

## DBE sets record straight on teachers who are not vaccinated

The Department of Basic Education (DBE) has disputed misleading reports and misinformation regarding the circular it distributed last week on educators who are not vaccinated.



Source: ArtemPodrez from [Pexels](#)

“The ‘no jab, no job’ narrative emanating from an article carried in a Johannesburg-based newspaper earlier this week, has created confusion and fear among educators,” department spokesperson Elijah Mhlanga said in a statement.

Mhlanga said the department is also aware that an extract from the seven-page circular has been shared on social media platforms resulting in unnecessary anxiety and panic among teachers who did not go for their vaccination.

He said that at the close of the vaccination programme in the sector more than 517,000 education personnel, out of 582,000 had received their vaccines.

“Others could not get vaccinated because of various reasons including illness, Covid-19 positive cases, flu vaccines and hesitancy. When schools reopened last week for principals and management teams, the department issued a circular to assist in managing cases where some teachers did not vaccinate.

“The purpose of Circular 4 of 2021, dated 23 July 2021 and signed by the Director-General, Mathanzima Mveli, was to provide guidance regarding the operational requirements for educators employed in terms of the Employment of Educators Act of 1998 following the implementation of the Basic Education Sector Covid-19 Vaccination Programme. The circular also serves as a guide to managing vulnerable employees in the context of the current pandemic,” Mhlanga explained.

## **Not compelled to vaccinate**

He said the department has strongly recommended that education sector personnel should get vaccinated, but “at no stage did DBE seek to compel employees to be vaccinated”.

“In fact in the circular the department says that it respects the rights of educators who opt not to be vaccinated on constitutional, religious, cultural, comorbidity or medical grounds,” Mhlanga said.

He noted that educators who have taken the vaccine or opted not to and are concerned about their comorbidity or medical condition/illness, should apply to the relevant Provincial Education Department for leave.

“These educators will be dealt with in terms of the relevant leave and sick leave provisions in terms of the Employment of Educators Act. Where educators who are not in a position to satisfactorily perform their duties required of them or because of a medical condition, such matters will be handled in terms of the Labour Relations Act read, in conjunction with the Employment of Educators Act viz operational requirements and incapacity procedures.

“The latter provides that an employer is obligated to take an employee through the ordinary incapacity procedures which provide for a set of steps that an employer needs to follow to try and accommodate the educator in the work environment. Dismissal for operational requirements or incapacity is regarded as the last resort,” Mhlanga said.

Where an educator simply refuses to report for duty without a valid reason and based on a reasonable instruction by the employer, Mhlanga said such matters will be handled in terms of the disciplinary procedures of the Employment of Educators Act.

“The circular seeks to provide steps that must be taken to accommodate teachers who are not able to vaccinate for a variety of reasons. The department urges everybody in the sector to apply the contents of the circular appropriately in order to meet the intended objective of assisting in creating stability in the schooling system under the Covid-19 conditions,” Mhlanga said.

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