatories.
- 8.3.7 Process funding applications if required.
- 8.3.8 Initiate public relations activities.
- 8.3.9 Support and guide stakeholders in the system.
- 8.3.10 Define reporting criteria on the learners.

8.4 Training Providers

- 8.4.1 Accreditation of training provider.
- 8.4.2 Deliver training initiatives as per training plan.
- 8.4.3 Mentor learners.
- 8.4.4 Assess learners.
- 8.4.5 Maintain learners records.
- 8.4.6 Support Workplace learning if required.
- 8.4.7 Support Workplace assessing if required.
- 8.4.8 Support Workplace mentoring if required.
- 8.4.9 Communicate regularly with Employers.

9. Recruitment and Selection process

9.1 Prepare for learner recruitment and selection Activities:

- 9.1.1 Set up a team to conduct the recruitment and selection process.
- 9.1.2 Identify the target group for recruitment and selection, as well as the number and category of learners to be selected.
- 9.1.2 Develop selection procedures, including selection criteria and instruction.
- 9.1.3 Develop a recruitment and selection action plan.
- 9.1.4 Develop a learner recruitment process

Steps in the learner recruitment will include the following:

- a. Inform the existing staff of the learner recruitment process.
- b. Advertise the learnership internally and externally.
- c. Head hunt learners to identify suitable candidates.
- d. Conduct an information session for interested learners.
- e. Distribute application forms.

9.2 Develop and implement a learner selection process

- 9.2.1 Obtain agreement on the selection process.
- 9.2.2 Plan the different stages of the selection process.
- 9.2.3 Conduct the selection process.
- 9.3.4 Process and disseminate the results.

9.4 Brief and sign contracts with learners selected

9.4.1 Selected learners will be briefed on issues such as the curriculum, assessments learner support structures.

9.4.2 Sign Learnership Agreement and submit them to the PSETA

9.5 Recognition of Prior Learning (RPL)

RPL is a critical component for the Learnership. A learner is supported by an RPL advisor/mentor or a qualified assessor, could be assisted in the process of demonstrating competency with the corresponding unit standards and/or qualifications. RPL will be done /conducted by qualified assessor to learners who may require it in order to be admitted into the learnership programme.

9.6 Provide assistance to learners not selected

Provide guidance and counseling to learners not selected on learning pathway and/or alternative learning programmes.

10. The Learnership Agreement

The purpose of the Learnership Agreement is to provide legally binding description of the rights and responsibilities each party has relation to other parties. It therefore serves as the mechanism through which the quality of learnership will be ensured and to maintain appropriate labour relation.

As the Skills Development Act requires the agreement has to be registered with the relevant SETA (PSETA), it is imperative that a uniform framework to govern the nature of the agreement be developed.

10.1 Registering a Learnership

The critical part of Learnership is the signing of the Learnership Agreement. The Learnership Regulations stipulates other aspects of the Learnership Agreement. (These regulations were published in the Government Gazette No. 7043, of 03rd April 2001)

10.2 The Learnership Agreement

The responsibility of the department is to complete and submit the Learnership Agreement to the PSETA for registration. The Learnership Agreement must be submitted to PSETA to register the document. The format of the agreement is available at the PSETA and the Learnership Agreement must be concluded before the Learnership can begin.

10.3 Rights of learners, employers and registered training providers

10.3.1 Learner

The learner has right to:

- a. be educated and trained in terms of this agreement;
- b. have access to the required resources to receive training in terms of the learnership;
- c. have his or her performance in training assessed and have access to the assessment results;
- d. receive a certificate upon successful completion of the learning;
- e. raise grievances in writing with the PSETA concerning any shortcomings in the training.

10.3.2 Employer

The Employer has the right to require the learner to:

- a. perform duties in terms of the agreement; and
- b. comply with the rules and regulations concerning the employer's business concern.
- c. Have learner's progress report and evidence.

10.3.3 Training provider

The registered training provider has the right of access to the learner's books, learning material and workplace, if required

10.4 Duties of learner, employer and registered training providers

10.4.1 Learner

The Learner must:

- a. Work for the employer as part of the learning process
- b. Be available for and participate in all learning and work experience required by the learnership
- c. Comply with workplace policies and procedures;
- d. Complete any timesheets or any written assessment tools supplied by the employer to record relevant workplace experience; and
- e. Attend all study periods and theoretical learning sessions with the training provider and undertake all learning conscientiously

10.4.2 Department/Employer

The employer must comply with its duties in terms of the Act and all applicable legislation including:

- a. Basic Conditions of Employment Act 75 of 1997
 - b. Labour Relations Act 66 of 1995;
 - c. Employment Equity Act 55 of 1998;
 - d. Occupational Health and Safety Act 85 Of 1993 (Mine Health and Safety Act 27 of 1996);
 - e. Compensation for Occupational Injuries and Diseases Act 130 of 1993;
 - f. Unemployment Insurance Act 30 of 1996.
- (i) Provide the learner with appropriate training in the work environment to achieve the relevant outcomes required by the learnership.
 - (ii) Provide appropriate facilities to train the learner in accordance with the workplace component of learning.
 - (iii) Provide the learner with adequate supervision at work.
Release the learner during normal working hours to attend off-the-job education and training required by the learnership.
 - (iv) Pay the learner the agreed learning allowance both while the learner is working for the employer and while the learner is attending approved off-the-job.
 - (v) Conduct on-the-job assessment, or cause it to be conducted.
 - (vi) Keep up to date records of learning and periodically discuss progress with the learner.
 - (vii) If the learner was not in the employment, advise the learner of the terms and conditions of his or her employment contract and the effects this might have on learner's allowance and Learnership Agreement.
 - (viii) Workplace policies and procedures.
 - (ix) Apply the same disciplinary, grievance and dispute resolution procedures to the learner as to other employees.

10.4.3 Training provider

The provider must:

- a. Provide education and training in terms of the learnership.
- b. Provide the learner support as required by the learnership.
- c. Record, monitor and retain details of training provided to the learner in terms of the learnership.
- d. Conduct off-the-job assessment in terms of the learnership, or cause it to be facilitated.
- e. Provide reports to the employer on the learner's performance.

11. Terminating a Learnership Agreement

There are conditions to terminate the Learnership Agreement

- a. If the learner and employer agree in writing to terminate the Agreement.

- b. If the Employer or employee has requested, on good cause, to terminate the Agreement (and other parties had been given an opportunity to make representations otherwise)
- c. If the training provider requests, on good cause, to terminate the Agreement (and other parties had been given an opportunity to make representations otherwise)
- d. Death of the learner

An application to terminate the Learnership Agreement must be submitted by the employer to the PSETA, in writing, together with a copy of the initial agreement. If necessary, the parties can include a signed written agreement spelling out the reasons for the termination

12. Addressing problems and resolving disputes

There are potentially a number of different disputes that might arise during the periods covered by a learnership agreement. The SETA's issue be issuing further guidelines on how disputes should be dealt with. The following is very brief description of the main types of dispute and how they should be addressed.

The SETA's attempt to resolve problems as they arise.

However there are formal procedures that may be followed in the event of problems not being resolved informally. These are:

- a. 18(1) learner may follow the internal dispute resolution procedure route.
- b. A learner may take a contractual dispute to the Commission for Conciliation, Mediation and Arbitration (CCMA) or Labour Court. Breach of contract, unfair dismissal, non-payment of a learner allowance etc. are all issues that, if they cannot be resolved informally or via internal procedures, will need to be referred to the CCMA or Labour Court.
- c. Where there is a problem related to the quality of the education and training in the learnership (either the formal education and training or the structured workplace component) the concern should be communicated to the relevant SETA, and the relevant ETQA will intervene.
- d. Where there are grounds for variation or termination of the agreements (the learner leaves, the employer or provider ceases to exist, or other substantial reason) then a formal request needs to be made to the PSETA. The PSETA will respond speedily and in any case no later than 30 days after receiving the request.

13. Remuneration and benefits

13.1 Employed Learners [18(1)]

The remuneration and condition of service of employees contemplated in section of the Skills Development Act who are employed on a permanent basis or on a term contract in the Public Service, and who enter into a registered learnership, are not affected, provided that his or her salary is not lower than the minimum allowance determined by the Minister of Labour from time to time for the relevant qualification (taking into consideration the number of credits attained).

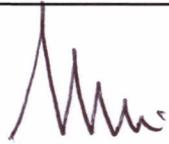
13.2 Unemployed Learners [18(2)]

The weekly (taxable) allowance of persons contemplated in section 18(2) of the Skills Development Act who entered into registered learnership in the Public Service, for calculations refer to the sectoral determination.

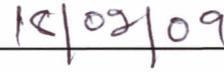
14. POLICY REVIEW

The policy will be reviewed annually or when necessary.

ENDORSED



HEAD OF DEPARTMENT



DATE

Note: This policy document is a blue print of the original policy that was approved by MEC Stan Motimele 21.09.2006.