

EVALUATION OF THE IMPLEMENTATION
OF THE EMPLOYMENT EQUITY ACT, 1998
BY THE CENTRAL DISTRICT
MUNICIPALITY

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**EVALUATION OF THE IMPLEMENTATION OF THE
EMPLOYMENT EQUITY ACT, 1998 BY THE CENTRAL
DISTRICT MUNICIPALITY**

By

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DECLARATION

"I declare that the mini dissertation for the degree of Master of Business Administration at the University of the North West hereby submitted, has not been previously submitted by me for the degree at this or any other university, that is my work in design and execution and that all material contained herein has been duly acknowledged".



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M.T.T. Mosimanegape

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ABSTRACT

The purpose of this study was to evaluate the implementation of the Employment Equity Act of 1998 by the Central District Municipality and to determine from literature the solutions of the problems raised in this study. The ultimate aim is to recommend to the Central District Municipality the corrective measures that need to be taken to ensure compliance with the requirements of the Employment Equity Act.

Both numerical and non-numerical data were collected from records, Employment Equity Plan and policies. The other non-numerical data was collected through a questionnaire to measure perception of the employees about the implementation of the Employment Equity Act of 1998 by the Central District Municipality. Both descriptive and inferential statistical methods were used to analyse the collected data. The descriptive statistical method was used to reduce data sets to make interpretation easier. Inferential statistical tests (contingency table analysis and correlation) were performed and test difference was used where there was a specific variable of interest.

The findings reflect that the Central District Municipality have more male employees than female. This has shown to be more serious in the Department of Technical Services and the Department of Fire and Emergency Services. It was also found that 136 employees were transferred from the Provincial government to the Central District Municipality. Most of these employees were males and transferred to the Department of Fire and Emergency Services. It was also found that women are attracted to certain posts while their response to other posts was negative.

TABLE OF CONTENTS

NO:	CONTENTS	PAGE NO.
	Chapter 1 Orientation and introduction	1
1	Introduction	1
1.1	Definition	1-2
1.2	Seriousness of the problem	2
1.2.1	The past	2
1.2.2	The present situation	3
1.3	Observations about the problem	3
2	Problem statement	3
2.1	Main problem	3
2.1.1	Secondary problems	4
2.2	Hypothesis	4
2.3	Objectives/ Aims of the study	4
2.4	Significance of the study	5
2.5	Research design	5
2.5.1	Organisation	5-6
2.5.2	Population	6
2.5.3	Sampling technique	6-7
2.5.4	Data collection methodology	8
2.5.5	Data analysis	8-9
2.6	Limitation of the study	9
2.7	Conclusion	9
	Chapter 2 Literature review	10
1.	The Employment Equity Act (Act 55 of 1998)	10
2.	The Employment Equity Plan	10
3.	Discrimination issues	10-11
3.1.	What is discrimination	11
3.2.	What is unfair discrimination ?	11-12
3.3.	Prohibition of unfair discrimination	12

3.4.	Exceptions to unfair discrimination	12-13
4.	The inherent requirements of the job	13
4.1.	Affirmative action	13-16
5.	The evaluation of outcomes	16-17
6.	Equal opportunities	17-18
7.	Inequality in the workplace	18-19
8.	Planning	19-20
8.	Recruitment	21
8.1.	Policy guideline	21
8.2.	Advertising	21-23
8.3.	Selection	24
8.3.1.	Screening	24
8.3.2.	Interview	25-26
8.3.2.1.	The common pitfalls in interviewing	27
8.3.3.	Guidelines for interview	27-28
9.	Policies which are in place at CDM	28
9.1.	Recruitment for vacancies	28-29
9.1.1.	Internal recruitment	29
9.1.2.	External recruitment	30
9.2.	Screening of responses (Internal and External)	30-31
9.3.	Interview panel	31
9.4.	Assessments	31-32
9.5.	Selection	32-33
10.	Training, development and education/ study assistance	33-34
11.	Numerical goals	34
12.	Monitoring, implementation and enforcement of the Equity plan	35
	Chapter 3 Research Methodology	36
1.	Introduction	36
2.	Data gathering instruments and techniques	37

3.	Research design	37
3.1.	Description of the population	38
3.2.	Description of the sampling technique	38
3.3.	Description of the sample	39-40
3.3.1.	Data available from records	40
3.4.	Description of the data collection method	40-41
3.5.	Description of data analysing (statistical) technique	41
3.6	Conclusion	41-42
	Chapter 4 Presentation and analysis of data	43
1.0	Introduction	43
2.0	Data collected from records	43
2.1	Total number of employees for the year 2001	43-46
2.2	Total number of employees for the year 2002	46-48
3.	Employees training for the year 2002	48-50
4.	Response to the employment advertisements	51-53
5.	Questionnaire	53
6.	Interpretation of records data and questionnaires analysis versus the hypothesis	53-55
7.	Conclusion	55-56
	Chapter 5 Conclusion and recommendations	57
1.	Introduction	57
2.	Recommendations	57-58
3.	Conclusion	58-60
	References	61-64
	Appendices	65
	Appendix A	65-73
	List Tables	
	List of Figures	

LIST OF TABLES

Table 1 Curriculum vitae red flag	24
Table 2 Different interview formats	26
Table 3 Total staff of the CDM for the year 2002	38
Table 4 Sample of fifty three staff members of the CDM, stratified by departments	39
Table 5 Sample of fifty three staff members of the CDM, stratified by position	39
Table 6 Sample of fifty three staff members of the CDM, stratified by gender	40
Total number of employees for the year 2001	
Table 7 Representation of employees by Departments by post categories by gender	44
Table 8 Representation of employees by Departments by post categories by race	45
Total number of employees for the year 2002	
Table 9 Representation of employees by Departments by post categories by gender	47
Table 10 Representation of employees by Departments by post categories by race	48
Employees training for the year 2002	
Table 11 Employees by Departments by gender	49
Table 12 Employees by Departments by race	50
Table 13 Applications received by post category by gender (2001/2002)	51
Table 14 Applications received by post category by race (2001/2002)	51
Table 15 Applicants short listed by post category by gender (2001/2002)	52
Response to employment advertisements.	
Table 16 Number of applicants (gender by qualifications)	52

LIST OF FIGURES

Figure 1: The human resource planning process	20
Figure 2: The recruitment process	23

CHAPTER ONE

ORIENTATION AND INTRODUCTION

1. INTRODUCTION

According to the Employment Equity Act, 1998 all designated employers are obliged to put in place affirmative action measures in order to address the previous imbalances in the workplace.

1.1 Definition

In the context of this study, the following definitions have been adopted:

“Employment equity” encompasses both the elimination of discrimination as well as the establishment of specific measures to accelerate the advancement of specific groups. One of the measures to accelerate the advancement of designated groups is affirmative action

(<http://www.sacs.org.za /gov/psa/psa.htm>).

The term “affirmative action” refers to the purposeful and planned placement or development of competent or potentially competent persons in, or to, positions from which they were barred in the past (Bezuidenhout, Garbers and Potgieter, 1998).

Affirmative action can be defined as attempts to make progress toward substantive, rather than merely formal, equality of opportunity for those groups, such as women or racial minorities, which are currently underrepresented in significant positions in society, by explicitly taking into account the defining characteristics – gender or colour– which have been the basis for discrimination (Sonn,1993).

The Act defines the following as -

“**Act**” refers to the Employment Equity Act, no.55 of 1998;

“**designated employers**” means –

- a) an employer who employs 50 or more employees;
- b) an employer who employs fewer than 50 employees, but has a total annual turnover that is equal to or above the applicable annual turnover of a small business in terms of Schedule 4 of this Act;
- c) a municipality, as referred to in Chapter 7 of the Constitution;
- d) an organ of state as defined in Section 239 of the Constitution, but excluding local spheres of government, the National Defence Force, the National Intelligence Agency and the South African Secret Service;
and
- e) an employer bound by a collective agreement in terms of this Act, to the extent provided for in the agreement;

“designated groups” refers to black people, women and people with disabilities;

“black people” is a generic term which means South Africans of African, Coloured and Indian descent.

1.2 Seriousness of the Problem

1.2.1 The past

The many years of apartheid marginalised Blacks not only from political power but from economic participation as well. Successive governments used legislation to inhibit the economic advancement of Blacks and state budgetary allocations to promote the development of Whites through better education, health facilities and housing. Black access to jobs and economic resources - land, capital and technology was severely restricted through a plethora of laws and regulations (Sonn, 1993).

Sonn (1993), further argues that the fact cannot be overlooked that it was the deliberate intention of the apartheid policy to ensure that Blacks were in fact not treated equally. If apartheid can be granted any success, it is that it succeeded in ensuring inequality among racial groups.

1.2.2 The present situation

Black people, women and people with disabilities face significant disadvantages in employment. These include occupational segregation, inequalities in pay, lack of access to training and development opportunities, and high levels of unemployment (<http://www.sacs.org.za/gov/psa/psa.htm>).

Black advancement is a means of empowering Blacks both to develop the skills and abilities to successfully fill higher level positions and to take control of resources (Sonn, 1993). To millions, Affirmative Action is a beacon of positive expectation. To others it is an alarming spectrum which is viewed as a threat to their personal security and a menace to the integrity of public life (Mandela, 1991).

1.3 Observations about the problem.

The seriousness of the problem of employment equity differs in terms of degree from one department to the other, for example the Department of Fire and Emergency Services has more men than women, while the Department of Administration and Human Resources has more women and fewer men (Central District Municipality Annual Report, 2002).

2. PROBLEM STATEMENT

The problem statement is subdivided into the main problem and secondary-problems.

2.1 Main Problem

Employment equity as enshrined in the Employment Equity Act, No. 55 of 1998 is far from being realised at Central District Municipality.

2.1.1 **Secondary-Problems**

Employment equity is difficult to achieve and maintain due to:

- (i) Lack of necessary qualifications and experience by the designated group to satisfy the requirements of advertised jobs.
- (ii) Poor response to employment adverts from members of the designated group.
- (iii) Few women in senior management positions.
- (iv) Few women in some directorates.
- (v) Disabled not being represented on the Central District Municipality (CDM) staff.

2.2. **Hypotheses**

- (i) Members of the designated group lack qualifications and experience to match the requirements of the jobs advertised.
- (ii) Members of the designated group do not respond to employment advertisements.
- (iii) Women are not fairly represented in senior management positions.
- (iv) Women are not fairly represented in some directorates.
- (v) It is difficult to find out from the applications of employment applicants who are disabled.

2.3 **Objectives/ Aims of the study**

The objectives of this study was to evaluate progress regarding implementation of the Employment Equity Act in redressing the previous imbalances. The study also aimed at determining perception of the employees regarding the implementation of the Employment Equity Act by the Central District Municipality. It is also to verify problems raised and also verify the research hypotheses.

2.4 Significance of the study

Eradicating all forms of discrimination in the labour market is one of the fundamental objectives of the government.

This is demanded by the Constitution of the country and it is an integral part of processes that would help achieve social justice in South Africa (http://www.polity.org.za/govdocs/green_papers/equity.html).

In the light of employment equity being one of the fundamental objectives of government, compliance with the Act by Central District Municipality as an organ of state, is not negotiable.

Therefore this study was of significant as an instrument to measure compliance by the Central District Municipality and also to measure the perception of employees regarding a progress made in terms of implementing the requirements of the Employment Equity Act. The findings of the study would assist the Central District Municipality to assess its performance in terms of compliance with the act and to take corrective measures in case of non-compliance.

2.5 Research Design

The research design is divided into subheadings and will be discussed as such.

2.5.1 Organisation

The Central District Municipality's area of jurisdiction falls within the Central Region of the North West Province. There are five Municipalities within its area of jurisdiction, namely Mafikeng Local Municipality, Tswaing Local Municipality, Ditsobotla Local Municipality, Setla-Kgobi Local Municipality and Zeerust Local Municipality.

The core business of the Central District Municipality is Integrated Development Planning for its area as whole. Other functions are municipal services like roads, water, electricity and rural development.

The Central District Municipality has five departments namely, Administration and Human Resources, Finance, Technical Services, Rural Development, and Fire and Emergency Services.

2.5.2 Population

Table below represents the total number of the CDM staff members per different departments.

CDM has five Departments with a total of 176 employees (2002).

DEPARTMENT	MANAGEMENT						OPERATIONS						TOTAL
	MALE			FEMALE			MALE			FEMALE			
	B	W	D	B	W	D	B	W	D	B	W	D	
ADMIN. & HR	5	-	-	1	1	-	9	-	-	12	-	-	28
FINANCE	1	1	-	1	-	-	6	1	-	11	-	-	21
FIRE & EMER.	1	-	-	0	-	-	85	-	-	1	-	-	87
RURAL DEV.	4	-	-	1	-	-	4	-	-	9	-	-	18
TECHNICAL	3	-	-	0	-	-	18	-	-	1	-	-	22
TOTAL	14	1	-	3	1	-	122	1	-	34	-	-	176

B= Black W= White D= Disabled

2.5.3 Sampling Technique

Earl (1995) states that the random sampling technique employs strict probability rules in the selection process. This implies that every unit of the population has an equal, calculable and non-zero probability of being selected for the sample. It allows computation of accuracy of selection and offers a high degree of representativeness.

The non-random sampling method is defined by Earl (ibid) as less strict and makes no claim for representativeness. It is generally left up to the researcher

to decide which sample units is chosen employed in exploratory research, observational research and qualitative research.

Earl (ibid) further states that a stratified sample is employed when there is a need to represent all groups of the target population in the sample, and when the researcher has a special interest in certain strata. In this sense, the method is very economical, offers accurate results and a high degree of representativeness and it is very useful.

A proportional representative sample in terms of equity definition of the study will ensure that the result of the analysis of data is not biased. Therefore a proportional stratified sampling was found to be most suitable for this kind of research. The strata being male managers v/s female managers, white managers v/s black managers, male operational employees v/s female operational employees, white operational employees v/s black operational employees, able-bodied managers v/s disabled managers and able-bodied operational employees v/s disabled operational employees.

The following strata was adopted for the purpose of evaluating the implementation of the Employment Equity Act, No.55 of (1998) by the Central District Municipality.

- (i) Staff complement by gender and by post categories (i.e. management or operations), per department 1997 to 2002.
- (ii) Response to employment advertisements by gender by post categories (i.e. management or operations) 1997 to 2002.
- (iii) Staff complement by physical ability by post categories (i.e. management or operational), per department 1997 to 2002.
- (iv) Staff complement by racial groups (Blacks versus Whites) by post categories (i.e. 1997 to 2002).

2.5.4 Data collection Methodology

Both qualitative and quantitative research methods were used to evaluate employment equity and to determine perception of employees respectively. According to Van As and Van Schalkwyk (2001) quantitative research deals with things that can be counted. It often uses statistical manipulations of numbers to process data and summarise results. Qualitative research method on the other hand describes events, persons and so forth scientifically without the use of numerical data.

The method is associated with grounded theory, phenomenology and case studies. The source of data for this study included records i.e. staff records, Employment Equity Plan and reports and Council recruitment policies. The aim of using these records was to determine whether the Central District Municipality complied with the requirements of the Employment Equity Act, particularly the affirmative action measures in redressing previous imbalances in the workplace. The other aim was to evaluate implementation progress of the Equity plan.

A questionnaire was developed and pretested for use as a survey instrument. The aim of this questionnaire was to determine the perception of employees regarding employment equity at the Central District Municipality and to get their views on what should be done to expedite realisation of employment equity.

2.5.5 Data Analysis

Both descriptive and inferential statistical methods were used to analyse the collected data. Van As and Van Schalkwyk (2001) define descriptive statistics as the term used to refer to statistical methods and techniques designed to reduce data sets to make interpretation easier. The data usually has little meaning until it is displayed or summarised using descriptive statistics.

Van As and Van Schalkwyk further state that researchers often use inferential statistics to test hypotheses, to know whether sample results hold truth for a whole population and to decide whether differences in results are big enough to indicate that a relationship really exists.

2.6 **Limitations of the study**

The outcome of this study cannot be used by other municipalities or organisations of a similar nature since it depends much on the Employment Equity Plan, Operating Procedures and the Organisational policies of these municipalities. Due to the limitedness of the sample and the location, the results thereof cannot be generalised to other provinces.

2.7 **Conclusion**

The purpose of this chapter was to state problems to be researched and the hypothesis made. The other purpose was to make a route that will be followed in this study.

The next chapter will be a literature survey. The aim of this chapter is to establish from literature problems regarding employment equity.

CHAPTER TWO-LITERATURE REVIEW

1. The Employment Equity Act (Act 55 of 1998)

According to Bendix (2000) the Act has essentially two legs, the one dealing with unfair discrimination and the other with affirmative action. The affirmative action leg is again supported by the removal of barriers which prevent the employment mobility of previously disadvantaged groups and by the promotion of diversity.

The Employment Equity Act, No 55 of 1998 prescribes that for the purpose of this Act, a person may be suitably qualified for a job as a result of any one of, or any combination of that person's

- a) formal qualifications;
- b) prior learning;
- c) relevant experience; or
- d) capacity to acquire, within a reasonable time, the ability to do the job.

2. The Employment Equity Plan

The main thrust of the Employment Equity Plan is, in terms of Section 15 (1), the establishment and implementation of 'measures' designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equally represented in all occupational categories and levels (Bendix, 2000).

3. Discrimination issues

Discrimination is the area where there have perhaps been the largest impact on fundamental rights in labour law visible. Section 8(1) and (2) of the Act 108 of 1996 has been the guiding principle, granting every person the right to equality before the law and to equal protection of the law, and outlawing any form of unfair discrimination, whether it be direct or indirect in nature. This is echoed by Section 9(1) and (3)-(4) of the Act 108 of 1996.

Swanepoel et al (1999) state that the list of prohibited grounds is potentially unlimited, including culture and language. The burden of proving that the discrimination is fair, is effectively placed on the person who infringed the right to equality (Section 8(4) of the old and Section 9(5) of the new Constitution).

3.1 What is discrimination?

According to Bezuidenhout, Garbers, and Potgieter (1998) discrimination means to treat persons or employees differently. There are, of course, a variety of reasons why an employer will choose to treat or want to treat employees differently. This may be based on educational qualifications, seniority or experience. It may also be based on certain characteristics of an employee.

These characteristics may be unchangeable personal or physical characteristics, such as gender, race, colour, or ethnic origin. Discrimination may also be based on other characteristics such as religion or political beliefs. The important point to be made is that all these characteristics may result in an employer treating a certain employee or a group of employees differently to another employee or group of employees.

In the employment equity context, such differential treatment may affect all aspects of employment – from appointment to pay levels, the provision of fringe benefits and promotions and even dismissals.

3.2 What is unfair discrimination?

From the preceding paragraph it can be inferred that an employer may have a very good reason to treat employees differently, for example on account of their experience and seniority. It is very important to remember that the law recognizes this: the law does not prohibit discrimination per se, it only prohibits unfair discrimination.

In brief, unfair discrimination is differential treatment which is based on an arbitrary ground. Arbitrary in this context refers to the employer basing decisions on criteria which have nothing to do with the operational requirements of the business, nor with the ability of employees to do their jobs.

Examples of such arbitrary criteria are those listed in the Constitution of the Republic of South Africa, Act 108 of 1996 and in the Labour Relations Act of 1995. The criteria included race, gender, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age disability, religion, conscience, belief, culture, language, birth and political opinion (Bezuidenhout et al, 1998).

3.3 Prohibition of unfair discrimination

According to chapter two of the Employment Equity Act, (55 of 1998), every employer must take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice, for example, on medical grounds and psychometric testing where tests have no proven validity, or are (tests) not culture sensitive.

It is however, not unfair discrimination to take affirmative action measures consistent with the purpose of the Act, or to distinguish, exclude or prefer any person on the basis of an inherent requirement of a job.

3.4 Exceptions to unfair discrimination

As mentioned earlier, the law prohibits only unfair discrimination. This means that an employer always has the option (however difficult it may be) to show that even though he or she discriminated and even though such discrimination was on one of the listed grounds, that his conduct is reasonably and objectively justifiable, i.e. that s/he acted fairly. Bezuidenhout et al (1998 : 80) argue that perhaps of more practical importance is the fact that the Labour Relations Act of 1995 provides for two arguments employers may use to counter charges of unfair

discrimination, namely that their conduct is based on the inherent requirements of a job or that they acted in the interests of affirmative action.

4. The inherent requirements of the job

An employer, even though he or she treated employees differently on one of the listed grounds, or even though he based his decision on a seemingly neutral ground which disproportionately impacted on a protected group, may still argue that his or her conduct was based on the “inherent requirements of the job”.

There is no easy formula for determining the inherent requirements for any job.

It requires a thorough evaluation of the contents of a job and that a distinction be made between its main features and duties incidental or peripheral to the essence of the job. In the first instance, however, the contents of the job will be determined by the nature of the employer's business and the nature of the job within that business, Bezuidenhout et al (ibid) state that this means differential treatment and impact will have to correspond to the essence of the business. For example, in hospitals, where special care and supervision are sometimes of the same gender (such as in obstetrics) and furthermore, is a need to preserve decency or privacy (where physical contact or the use of sanitary facilities are concerned), an employer may well be warranted in hiring members of the female sex exclusively. Even though the employer discriminates against men, the employer might well be justified in his arguments that his conduct is based on the inherent requirements of the job. To use a different example, it will be extremely difficult for an employer to advertise for cleaners and then to stipulate that a matriculation certificate is an inherent requirement of the job.

4.1 Affirmative action

According to Bayat and Meyer (1994) affirmative action is necessary to redress past imbalances in which the public service was run under the principles of race, nepotism, cronyism and patronage.

Schwella et al (1996) provide the following reasons for representative workforce in public institutions through affirmative action.

The **first** reason is grounded in the principle of equal opportunity. All citizens, regardless of their group affiliations, should have the opportunity to be employed in the public sector.

Secondly, careers in the public sector are seen as a public good and as communal property to which everybody can claim a right. Such opportunities will give citizens access to a political education, enhancing the quality of citizenship and the opportunity to serve their fellow citizens.

Thirdly, increased representation will enhance the legitimacy of public sector management, thus making the public sector more acceptable to the community.

The **fourth** reason relates to the attributes of loyalty because, if the composition of the personnel of the public institution reflects the population, it is assumed that the officials will be more attuned and responsive to the needs of the people.

Finally, more representative official structures create opportunities to change social and economic structures.

According to Bezuidenhout et al (1998) the basic requirements for any lawful and valid affirmative action plan are the following:

- *Recognition that affirmative action is a temporary measure.* The purpose of affirmative action is to contribute to equal opportunities. Once this purpose has been reached – i.e. there is equal opportunity both in access to employment as well as in the employment context – the justification for affirmative action falls away. Present thinking indicates that the measurement of attainment of these goals lies in numbers, i.e. representativeness in the workplace.

- *The affirmative action policy must have a rational basis.* The law requires that an affirmative action policy must be designed to be improved if the stimulus environment is organized in such a way that trainees can easily perceive the purpose of the environment. Often training is facilitated if trainees are told what they should observe. An opportunity should be provided for trainees to practice the responses they learn. They should be allowed active participation in the training sessions and be provided sufficient incentive to learn by means of positive reinforcement. Performance feedback is a necessary prerequisite for learning and the trainee must be able to transfer the new knowledge and skills to the actual job situation.

Skills development should complement employment equity. This is clearly outlined in the Skills Development Act, No. 97 of 1995 where the purpose is stated as:

- to improve the employment prospects of persons previously disadvantaged by unfair discrimination and education;
- to ensure the quality of education and training in and for the workplace.

Bendix (1996), defines the term “affirmative action” as the purposeful and planned placement or development of competent or potentially competent persons in, or to, positions from which they were barred in the past. It is an attempt to redress past disadvantages and to render the workforce more representative of the population, on either local or national level. Consequently, affirmative action has several facets.

It entails, firstly, a search for persons with known competencies or potential to fill positions worthy of their ability. Secondly, the training and development of previously disadvantaged persons so that they will in future possess greater mobility. Thirdly, a continuous monitoring and adaptation of the demographic spread at all levels of the organization.

Bendix (ibid) further points out that while equal opportunity refers to fairness, affirmative action has to ensure access, or even limited preferential access to disadvantaged groups and prepare persons in this group for accelerated development.

In all organisations, one facet of manpower planning is progression planning and career development. If this is properly done, it offers an ideal route for developing previously disadvantaged persons from both inside and outside the organization to fill more important positions in the future (Bezuidenhout et al, 1998).

According to Meyer (1999) chapter three of the Employment Equity Act addresses the affirmative action measures designated employers must undertake. This includes measures designed to further diversity in the workplace based on equal dignity and respect of all people.

Section fifteen of the Act includes measures to implement training and development opportunities for designated groups. Other measures are employment equity plans which will be based on an analysis of the workforce, numerical goals and timetables.

In terms of the Act, a person may be suitably qualified for a job, even if he or she does not have the necessary experience, but does possess the capacity to acquire the ability to do the job. The role of training is therefore of utmost importance in supporting affirmative action implementation by assisting designated employees to improve their skills levels.

5. The evaluation of outcomes

After completion of the training programme or session, it is necessary to evaluate the employee against the behavioural and organisational objectives according to

the assignments set during the planning phase. It is important to review the skills and performance of employees at regular intervals, to provide assistance and support where deficiencies still exist and to give positive feedback and acknowledgement when it is deserved (Bezuidenhout et al, 1998).

6. Equal opportunity

Having established the different and specific needs of the organisation as well as those of the employees, it is imperative to provide equal opportunities for all employees (regardless of race, ethnicity, gender or religion) to participate and receive the training they need (Bezuidenhout et al, 1998).

The major inequalities in South Africa today are those between persons of colour and Whites, between men and women and between those with and without a job, irrespective of race. As indicated above, this is also quite evident in the labour market and instead of referring to the reduction of inequalities, numerous authors refer to programmes of black advancement or economic empowerment (Barker, 1999).

According to Bezuidenhout et al (1998) equal opportunity refers to fairness – the granting of equal access to all persons. However, equal opportunity can only be fair if all contestants commence from the same starting line. Therefore attention must also be given to affirmative action.

The Bill of Rights in the Constitution of the Republic of South Africa, Act 108 of 1996 prescribes equality as follows:

- a) Everyone is equal before the law and has the right to equal protection and benefit of the law.
- b) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures

designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

- c) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- d) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.
- e) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

An equal opportunities policy should be developed stating the organisation's intent, aims and objectives on the matter, as reflected in its policy on recruitment, promotion and training.

Such a policy should underpin measures aimed at ensuring equality of opportunity for present and potential employees (Bezuidenhout et al, 1998).

7. INEQUALITY IN THE WORKPLACE

Sanyal (2001) states that the proportion of women in the workforce varies from country to country, which in turn affects the size of the total labour force. In many countries, because of lower education levels, their subservient societal role, or social restrictions on workplace participation, the percentage of women in the workplace is smaller than those of men.

Sanyal (ibid) further argues that in most countries the number of upper-level positions held by women is proportionately fewer than those held by men.

This notion of a glass ceiling, where although formal restrictions on women's participation in the workplace may not exist, social, educational and organisational factors may limit the employment of women in the higher echelons of an organisation.

8. PLANNING

According to Van der Waldt and Du Toit (1997), planning takes place at all levels in an institution and its final responsibility rests with top management.

Du Toit, Van der Waldt, Bayat and Cheminais (1998) view the implication of this statement as that there are important differences in planning between the different levels at which planning is undertaken. Some of these differences are:

- the quantity of planning;
- the time that is spent on planning;
- how important the planning is;
- how complex the planning is;
- how long the period is for which the planning is undertaken.

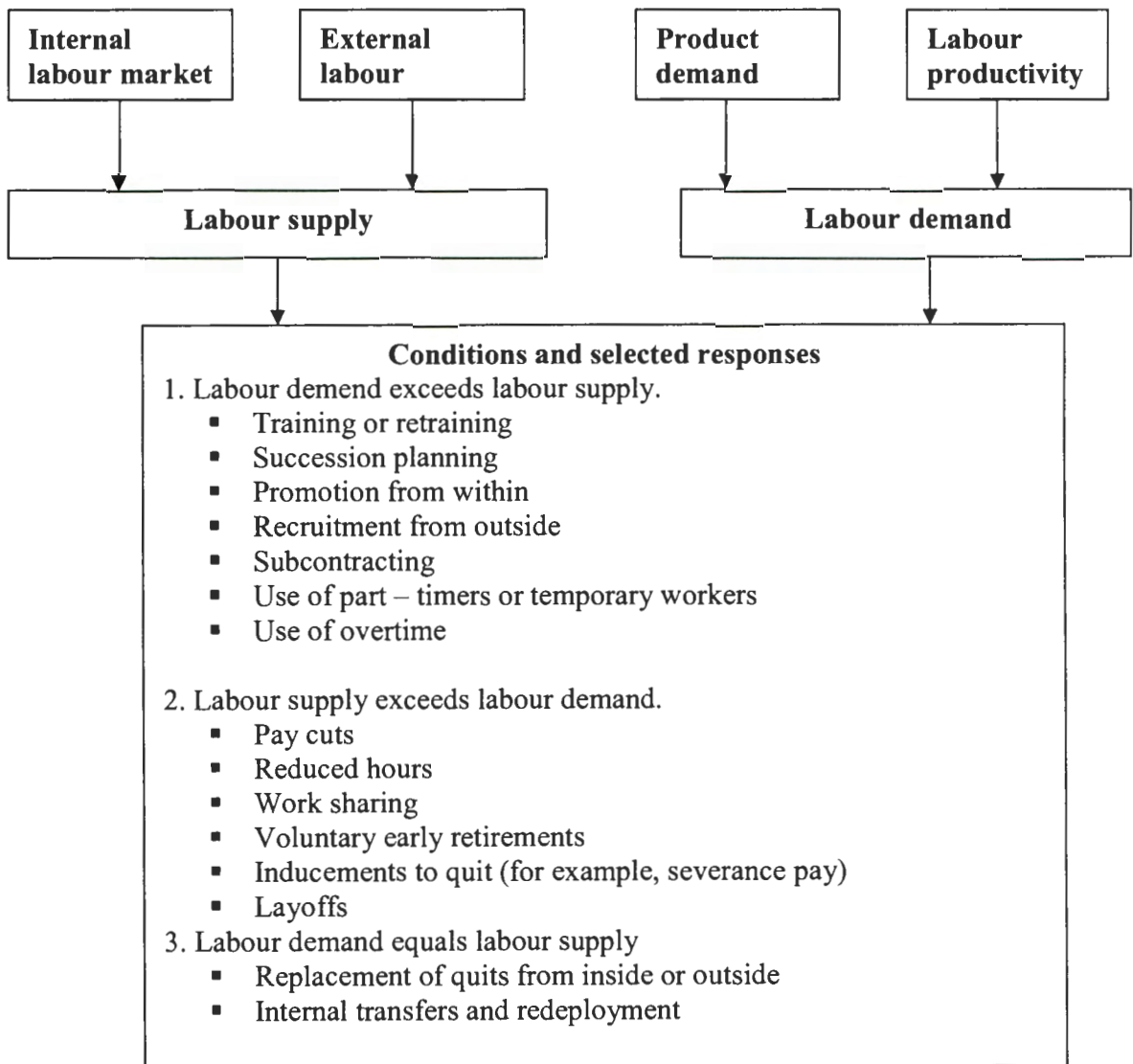
Van der Waldt and Du Toit (1997) further describe planning as "a process aimed at the determination of future circumstances and the identification of the measures that are needed to realize them".

According to Du Toit et al (1998), to enable any institution to deliver, the following are important:

- a policy, setting out the parameters in terms of which the relevant institution may operate;
- provision for the appointment and utilization of personnel;
- the necessary funds to make delivery possible;
- the prescribed methods and procedures that must be followed;
- An organisational structure.

Figure 1 is a schematic presentation of the human resource planning process.

FIGURE 1 The human resource planning process.



SOURCE: L.R. Gomez-Mejia., D. B Balkin and R. Cardy (1995). *Managing Human Resources*. Englewood Cliffs: Prentice Hall

8. RECRUITMENT

In this discussion recruitment is discussed under three subheadings namely policy guideline, advertising and selection.

8.1 Policy guideline

According to the White Paper on Human Resource Management in the Public Service, recruitment is not only one of the most important ways in which the public service meets its human resource capacity requirements, but it is also the prime instrument for achieving employment equity, by opening up the public service to all sections of society.

In drawing up their recruitment policies and procedures, targets should therefore be set for achieving specified employment equity objectives, and in particular for achieving race, gender and disability balance, as well as for procuring the skills necessary to meet the department's operational needs.

The standard operating procedure of the Central District Municipality known as "Best Practice Policy", states the undertaking by the municipality to give preferential consideration to internal candidates who are equally competent to their external counterparts. However employees should understand that the period of service does not supersede the contribution made (i.e. previous performance record).

8.2 ADVERTISING (See Figure 2)

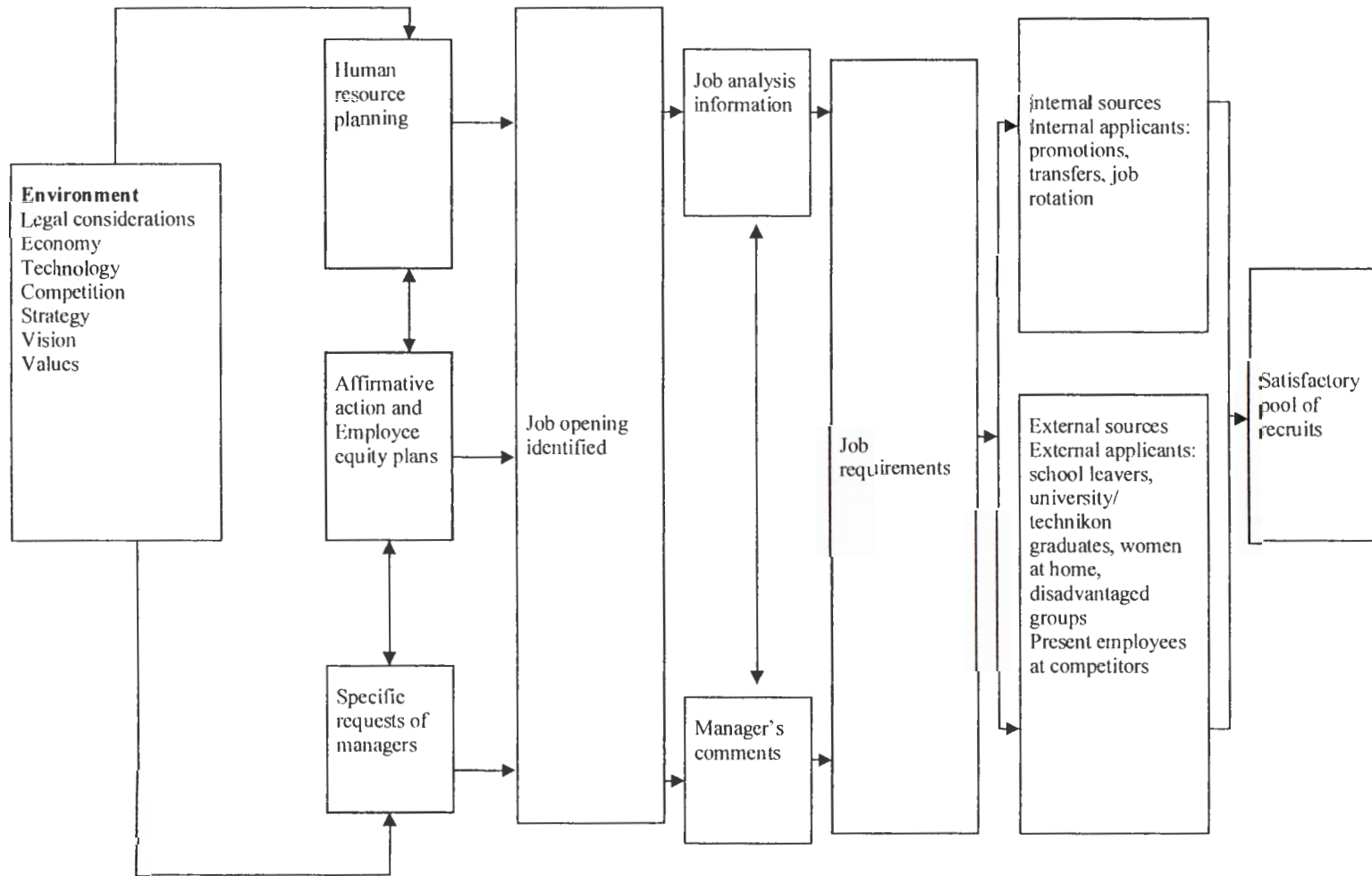
Carrell et al (1997) found that a growing number of fields, for example, engineering and health care employers are having a difficult time attracting qualified applicants.

According to the "Best Policy" of the Central District Municipality for external recruitments, media with equitable coverage both geographically and in terms of readership should be used, depending on the level and type of the position and the Council's needs, first local and then the national media will generally be used. In case of internal recruitment a vacancy form should be used as a standardised means of advertising and should be placed on notice boards or circulated via distribution lists for the attention of all staff members who may wish to apply.

The Employment equity plan of the Central District Municipality stipulates the advertising procedure as follows:

- (a) Post level 1-3 : Internally and externally / nationwide
- (b) Post level 4-18 : Internally first (externally if there are no suitable candidates internally).

Figure 2 reflects the recruitment process as depicted by whether and Davis (1996).



8.3 SELECTION

Selection will be discussed under different subheadings; screening and interviewing.

8.3.1 Screening

Carrell et al (1997) argue that screening minimises the time the human resource department must spend during the selection process by removing obviously unqualified or undesirable applicants.

The “Best Practice Policy” of the Central District Municipality stipulates that justifiable inherent requirements and competencies must be carefully identified as derived from updated job criteria and other specifications and used to consistently screen all qualifying responses. The policy further states that candidates with technikon diplomas and other equivalent qualifications will not be disqualified from being taken into cognizance when employing executives.

TABLE 1 Curriculum vitae red flag

Warning signs that may require further investigation :
<ul style="list-style-type: none"> ▪ Time gaps in employment. ▪ Vague answers, such as listing the province the employer was in and not the full address. ▪ Vague reasons for leaving previous jobs. ▪ Lack of employment history ▪ Inconsistencies in salary history. ▪ When all employers listed are out of business.

Source: M. Brown (1993) Personnel journal (suppl.)

8.3.2 Interview

According to the “Best Practice Policy” interviews should be structured and consistent criteria be used to identify potential incumbents. Where possible, interviews should be conducted by more than one interviewer during the same interview (i.e. ‘panel’ format).

The Employment Equity Plan of the Central District Municipality requires that at least one representative from each recognised union should have an observer status in interviews and selection procedures.

Interviews can be valid and reliable selection tools, but too often they are not. When interviews are structured and well organised, and when they are held to common questioning, they are effective predictors of capabilities of an interviewee. However, most interviews don’t meet these conditions. The typical interview in which applicants are asked a varying set of essentially random questions in an informal setting, usually provide little in the way of valuable information (Robbins and Coulter, 1996).

Table 2 presents different interview formats.

TABLE 2 Different Interview formats

INTERVIEW FORMAT	TYPES OF QUESTIONS	USEFUL APPLICATIONS
UNSTRUCTURED	Few, if any, planned questions. Questions are made up during the interview.	Useful when trying to help interviewees solve personal problems or understand why they are not right for a job.
STRUCTURED	A predetermined checklist of questions, usually asked of all applicants.	Useful for valid results, especially when dealing with large numbers of applicants.
MIXED	A combination of structured and unstructured questions that resemble what is usually done in practice	Realistic approach that yields comparable answers plus in depth insights.
BEHAVIOURAL	Questions limited to hypothetical situations. Evaluation is on the solution and the approach of the applicant.	Useful to understand applicant's reasoning and analytical abilities under modest stress.
STRESS	A series of harsh, rapid-fire questions intended to upset the applicant.	Useful for stressful jobs, such as handling complaints.

SOURCE: W.B Werther and K.D Davis (1996) Human Resources and Personnel Management. New York: McGraw-Hill

8.3.2.1 The common pitfalls in interviewing

According to Schwella et al (1996), awareness of these pitfalls might contribute to avoiding them.

- The **halo effect** is a situation where a single prominent positive or negative characteristic dominates the judgement of all other aspects. To compensate for this all factors have to be changed.
- **Interviewer bias and subjectivity** occur where the particular values or preferences of the interviewer are strong and influence his or her decisions. The tendency is to favour only those who are like the interviewer or the organization. The interviewers should realize and compensate for these eventualities.
- **Failure to listen** is a common pitfall. Interviewers must be very aware that they are to question, probe and listen and should refrain from doing too much talking themselves.

8.3.3 GUIDELINES FOR INTERVIEWS

Ehlers (2000), suggest the guidelines for interview as follows:

- Questions should be related to job requirements.
- The interview should be structured: fixed, pre-planned questions should be asked. Questions should be consistent across interviews.
- An interviewer should not ask for information that can be easily and more accurately assessed by application forms, tests or reference checks.

- The interview atmosphere should be free from condescension and intimidation.
- Records of interviews, questions and applicants answers should be retained for later justification of decisions.
- The purpose of the interview should be explained – whether it is an initial screening device or the final step in selection.

9. POLICIES WHICH ARE IN PLACE AT CENTRAL DISTRICT MUNICIPALITY

9.1 Recruitment for vacancies

- A vacancy is a position whether new or existing, for which no internal candidate (i.e. existing staff member with the required competencies) has been earmarked in accordance with a career path and/ or equity plan for transfer, promotion or related practices.
- Vacancies can be advertised internally or externally at the same time and all candidates will be given a fair opportunity to apply.
- The Council undertakes to give preferential consideration to internal candidates who are equally competent to the external counterparts but officials should understand that the number of years of service does not supercede the contribution made.
- Recruitment must be competency – based (knowledge, skills and values required to do the job) and discriminate on justifiable inherent job requirements only based on updated job criterion and other relevant specifications.

- Headhunting / search and word – of mouth should not be used in isolation and should be combined with media advertisements and other recognised equitable recruitment means.

According to the employment equity plan all advertisements for vacancies will contain the phrase **Equal Employment Opportunity** and further stipulate that the advertising procedure will be as follows:

- Post Level 1-3: Internally and externally / nationwide.
- Post Level 4-18 Internally first (externally if there are no suitable candidates).

9.1.1 Internal Recruitment

- The Human Resource Manager, charged with communicating vacancies, should be supplied with an updated internal vacancy form and other relevant information (e.g. cut – off times).
- The Human Resource Manager will distribute copies of the internal vacancy form on a regular basis to all designated Council representatives who shall in turn distribute such to staff members.
- Internal candidates wishing to apply may do so once they have informed their manager.
- The internal vacancy form should be used as a standardised means of advertising and should be placed on notice boards or circulated via distribution lists for the attention of all staff members who may wish to apply.

9.1.2 External Recruitment

- Media with equitable coverage both geographically and in terms of readership should be used. Depending on the level and type of the position and the council's needs, first local and then national media will generally be used.

- The content of the advertisement should be derived from updated job criteria and relevant specifications to ensure fair discrimination.

- The advertisement should state, where appropriate, that the Council is committed to developing a diverse workforce.

- Procedures to be followed by candidates in applying for the position and cut – off dates for closing acceptance of internal responses are to be clearly stated. External advertisements will not always carry cut – off dates as a result of shortages (in the marketplace) in expertise required.

- Where targets are to be met in accordance with a diversity policy, it will not be unfair discrimination to selectively advertise for disadvantaged groups.

9.2 Screening of Responses (Internal and External)

- Justifiable inherent job requirements and competencies must be carefully identified as derived from updated job criteria and other specifications and used to consistently screen all qualifying responses. These requirements should be detailed on the candidate response sheet and the particulars of all candidates indicated and recorded thereon.

- Justifiable reasons for suitability or unsuitability must be clearly recorded and related to inherent job requirements. Unsuitable candidates should be regretted immediately when disqualified.
- Candidates with technician diplomas and other equivalent qualifications will not be disqualified from being taken into cognisance when employing executives.

9.3 Interview and Panel

- Where possible, interviews should be conducted by more than one interviewer during the same interview (i.e. 'panel' format).
- Interviews must be competency – based, using updated job criterion and specification as the basis of question formulation. Tests and assessments could be consistently and objectively used in conjunction with other measures of screening.
- Interviews should be structured and consistent criteria used to identify potential incumbents.
- Competencies which are material to the successful performance of the position should be used to formulate questions and/or role plays and/ or tests. Candidate responses and performance should be recorded as accurately as possible and weighed in order to identify the best candidate for the position. Reasons for decisions should be recorded.

9.4 Assessments

- Where it is decided to use assessments and tests, the assessment must be, as far as can be reasonably determined, reliable and valid in that it should be a job-related competency assessment which discriminates fairly.

- Assessments are to be consistently applied in selecting for a specific vacancy and should be used according to standardized selection processes.
- Assessments should incorporate an evaluation of potential, particularly as it applies to the selection of previously disadvantaged persons or where the nature of the career path dictates such a test.
- Test/assessment scores shall be kept confidential and only those who need to know test/assessment scores and/or are qualified to interpret them shall have access thereto.
- Assessments may be done on existing staff members on a regular basis as may be required from time to time.

9.5 Selection

- Selection criteria shall be objective, related to inherent job requirements and competencies and consistently applied across all candidates.
- Any qualification or condition which would effectively restrict a vacancy to persons of an advantaged group should be clearly justified as being job-related and necessary.
- Prior detention, arrest and/or conviction shall not in itself constitute sufficient grounds for refusal to select a candidate.
- Criminal, credit and reference checks shall be conducted where necessary and justifiable with due regard to the rights of privacy and confidentiality of the candidate and the referee.

- Records/entries must be evaluated in the context of whether or not they would materially impact on inherent requirement of the job and should as far as is reasonably practicable, taking into account privacy and confidentiality, be clarified and investigated.
- It is the policy of the Council to inform unsuccessful candidates as soon as is reasonably practicable. Only in very specific circumstances should candidates be kept on file in order to address issues related to creating expectations and to minimise administration.

Unsolicited applications are those which are received by the Central District Municipality without the Council communicating a vacancy and hence there is no legitimate expectation on the part of the applicant to be considered for a position. Preferably, the Council should regret and return documents when it is appropriate.

- The candidate response sheet should be kept for a period of at least 12 months, and employment documentation of successful candidates for a period of 3 years after termination of services.

10. Training, Development and Education/ Study Assistance

- All staff members should be equitably informed of and have equitable access to training and development opportunities as far as is reasonably practicable and based on the operational needs of the business and the guidelines of this section.
- Training and development activities should be regularly audited and updated.
- Training and development should aim to equip staff members with competencies required to fulfil job requirements, focusing particularly on the transfer of skills from the classroom to the workplace.

- The policy of the Council is to fund 100% of the costs associated with the appropriate assistance to be given in training development and education and thereafter to contractually bind the staff member to various conditions, including:

a) Service 'payback' periods; and / or

b) Full repayments by the staff member to the Council in the event of the staff member leaving the Council's employ for whatever reason, with the only exception hereto being retrenchment.

11. Numerical goals

According to the Central District Municipality Employment Equity Plan the question of transfers of staff from the Provincial government to the Central District Municipality makes it difficult to set any practical numerical goals in the first year of the implementation of this plan.

The ratified Employment Equity Plan of the Central District Municipality was submitted to the Department of Labour during December 2000. With the seventeen vacancies which exist in the organogram an attempt can be made to recruit members of the designate group from the first year, although the stark reality and contradiction is that the number of staff transferred to Central District Municipality is 136.

Council intends to address the issue of numerical goals in the first year of the implementation of this plan through internal promotions. People with disabilities will be given special attention as the office of the Executive Mayor has emphasised priority of their appointment.

12. Monitoring, implementation and enforcement of the Equity Plan

According to the Central District Municipality Employment Equity Plan the main responsibility for monitoring and implementation of this plan rests with the Municipal Manager in person and further states that regular feedback (at least quarterly) will be given to the Employment Equity Facilitation Committee by the Municipal Manager.

The committee consists of the members of the Mayoral Committee, the Municipal Manager, representatives of recognised unions, the Human Resource Manager and the Equity Officer. The Central District Municipality Equity Plan leaves the final responsibility of the formulation, communication, monitoring and implementation of the plan with Council and all stakeholders.

Besides the provision that any trade union or employee may report an alleged contravention by an employer, the Act also provides that labour inspectors may enter an employer's premises and question him or her to ascertain compliance with the Act (Bendix, 2000).

The Employment Equity Act,(55 of 1998) further stipulates that failure to establish and report on an Employment Equity Plan is subject to fines ranging from R500 000.00 for the first contravention, up to R900 000.00 for four or more contraventions. A person who knowingly gives false information, obstructs any individual performing a function in terms of the Act, or takes measures to avoid becoming a designated employer may be sentenced to a fine of up to R100 000.00

The following chapter presents the research methodology for this study. This chapter reflect how data was collected to obtain the research objectives. The other intention is to use the collected data to answer questions raised in the research. This data was used to evaluate the implementation of the Employment Equity Act, 1998 by the Central District Municipality.

CHAPTER 3 - RESEARCH METHODOLOGY

1. Introduction

Both qualitative and quantitative research methods were found to be suitable for this kind of research. Since employment equity is governed by Acts of parliament and organizational policies, qualitative methodology was found to be suitable for this study.

However for the fact that the study intended to evaluate progress made in terms of implementation of the Employment Equity Act by the Central District Municipality suggests that numerical data was used hence the quantitative methodology was also found to be a useful tool.

It is important to know that data and methodology are inextricably interdependent. For this reason, the research methodology adopted for a particular problem must always recognise the nature of the data that will be amassed in the resolution of that problem (Leedy, 1993).

Creswell (1994) defines a quantitative study as an inquiry into a social or human problem, based on testing a theory composed of variables, measured with numbers and analysed with statistical procedures in order to determine whether the predictive generalizations of the theory hold true.

The author further defines a qualitative study "as an inquiry process of understanding a social or human problem based on building a complex holistic picture formed with words, reporting detailed views of informants, and conducted in a natural setting".

2. Data gathering instruments and techniques

According to Leedy (1993), quantitative researchers start with preformed hypotheses to be tested. Qualitative researchers, on the other hand start with more general questions, collect an extensive amount of verbal data from a smaller number of participants and present their findings with words or descriptions that are intended to accurately reflect the situation under study.

According to Leedy and Ormrod (2001), qualitative researchers often use multiple forms of data in any single study. This entails the use of observations, interviews, written documents, audio visual materials, objects and anything else that assists to answer the research question.

Following the explanation of qualitative and quantitative research techniques by Leedy (1997) and Leedy and Ormrod (2001), both techniques were found to be proper for use in the topic under study. Since employment equity is a legislative requirement, the Acts and organizational policies are critical whenever employment equity is researched. Numerical data is also needed to evaluate the implementation progress where both records and questionnaires are used. The other objective of this research was to evaluate the perceptions of employees about the employment equity.

According to Neuman (2000), survey techniques are often used in descriptive or explanatory research. A survey researcher asks people questions in a written questionnaire (mailed or handed to people) or during an interview, then records answers. The answers to questions are summarized in percentages, tables, or graphs. The author further states, that surveys give the researcher a picture of what many people think or report doing.

3. Research design

The following discussion focuses on the research design for this study.

3.1 Description of the population

The Central District Municipality has five directorates and three regional offices at Ditsobotla, Lefurutshe and Molopo. Some directorates have more females and fewer males than others while in some is just the opposite.

TABLE 3 TOTAL STAFF OF CDM FOR THE YEAR 2002

DEPARTMENT	MANAGEMENT						OPERATIONS						TOTAL
	MALE			FEMALE			MALE			FEMALE			
	B	W	D	B	W	D	B	W	D	B	W	D	
ADMIN. & HR	5	-	-	1	1	-	9	-	-	12	-	-	28
FINANCE	1	1	-	1	-	-	6	1	-	11	-	-	21
FIRE & EMER.	1	-	-	0	-	-	85	-	-	1	-	-	87
RURAL DEV.	4	-	-	1	-	-	4	-	-	9	-	-	18
TECHNICAL	3	-	-	0	-	-	18	-	-	1	-	-	22
TOTAL	14	1	-	3	1	-	122	1	-	34	-	-	176

B- Black W- White D- Disabled

3.2 Description of the sampling technique

According to Shaughnessy, Zechmeister and Zechmeister (2000), the representativeness of a sample can often be increased by using stratified random sampling. In stratified random sampling, the population is divided into subpopulations called strata and random samples are drawn from each of these strata.

A proportional stratified random sampling was used for selecting a representative sample of the total population. This sampling technique was adopted to avoid subjectivity in the process of selecting a sample, more especially that the intention was to establish perception of the entire staff.

3.3 Description of the sample

The total number of staff of the CDM for the year 2002 was 176 (CDM Annual Report, 2002). Thirty percent of the population was used as a representative sample. The 30 percent of 176 is 53, which constituted the sample for this study.

TABLE 4 Sample of fifty three staff members of the CDM, stratified by departments.

DEPARTMENT	POPULATION		STRATIFIED SAMPLE	
	N	% of Population	N	% of Population
ADMIN & HR	28	15.9	8	4.5
FINANCE	22	12.5	7	4.0
FIRE & EMER.	87	49.4	26	14.8
RURAL DEV.	18	10.2	5	2.8
TECHNICAL	22	12.5	7	4.0
TOTAL	176	100	53	30.1

TABLE 5 Sample of fifty three staff members of the CDM, stratified by position.

POSITION	POPULATION		STRATIFIED SAMPLE	
	N	% of Population	N	% of Population
MANAGEMENT	19	10.8	6	3.2
OPERATIONS	157	89.2	47	26.8
TOTAL	176	100	53	30

TABLE 6 Sample of fifty three staff members of the CDM, stratified by gender.

GENDER	POPULATION		STRATIFIED SAMPLE	
	N	% of Population	N	% of Population
MALE	134	76	40	22.7
FEMALE	42	24	13	7.3
TOTAL	176	100	53	30

3.3.1 Data available from records.

The only staff records available were for the year 2001 and 2002. Therefore the data for both years were analysed since available data were limited. The following information was collected from records,

- a) Total number of staff members trained,
- b) Total number of employees trained by gender,
- c) Total number of employees trained by race,
- d) Total number of employees trained by designations (i.e. operational versus managerial),
- e) Total number of employees employed by gender,
- f) Total number of employees employed by race,
- g) Total number of employees employed by designations (operational versus managerial).

3.4 Description of the data collection method.

A questionnaire was compiled to measure the perception of the employees of the Central District Municipality on employment equity focused on important aspects relating to the employment equity like race, gender and disability. One question was asked three times as reflected in **appendix A**, to ensure that all three important aspects mentioned above were equally and thoroughly assessed.

The employees were requested to fill in questionnaires on the same day they were distributed. A questionnaire was thoroughly explained to each individual employee in order to ensure that it served the intended purpose. The questionnaires were collected on the same day.

See **Appendix A** for the questionnaire distributed to employees.

3.5 Description of data analysing (statistical) techniques

The descriptive statistical method was used to reduce data sets to make interpretation easier. Inferential statistical tests (**contingency table analysis** and **correlation**) were performed and **test of difference** was used if there was a specific variable of interest.

According to Birley and Moreland (1998), the inferential statistical tests such as those mentioned above are applied under the following conditions,

- Contingency table analysis assists the researcher in determining whether an observed distribution is significant. Contingency tables can be used to help with the processing of questionnaire data by collating data in tabular form.
- Correlations (a mutual connection) can be used if it is suspected that there may be a relationship between two or more variables within a group. Low correlation coefficient indicates differences between variables.
- Test of difference are used where it is suspected that groups differ significantly on or as a result of a particular variable

3.6 Conclusion

Both qualitative and quantitative research methods were used due to the nature of data that is required to evaluate the implementation of the Employment Equity

Act. The numerical data was collected to evaluate progress of the implementation of the Employment Equity Act by the CDM.

A questionnaire which appears as appendix A was used to determine perceptions of the employees. Thirty percent of the total number of employees was used as a representative sample of the total population. A stratified random sampling technique was used to ensure that a required representative sample is achieved. This technique was also used to avoid subjectivity in the process of sampling.

The fourth chapter reflect presentation and analysis of data. The presentation of data is such that it will be easily read and understood. The statistical techniques referred to above was used to analyse data. The analysis and interpretation was linked to the research hypothesis and objectives to ensure that its purpose was achieved.

CHAPTER FOUR PRESENTATION AND ANALYSIS OF DATA

1.0 INTRODUCTION

The data was collected from human resource records and analysed in order to evaluate progress made in terms of the implementation of the Employment Equity Act by the Central District Municipality. The other aim of this chapter is to compare the real scenario with perception of the employees.

The sampled employees were therefore requested to complete questionnaires which were then thoroughly analysed to determine perception of employees regarding the implementation of the Employment Equity Act by the Central District Municipality.

2.0 DATA COLLECTED FROM RECORDS

The only records that were complete and available in the files were for the year 2001 to 2002, hence it was convenient for the purpose of this study to use these available records.

2.1 Total number of employees for the year 2001

The total number of staff members for the Central District Municipality for the year 2001, shown in Table 7 is presented by departments by post categories and by gender. Table 8 presents the total number of employees by departments by post categories by race.

This format was adopted to enable a comparison between management and operations in terms of representation of the members of the designated group.

TABLE 7 Representation of employees by Departments by post categories by gender.

Department	POST CATEGORIES							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Male	Female	Male	Female	Male	Female	Male	Female
Admin & HR	4	3	*57 21	*43 16	4	12	*25 2	*75 7
Finance	2	1	*67 11	*33 5	7	12	*37 4	*63 7
Technical Services	3	-	*100 16	- -	17	1	*94 11	*6 1
Rural Development	4	1	*80 21	*20 5	6	11	*35 4	*65 7
Fire & Emergency	1	-	*100 5	- -	91	1	*99 56	*1 1
Workforce representivity	14	5	74	26	125	37	77	23
Total	19		100		162		100	

According to Table 7 the total staff members of the CDM during 2001 was 26 percent females and 74 percent males in management POSITION while operations comprises of 23 percent females and 77 percent males. This clearly shows that by then women were under-represented.

The table also shows a gross male dominance in the Department of Fire and Emergency Services and the Department of Technical Services. It is shown in the table that both the departments of Fire & Emergency Services, and Technical Services have 100 percent male employees in management positions. In the

operations side female employees amount to 1 percent while male employees is 6 percent of the total operations staff.

This shows under-representation of women in both management and operations in the Department of Technical services and the Department of Fire and Emergency Services. The other three departments show that in the operations women are more represented than men.

TABLE 8 Representation of employees by Departments by post categories by race.

Department	RACE							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Black	White	Black	White	Black	White	Black	White
Admin & HR	6	1	* 86	*14	16	-	*100	-
			32	5			10	-
Finance	2	1	*67	*33	18	1	*95	*5
			11	5			11	1
Technical Services	3	-	*100	-	18	-	*100	-
			16	-			11	-
Rural Development	5	0	*100	-	17	-	*100	-
			26	-			10	-
Fire & Emergency	1	-	*100	-	92	-	*100	-
			5	-			57	-
Workforce representivity	17	2	90	10	161	1	99	1
Total	19		100		162		100	

According to Table 8 black people are over represented in the total work force as compared to the white employees. However this is a positive spin-off in terms of the legislative requirement of the Employment Equity Act, which emphasises recruitment of people from the designated groups.

2.2 TOTAL NUMBER OF EMPLOYEES FOR THE YEAR 2002

The total number of staff members for the Central District Municipality for the year 2002, shown in Table 9 is presented by departments by post categories by gender. Table 10 presents the total number of employees by departments by post categories by race. This format was adopted to enable a comparison between management and operations in terms of representation of the members of the designated groups.

TABLE 9 Representation of employees by Departments by post categories by gender.

Department	POST CATEGORIES							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Male	Female	Male	Female	Male	Female	Male	Female
Admin & HR	4	3	*57	*43	7	14	*33	*67
			21	16			5	9
Finance	2	1	*67	*33	7	11	*39	*61
			11	5			5	7
Technical Services	3	-	*100	-	18	1	*95	*5
			16	-			11	1
Rural Development	4	1	*80	*20	3	10	*23	*77
			21	5			2	6
Fire & Emergency	1	-	*100	-	85	1	*99	*1
			5	-			54	1
Workforce representivity	14	5	74	26	120	37	76	24
Total	19		100		157		100	

Table 9 shows a slight improvement in recruitment of women, from 23percent during the year 2001 to 24 percent in year 2002. The number of male employees shows a reduction of 1 percent from the year 2001 to 2002. This improvement is only experienced in the operations side while on management no changes were experienced.

TABLE 10 Representation of employees by Departments by post categories by race.

Department	RACE							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Black	White	Black	White	Black	White	Black	White
Admin & HR	6	1	* 86	*14	21	-	*100	-
			32	5			13	-
Finance	2	1	*67	*33	17	1	*94	*6
			11	5			11	1
Technical Services	3	-	*100	-	19	-	*100	-
			16	-			12	-
Rural Development	5	0	*100	-	13	-	*100	-
			26	-			8	-
Fire & Emergency	1	-	*100	-	86	-	*100	-
			5	-			55	-
Workforce representivity	17	2	90	10	156	1	99	1
Total	19		100		157		100	

Table 10 shows that no changes were experienced between the year 2001 and 2002. Black employees are still dominant in the CDM workforce.

3. EMPLOYEES TRAINED DURING THE YEAR 2002

Table 11 presents the training of the CDM employees by Departments by post categories by gender.

The aim is to analyse training of employees comparatively in terms of post categories and gender. Table 12 reflects the number of black employees who were trained as opposed to the white employees.

TABLE 11 Total employees trained by Departments by Post category by gender.

Department	POST CATEGORIES							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Male	Female	Male	Female	Male	Female	Male	Female
Admin & HR	4	2	*67	*33	5	15	*25	*75
			26	13			11	31
Finance	1	1	*50	*50	2	11	*15	*85
			7	7			4	23
Technical Services	3	-	*100	-	3	1	*75	*25
			20	-			6	2
Rural Development	2	1	*67	*33	3	2	*60	*40
			13	7			6	4
Fire & Emergency	1	-	*100	-	5	1	*83	*17
			7	-			11	2
Workforce representivity	11	4	73	27	18	30	38	62
Total	15		100		48		100	

Referring to table 7, on average CDM management comprises of 74 percent males and 26 percent females, hence training of management will also be influenced by these imbalances. There are departments which have 100 percent males in management positions (e.g. The Department of Technical Services and Department of Fire and Emergency Services).

When looking on the operations side, the Department of Administration and Human Resource, and the Department of Finance have trained 75 percent and 85 percent of woman respectively.

The Department of Rural Development is also doing fairly well although a slight imbalance is still realised. However, the overall training effort of CDM employees

is impressive. Sixty two percent of women on operations have been trained as opposed to 38 percent of men.

TABLE 12 Total employees trained by Departments by post categories by race

Department	RACE							
	Management				Operations			
	Number		Percentage		Number		Percentage	
	Black	White	Black	White	Black	White	Black	White
Admin & HR	6	-	* 100 40	-	20	-	*100 42	-
Finance	1	1	*50 7	*50 7	13	-	*100 27	-
Technical Services	3	-	*100 20	-	4	-	*100 8	-
Rural Development	3	-	*100 20	-	5	-	*100 10	-
Fire & Emergency	1	-	*100 7	-	6	-	*100 13	-
Workforce representivity	14	1	93	7	48	0	100	0
Total	15		100		48		100	

The Department of Finance and Department of Administration and Human Resource are the only departments which have white employees. It is therefore logical to concentrate only on these departments. The Department of Administration and Human Resource has 100 percent Blacks trained, while in the Department of Finance has 50/50 situation is experienced on management (see Table 10).

4. RESPONSE TO EMPLOYMENT ADVERTISEMENTS

The following tables (i.e. Tables 13 to 15) present the response records of the posts which were advertised during the year 2001 and 2002.

TABLE 13 Applications received by post category by gender (2001/2002)

NO	JOB CATEGORY	MALE		FEMALE		TOTAL	
		NO	%	NO	%	NO	%
1	Public Relations Officer (2001)	7	23	23	77	30	100
2	Roads Technical Assistant (2002)	8	100	0	0	8	100
3	Grader Operator (2002)	1	100	0	0	1	100
4	Tractor operator (2002)	28	100	0	0	28	100
5	PA to the Executive Mayor (2002)	13	48	14	52	27	100

TABLE 14 Applications received by post categories by race (2001/2002)

NO	JOB CATEGORY	BLACK		WHITE		TOTAL	
		NO	%	NO	%	NO	%
1	Public Relations Officer (2001)	30	100	0	0	30	100
2	Roads Technical Assistant (2002)	8	100	0	0	8	100
3	Grader Operator (2002)	1	100	0	0	1	100
4	Tractor operator (2002)	28	100	0	0	28	100
5	PA to the Executive Mayor (2002)	26	96	1	4	27	100

Table 14 shows that white people do not respond to the job advertisements or that they are only attracted to certain posts like Personal Assistant post to the Executive Mayor.

TABLE 15 Applicants short listed by post category by gender (2001/2002)

NO	JOB CATEGORY	MALE		FEMALE		TOTAL	
		NO	%	NO	%	NO	%
1	Public Relations Officer (2001)	1	17	5	83	6	100
2	Roads Technical Assistant (2002)	4	100	0	0	4	100
3	Grader Operator (2002)	1	100	0	0	1	100
4	Tractor operator (2002)	3	100	0	0	3	100
5	PA to the Executive Mayor (2002)	2	33	4	67	6	100

Table 16 presents qualifications of the applicants of the posts advertised as appearing in the Tables 13 to 15.

TABLE 16 NUMBER OF APPLICANTS (GENDER BY QUALIFICATIONS)

GENDER														
Type of Job	FEMALE						MALE						TOTAL	
	Below STD 10		STD 10		Diploma/Degree		Below STD 10		STD 10		Diploma/Degree			
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
PRO	-	-	6	20	17	57	-	-	2	7	5	16	30	100
ROADS TECH. ASS	-	-	-	-	-	-	-	-	2	25	6	75	8	100
GRADER OPERATOR	-	-	-	-	-	-	1	100	-	-	-	-	1	100
TRACTOR OPERATOR	-	-	-	-	-	-	15	54	13	46	-	-	28	100
P.A - MAYOR	1	4	4	15	9	33	-	-	3	11	10	37	27	100

Table 13 presents the advertised posts in the Department of Administration and Human Resource, and the Department of Technical Services. The table shows that 77 percent of women have applied for the Public Relations Officer post,

while Table 17 shows that 52 percent of women have applied for the post of the Public Assistant to the Executive Mayor. These shows that women are either attracted by certain posts or qualify only for certain posts. This could be an explanation for the situation in the Department of Technical Services and the Department of Fire and Emergency Services.

5. QUESTIONNAIRE

The perception of the employees regarding the employment equity was measured using a questionnaire. The results of the questionnaires analysis will be discussed in conjunction with the results of analysis of data from records.

6. INTERPRETATION OF RECORDS DATA AND QUESTIONNAIRES ANALYSIS VERSUS THE HYPOTHESES

Hypothesis (i)

"Members of the designated group lack qualifications and experience to match the requirements of the jobs advertised". This hypothesis was proved using data from records only, since it appeared to be the more reliable source of data as compared to a questionnaire.

Table 16 suggests that more women have qualifications in the field of administration, management and communications as compared to the technical field. Therefore this hypothesis was proved to be partially correct in the context of technical field.

Hypothesis (ii)

"Members of the designated group do not respond to the employment advertisements". The CDM is dominated by the Black employees, and therefore for the purpose of this hypothesis Black women were regarded as the 'designated group'. This hypothesis was proved using only data collected from records since perception can not be accurate in this case.

Table 13 (Public Relations Officer advertisement response) and (Roads Technical Assistant advertisement response) shows that women were either attracted to certain posts only or they did not qualify for certain posts.

In order to arrive at this conclusion Table 13 (Applications received for Public Relations Officer post) and (Applications received for the post of the Personal Assistant to the Executive Mayor) were critically analysed using chi-square test.

This test gave a probability value of 0.0499839. Since the P-value is less than 0.05 level of significance, then there is a significant relationship between gender and type of job.

It seems as if women had a high tendency of applying for a Public Relations Officer post, whereas male applicants were interested in a Personal Assistant post. The results of this test could also be applicable to other posts.

Hypothesis (iii)

“Women are fairly represented in the senior management”. Both questionnaire and data from records were used to prove this hypothesis. The Pearson correlation test was used to analyse a questionnaire and resulted in a P-value of 0.619.

A correlation exists/ does not exist between a post level and the statement ‘A substantial number of women have been appointed in senior management posts, since the implementation of the Employment Equity Act particularly affirmative action’.

Since the P-value is more than 0.05 level of significance, there is no significant correlation between post level and the opinion that more women have been appointed in senior management positions.

A T-test (Test of difference between two samples) was conducted and resulted in a P-value of 0.004. Since the P-value is less than 0.05 level of significance, then there is a significant difference between male and female employees regarding this statement. The data from records was tested using chi-square (contingency table analysis) test and that resulted in a P-value of 0.9496.

Since the P-value is more than 0.05 level of significance, then there is no relationship between post category and gender (i.e. women are fairly represented in senior management). Hypothesis (iii) is therefore rejected.

Hypothesis (iv)

“Women are not fairly represented in some departments”. Data from records for the year 2001 and 2002 was analysed to determine whether this hypothesis held substance or not (see Tables 7 and 9). The percentages of employees per departments per gender were calculated to allow a quick comparison.

The Department of Technical Services and Department of Fire and Emergency have fewer women while the Department of Administration and HR has more women. The hypothesis is therefore accepted.

Hypothesis (v)

“It is difficult to find out from the applications of employment applicants who are disabled”. The application forms of employment were analysed and no provision was found for indicating disability of an applicant.

7. Conclusion

The response of people of the designated group to the job advertisements of the technical posts is negative. It will therefore be difficult to achieve equity in this department.

Proof to hypothesis (i) suggests that more women had qualifications in the field of administration, management and communication as compared to the technical fields. This further makes a probability of having equity in this department more difficult if not impossible to achieve.

The following chapter will be conclusion and recommendations. The aim of the chapter is to give an executive summary of the research findings and further highlight other critical issues based on the outcome of the research if any. Lastly to make recommendations in line with the outcome of the research results.

CHAPTER 5 CONCLUSION AND RECOMMENDATIONS

1. INTRODUCTION

Although this study was undertaken purely for academic purposes, it is hoped that the outcome of this study might assist the Central District Municipality to accomplish its Employment Equity Plan and also to comply with the prescribed requirements of the Employment Equity Act. It is also hoped that corrective measures will be taken to address the problems which are reflected by the study.

The numerical data, collected from records were analysed using the relevant statistical techniques (e.g. chi-square, Pearson correlation and T-test). These statistical tests were done to evaluate the implementation progress of the employment equity. The other data was collected by a questionnaire to measure perception of employees concerning the implementation of the Employment Equity Act.

A proportional stratified sample was selected to fill in questionnaires. This sampling technique was used to ensure that a selected sample is representative of the entire population and to avoid subjectivity. It is therefore taken that the perceptions of the sampled employees represent the thinking of the whole CDM employees.

2. RECOMMENDATIONS

Based on the findings of this study, it is recommended that:-

- i. A thorough investigation need to be conducted as to why women and the disabled do not respond to the employment advertisements of the Department of Technical Services.

- ii. Salary packages and benefits of technical personnel are reviewed in order to ensure that they are market-related and are able to attract this scarce human resource.
- iii. People with disabilities are recruited and if necessary '**headhunting**' be used to recruit such people since there is not even one person with disabilities employed by the CDM.
- iv. White people should also be recruited since CDM has proved to be dominant of Black employees although equity is about attaining a proportional balance between all groups with reference to the geographical area.
- v. Women need to be recruited in the Department of Technical Services for the lower level positions to promote equity. This is because for senior posts a formal tertiary education is essential.
- vi. Women referred to above, be given study loans, should they be willing to pursue engineering courses, so that in future they could hold senior positions in the technical services.
- vii. Skills development be biased to the members of the designated group who are presently not fairly represented (i.e. women and disabled).
- viii. Employment equity workshop need to be re-convened to ensure that workers understand equity in the context of the Act.

3. CONCLUSION

The main thrust of the Employment Equity Plan is, in terms of section 15(1), the establishment and implementation of 'measures' designated to ensure that "**suitably qualified**" people from designated groups have equal employment

opportunities and are equally represented in all occupational categories and levels (Bendix, 2000). It is therefore critical for both employers and employees to define the “**suitably qualified**” in the same context.

The proportion of women in the workplace varies from country to country, which in turn affects the size of the total labour force. In many countries, because of lower education levels, their subsequent societal role or social restrictions on the workplace participation, the percentage of women in the workplace is smaller than those of men (Sanyal, 2001). Sanyal’s view supports hypothesis (7) that “members of the designated group lack qualifications and experience to match the requirements of the jobs advertised”.

According to the Act a person may be suitably qualified for a job, even if he or she does not have the required qualifications and necessary experience but does possess the capacity to acquire the skills to do the job within a reasonable time, the person should be employed. Training is therefore critical to ensure that the incumbent is assisted by providing him/her with the necessary skills. Therefore, the issue of qualifications alone is irrelevant.

The Central District Municipality staff matrix shows that black people dominate the workforce. It is therefore critical that white people from the designated group are affirmed, diversity should also be maintained. Chapter three of the Employment Equity Act addresses the affirmative action measures which designated employers must undertake. According to Meyer (1999) this includes measures designed to further diversity in the workplace based on equal dignity and respect of all people. However, the analysis done in the chapter 4 of this study shows that in some of departments progress has been registered in terms of employment equity, although this is really visible on the operations side.

The CDM Employment Equity Plan and policy documents relating to employment equity are up to standard and are convincing that the objectives of equity will be realised.

According to the CDM Employment Equity Plan, 136 employees were transferred to CDM from the Provincial Government. This made it difficult for CDM to set numerical goals in the first year of the implementation of the Employment Equity Plan. The problem seems to be more serious in the Department of Fire and Emergency, where the entire staff is male.

However, analysis of data in this study shows that in some departments progress has been made in terms of employment equity, although this is really visible on the operations side.

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Appendix A

EMPLOYMENT EQUITY ACT BY
CENTRAL DISTRICT MUNICIPALITY

QUESTIONNAIRE

SERIAL No.

NB: The Information provided on this form will be strictly confidential and used strictly for academic purposes. Your response is, and will remain anonymous.

Department: Designation:
 Disabled: Yes [] No [] Gender:
 Post Level: Appointed/ Promoted:
 Race: Date of Appointment/ Promotion:

RECRUITMENT

1. Affirmative action measures have/ had a significant contribution towards appointment criteria, e.g. being biased towards members of the designated group.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

2. As a consequence of the Employment Equity Act particularly affirmative action measures, increasingly more Blacks are/have been recruited to the municipality.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

3. As a consequence of the Employment Equity Act particularly affirmative action, fewer Whites than Blacks are/have been recruited to the municipality.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

4. As a consequence of the Employment Equity Act particularly affirmative action measures increasingly more women are/have been recruited to the municipality.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

5. As a consequence of the Employment Equity Act particularly affirmative action, increasingly more disabled people are/have been recruited to the municipality.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

6. The Employment Equity Act particularly Affirmative action measures, promotes fairness in appointments.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

APPOINTMENTS

7. No form of discrimination can be found in the Central District Municipality's employment practices.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

8. The Employment Equity Act and affirmative action measures have been very successful in getting rid of unfair discrimination.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

9. A substantial number of Blacks have been appointed in senior management positions.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

10. Fewer Whites have been appointed at senior management level, since the implementation of Affirmative Action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

11. A substantial of number women have been appointed in senior management posts, since the implementation of the Employment Equity Act particularly affirmative action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

12. Since the implementation of affirmative action, increasingly more disabled people have been appointed to various posts.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

13. A substantial number of disabled people have been appointed in senior management posts, since the implementation of Employment Equity Act particularly affirmative action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

14. Since the implementation of Employment Equity Act, particularly Affirmative Action the municipality is more reflective of the South African population.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

15. Central District Municipality is committed to bring about the desired increase in the representation of Blacks, Women and the disabled on the workforce.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

PROMOTIONS

16. Central District Municipality places a lot of emphasis on promoting members of the previously disadvantaged groups (i.e. Blacks, Women and the disabled).

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

17. The emphasis on promoting members of the previously disadvantaged groups (i.e. Blacks, Women and the disabled) has come as a result of Employment Affirmative Action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

18. Since the implementation of Employment Equity Act particularly Affirmative Action most members of the disadvantaged groups (i.e. Blacks, Women and the disabled) have been promoted.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

19. A substantial number of Black people have been promoted to senior management posts, since the implementation of the Employment Equity Act particularly affirmative action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

20. Fewer White people have been promoted to senior management posts, since the implementation of Employment Equity Act particularly affirmative action.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

21. Since the implementation of the Employment Equity Act, particularly affirmative action, a substantial number of women have been promoted to senior management posts.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

TRAINING

22. Training opportunities are available in those job categories where most Blacks tend to be concentrated.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

23. Training opportunities are available in those job categories where most women tend to be concentrated.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	

24. The available training opportunities prepare/ have prepared Blacks for positions in management.

Strongly Agree	
Agree	
Uncertain	
Disagree	
Strongly Disagree	