

# KWAME A. BOAFO & ASSOCIATES

Barristers, Solicitors & Notaries Public (Supreme Court of Ghana)

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Our Ref: **NAC/KAB/158/21**

Your Ref: .....

**29<sup>TH</sup> JUNE, 20 21**

## THE ATTORNEY GENERAL AND MINISTER OF JUSTICE MINISTRIES ACCRA

Dear Sir,

### **RE: DEMAND NOTICE AND NOTICE OF INTENTION TO SUE**

We are writing to you for and on behalf of our client, INNOVATIVE TEACHERS, a registered TRADE UNION with the LABOUR DEPARTMENT of Ghana.

With reference to the letter from Ghana Education Service dated 29th January 2021, in which GES expressed an intention of selling laptop computers to teachers, we have the instructions of our client to bring the following to your attention;

1. That the relationship between teachers and the GES is regulated by law and the law requires GES as the employer of teachers to provide the employee with requisite working tools and equipment including laptops and the cost must be borne by the employer and not the employee and
2. That the decision by the GES to compulsorily sell laptops to teachers is contrary to law and therefore GES cannot compel teachers to acquire laptops through GES or the Ministry of Education.

Our client considers the conduct of GES with respect to the compulsory acquisition of laptop computers by teachers from GES and the Ministry of Education arbitrary and would not accept the same under the conditions being presented by the GES.

Therefore, teachers who are not interested in this compulsory sale of laptops to teachers must be allowed to exercise such right freely.

We have the instructions of our client to give you notice that deductions from the salaries of employees or allowances by the employer is strictly regulated by law and mandatory deductions of salaries of teachers under the present situation is ultra vires and contrary to the Labour Act (2003) and our client will not be part of an illegality.

#### LAWYERS:

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Our client therefore demands that GES and/or the Ministry of Education desist from deducting part of the salaries of its members or deduct part of the Professional Development Allowance of its members for the purpose of supplying them with laptop computers since some of its members may not be interested in taking part in such acquisition.

Members who are interested in buying the laptops must give prior consent by submitting a consent form to GES before such deduction can be effected either through the Controller and Accountant General's Department or from the Professional Development Allowance.

The GES must refrain from compelling teachers who are not interested in this exercise to partake in it.

Should GES or the Ministry of Education compel all teachers to partake in its acquisition of laptops, we have our client's instructions to institute a legal action in a court of competent jurisdiction against GES and or the Ministry of Education to prevent GES and or Ministry of Education from compelling all teachers to partake in such an illegality.

Thank you.

Yours faithfully,



KWAKU ANIM-ADDO, ESQ  
(0244476264)

Solicitor for INNOVATIVE TEACHERS

**INNOVATIVE ASSOCIATES**  
ATTORNEYS AT LAW  
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# GHANA EDUCATION SERVICE

*In case of reply the  
number and date of this  
letter should be quoted*

*My Ref. No: GES/LU/CDLU/468/07/2021*

*Your Ref. No:*

*Tel: 0302-674247*



Republic of Ghana

HEADQUARTERS  
Ministry Branch Post Office  
P.O. Box M. 45  
ACCRA

12<sup>th</sup> July, 2021

**THE ATTORNEY-GENERAL  
OFFICE OF THE ATTORNEY-GENERAL &  
MINISTRY OF JUSTICE  
P. O. BOX MB 60  
ACCRA**

**RE: DEMAND NOTICE AND NOTICE OF INTENTION TO SUE**

We have received a copy of a letter dated 29<sup>th</sup> June, 2021 referenced NAC/KAB/158/21 from Kwame A. Bofo and Associates. (A copy is attached for ease of reference).

The facts of the matter are that, it was the Teacher Unions, namely, Ghana National Association of Teachers (GNAT), National Association of Graduate Teachers (NAGRAT) and the Coalition of Concerned Teacher, Ghana (CCT-GH) which negotiated the package for its members.

The Ghana Education Service (GES) was only mandated by the Ministry of Education (MoE) to ensure the successful implementation of the programme. It is therefore inaccurate for the impression to be created or an indication made to the effect that Ghana Education Service (GES) was compelling any teacher to pay for the laptop.

Probably, what the complainants under reference in this letter can do to assist, is to submit the list of their members to the Ghana Education Service (GES) so that they are not provided for, under the scheme.

It is expected that this clarifies the issue.

Thank you.

**ANTHONY BOATENG  
DEPUTY DIRECTOR-GENERAL (MS)  
for: DIRECTOR-GENERAL**

cc: The Hon. Minister of Education, Ministry of Education, Accra  
The Chairman, GES Council, Accra  
The Director-General, GES, Hqtrs, Accra  
The Director, HRMD, GES, Hqtrs, Accra  
The Head, Legal Unit, GES, Hqtrs, Accra  
The Chief Labour Officer, Labour Department, Accra  
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