Tshwane University of Technology
We empower people

EMPLOYMENT EQUITY AND MANAGING DIVERSITY

Planning, implementation and monitoring guideline

March 2007

TABLE OF CONTENTS

Vice-Chancellor's Message

The implementation of employment equity at TUT is summed up in the following message of the Vice-Chancellor, which also states TUT's commitment to the advancement of human rights and diversity at TUT.

UNITY IN DIVERSITY, OUR CHOSEN PATH

As an institution, our vision is to take the lead in higher education in South Africa. To achieve this vision, we have to become truly relevant in serving the needs of our society. A key aspect of this is not only to reflect the demographics of this society, but also to harness the strength of diversity as a competitive advantage in our quest for excellence.

Achieving equity in higher education is about extending opportunities to participate and progress, by using all possible and ethically sound avenues to advance equity. The opening up of opportunities in higher education serves many purposes; it strengthens our democracy, it assists in achieving our economic and social goals, it advances the promotion of human rights, and it impacts on the quality and performance of the broader educational system.

At TUT, we should bring about an enabling environment for the benefit of all our stakeholders – an environment in which all are secure in the knowledge that their unique contributions are valued. We need to respond to the aspirations of our staff with opportunities for them to maximise their potential. In recruiting new staff members, we should open our doors to all and serve as a point of convergence for the diverse talents of the Rainbow Nation.

Key to our character as an institution is our commitment to human rights. We believe that our diversity is a source of social strength and cultural enrichment. We believe that gender equality is an important expression of our quest for a diverse and inclusive community. We believe that members of the TUT community should be able to study, work and live with dignity and respect in an environment that promotes inclusiveness and never marginalises anybody.

Unity in diversity is the path TUT has chosen for achieving its vision. My senior management team and I are committed to ensuring that TUT achieves its broader transformation goals. Therefore, the implementation of employment equity, as part of the broader transformation agenda at TUT, is a matter of priority.

Errol Tyobeka
Vice-Chancellor and Principal

1. DEFINITIONS, LEGISLATION AND POLICY

1.1 DEFINITIONS

In this document, unless otherwise indicated –

"Act" means the Employment Equity Act, 1998 (Act No. 55 of 1998);

"affirmative action" means specific measures for accelerating the advancement of people from designated groups;

"assigned senior manager" is the person responsible for monitoring and implementing an employment equity plan, and who have the authority and means to perform their functions;

"black" means black people, in which group Coloureds and Asians are included;

"EE" means employment equity;

"EE and D Office" means the Employment Equity and Diversity Office;

"EETC" means the Employment Equity and Training Committee;

"employment equity" means equal job opportunities that enhance the spirit of transformation by means of a commitment to equity, efficiency and effectiveness in the workplace;

"employment equity measures" means measures for eliminating discrimination, as well as specific measures for accelerating the advancement of people from designated groups, the latter measures being called "affirmative action";

"foreign national" means a national from a country other than South Africa, who possesses a work permit to enable him or her to obtain employment in the South African workplace;

"HE" means higher education;

"non-designated group" means a group whose members include White males and foreign nationals;

"occupational category" means the job title and what the main tasks of the job are;

"occupational level" means the Peromnes level/grading system for the job;

"people from designated groups" means black people, women, and people with disabilities;

"people with disabilities" means people who have a long-term or recurring physical or mental impairment that substantially limits their prospects of entry into or advancement in employment;

"qualitative aspects of employment equity" means barriers, challenges, solutions and measures to overcome;

"quantitative aspects of employment equity" means numerical targets, workforce profiles;

"skills pool availability" means that recruitment target with regard to designated groups, which could possibly be reached over the next year of the plan. This pool may include a development or talent pool that is created internally and consists of staff that is being developed or fast-tracked for posts to which they may be promoted, transferred or recruited when they have acquired the skills and competencies that will make them suitably qualified for such post. The development pool can be created as part of TUT'S Growing-Our-Own-Timber Strategy, which fulfils the function of building and growing talent in TUT through proactive means;

"suitably qualified person" means a person in possession of the following elements: formal qualification, prior learning, relevant experience and potential capacity;

"targets" means the objectives, numerical targets and time frames set out in this document, as required by the Act;

"TUT" means the Tshwane University of Technology, as duly constituted in terms of the provisions of the Higher Education Act, 1997, as amended (Act No. 101 of 1997);

"under-representation" means the statistical disparity shown in the representation of designated groups in the workplace as compared to their representation in the labour market;

"unit" means a faculty or a support service division at the University; and

"university" means the Tshwane University of Technology, as duly constituted in terms of the provisions of the Higher Education Act, 1997, as amended (Act No. 101 of 1997).

1.2 **RELEVANT LEGISLATION**

- Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- Employment Equity Act, 1998 (Act No. 55 of 1998)
- Higher Education Act, 1997 (Act No. 101 of 1997)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- Skills Development Act, 1998 (Act No. 97 of 1998)

Legislation provides the legal framework for and underpins all the policies on employment equity at TUT.

1.3   POLICY FRAMEWORK

A policy framework pertaining to the implementation of employment equity includes the following policy documents:

- Policy on Employment Equity
- Policy on Racism
- Policy on People with Disabilities in the Workplace
- Policy on Gender Equality
- Policy on Unfair Discrimination
- Policy on Affirmative Action

The implementation of employment equity at TUT is also linked to other human resource and staff development policies at TUT.

1.4   WHAT IS REQUIRED IN TERMS OF THE ACT

TUT is required to implement affirmative action (see "Affirmative action" below) in order to achieve employment equity in the workplace.

TUT is required to consult with relevant stakeholders –

- on the conducting of an audit or analysis, and
- the preparation and implementation of the EE Plan.
- Good reasons to consult include the following:
  - Creating a common understanding of what EE is and how it can be achieved
  - Airing issues and listening to good ideas
  - Tailoring the implementation of EE to suit TUT's challenges and needs
  - Eliminating fears and concerns in order to increase the commitment to EE

- Forum-pressuring line management to ensure meaningful progress
- Continuously addressing issues rather than wait until the report-writing stage
- Respecting TUT staff and listening to them, because all TUT staff have rights, even though there are disagreements
- Top management underscoring their good faith and commitment to the process

TUT is required to conduct employment equity audits:

- Three audits: Workforce Composition, Policies and Procedures and Attitudes and Perceptions
- The Act is not prescriptive as to the format of audits
- Workforce Composition
  - Two outputs: A framework for setting goals and targets to improve representivity at various occupational categories/levels AND benchmark information, so that progress can be monitored over time
- Review HR Policies and Procedures
  - Identify policies and practices that act as barriers to the appointment, development, promotion and retention of designated group members, or which lead to indirect discrimination
- Attitudes and Perceptions
  - Try to assess attitudes towards, and perceptions of, the organisation regarding the areas of critical importance to the success of an employment equity programme (areas such as strategic commitment to EE, staffing, the role of line management, organisational culture, and the role of HR).
  - Give valuable information on the formulation of strategy.

TUT is required to develop an EE Plan and report on the progress or lack thereof.

TUT is required to submit an annual report, on 1 October to the Department of Labour.

TUT is required to ensure that adequate resources be allocated institutionally for the implementation of EE.

TUT is required to ensure that the Employment Equity Office is well-resourced and able to execute its function within the system.

1.5   **TARGETS**

Overall targets that have been developed will undergo a process of broad consultation with the various stakeholders during the implementation process.

1.6   **AFFIRMATIVE ACTION**

TUT must use affirmative action measures, as stipulated in terms of the Act, as a guideline to develop strategies to achieve employment equity in the workplace.

- Identify and remove barriers to the implementation of employment equity in the workplace;
- Promote diversity in the workplace;
- Reasonably accommodate people from designated groups in the workplace;
- Set numerical targets to achieve representivity;
- Ensure the retention and development of staff at TUT.

2. PROCESS TO ACHIEVE EMPLOYMENT EQUITY AT TUT

2.1 BACKGROUND

TUT is committed to the achievement of employment equity and equal opportunities for staff. The University is actively creating and ensuring a fair and equitable working environment that is free from all forms of unfair discrimination and harassment.

TUT recognises the fact that employment equity and the valuing of its diversity make business sense that will assist TUT in achieving its broader strategic goals and vision. Employment equity in the workplace is vital for achieving excellence and quality throughout the University.

TUT must comply with employment equity legislation and develop its own employment equity plan. The strategies should be read in the context of achieving the overall employment equity targets of TUT.

The Act gives clear procedures for achieving equity in employment at TUT, which include submitting an employment equity plan and a report on progress in achieving its goals to the Minister of Labour.

The process of achieving employment equity has three distinct elements, each with its own clear requirements and practical implications.

- **Audits and equity goals**

    TUT is required to determine its baseline situation, i.e. the starting point for its process of change. The audits are made of the Workforce Profile, Policies and Procedures, and Attitudes and Perceptions. The audits aim to establish the difference between the present situation and the ultimate goal of appropriate representivity.

- Equity targets

The audit of the baseline situation will determine which designated group[1] members are underrepresented. The Act requires that the employment equity plan should set specific targets for correcting identified disparities, in a specific period. The Act requires that TUT make "reasonable progress" towards employment equity and report on progress made.

- Equity, diversity and the work environment

Over and above the setting of numerical goals and specific targets, an employment equity plan should indicate how it will ensure the "promotion of a work environment that values its diverse workforce, based on equal dignity and respect for all people". It should also indicate what "measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups". TUT should reasonably accommodate people from designated groups "in order to ensure that they enjoy equal opportunities", and implement measures to "retain and develop people from designated groups".

Institutional culture relates to the work environment. Does the TUT culture value its diverse workforce, provide opportunities for staff to achieve their full potential, and eliminate any barriers in those respects? Relevant and pertinent issues in the TUT culture are the following:

- ALL forms of racism at TUT
- ALL forms of sexism, ranging from explicit sexual harassment to implicit assumptions of men about women AND women about men

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[1] Designated Group members include Blacks, Women and People with Disabilities

- Assumptions about physical disabilities
- All forms of unfair discrimination – a zero tolerance approach
- Diversity orientation training for all staff and students

2.2 SUMMARY OF CONTENTS OF AN EMPLOYMENT EQUITY PLAN

Brief overview of what should be included in employment equity plans.

Refer to Appendix 1

1. Objectives for every year
2. Affirmative action implemented
3. Where black people, women, and people with disabilities are not represented
   - Targets to reach the above
   - Time frames
   - Strategies
4. Timetables for annual objectives
5. Duration of the EE plan
6. Procedures for monitoring and evaluating the implementation of the EE plan
7. Ways to resolve disputes about the EE plan
8. People responsible for implementing the EE plan

2.3 EMPLOYMENT EQUITY STRATEGIC FRAMEWORK

The effective implementation of employment equity requires the alignment of all TUT'S strategic objectives. A clear message should go out from senior management to all staff about the "business reasons" and moral imperative for implementing an effective employment equity strategy. Employment equity should be mainstreamed to the extent of its alignment to other strategic matters, such as budgets, research,

merger issues, staffing issues and the implementation of the Institutional Operating Plan[2].

TUT will align it's institutional, strategic and employment equity plans in order to demonstrate the institution's commitment to achieving its overall strategic objectives. A well-coordinated mainstream approach will provide a framework for the successful implementation of employment equity at TUT. This will ensure that duplication and variances in interpretations are eliminated as much as possible.

Employment equity principles and practices should be adopted and promoted all over TUT, up to the highest level, including all managerial levels (whether academic or administrative).

2.4 PROPOSED STRATEGIES TO ACHIEVE AFFIRMATIVE ACTION TARGETS

Each environment will have to identify the barriers relevant to its circumstances, and then develop strategies to eliminate those barriers. The following ideas/proposals may be used:

- Cooperation should be encouraged between national government, the private sector, the donor sector and TUT.
- Programmes should be designed to encourage and support individual academics in their pursuit of an academic career.
- Opportunistic strategies could be developed, such as the modifying of current procedures, the developing of unique alternative procedures, and the establishing of new alliances or cooperative relationships that permit TUT to tap into existing talent.

Strategic alignment of employment equity
- Strong focus of the VC and the EMC on employment equity

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[2] The Institutional Operating Plan 2004 -2009 provides a comprehensive view of all planning initiatives of TUT, indicating where possible, change and strategic priorities described through various scenarios.

– Employment equity to be included in the PDMS of all senior managers

Recruiting staff for and attracting staff to TUT

– Be more creative with advertising, both in wording and placement, to attract targeted designated group members
– Contract appointments

Promotion/Succession planning

– Introduce structured succession planning, predict upcoming retirements and resignations, and plan to develop designated groups for promotion

Retention of staff

– Ensure that TUT is environment-conducive to valuing diversity
– Ensure that junior lecturers devote adequate time to research and studies, by alleviating their teaching and administrative workloads
– Retain identified staff with significant skills, knowledge and abilities, by taking into account their remuneration, the management of their performance, the provision of training and development, and mentoring
– Draw up personal and career development plans for staff members
– Put mechanisms in place to monitor and improve staff satisfaction
– Monitor institutional culture
– Use a flexible, market-related approach to remuneration in order to meet staffing needs
– Establish developmental posts
– Embark on succession planning – identify high-potential staff and build capacity within TUT to ensure a continuum of sound leadership for the future, with reference to black and female staff

Performance Development Management System

– Review and update relevant job descriptions

- Ensure that all advertisements for deans, heads of departments and managers contain selection criteria that require a demonstrated ability for the implementation of and commitment to TUT's policies relating to employment equity
- Make sure measurables for senior managers include the meeting of EE targets, the promotion of diversity and the training and development of staff

Training and development opportunities

- Offer training, according to the EE Act, on recruitment and selection processes
- Offer diversity training to all staff (in particular, those managers responsible for implementing employment equity)
- Actively encourage management and leadership development
- Offer adult learning opportunities to staff/ABET
- Aspire to meet the needs of all staff, and, in particular, designated group members
- Help staff with career planning
- Implement structured mentorship programmes with regard to specific groups of staff
- Offer postgraduate study opportunities, both locally and abroad, to staff, to enable them to further their academic careers
- Offer scholarships to encourage postgraduate students to pursue academic careers

Special programmes

- "Building Black Leadership" – a special focus on developing and retaining black professionals in the higher education environment

Monitoring

- A dedicated structure for employment equity at TUT
    - EETC
    - DVC/Registrar/EE Committees
    - Faculties/Support Service/EE committees
    - EE and D Office

2.5 MEASURING RESULTS

TUT shall ensure that its performance is measured and monitored in its quest to achieve employment equity in the workplace.

Frequent surveys shall be conducted in order to measure the state of diversity issues within the working environment of TUT. Comparisons shall be made and interventions implemented in specific problem areas within the University community.

Over and above reporting to the Department of Labour, TUT shall monitor the progress made in achieving its numerical target, or lack of progress. Where necessary, assistance shall be given with regard to problems areas, to ensure progress.

2.6 FINAL NOTE

The strategic implementation of employment equity principles and practices is a challenging and a rewarding task. It could result in clear benefits to the University, if the University is committed to that task. It will make a greater range of diverse knowledge, skills and attributes available to the University. If these are valued and used, it will enable the University to position itself better in the constantly changing, better-educated and increasingly interactive world environment of work.

3. CONSULTATIVE FORUMS AT TUT

3.1 LEGISLATIVE RATIONALE

The Act requires that TUT should have a representative consultative forum in place for consultation on the following matters:

- The conducting of analyses (audits of Workforce Profile; Policies and Procedures; and Attitudes and Perceptions)
- The development, preparation and implementation of the Employment Equity Plan
- The annual EE report to be submitted to the Department of Labour

According to the regulations (7 February 2000) to the Skills Development Act, 1998, employers with more than 50 employees should establish an in-company forum for consultation on the development of skills.

TUT should take the following into account in terms of the consultation as required by the Act:

- TUT should take reasonable steps to consult and reach agreement on the matters mentioned above –
  - o with a trade union that represents members of the workplace, and whose employees/representatives are nominated by those members;
- The employees or their nominated representatives with whom TUT should consult and whose interests TUT should reflect, should be –
  - o employees from all the occupational categories and levels at TUT;
  - o employees from designated groups; and
  - o employees who are not from designated groups.

The Code of Good Practice: Preparation, Implementation and Monitoring of Employment Equity Plans (7.2.8) require that employees are made aware and informed of following:

- Content and application of the Act;
- EE and anti-discriminatory issues;
- The proposed process to be followed by TUT;
- The advantages to employees of participation in the process;
- The need for the involvement of all stakeholders in order to promote positive outcomes;

3.2 **THE ISSUE OF REPRESENTIVITY**

The Code of Good Practice requires that the Consultative Forum should include representatives reflecting the interests of employees from both designated and non-designated groups, and across all occupational categories and levels of the workforce.

TUT will comply with the requirements of the Code of Good Practice regarding representivity by ensuring that within faculties and directorates, the committees are representative as required.

The Employment Equity and Diversity Office will monitor the representivity of all consultative forums within TUT.

3.3 **CONSULTATIVE FORUMS WITHIN FACULTIES/SUPPORT UNITS**

Senior line managers should establish a consultative forum or an existing forum, such as their Exco, can be utilized in the implementation of employment equity within their faculty/directorate.

The composition of the Forum within the Faculty/Support division should be informed by the occupational categories and levels of staff present in that respective environment. For example, Faculty/ Directorate A has staff categorized under the following occupational

categories: Clerks, Professionals, Senior Managers and Technicians and Associated Professionals, then the Forum should have a representative from each of those categories as members.

In order to monitor the representivity in the consultative forums, Deans/Directors should provide the Employment Equity and Diversity Office with details of the committee members.

Minutes should be recorded and filed for safekeeping, should the need arise for them to be retrieved.

Within Faculties

Each Faculty should have a forum that takes into consideration the necessary requirement of representivity, as mentioned above.

Within the Faculty, each department should have a representative consultative forum that discusses the implementation of employment equity and the development of the employment equity plan. The Head of Department/Director/Manager is responsible for the development of the EE Plan on this level.

Communication to all staff on the development of an employment equity plans should be maintained through these Heads of Departments and the Executive Deans.

The department will then be represented on the Faculty EE forum through the Head of Department/Director/Manager responsible for the development of the EE plan.

Progress on the implementation of employment equity should be reported through the Executive Dean to the EMC via their respective DVC'S Exco, and to the Employment Equity and Diversity Office.

Within support services units

Each Support Service Unit should have a forum that takes into consideration the necessary requirement of representivity, as mentioned above.

This forum should discuss the implementation of employment equity and the development of an employment equity plan within that unit. The Director/Manager is responsible for the development of the EE Plan on this level.

Communication to all staff on the development of an employment equity plans should be maintained through these Directors/Managers.

Progress on the implementation of employment equity should be reported through the Director/Executive Director to the EMC via their respective DVC'S Exco, and to the Employment Equity and Diversity Office.

3.4 **REPRESENTATION ON THE EETC**

The EETC is the employment equity consultative forum for TUT as an institution. Representatives on this Forum are the following:
- Assigned senior manager
- *Ex officio members*:
  - EE and D Office
  - CCPD
  - HR
  - Strategic Planning
  - Quality Promotion
- Representatives from the various Faculty/Support Unit Forums, on invitation, i.e. when progress reports are to be discussed

- Unions (representatives according to the agreement with TUT)
  - Nehawu
  - Nutesa

4.   EMPLOYMENT EQUITY PLANNING FRAMEWORK FOR TUT

4.1   INTRODUCTION

An employment equity plan should be prepared and implemented that will assist TUT and its faculties and divisions to achieve employment equity in the workplace. Refer to the *section 20* of the Employment Equity Act. Employment equity plans are linked to the overall TUT Planning Framework.

It is critical that senior managers ensure continuous communication and consultation with the staff of faculties and divisions about the details of the plan, as well as its progress or lack thereof.

The performance management objectives of line managers should be directly linked to the employment equity planning process.

Employment equity plans are linked to the business and strategic plans of faculties and divisions.

4.2   WHO SHOULD DEVELOP AN EMPLOYMENT EQUITY PLAN AT TUT?

Refer to Appendix 4.

Each Faculty (and department) / Support Service Unit reporting to one of the four DVC'S and the Registrar is required to develop employment equity plans for their environment. The DVC and the Registrar responsible will assume responsibility and hold each of their line managers accountable for the development, implementation and

monitoring of their employment equity plans. There will also be an overall TUT Plan that will be the responsibility of the Vice-Chancellor.

The Key Performance Areas of all relevant senior managers will make reference to the development of an employment equity plan within their respective environment.

4.3   **THE PLANNING PROCESS**

Refer to Appendix 5.

Each of the designated faculties and support service divisions should refer to the employment equity plan template (appendix 1) to ensure uniformity for the purpose of the consolidation of the data into the overall TUT Plan and meeting reporting requirements.

The template requires that consideration be given to both qualitative and quantitative processes when developing the plans. Details of the qualitative and developmental aspects of employment equity will be required, clearly indicating the interventions (i.e. the removal of barriers) that the faculties and divisions will implement to support their employment equity objectives.

Divisions should provide quantitative data on their existing staff profile, retirement data and employment equity targets, as set out for each year of the plan.   This data is obtainable through MIS on the StaffPortal.

All employment equity plans should be submitted to the Employment Equity Office.

An overall TUT Plan will be developed based on institutional targets with strategies to achieve them. This Plan will be submitted to the Council for approval. Thereafter, the Council would be provided with

regular reports on the implementation of employment equity plans per designated faculties and support service divisions.

5. PROMOTION OF DIVERSITY

With regard to affirmative action, as set out in the Act, TUT should ensure that it provides a work environment that is conducive to valuing diversity.

5.1 WHAT IS DIVERSITY?

TUT should see diversity as a source of strength and a powerful key to its success.

The focus is on people (staff and students) as a strategic resource to achieve strategic goals.

Diversity entails far more than merely TUT's race and gender profiles.

5.2 MANAGING DIVERSITY AT TUT

Individual staff members should assume responsibility in their interactions with each other and with students. It is not about "them" or "people out there".

5.3 DIVERSITY MANAGEMENT AT TUT

The work environment at TUT should be such that it maximises the contributions of all staff members in order to achieve TUT's goals. TUT can achieve this by doing the following:

5.4 VALUING DIVERSITY AT TUT

Think of the following:

- TUT values the richness and contributions of all its diverse bodies of staff and students.
- Creativity is enhanced and encouraged
- Better decision-making is guaranteed
- Differences between individuals are recognised and acknowledged.
- The different needs and expectations of staff members are accommodated.
- Those different needs are based on any characteristic that helps shape the staff member's attitudes, behaviour and perspective.

For the above, it is necessary for TUT to –

- recognise and account for differences between individual staff members
- reduce any obstacles that prevent staff members from participating in decision-making and broad consultation
- increase opportunities for development and growth in the work environment
- capitalise on the benefits of TUT's workforce diversity
- recognise that diversity is an opportunity and can enhance creativity in the workplace

5.5 BUSINESS REASONS FOR AND BENEFITS OF MANAGING DIVERSITY

- An ability to achieve the strategic foci the University has set for itself.
- The inclusion and acceptance of the University in both the local and international academic communities.

- Increasing support from the government, and the accompanying favourable publicity and impact on the University's reputation.
- Increasing the attraction and retention of locally and internationally recognised academic staff.
- An ability to meet demographic transformation targets.
- An ability to attract high-calibre externally focused students at all levels.
- An ability to attract a wide spectrum of reputable local and international donors, sponsorships and other stakeholders.

5.6   UNITY IN DIVERSITY

TUT staff is a heterogeneous group of individuals, who nevertheless stand united in their sharing of TUT's common values, and who have a common commitment to reach TUT's overall goals.

5.7   DIVERSITY TRAINING

Who should be trained?

EVERYBODY AT TUT!
Senior management
Line management
All staff
All students

Why training?
- To serve as an intervention in a time of radical change
- To assist senior management in its understanding of the dynamics of a diverse workforce
- To assist senior management in its strategic outlook, in defining the business reason for managing diversity

- To assume transformational leadership status amongst staff members
- To assist line managers in understanding and implementing diversity management at TUT
- To assist in conflict situations in certain work environments
- To build a trusting environment and a productive team spirit
- To assist in promoting the spirit of dialogue and debate on diversity issues
- To teach staff members the benefits of interacting with each other on matters such as culture, sexism, racism, ethnicity, disability, language, etc.
- To increase the motivational levels of staff members

6. RESPONSIBILITY AND ACCOUNTABILITY FOR EE AT TUT

Refer to the Policy on Employment Equity wherein a clear indication is given on how the issue of responsibility and accountability is distributed at TUT.

The Vice-Chancellor (as the CEO) is ultimately responsible to report on the implementation of employment equity at TUT to the Department of Labour. The Deputy Vice-Chancellor (Strategic Planning and Operations) reports directly to the Vice-Chancellor. The Employment Equity and Diversity Office reports directly to the Deputy Vice-Chancellor:

The Assigned Senior Manager (as required by the Act) should take overall responsibility to ensure the effective implementation of employment equity. This should be linked to his or her key performance areas. The assigned senior manager should have a direct link to the Vice-Chancellor in employment equity implementation. Employment equity should not be permitted to compete with that manager's other

strategic objectives (hence its alignment with TUT's other strategic plans).

The Key Performance Areas of all relevant line managers will be linked to the implementation of employment equity within their portfolios.

6.1 **THE RESPONSIBILITY OF THE EMPLOYMENT EQUITY AND DIVERSITY OFFICE**

The Employment Equity and Diversity Office should have a clear mandate from senior management to influence and advise other senior managers in their implementation of employment equity and the promotion of diversity in the workplace. That Office is expected to be present at many forums and meetings, to be involved in institutional audits and surveys, and strategic planning at the institution, to provide employment equity and to undertake diversity training, as required by the Act. The Office should be in a position to initiate surveys on the attitudes and perceptions of staff, to be directly involved in the overall monitoring of the organisational climate, to ensure a link with the CCPD and Academic/Curriculum Development (link between EE and the Skills Act), to undertake the diversity management training of staff and the employment equity training of managers, to be involved in benchmarking exercises and to do research on employment equity implementation in higher education

- Develop innovative strategies and practices to raise awareness of equity issues
- Work closely with Senior Managers in their implementation of employment equity and diversity management at TUT
- Plan new initiatives together with line managers
- Influence change and transformation
- Assist with the development of faculty and divisional targets and plans

- Monitor the implementation and development of the EE plans
- Keep the profile of activities high among senior staff and opinion leaders/stakeholders
- Convene the EETC
- Monitor the consultative forum process throughout TUT
- Manage diversity at TUT
- Offer training programmes
- Give support for the introduction of new ideas and practices at faculties and divisions
- Collect, analyze and audit data
- Monitor recruitment and selection, and promotion procedures
- Find ways to increase the pool of candidates
- Monitor equity initiatives and programmes such as the "Building Black Leadership"
- Review HR procedures
- Make surveys of attitudes and perceptions
- Establish and maintain a dedicated employment equity monitoring framework

All EE activities should be in the mainstream of activities at TUT with all concerned sharing the responsibility to achieve TUT'S goal of employment equity.

It is essential to win the hearts AND minds of the University's decision-makers and the community to enable TUT to gain the benefit of the diverse resources that are available to it.

The Performance Management Development System will also give all line managers, through their key performance areas, a clear indication of what is expected of them in terms of implementing employment equity and developing their own employment equity plans.

7.   REFERENCES

- Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- Employment Equity Act, 1998 (Act No. 55 of 1998)
- Higher Education Act, 1997 (Act No. 101 of 1997)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- Skills Development Act, 1998 (Act No. 97 of 1998)

8.   APPENDICES

Appendix 1
DETAILS OF WHAT IS REQUIRED IN THE PLAN

This Template is developed from the Code of Good Practice: Preparation, implementation of employment equity plans

1.   Objectives for every year

These are broad objectives that should take into account the particular circumstances and environment of the faculty or division and be aligned to the broader business strategy of TUT.

Faculties and divisions should give details of the challenges they face in their environments and, where possible, how they aim to overcome them.

Objectives need to:
- Ensure the commitment of all staff to the principles and effective implementation of EE and Diversity Management
- Ensure equitable representation of the designated groups throughout the occupational categories and levels are consistent with the demographic profile of the economically action population within TUT'S region and sector
- Focus on the recruitment of appropriately qualified people from the designated groups
- Ensure that the environment of TUT is conducive to valuing diversity so as to ensure the retention of all staff, especially those from designated groups
- Foster an institutional culture that is transformational in its essence

2.   Affirmative action to be implemented

Affirmative action relates to, but is *not limited* to the following:

- Appoint members from designated groups (blacks, women, and people with disabilities) – this includes transparent recruitment strategies, such as unbiased selection criteria and selection panels, and targeted selection
- Increase the pool of available candidates – this includes community investment and bridging programmes
- Train and develop people from designated groups – through learnerships and internships, mentoring, coaching, and diversity training for responsible managers

- Promote people from designated groups – this could form part of structured succession planning
- Retain people from designated groups – through a promoted diverse organisational culture, an interactive communication and feedback strategy, and an ongoing labour turnover
- Make reasonable provision for accommodating people from designated groups – create an enabling environment
- Take steps to ensure that people from designated groups are appointed in posts in which they can meaningfully participate in corporate decision-making processes – no tokenism
- Take steps to ensure that the work environment/institutional culture affirms diversity in the workplace and harnesses the potential of all staff
- Any other matter arising from the consultative process

The Impact of other Equity Initiatives should be included and evaluated:

- Building Black Leadership
- Survey of Attitudes and Perceptions
- Selection & Recruitment Strategies
- Academic Staff Development
- Support Services Staff Development
- Review of the Employment Equity Consultative Forum

3. **Where black people, women, and people with disabilities are not represented**
   - Targets to achieve representation
   - Time frames
   - Strategies – appointments, promotions

4. **Timetables for annual objectives**
   Aligned to the strategic plans of TUT

5. **Duration of plan**
   It is aligned to the strategic plans of TUT

6. **Procedures for monitoring and evaluating the implementation of the plan**
   Each faculty/division assigned to develop a plan should nominate a representative to sit on the EETC of TUT

7. **Ways to resolve disputes about the plan**
   For internal procedures for resolving any dispute, use existing dispute resolution procedures (adapt them to suit employment equity)

8. **People responsible for implementing the plans**

Dean/Executive Director/senior manager responsible for the development of an EE Plan

Exco of faculty/division or special faculty/divisional EE committee

9. **Conclusions and the Way Forward**

Improved Involvement, Responsibility, and Communication around Employment Equity in the Faculty/Department/Support Service Unit

Ongoing Consultation and Review of EE Plans

People with Disability in the Workplace

Institutional Climate

Appendix 2

DEVELOPING A WORKFORCE PROFILE AND SETTING NUMERICAL GOALS FOR EQUITABLE REPRESENTIVITY

The Directorate of Strategic Planning and MIS have developed overall targets for TUT based on guidelines provided by the Departments of Labour and of Education. Information from StatsSA regarding demographic information about the economically active population nationwide was used within the higher education sector, persons with university degrees by race.

On Faculty/Department/Support Services levels, the setting of targets should follow a bottom up approach where units are required to set realistic employment equity targets based on an assessment of the challenges, realities and opportunities they face.

The appointment and accommodation of Persons with Disabilities in the Workplace is a national-wide challenge for employers. Each Faculty/Directorate/Support Service unit should consult on ways their environment will be able to accommodate persons with disabilities in the workplace (refer to the Policy on Persons with Disabilities in the Workplace).

DEFINITIONS

In this document, unless otherwise indicated, –

> **"foreign national"** means a national from a country other than South Africa, who possesses a work permit to enable him or her to obtain employment in the South African workplace; such work permits being administered by the Department of Home Affairs in terms of regulations;

> **"occupational category"** means the job title and what the main tasks of the job are;

> **"occupational level"** means the Peromnes level/grading system for the job;

> **"skills pool availability"** means that recruitment target with regard to designated groups, which could possibly be reached over the next year of the plan;

> This pool may include a development or talent pool that is created internally and consists of staff that is being developed or fast-tracked for posts to which they may be promoted, transferred or recruited when they have acquired the skills and competencies that will make them suitably qualified for such post. The development pool can be created as part of TUT'S Growing-Our-Own-Timber Strategy, which fulfils the function of building and growing talent in TUT through proactive means.]

> **"suitably qualified person"** means a person in possession of the following elements: formal qualification, prior learning, relevant experience and potential capacity; and

> **"under-representation"** means the statistical disparity shown in the representation of designated groups in the workplace as compared to their representation in the labour market.

WORKFORCE PROFILE

The workforce profile is a snapshot of an organisation, based on identifying the occupational categories and levels where designated groups are under-represented.

The workforce profile should indicate the extent to which designated groups are under-represented in that workforce in terms of occupational categories and levels compared to their external availability in the national, provincial or regional, or metropolitan economically active population.

The profile could be used to compare TUT to other higher education institutions, taking into account factors such as size and structure – this would require sectoral research to benchmark against.

Numerical goals should be based on a bottom up approach from where faculty and directorate levels determine their specific under-representation, skills pool constraints and other relevant factors, and then goals should be set based on appropriate strategies.
Line managers who are designated to draw up an employment equity plan should link this process to their business plan and budgeting process.

Legislation is not prescriptive with regard to the methodology to be used in setting numerical targets, but does recommend that a practical approach in line with the particular industry and context, such as higher education, be used.

In the Act, the benchmark for equitable representation is the economically active population.

The Act furthermore promotes the use of flexible numerical targets and not fixed required targets for which specific penalties are imposed, and requires employers and employees to consult about the ideal representation of the different demographic groups they aspire to achieve in the workplace.

This process of self-regulation requires that the organisation monitors itself in the achievement of its numerical goals.

The Act requires that the working environment at TUT be one that is conducive to valuing diversity (diversity management workshops may be arranged, on request, at TUT).

Foreign nationals **may not** be taken into consideration in the development of numerical targets.

NUMERICAL GOALS

Important factors to consider when setting and reviewing numerical goals:

- The current workforce profile

- The anticipated rate of natural attrition

- The anticipated rate of termination of employment arising from disciplinary action, staff approaching retirement age, staff taking long leave/maternity leave with limited prospects of returning to work, and other factors specific to the workplace

- The likely impact of the current workforce profile, if current recruitment rates continue over the following year (or relevant period)

- The historical turnover of designated groups in different occupational categories and levels, as well as the merger, and the impact this has had on the current workforce profile

- The pool of suitably qualified persons from designated groups from which the employer may be reasonably expected to draw for recruitment purposes – the potential for developing staff from designated groups should be considered in terms of skills development training and recognising the prior learning of such staff

INTERVENTIONS

Interventions to achieve targets could include an appropriate retention strategy that contains the following:

- Continuous staff development
- The provision of mentoring
- Diversity management training to focus on the institutional climate of the unit concerned (and TUT'S overall climate)

Line managers are encouraged to be "creative" in applying new and innovative interventions to achieve their faculty's/directorate's targets.

RESPONSIBILITIES

TUT and the line managers who are responsible for developing an employment equity plan are required to make reasonable progress towards meeting numerical targets to achieve equitable representation.

TUT is required to track and monitor progress on a regular basis and update its profile continuously to reflect the demographic changes – refer to the TUT MIS system.

The responsibility for implementing the Employment Equity Policy, as well as the Employment Equity Plan, rests with the Vice-Chancellor, Deputy Vice-Chancellors, Deans, the Registrar, Executive Directors and Directors of support services, and will be evaluated according to individual performance objectives. The responsibility of monitoring equity will primarily rest with the above individuals, but progress will be reviewed by the Deputy Vice-Chancellor appointed by the Vice-Chancellor, who will report to the Senate and Council.

Appendix 3

HOW TO DEVELOP AN EMPLOYMENT EQUITY (EE) PLAN FOR A FACULTY OR SUPPORT SERVICES DIVISION

Phase 1: PREPARATION	Phase 2: IMPLEMENTATION	Phase 3: MONITORING
Step 1 Leaders with executive accountability may choose to assign the responsibility to a colleague(s) to develop, implement and monitor the EE plan of the support division or faculty. The former are, however, still accountable for the development and implementation of that plan	**Step 5** Set realistic EE targets to strive for during each year of the plan. EE targets should be set for available posts that result from resignations, retirements, and the anticipated termination of senior contract posts that are not due for renewal. Remedial steps for meeting those targets should also be specified (e.g. the use of succession planning)	**Step 9** The EE plan should be monitored and evaluated at least twice a year. An evaluation of progress with the plan should include a critical analysis of the reasons why EE targets were not met.
Step 2 Embark on a communication awareness campaign. All staff should be informed on the process to be followed and understand the importance of participation in the drawing up of an EE plan	**Step 6** Outline, in the EE plan, the barriers or challenges for meeting EE targets and overall objectives and the remedial action to be taken to deal with them.	**Step 10** Submit a report on the plan's progress to the support division's or faculty's Exco acting as the consultative forum. If the plan's progress is flawed, review it through the consultation process. A report on the plan's progress should also be submitted twice a year to the DVC nominated by the VC to monitor employment equity
Step 3 A consultative forum should be established, which should consist of all relevant stakeholders. In faculties, this forum should include representatives of support staff. Meetings should take place	**Step 7** The EE plan should review and outline redress measures for practices and working conditions that may be adversely affecting employees from designated groups (e.g. institutional climate,	**Step 11** To enable the University's EE manager to meet the University's legislative and reporting requirements, ensure that the EE plan is brought up to date and is

on a regular basis during the development of the EE plan. Employment equity should be a standing item on the agendas of faculties, divisions and the Exco.	inadequate staff development opportunities, lack of mentors etc).	available by 15 July each year
Step 4 Ask the EE Manager to draw up a report (or refer to the MIS) on the equity profile of all staff. Conduct an analysis per faculty/division, of both the current staff profile and expected future changes to the staff profile due to anticipated resignations, retirements and vacant posts. This process should give an understanding of each faculty's/division organisational profile in respect of diversity.	**Step 8** A timeframe for achieving EE goals on a yearly basis should be established and incorporated into the EE plan. The duration of the plan should be at least 3 years. Before the end of the term of a current EE plan, a subsequent plan should be developed. The objectives and duration of an EE plan should be communicated to all staff	**Step 12** A representative of the consultative EE forum from each faculty or support division will be required to attend all meetings held by the EETC, TUT's consultative forum.

APPENDIX 4

TUT ORGANISATIONAL PLANNING STRUCTURE

Vice-Chancellor
1. Internal Audit
2. Resource Office

DVC: Teaching, Learning and Technology
1. Faculties:
   a. Economics and Finance
   b. Engineering and Built Environment
   c. Humanities
   d. Information and Communication Technology
   e. Management Sciences
   f. Science
   g. The Arts
2. Student Development and Support
3. Teaching and Learning with Technology
4. Cooperative Education
5. Curriculum Development and Support

DVC: Research, Innovation and Partnerships
1. Research and Innovation
2. Library Information Services
3. Distant Campuses
   a. Nelspruit
   b. Polokwane
   c. Witbank

DVC: Finance and Business Development
1. Finance
2. Business Development
3. Advancement Office
4. Corporate Affairs and Marketing
5. Student Affairs and Residence Operations

DVC: Institutional Planning and Operations
1. Strategic Management Support
2. Quality Promotion
3. Merger Office
4. Operations
   a. Information and Communication Technology
5. Human Resources

Registrar
1. University Secretariat and Legal Services
2. Student Administration
3. Planning and Co-ordination

APPENDIX 5 EE PLANNING PROCESS

PLANNING PHASES	KEY ACTIVITY	SUBACTIVITY	PERSONS INVOLVED	TIME FRAME	ASSUMPTION	OUTCOME
Phase One Preparation	1. Presentation on EE Planning process at Broad Management Forum	EE and D Office do presentation on rolling out of EE planning and factors impacting on the process	-EE Office -Members of the BMF	26 March 2007	All the senior managers who should initiate EE planning in their environments are informed of the commencement of the process	Start of the EE planning process
	2. Communicate to all staff in faculty/directorate	-Senior manager ensures communication and involves staff in planning process	Members of the BMF	27 March 2007	-Inform and involve all staff of the forthcoming EE planning process and how it is going to unfold	-Foster a culture of ownership for the Plan throughout the Faculty/Directorate -Staff made aware of forthcoming audit of workforce profile
	3. Conduct workforce profile audit	-Follow the Procedure to complete a workforce audit (to be provided)	-EE Office -Senior managers -HR	April 2007	-Senior managers formally request all their staff to participate Audit will provide a workforce profile an updated and accurate starting point -Secretaries and PA'S assist with dissemination and collection of EEA1 form -HR Officer accurately enters information on database -EE office verifies data after match and place finalized	-Updated and accurate HR database on required EE information -Verification of data after finalization of match and place
	4. Training	-Training provided in employment equity planning and awareness	-EE Office -CCPD	April / May 2007	Senior managers and faculty / directorate representatives are trained in the EE planning process	Employment Equity Awareness and Planning training provided to those who will work on the Plans.

	5. Assign responsibility to line managers	-KPA linked to EE	-Senior Management -Deans/Directors -Heads of Departments	Subject to Match & Place exercise being completed	Now able to broaden the accountability and responsibility for the development of an EE plan to: -Heads of Departments -Directors -Line managers	-Responsibility and accountability assigned -KPA'S aligned with EE
	6. Consultative forum established within faculties/departments	-Training provided on the development of an EE Plan	-EE Office -Senior manager -Exco/Consultative forum	Subject to Match & Place exercise being completed	-All occupational categories within that Faculty/Directorate represented	-Compliance with the Act, i.e. representivity and consultation with staff on development of Plan

PLANNING PHASES	KEY ACTIVITY	SUBACTIVITY	PERSONS INVOLVED	TIME FRAME	ASSUMPTION	OUTCOME
Phase Two Implementation	7. Set targets and time frames	-Obtain current and updated workforce profile from MIS -Faculty/Directorate EE planning committee consult on current profile & its challenges -Faculty/Directorate set achievable targets in line with TUT'S institutional targets as a guideline	-Senior manager -Faculty /Directorate EE committee (or Exco) -Heads of departments	Subject to Match & Place exercise being completed	-EE targets are set for available posts that result from resignations and retirements -Remedial steps for meeting the targets specified (e.g. Succession planning -Time frames linked with business and faculty planning dates (minimum of 3 years, maximum 5 years) -Targets must be reviewed twice yearly	Realistic & achievable targets are set
	8. Compile EE Plan	-Use guideline and template provided -Include consulted on targets, barriers, challenges and affirmative action measures in Plan -Staff in Faculty/Directorate are consulted on the Plan -Copy of Plan provide to EE Office	-Senior managers -Faculty /Directorate -EE committee (or Exco) -EE Office	Subject to Match & Place exercise being completed	-Plan that conforms to prescribed format approved -Faculty / Directorate staff consulted broadly	EE Plan written & agreed upon Plan that belongs to entire Faculty/Directorate

PLANNING PHASES	KEY ACTIVITY	SUBACTIVITY	PERSONS INVOLVED	TIME FRAME	ASSUMPTION	OUTCOME
Phase 3 Monitoring	9. Evaluate progress	-Evaluate the Plan in January and July -Copy of Plan provided to EE office -Provide progress report to EE Office for the DVC: Strategic Planning & Operations	-Senior managers -Faculty /Directorate EE committee (or Exco) -DVC: Strategic Planning & Operations -EE Office	Subject to Match & Place exercise being completed	-Reasons are given for lack of progress -Achievements are celebrated	Effective monitoring procedures in place
	10. Compile progress report	Provide report to: -Faculty / Directorate Committee -To staff in faculty/directorate -EMC via DVC: Institutional Planning and Operations -EE Office -EETC	-Senior managers -EMC -DVC: Institutional Planning & Operations -EE Office -EETC	Twice annually in July and December	Progress is well communicated to all stakeholders	Plan that complies with the Employment Equity Act No 55 of 1998

3