



# MAKTAB TEACHER'S EMPLOYMENT CONTRACT

Date: \_\_\_\_\_

This contract of employment is made between the Ta'limi Board (KZN) and

Moulana / Mu'allimah \_\_\_\_\_

I.D.No. \_\_\_\_\_

*Assalaamu alaykum warahmatullahi wabarakatuhu*

It gives us great pleasure to confirm your employment as a teacher of the

We make dua to Allah Ta'ala that He accept us all to serve His Deen with sincerity and dedication at all times. *Aameen.*

This employment is subject to the following terms and conditions:

## JOB DESCRIPTION

The employee's duties include:

### ATTENDANCE AND PUNCTUALITY

1. Attendance and punctuality are of utmost importance. The time code must be strictly adhered to. The Mu'allim/ah must be in class at least **FIVE MINUTES BEFORE** Madrasah commences and leave only **FIVE MINUTES AFTER** Madrasah time finishes. The time book must be filled accordingly by inserting the **accurate** and not the **approximate** time of arrival.
2. Medical and other appointments should not be made during Madrasah hours. Madrasah times are for teaching only.
3. The Mu'allim/ah must endeavour to boost the attendance and punctuality of the children. An effort must be made to encourage other children in the area who are not attending any Madrasah to join the class of the Mu'allim/ah.
4. It is the duty of every member of staff to be punctual. It is an impossible task to teach children to be punctual if teachers themselves are not punctual.

### SELF-PREPARATION

1. The Mu'allim/ah should prepare his / her lessons beforehand.
2. The success or failure of any lesson rests largely on how confident and prepared the teacher is.
3. Every teacher must adhere to the timetable by moving on to the next subject when the allotted time expires. By not doing so, one can disrupt the entire programme of the Madrasah.
4. All records, viz. the daily prep-book, register, pupils progress cards, time books etc. must be completed on time. It is the duty of the Mu'allim/ah to seek advice from any colleague or the



supervisor should any difficulty be experienced in completing any required record.

5. The syllabus breakdown is given as a guide to how much must be taught in each month. The Mu'allim/ah must endeavour to keep up to the said guide. Should there be any need to vary in any way; this should be put forward to the principal / supervisor.

### WORKSHOPS (MUZAAKARAHS)

1. Workshops are held to assist the teachers in achieving their objectives.
2. Attendance at workshops are compulsory. Teachers that cannot present themselves at these workshops must submit a request for leave to the Ta'limi Board office.

### DRESSING

1. While the Mu'allim/ah is under the jurisdiction of the Ta'limi Board only during Madrasah hours, children nevertheless observe their teachers even after class hours. Therefore, those who have committed themselves to become teachers of Deen must teach Deen practically all the time, even after Madrasah times. Hence the Mu'allim/ah must at all times, even out of Madrasah, adhere to Islamic conduct and appearance. Any public and open violation of the Shariah, even after Madrasah hours, totally contradicts any commitment to be a teacher of Deen and defeats the purpose for which one was employed as a Mu'allim/ah. Thus disciplinary procedures could be instituted for any such public and open violation, especially aspects pertaining to appearance and conduct.
2. For the purposes of supervision the supervisor/principal may need to enter the class. This may be for general administrative supervision or to test the pupils. During the supervisors presence the Mu'allimah must don the Niqaab. This applies even if she does not generally don the Niqaab. Thus it will be the Mu'allimah's duty to always have a niqaab on hand.
3. Teachers should also ensure that pupils attend Madrasah in appropriate clothing. Boys should be made to wear kurtas and topees. Girls must wear cloaks and burqaas. Baaligh girls must be made to wear loose fitting cloaks to conceal their bodies as well as the Shar'ee niqaab.

### LITTER

1. The Mu'allim/ah should encourage the pupils to keep the Madrasah clean and tidy.
2. A program should be put in place where each class has a turn to keep the Madrasah clean and tidy.
3. If there is a need to hire a cleaner to clean the Madrasah daily and wash the toilets and wudhu areas, this must be done in consultation with the Ta'limi Board.

### TARBIYAH (ISLAMIC NURTURING)

1. The primary objective of the Mu'allim/ah must be the imparting of Deeni Ta'leem and the Tarbiyah (Islamic Nurturing) of the children under one's care – all solely for the **Pleasure of Allah Ta'ala**.
2. Since Tarbiyah is just as important as Ta'leem, the Mu'allim/ah will always guide pupils in matters of conduct, dressing, behaviour, etiquette, etc. Ways and means of getting across effectively to the children must be devised by the Mu'allim/ah, keeping in mind the background, socio-economic conditions and level of understanding of each child.
3. The Mu'allim/ah should be meticulous in moulding the habits and the speech of the pupils in accordance to Deen. Whenever a pupil enters the classroom he/she should enter with salaam.



4. The Mu'allim/ah should make use of the appropriate words such as please, Jazakallah, Alhamdulillah, Insha Allah, etc. to demonstrate to pupils the proper usage of these words. The Mu'allim/ah should then pay heed to the pupils speech and remind them of these words in the appropriate circumstances.
5. At no time should the Mu'allim/ah use abusive or vulgar language when addressing the pupils.
6. Little children are drawn to those who display a gentle nature and teach them with love and affection. Together with love and affection, firmness is required so that children do not get out of hand. However, at no time is any form of corporal punishment allowed. Should any problem occur which cannot be handled by the Mu'allim/ah, refer it to the supervisor.
7. It is imperative that the shar'ee rules regarding the intermingling of sexes should be upheld at all times. Boys and girls should be made to sit separately from grade 3 upwards.

### DISCIPLINE

1. The Mu'allim/ah should reprimand those pupils who, out of sheer laziness, do not perform well in the classroom.
2. When reprimanding a pupil, the aim should be upliftment and not anger or frustration. If there is anger, rather desist from any form of punishment. After a few days, show kindness to the pupil. This will prevent any ill feelings harboured by the pupil.
3. Corporal punishment must be avoided under all circumstances.
4. If a situation arises that is beyond your control, refer it to your principal or supervisor.

### GENERAL

1. If there is a dispute regarding the family of a particular pupil, this should not be discussed at all in the classroom nor should a grudge be held against the pupil.
2. Do not conclude business transactions in the classroom. The Mu'allim/ah should not ask any pupils to purchase or sell items for them.
3. The time of the children must be used profitably and constructively. If the work for that day has been completed, the rest of the time should be used for revision. Children should never be allowed to sit idle just waiting for the time to pass.
4. It is the duty of the Mu'allim/ah to ensure that all children perform the Zuhr and Asr Salaah. If they have not performed the Zuhr Salaah, they should be made to perform the same before class commences. Asr Salaah must be performed before they leave. There is no excuse for children who are 10 years and over for not performing their salaah.
5. Mu'allim/ahs should ensure that they **DO NOT** use the cell phone during Madrasah time.

### HOLIDAYS AND CONDITIONS OF LEAVE

The annual leave for all teachers shall be according to the year planner which will be provided at the beginning of each year.

Extra Leave will be granted only when necessary. An Application for **Leave Form** must be completed and forwarded to the Ta'limi Board at least two days in advance. In the case of any sudden emergency, the supervisor must be contacted telephonically as early as possible and informed of one's intended absence and the reason thereof.



In special circumstances, unpaid leave may be granted at the discretion of the Board.

- All official paid leave will coincide with the government school holidays at the end of each term in accordance to the Ta'limi Board Year Planner.
- National public holidays and both Eids will also be regarded as official paid leave.
- If leave is required for any other circumstances such as Marriage, Maternity, Haj, Umrah, Jamaat, Khanqah, etc. other than any of the above official Holidays, then the following rules will be applied.
  - a) A **suitable replacement must** be provided subject to the approval and authorisation of the Ta'limi Board Shura.
  - b) The application for leave form must be submitted at least 20 days in advance for their approval.
  - c) The Ta'limi Board Shura will, according to the circumstances of the leave, decide whether the leave will be paid or unpaid.
  - d) In the case of attending a funeral, sudden illness or unforeseen circumstances, the supervisor **must** be contacted telephonically as early as possible and be informed of one's intended absence and the reasons thereof. A suitable replacement must be provided.
  - e) If the absence due to illness is more than two days, a doctor's letter must be produced.

#### Sick Leave:

1. The Employee shall be entitled to 10 (ten) days paid sick leave in one year.
2. If the Employee is absent from work for two consecutive days or more he/she shall be required to produce a certificate signed by a registered medical doctor stating the nature and duration of his/her illness.
3. The Employee shall not be paid for sick leave unless a certificate by a registered medical doctor is submitted to the Employer immediately upon his/her return to work.
4. In the event of major illnesses or surgery, special unpaid sick leave may be granted at the sole discretion of the Ta'limi Board.
5. Sick leave may not be transferred or converted into any other form of leave.

#### Family Responsibility Leave:

1. Once the Employee has been employed for longer than four (4) months, the Employee will be entitled to 3 (three) days Family Leave per year.
2. Permission must be requested from and granted by the Employer prior to the Employee taking Family Responsibility Leave. The onus is on the Employee to provide the Ta'limi Board with documentary proof of the reason for his/her request for Family Responsibility Leave.
3. Entitlements for Family Responsibility Leave are as follows:
  - When an Employee's child is born;
  - When an Employee's child, or spouse is sick;
  - When an Employee's spouse, parent, grandparent, child, grandchild or sibling passes away.

#### Maternity Leave (In respect of female Employees)

1. The Employee shall be entitled to four (4) consecutive month's **unpaid** maternity leave. The Employee may commence her maternity leave at any time from four (4) weeks before the expected date of birth, or on a date from which a medical practitioner or a midwife certifies that it is necessary for the Employee's health or that of her unborn child.



An Employee who has been on maternity leave may not work for six (6) weeks after the birth of her child, unless a medical practitioner or midwife certifies in writing that she is fit and able to do so.

2. An Employee who has had a miscarriage during the third trimester of pregnancy, or who bears a stillborn child, is entitled to maternity leave for six (6) weeks after the miscarriage or still birth.
3. The Employee must provide the Employer with written notification at least four (4) weeks before the date when she intends to commence her maternity leave, of:
  - the date of commencement of maternity leave; and
  - the expected date of her return to work after such maternity leave.
4. The employee will not be dismissed by the employer on account of her pregnancy.

### REMUNERATION

1. The remuneration payable by the Ta'limi Board (KZN) to the employee shall be the sum of R \_\_\_\_\_ on the last day of each month.
2. This amount includes payment to the employee for work categorised as overtime or after hours.
3. This amount may be reviewed annually at the discretion of the Ta'limi Board (KZN).

### HOURS OF WORK

1. The employee's normal hours of work shall be: Monday to Friday -  
Time: \_\_\_\_:\_\_\_\_ p.m. to \_\_\_\_:\_\_\_\_ p.m. which the employee is required to complete
2. The employee agrees that by signing this contract, he/she undertakes and agrees to perform such overtime duties as may be responsibly required of him/her from time to time, provided that this does not exceed the limitations provided for in relevant legislation, pertaining to this contract.

### DEDUCTIONS

1. The employer may make the following deductions from the employee's monthly salary: -
  - UIF;
  - PAYE;
  - Any other deductions required by Law;
2. Any further deductions may be done by mutual agreement between the employee and the employer.

### CONTRACT PERIOD

This contract shall commence on the \_\_\_\_\_  
and terminate on \_\_\_\_\_

### GRIEVANCE PROCEDURE

1. The Mu'allima/ah shall submit any grievance which he/she may have in writing to the Ta'limi Board.
2. The Ta'limi Board shall discuss the grievance with the Mu'allim/ah within seven days of receiving the notice.



**DISCIPLINARY PROCEDURE**

1. The Mu'allim/ah is required to comply with the employers disciplinary code.
2. A disciplinary enquiry will be held before any disciplinary action is taken.

**TERMINATION OF SERVICES**

**1. (Misconduct)**

The employee's employment may be terminated by the employer at any time, without remuneration, if the employee is found guilty of any serious misconduct, or fails to comply with his/her obligations under this agreement, or if he/she has been found guilty of any act which would entitle the employer to terminate the employment.

**2. (Non-Performance of Obligations and Duties)**

If, during the employment, the employee fails to perform any of his/her obligations and duties diligently and faithfully, the employer shall be entitled to invoke the provisions of Section 189 of the Labour Relations Act 66 of 1995.

3. If any Mu'allim/ah intends to terminate their employment at any given time, at least three months advance notice must be provided so that a suitable replacement can be found.

**CONCLUSION**

1. The Job Description above outlines the main duties for the appointed post. The Mu'allim/ah should acknowledge that he/she knows and understands that they will be required to perform other duties not listed in the Job Description, but which fall reasonably within the ambit of the Job Description when required to do so.
2. The Mu'allim/ah shall be required to perform other duties associated with the job description, which may change from time to time based on the operational requirements of the Maktab.
3. A committee has been appointed to liaise with the Employee at all times with regards to all matters. No other members will issue any directive to the Employee. All matters pertaining to duties and responsibilities will be directed to the committee.

**All previous contracts (verbal and/or written) hereto become null and void.**

Thus done and signed by the employer at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2020, in the presence of the undersigned witnesses.

\_\_\_\_\_  
Chairman of Trust

\_\_\_\_\_  
Witness

I agree to the appointment on the terms and conditions stated above.

\_\_\_\_\_  
Mu'allim / Mu'allimah

\_\_\_\_\_  
Witness