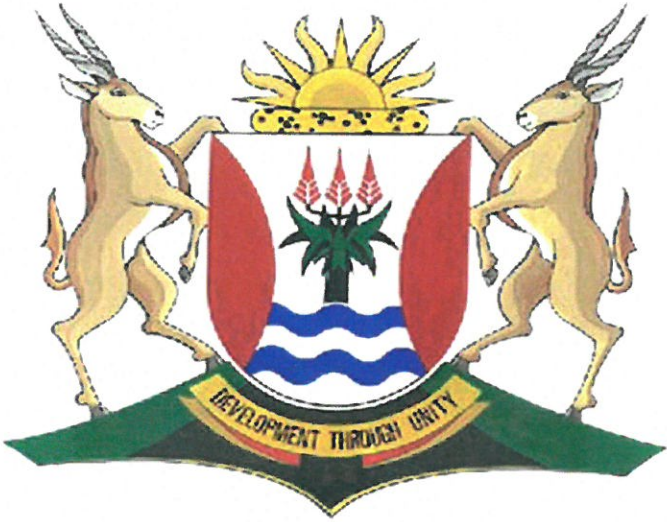


**EASTERN CAPE PROVINCE**

**DEPARTMENT OF EDUCATION**



<b>EMPLOYMENT EQUITY PLAN (EE PLAN)</b>	
	<b>PERIOD</b>
	2017/18 – 2020/21
	(4 YEARS)

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## **ACRONYMS**

<b>AA</b>	:	Affirmative Action
<b>CD – HRM&amp;D</b>	:	Chief Directorate Human Resources Management and Development
<b>DPSA</b>	:	Department of Public Service and Administration
<b>EEA</b>	:	Employment Equity Act
<b>EE</b>	:	Employment Equity
<b>EHW</b>	:	Employee Health & Wellness
<b>HOD</b>	:	Head of Department
<b>HR</b>	:	Human Resources
<b>HRA</b>	:	Human Resources Administration
<b>HRD</b>	:	Human Resources Development
<b>HRP&amp; PS</b>	:	Human Resources Planning and Provisioning Services
<b>IT</b>	:	Information Technology
<b>IQMS</b>	:	Integrated Quality Management System
<b>KPA</b>	:	Key Performance Area
<b>MEC</b>	:	Member of Executive Council
<b>PERSAL</b>	:	Personnel Salary System
<b>PMDS</b>	:	Performance Management Development Service
<b>PWD</b>	:	People with Disability
<b>SGB</b>	:	School Governing Body

## **DEFINITION OF TERMS / CONCEPTS**

TERM / CONCEPT	DEFINITION
Affirmative Action Measures	are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of a designated employer
Black people	is a generic term which means Africans ; Coloureds and Indians
Designated group	means black people ; women and people with disabilities
Designated Employer	means a person who employs 50 or more employees
Disability	means persons having a physical or mental impairment , which is long-term or recurring and which substantially limits their prospects of entry into or advancement in employment
Employment Equity	refers to the elimination of unfair discrimination as well as the implementation of specific measures to accelerate the advancement of target groups towards the achievement of equality
Equal employment opportunity	refers to the formal right of all people to be treated equally in employment irrespective of race ; gender and disability
Equality	refers to the full enjoyment of rights and freedoms by all people in similar / proportionate manners
Executive Authority	in relation to a Provincial Department or a Provincial Government component within an Executive Council Portfolio, means the member of the Executive Council responsible for such portfolio
EE Plan Consultative Forum	means a consultation platform between the employer and the employees, established in terms of section 16 of the EE Act, No. 55 of 1998. This platform is for representatives from the organised labour; employees from different occupational levels ; designated as well as non-designated groups
EE Manager	means a permanently employed senior official who is formally and officially



TERM / CONCEPT	DEFINITION
	appointed by the HOD to dedicate himself/herself to the implementation of the EE Act
Employee	means any person other than an independent contractor, who works for another person or for the State and who receives , or is entitled to receive, any remuneration. This person, in any manner, assists in carrying on or conducting the business of an employer
Gender	refers to the social and cultural differences between women and men, i.e. to qualities and capabilities that our society attaches to each
Gender Equality	ensures that women and men have the same rights, duties, opportunities, equal distribution of power, influence, business practice, employment, working conditions, shared responsibilities, advancement and access to benefits
Gender mainstreaming	is a strategy for achieving gender equality adopted by the World Community at the 1995 Conference on women in Beijing
Historically disadvantaged groups	refers to those groups identified as having been unfairly discriminated against on the basis of past legislation, policies, prejudice and stereo-types
Medical testing	includes any test, question, inquiry or other means designated to ascertain, or which has the effect of enabling the employer to ascertain, whether an employee has any medical condition
Non- designated group	means white males who do not have disabilities
Office Based Educator	means an employee of the Department who is appointed under the Employment of Educators Act, No. 76 of 1998 , to render a specialist support and advisory service to schools and offices
Preferential treatment	means that people from the designated groups should receive favour from the employer more than people from the non-designated groups
Public Servant	means an employee of the Department who is appointed under the Public Service Act No. 38 of 1994 . This employee , whether she/he is at school or office level ,

TERM / CONCEPT	DEFINITION
	does not render a teaching service but is mainly providing an administrative / technical / corporate / general support service to the school or office
Reasonable accommodation	means any modification or adjustment to a job or the environment that will enable a person from a designated group to have access to or participate or advance in employment
Registered Trade Union	means a Trade Union as defined in section 213 of the Labour Relations Act and registered in terms of section 96 of that Act, as amended
Suitably qualified person	means a person contemplated in section 20(3) of the Employment Equity Act
School-based educator	means an employee of the Department who is appointed under Employment of Educators Act , No. 76 of 1998 to render a teaching service to the school/ institution
Trade Union Representative	means a member of a registered Trade Union who is elected to represent employees in a workplace
Unfair discrimination	refers to unjust measures, attitudes and behaviour that obstruct the enjoyment of equal rights and opportunities in employment for black people, women and people with disabilities
Workplace Forum	means a workplace platform established in terms of Chapter V of the Labour Relations Act

## FOREWORD

The Eastern Cape Department of Education subscribes to the provisions of the Constitution of the Republic of South Africa and those of the EEA (Act No. 55 of 1998) , as amended , which seek to provide all the citizens of the country with equal employment opportunities . Therefore , the Department is committed to addressing all the previous employment disparities that prevented equity at the workplace and it has to equally respond to the DPSA's call for 50 : 50 gender split and racial balance at all management level positions . In order to show its commitment to addressing the previous employment disparities , the Department has developed this EE Plan as a vehicle to drive all the employment equity matters with a view to achieve the desired and expected outcomes .

The Eastern Cape Department of Education, therefore, promises to implement the AA Measures by way of :

- Identifying and eliminating employment barriers , including unfair discrimination , which adversely affect people from designated groups
- Promoting diversity in the workplace , based on equal dignity and respect for all people
- Making reasonable accommodation for people from the designated groups in order to ensure that they enjoy equal opportunities
- Ensuring equitable representation of suitably qualified people from the designated groups in all occupational categories and levels in the workforce
- Training ; retaining and developing people from the designated groups
- Drawing up an EE Plan which shall be used to achieve and maintain the employment equity balance at the workplace
- Establishing an EE Plan Consultative Forum which shall be used as a platform of consultation with the relevant stakeholders on employment equity matters at the workplace

Lastly , the Department shall ensure that the specific objectives outlined in this EE Plan are realized and achieved at the specified times .

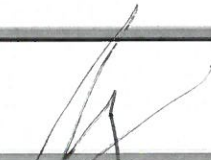
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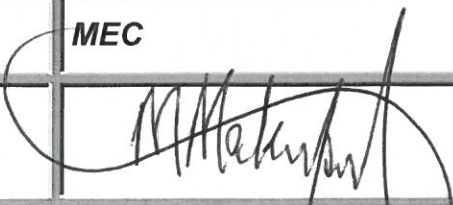
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SIGN OFF

This EE Plan was developed by the members of the EE Plan Consultative Forum under the mandate and guidance of the HOD and the MEC for the Eastern Cape Department of Education. The EE Plan Consultative Forum consists of representatives from the various Departmental Units/ Components as well as the officially registered Trade Unions / School Governing Body Associations of this Province.

The content of this EE Plan fully complies with the provisions of the legal framework / legislation from which its existence is derived. The Department shall ensure that the objectives and strategies outlined in this EE Plan are fully achieved for the period under review.

<b>SURNAME &amp; INITIAL</b>	<b>MR KOJANA T.</b>	
<b>DESIGNATION</b>	<b>HOD</b>	
<b>SIGNATURE</b>		<b>DATE :</b> 19/04/2018

<b>SURNAME &amp; INITIAL</b>	<b>MR MAKUPULA M.</b>	
<b>DESIGNATION</b>	<b>MEC</b>	
<b>SIGNATURE</b>		<b>DATE :</b> 25/04/2018



## **EXECUTIVE SUMMARY :**

This Executive Summary gives an overview about the content of this EE Plan . It introduces the essence of the concept “ Employment Equity “ and how the workplace shall respond to the demands of the employment equity realities . The short synopsis of this EE Plan is as follows :

### **(1) Foreword :**

The Eastern Cape Department of Education, as a Designated Employer , commits itself to the proper implementation of the AA Measures in order to achieve and maintain the employment equity balance at the workplace

### **(2) Section One :**

(i) Consists of THIRTEEN (13) Guiding Principles upon which all the employment equity issues hinge . They are the principles which function inter-dependently of one another , in the sense that they cannot be addressed as separate entities . Addressing one , simply means touching on others as well

(ii) General Aim / Specific Objectives / Goals :

They determine the extent to which the Department shall be able to implement the AA Measures outlined in this EE Plan

(iii) Legal Framework :

This framework gives a legal mandate to the Department to develop and implement this EE Plan

(iv) Mission / Vision / Values :

These concepts make a pronouncement on :

- what the Department stands for
- the quality of service that the Department seeks to provide to the nation
- the type of relationship that the Department seeks to establish with its clients

### **(3) Section Two :**

Consists of ELEVEN (11) factors that promote EE at the workplace

### **(4) Section Three :**

This Section outlines the duties and responsibilities which shall be performed by the key role players of this EE Plan

**(5) Section Four :**

This Section gives guidance on the reasonable steps that must be taken to accelerate the implementation of the AA Measures

**(6) Section Five :**

This Section elaborates on the following issues regarding the workforce and infrastructure / working conditions / tools :

(i) Analysis

(ii) Findings

(iii) Remedial Action

**(7) Section Six :**

This Section consists of the Action Plan which focuses on the identified barriers / challenges ; key strategies or actions to address the challenges / barriers ; objectives for the chosen strategies ; responsible managers and time frames

**(8) Section Seven :**

This Section consists of the Conclusion and the closing remarks

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## SECTION ONE

### 1.1. Guiding Principles :

These Principles give assurance to all the employees of the Department that the employment equity matters shall be considered with great care . The brief synopsis of these Principles is as follows :

**1.1.1. Inclusivity :** all the employees of the Department , irrespective of the ranks / positions they occupy ; organized labour ; people from the designated groups and those who are from the non-designated groups shall be afforded an opportunity to be involved and participate , at all times , in the employment equity programmes of the Department

**1.1.2. Transparency & Openness :** the continuous interaction with all the relevant stakeholders , through the Departmental EE Plan Consultative Forum shall be maintained

**1.1.3. Confidentiality :** information disclosed by employees about their health status shall not be used against them or prejudice them in any respect and shall be kept in strict confidentiality

**1.1.4. Affirmative Action :** is an action that consists of measures which are designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels at the workplace of a designated Employer

**1.1.5. No unfair discrimination :** the Department of Education shall take steps to promote equal opportunities at the workplace by eliminating unfair discrimination in any employment policy or practice

**1.1.6. Access to the workplace :** the Department shall strive to create and maintain a barrier-free environment at all times , provide reasonable accommodation to people with disabilities and ensure that the workplace is accessible to all employees at all levels

**1.1.7. Equality :** all employees shall be given equal treatment at the workplace

**1.1.8. Redress :** the Employer shall implement the employment equity measures with a view to address the effects of discrimination and imbalances of the past

**1.1.9. Broad Representation :** ensures that public administration is broadly representative of all people of South Africa with employment and personnel management practices based on ability ; objectivity ; fairness and the need to redress the imbalances of the past

**1.1.10. Consultation :** the success of employment equity depends largely on the efficacy of the consultation process . The Employer ; employees and Trade Unions must be willing to play

a constructive role in the consultation process . Meaningful consultation will contribute to a joint commitment to the workplace transformation

**1.1.11. Integrated Approach :** the process of implementing employment equity must be integrated into the broad strategic goals of the Department as well as strategies such as gender mainstreaming

**1.1.12. Commitment and buy-in :** it is important that all managers and employees of the Department remain committed to the implementation of employment equity at the workplace in order to realize its employment equity targets and numerical goals

**1.1.13. Communication :** the Department must ensure that all its employees understand their rights and obligations , through proper communication mechanisms , as contained in the Act

**1.1.14. Productivity and improved service delivery :** the affirmative action programmes must promote the development of more innovative work practices which maximise productivity and increase customer – responsiveness

**1.1.15. Cost effectiveness :** the affirmative action programmes must focus on steps which optimise the Public Service’s human and financial resources

**1.1.16. Reasonable accommodation :** the affirmative action programmes must strive to eradicate barriers to employment and advancement in the physical and organisational environment and provide support to all members of the target group

**1.1.17. Relative disadvantage :** the affirmative action programmes must take into account the relative disadvantaged status of groups ; their needs within the target group and the needs of the organisation

### **1.3. General Aim :**

To implement the Departmental employment equity programmes at the workplace

### **1.4. Specific Objectives / Goals :**

1.4.1. To facilitate equitable representation of all races and genders on the one hand and people with disabilities on the other hand

1.4.2. To promote the constitutional right of equality and the exercise of true democracy

1.4.3. To eliminate unfair discrimination in employment

1.4.4. To ensure the implementation of employment equity to redress the effects of discrimination

1.4.5. To achieve a diverse workforce which is broadly representative of all people

1.4.6. To achieve employment equity balance / targets with regard to the designated groups ; race gender and disability at the workplace

1.4.7. To uphold the principle of non-discrimination ; equal opportunities and fair treatment of all the potential applicants / candidates

1.4.8. Whilst espousing the objectives stated above , the Department recognises that , for them , to be achieved , they must fulfil the requirements of the “ SMART “ principle which states that the objectives should be :

- Specific
- Measurable
- Attainable
- Relevant
- Time bound

### **1.5. Legal Framework :**

The Department draws its mandate from a number of legislative and policy frameworks which unambiguously make pronouncements on all employment equity issues . Some of those documents are outlined below :

- Constitution of the Republic of South Africa (Act No. 108 of 1996)
- EEA (Act No. 55 of 1998)
- Provincial Employment Equity Strategy of 2010
- Promotion of Equality and Prevention of Unfair Discrimination Act (Act No. 4 of 2000)
- Job Access Strategy Framework (2006 – 2010)
- Gender Equality Strategic Framework (2006 – 2015)
- Integrated National Disability Strategy
- Code of Good Practice on the Integration of EE into Human Resource Policies and Practices
- Code of Good Practice on the Employment of People With Disabilities
- White Paper on Affirmative Action In the Public Service, Notice 564 of 1998.
- Labour Relations Act 66 of 1995
- Public Service Regulations of 2001, as amended.
- Public Service Act 38 of 1994, as amended
- Skills Development Act 97 of 1998

#### **1.6.1. Vision :**

To provide learners with opportunities to become productive and responsible citizens through quality basic education

### **1.6.2 Mission :**

To achieve the vision , we will :

- Implement appropriate and relevant educational programmes through quality teaching and learning
- Mobilise community and stakeholder support through participation
- Institutionalise a culture of accountability at all levels of the Department

### **1.6.3. Values :**

The Eastern Cape Department of Education espouses the following values :

- Empathy
- Dignity
- Unity
- Confidence
- Access
- Trust
- Integrity
- Ownership
- Nation

## **SECTION TWO :**

### **2. Factors promoting Employment Equity at the workplace :**

Certain specific documentation and conditions are very critical to the implementation of employment equity issues at the workplace . They reflect the extent to which the Department promotes employment equity at the workplace . Some of those critical documents and work conditions are outlined below :

#### **2.1. Employment Equity Plan :**

2.1.1. Based on the provisions of the EE Act and other relevant documentation , the Eastern Cape Department of Education shall develop an EE Plan which shall address the areas where there are barriers to employment equity at the workplace

2.1.2. The EE Plan shall mandate all the Line Function Managers / Heads of Institutions Section Heads to deliberately and lawfully favour all people from the designated groups , particularly women ; people with disabilities and youth , when it comes to employment opportunities and other related benefits

2.1.3. The EE Plan shall have a start date and an end date by which all the identified employment equity barriers shall have been completely eradicated

2.1.4. A successive EE Plan shall be developed at least SIX (6) months before the expiry date of the current EE Plan

2.1.5. Once approved / signed by the relevant authorities , the EE Plan shall be communicated to all employees and relevant stakeholders for implementation, without fail.

## **2.2. Staff Recruitment Plan (SRP) :**

2.2.1. In line with the provisions stipulated in the HR Plan , the Staff Recruitment Plan (SRP) shall be developed

2.2.2. A Staff Recruitment Plan shall be developed in such a way that its implementation is biased towards addressing equity, redress and promotion of representativity in all occupational categories of the employees at the workplace

2.2.3. This Plan shall unequivocally give advice and direction on advertising ; compilation of the master lists ; long listing; short-listing ; composition of panellists ; interviewing ; recommendations and final appointment of the most suitable applicant(s) / candidate(s) , with a view to promote gender balance and gradual introduction of young entrants into the employer's workforce

2.2.4. This Plan shall also contain provisions for balancing up qualifications with equity ; experience ; potential / capability and knowledge

## **2.3. Attraction ; Succession and Retention Plan :**

2.3.1. In line with the provisions stipulated in the HR Plan and Staff Recruitment Plan , an Attraction ; Succession and Retention Plan shall be developed

2.3.2. This Plan shall be developed with a view to encourage the internal upward mobility (promotion of staff from within the organization) as well as encouraging employees who possess critical and scarce skills to prioritize the Eastern Cape Department of Education as the Employer of their choice who shall provide them with a better living wage

2.3.3. Once developed , this Plan shall enhance employment opportunities of people from the designated groups , particularly at middle and senior management levels

2.3.4. For it to be able to promote staff to higher levels from within the organization ; attract and retain those who possess critical and scarce skills , this Plan shall have strategies that encourage in-service training and on-site coaching ; mentoring as well as career development opportunities to improve the performance of the employees.

## **2.4. Work environment and physical infrastructure :**

2.4.1. The Department shall improve the work conditions and physical infrastructure and make them more conducive to people with disability and those with mobility impairments that were caused either by injury ; accident or natural birth

2.4.2. Some of the measures that seek to reasonably accommodate people with disability and promote access to the workplace include , amongst others , but not limited to :

(i) Erection of access ramps in all government buildings

(ii) Provision of lifts

(iii) Provision of adapted government vehicles ; telephones ; computers etc.

(iv) Establishment of workplace forums for people with disability ; women and youth

(v) Provision of aids (both materialistic and human) to assist the blind ; dumb ; deaf ; amputated etc.

## **2.5. Skills Development and Training Plan :**

2.5.1. Informed by the results of the audit analysis of the designated groups of the Department , the Employer shall prepare a Skills Development and Training Plan to address the employment equity issues

2.5.2. This Plan shall seek to target specifically the areas which are barriers to the achievement of the 50 : 50 gender split and racial balance at all the middle and senior management positions of the entire workforce as well as 2% of the people with disabilities.

2.5.3. This Plan shall explicitly indicate the quarterly and annual targets of people from the designated groups who shall be trained and developed on specific fields that warrant capacity building

2.5.4. A specific budget shall be set aside with a view to drive the capacity building programmes that have been targeted by the Employer to address the employment equity issues

## **2.6. Diversity Management :**

2.6.1. The Department understands the reality that “diversity “ at the workplace generally refers to the recognition and management of the groups of people and individuals who share a broad range of common traits ; properties and characteristics



2.6.2. At any given time at the workplace , “diversity “ has a potential to unite those who share the same characteristics against those who do not , through intolerance and display of negative attitudes towards them

2.6.3. Dimensions of diversity may include , but not limited to , the following aspects :

- Age , gender , religious beliefs , race, ethnicity , physical qualities , geographic location , marital status , parental status , level of education , work background ,income , culture , traditional beliefs , norms , perceptions , preferences , language ,stereotypes ,nature of employment , seniority , knowledge , experience , nationality etc.

2.6.4. In order to avoid harassment ; prejudice and unfair discrimination of one by another , the Department shall organize diversity management programmes for its managers and employees , as a measure to promote employment equity and fair treatment of one by another at the workplace

2.6.5. Such awareness training programmes shall seek to value diversity ; motivate employees to recognize the worth and dignity of everyone at the workplace , thereby treating one another with respect

2.6.6. Diversity management awareness programmes shall be structured such that the Department is able to utilize all the employees to the maximum ; create improved working relations ; tap into a range of skills which the organisation never had before ; attract and retain the best talent

## **2.7. Employee Health and Wellness :**

2.7.1. The level of production in the organization and the health condition of the employees are two concepts that are inter-dependent of one another

2.7.2. The reality states that a healthy workforce contributes to a very high level of production in the organization

2.7.3. In the same vein , the information disclosed by the employees about their health status shall not be used to discriminate them or to prejudice them in any respect

2.7.4. All the officials of the Department , who might , by virtue of their functions and hierarchical positions , have access to any employee’s biographical data ; disability status ; HIV/ AIDS status or any other sensitive information , shall hold that information in strict confidentiality

2.7.5. The Department shall develop an EHW Plan that seeks to address the employment equity issues.

## **2.8. Advocacy / Publicity / Communication :**

2.8.1. Acts of Parliament ; Regulations ; Guidelines ; Policy Documents ; Circulars ; PSCBC Resolutions etc. shall be constantly communicated by the designated Employer to all the employees with a view to update them on the latest developments about the employment equity issues

2.8.2. Translation and simplification of documentation shall be done for the benefit of those who may not understand them

2.8.3. Women Forums ; Youth Forums and Forums for People With Disabilities shall be established at the workplace for easy communication of the information that affects them

2.8.4. Advocacy and Awareness Campaigns on employment equity issues shall be organized by the designated Employer , targeting particularly the audience that is still in the dark on the employment equity issues

2.8.5. The Department shall further take reasonable steps to communicate this EE Plan to all the employees and relevant stakeholders as soon as it is adopted and signed by the relevant authorities.

2.8.6. Methods of communication shall include circulars ; messages ; memoranda ; notice boards ; workshops ; braille ; audio recorded materials for the blind & deaf ; Departmental magazines ; flyers ; brochures etc.

## **2.9. Selection / Interviewing Panels :**

2.9.1. The Selection / Interviewing Panels shall be expected to implement the AA Measures at all levels , viz : Head Office ; Districts ; Circuits and Schools

2.9.2. The EE Manager shall provide them with the following information which must be considered during all the steps of the recruitment and selection processes , e.g. screening ; short-listing ; interviewing ; nomination and appointment of the suitably qualified candidate(s) / applicant(s) :

(i) Provide them with the lists of advertised posts (both teaching and non-teaching) that are earmarked for employment equity and affirmative action measures

(ii) Supply them with the employment equity gender and racial grid which reflects the under-representation of people from the designated groups in each occupational category / level / unit / institution where the vacant post(s) exist(s)

(iii) Advise them that the suitably qualified applicants / candidates , particularly women and people with disability , must receive the first preference , but these employees shall go through all the normal recruitment and selection procedures

(iv) Further advise them that any deliberate deviation from the procedures recommended by the EE Manager shall be accounted for or shall happen only with the prior approval of the Executing Authority / Head of Department , or his / her delegate

#### **2.10. Work Plans / Performance Contracts :**

2.10.1. The Department of Education , as a designate Employer , shall enforce compliance with the provisions of the EE Act by ensuring that employment equity is included as one of the KPA's in the Performance Contracts (PMDS / IQMS) of both the Middle and Senior Management staff

2.10.2. During the submission of the Quarterly Performance Reviews / Assessments , an attachment which serves as a Portfolio of Evidence , shall be made and shall reflect the extent to which each Line Function Manager / Section Head / Head of Institution has complied with the employment equity demands in his / her Section / Unit / Component / Institution

2.10.3. All the Portfolio of Evidence documents on employment equity shall be collated with a view to mirror the Provincial Departmental picture during each quarter of assessment

#### **2.11. Absence of Sexual Harassment :**

2.11.1. Sexual harassment equally affects both males and females at the workplace and is a topical issue in the South African labour market

2.11.2. It denies the potential candidates / applicants the opportunity to be considered for selection / appointment , especially when the sexual advancements / efforts by the initiator / perpetrator were thwarted

2.11.3. Sexual harassment often manifests itself in the denial of basic human rights ; dignity ; duties and opportunities that are due to the victims at the workplace

2.11.4. Reported cases of sexual harassment shall be dealt with through the implementation of the provisions outlined in the Sexual Harassment Policy

### **SECTION THREE**

#### **3. Role Players :**

This EE Plan outlines the roles / duties / responsibilities of the drivers of the employment equity processes , so that the workplace can remain conducive and inviting to all employees at all times . Full responsibility for ensuring that the affirmative action policies are implemented rests with the Executing Authority , who shall then answer to Parliament and the Provincial Legislature for his / her Department's performance on employment equity matters

#### **3.1. The Designated Employer / Head of Department / Accounting Officer :**

3.1.1. Shall establish the EE Plan Consultative Forum where all the employees and relevant stakeholders shall be represented

3.1.2. Shall facilitate the implementation of the AA Measures for people from the designated groups at the workplace

3.1.3. Shall have quarterly EE Plan Consultative Forum meetings with the employees and relative stakeholders to discuss progress made on the implementation of this EE Plan

3.1.4. Shall conduct an annual analysis of the workforce with a view to determine the under-representation of the designated groups in all occupational categories , after which a suitable remedial action shall be taken to address the identified inequalities

3.1.5. Shall facilitate the development of the EE Plan and later signs / approves it for implementation by all Line Function Managers / Section Heads / Heads of Institutions

3.1.6. Shall prepare ; sign and submit to the Department of Labour Director-General the Annual EE Plan Implementation Report

3.1.7. Shall appoint an EE Plan Senior Manager who shall report directly to the Head of Department on the implementation of this EE Plan

3.1.8. Shall avail the required financial and human resources for the successful implementation of this EE Plan

3.1.9. Shall oversee the overall implementation process of this EE Plan

3.1.10. Shall provide the managers with authority and means to perform their employment equity related functions

3.1.11. Shall take reasonable steps to ensure that the managers perform their employment equity functions properly

3.1.12. Shall identify practices or factors that positively promote employment equity and diversity at the workplace and by all means eliminate the factors that are barriers to equal treatment of the employees

3.1.13. Shall identify any barriers which adversely affect access to employment.

### **3.2. Employment Equity Senior Manager / Chief Director HRM & D :**

3.2.1. Shall report directly to the Head of Department on the implementation of this EE Plan

3.2.2. Shall ensure that an EE Plan is in place , is communicated to all employees and relevant stakeholders

3.2.3. Shall implement and effectively monitor all the employment equity measures outlined in this EE Plan

- 3.2.4. Shall evaluate progress made on the implementation of this EE Plan
- 3.2.5. Shall ensure that the EE Plan Implementation Reports are compiled ; signed by the HOD and later submitted to the Director-General , Department of Labour once per year (12 months)
- 3.2.6. Shall provide general strategic leadership on the EE matters
- 3.2.7. Shall ensure that the HR policies ; procedures and guidelines promote the EE matters in the Department
- 3.2.8. Shall ensure that the EE numerical goals and targets are met during each financial year
- 3.2.9. Shall facilitate the establishment of the EE Plan Consultative Forums at District ; Circuit and School levels
- 3.2.10. Shall facilitate the advocacy programmes on the EE Act and on this EE Plan at all levels
- 3.2.11. Shall make Line Function Managers / Section Heads / Heads of Institutions account on their failure to successfully implement the provisions of this EE Plan

**3.3. Director Human Resources Planning & Provisioning Services (HRP & PS) :**

- 3.3.1. Shall preside over the meetings of the EE Plan Consultative Forum
- 3.3.2. Shall provide general guidance and advice to the members of the EE Plan Consultative Forum
- 3.3.3. Shall monitor the process of the development of this EE Plan
- 3.3.4. Shall facilitate discussions in the meetings by providing the members of the Forum with the relevant ; reliable and valid statistics / information about the human resources of the Department
- 3.3.5. Shall co-ordinate all the activities of the EE Plan Consultative Forum
- 3.3.6. Shall submit the EE Plan Implementation Reports to the office of the EE Manager
- 3.3.7. Shall ensure that the EE Plan Implementation Reports are signed by the HOD and are later submitted to the Department of Labour
- 3.3.8. Shall monitor the implementation of this EE Plan programmes / recommendations by the Line Function Managers / Section Heads / Heads of Institutions
- 3.3.9. Shall ensure that the EE Plan numerical goals and targets are met at all levels
- 3.3.10. Shall prepare a gender and racial grid and make it available to all Line Function Managers / Section Heads / Heads of Institutions where vacant posts have been advertised

### **3.4. Director Human Resources Administration (HRA) :**

3.4.1. Shall review the recruitment and selection policies / procedures / guidelines in line with the provisions of the HR Plan and EE Plan

3.4.2. Shall ensure that the advertisements are in line with the EE targets and identified gaps in the Departmental workforce

3.4.3. Shall ascertain that the Selection / Interviewing Panels , at all levels , are aware of the EE targets of the Department

3.4.4. Shall ensure that the Selection / Interviewing Panels are aware of the vacant posts that have been earmarked to address the EE targets

### **3.5. Director Legal Shared Services :**

3.5.1. Shall assist in the interpretation of the EE Act and of this EE Plan

3.5.2. Shall monitor and evaluate the implementation of this EE Plan and advise the Department accordingly

### **3.6. Director Labour Relations :**

3.6.1. Shall adjudicate over all grievances and disputes arising from the improper implementation of this EE Plan

3.6.2. Shall further assist in the interpretation of this EE Plan

3.6.3. Shall impose sanctions on all the offenders who fail to correctly implement this EE Plan as guided by the relevant legislation

### **3.7. Director Human Resources Development (HRD) :**

3.7.1. Shall assist in the development of the training programmes which are meant to directly address the employment equity issues

3.7.2. Shall closely monitor the implementation and effectiveness of those training programmes

3.7.3. Shall advise the Department on any training requirements which may arise from time to time

3.7.4. Shall ensure that the Line Function Managers have developed their own mentoring and coaching programmes in their respective units / components / institutions

### **3.8. Line Function Managers / Supervisors / Section Heads / Heads of Institutions**



3.8.1. Shall ensure that the employees in their Units / Components / Institutions are exposed to the contents of this EE Plan

3.8.2. Shall implement all the Clauses of this EE Plan without fail

3.8.3. Shall display the copies of the Summary of the EE Act on the walls of their offices / institutions

**3.9. Employment Equity Plan Consultative Forum :**

3.9.1. Shall assist in the development of the EE Plan of the Department

3.9.2. Shall assist in the development of the EE Plan Implementation Progress Reports

3.9.3. Shall monitor and evaluate the progress made on the implementation of this EE Plan and advise the Department accordingly

3.9.4. Shall be exposed to all the vacant posts that are earmarked to address the EE targets , before such vacant posts are advertised

3.9.5. Shall ensure that the EE information is disseminated to all the employees of the Department

3.9.6. Shall recommend any necessary adjustments / amendments to this EE Plan , with a view to accelerate the pace at which the employment equity matters are attended to

3.9.7. Shall identify all actions of non-compliance with the provisions of this EE Plan and raise them with the relevant authorities for the implementation of the consequent management measures

3.9.8. Shall be expected to attend all the consultation forum quarterly meetings

3.9.9. Shall have a right to communicate directly with the Executing Authority / Head of Department or his /her delegate on any matter that is related to employment equity

3.9.10. Shall be expected to perform any duty / task imposed on them by the relevant authorities regarding the employment equity issues raised in this EE Plan

**3.10. Employees :**

3.10.1. Shall willingly take part in the development ; implementation and consultation processes on employment equity matters undertaken by the Employer

3.10.2. Shall reflect the interests of all occupational categories and levels of the Employer's workforce ; employees designated groups and employees who are not from the designated groups

3.10.3. Shall not be threatened or prevented from exercising their lawful rights

**3.11. Public Service Commission / Department of Labour / Parliamentary Portfolio Committee on the Public Service and Administration :**

3.11.1. Have the authority to take action against defaulting National and Provincial Departments and Administrations

3.11.2. May institute regular hearings to scrutinise the performance of each Department in implementing affirmative action policies

3.11.3. May hold the Department of Public Service and Administration (DPSA) accountable for any failure to implement affirmative action measures by any National / Provincial Department or Administration

**SECTION FOUR :**

**4. Reasonable steps to accelerate Affirmative Action Measures :**

The Eastern Cape Department of Education , as a Designated and AA Employer , shall always take cognizance of the objectives espoused in the EEA by urgently implementing the following measures which must make the objectives stated in this EE Plan realised:

**4.1. Recruitment and Selection :**

4.1.1. No applicant / candidate shall be subjected to any form of discrimination , either directly or indirectly , on the basis of race , gender , pregnancy , marital status , family responsibility , ethnic / social origin , colour , sexual orientation , age , disability , religion , HIV status , conscience , belief , political affiliation / opinion , culture , language and birth

4.1.2. Harassment of a candidate / applicant shall be treated as a form of unfair discrimination and shall be prohibited by all means

4.1.3. Medical testing of a candidate / applicant shall be prohibited , unless :

(i) Legislation permits it or requires the testing

(ii) It is justifiably the inherent requirement of the job / post being applied for

4.1.4. Testing of a candidate / applicant to determine his / her HIV / AIDS status shall be prohibited , unless such testing can be justified by the Labour Court

4.1.5. Psychometric testing and other similar assessments of a candidate / applicant shall be prohibited , unless the test or assessment being used :

(i) Has been scientifically shown to be valid and reliable

(ii) Can be applied fairly to all candidates / applicants

(iii) Is not biased against or towards any candidate / applicant

(iv) Is one of the inherent requirements of the job / post being applied for

4.1.6. It shall not be unfair discrimination to :

(i) Prefer a particular candidate / applicant in a post / job which has been earmarked for addressing the employment equity issues

(ii) Distinguish , exclude or prefer a / an candidate / applicant in a post , on the basis of an inherent requirement of a post / job

4.1.7. In order to achieve the 50 : 50 gender split in all middle and senior managerial posts / jobs , the Employer shall identify a certain number of vacant teaching and non-teaching posts / jobs which shall be earmarked for addressing the employment equity and affirmative action measures

4.1.8. The Selection / Interviewing Panels shall be provided with the information surrounding the earmarked posts / jobs and shall be expected to use that information during all the recruitment and selection processes , e.g. screening ; short-listing ; interviewing ; nomination and appointment of the suitably qualified candidates / applicants

4.1.9. Any applicant / candidate shall be suitably qualified for a job / post as a result of any one of , or any combination of that applicant's / candidate's :

(i) Appropriate formal qualifications

(ii) Prior learning / skills / competencies / knowledge / information

(iii) Relevant experience

(iv) Capacity to acquire , within a reasonable time , the ability to do the job

4.1.10. In the event that the Selection / Interviewing Panel deviates and recommends differently in a post / job that was earmarked to address employment equity , then the Executing Authority / Head of Department , his/her delegate shall follow any one of the following procedures , as contemplated in Section Three ( 3.1.10 – 3.1.13 ) and ( 3.2.11 ) ; ( 3.3.9 – 3.3.10 ) and ( 3.4.1 – 3.4.4 ) of this EE Plan

(i) Disapprove the Selection / Interviewing Panel's recommended choice of a candidate / applicant and provide the reasons in writing for that disapproval

(ii) Make his/ her final choice of a candidate / applicant which is different from what was recommended by the Selection / Interviewing Panel and that final choice shall be in line with the employment equity status of the unit / institution where the vacant post / job being applied for , was advertised . He/ She shall provide the reasons for his/her final choice of that particular candidate / applicant

(iii) Return back to the Selection / Interviewing Panel the disapproved recommended choice of a candidate / applicant for their re-consideration and advise them in writing that they must recommend in line with gender grid of the unit / institution which was supplied to them earlier

(iv) Make the Selection / Interviewing Panel account in writing for their unlawful deviation from the EE procedures which were supplied to them earlier

(v) Once the deviation syndrome is found to be recurring and/or is a common feature in all recommendations made by the various Selection / Interviewing Panels , the Executing Authority / Head of department , his/her delegate shall immediately issue a notice suspending the entire interviewing process for a specific period of time , with a view to attend to that emerging unlawful deviation syndrome

#### **4.2. Training and Development :**

4.2.1 Targeted training and development shall be provided to people from the designated groups , particularly women and people with disabilities

4.2.2. Focused training shall be on professional development ; leadership /management skills and other relevant areas which shall make the targeted groups competent and marketable and ready to occupy any managerial position in the Department

#### **4.3. Coaching and Mentoring :**

4.3.1. Programme Managers ; Line Function Managers ; Supervisors; Section Heads; Heads of Institutions and skilled personnel shall be expected to develop coaching and mentoring programmes that are meant to assist the employees to acquire the necessary competencies that shall make them perform their functions with ease

4.3.2. Such targeted programmes shall provide the in-service and on- the- job training over a specific period of time

4.3.3. A monitoring tool shall be developed to check on the progress made and quarterly reports shall confirm the validity and reliability of such programmes

#### **4.4. Preferential treatment :**

4.4.1. The Department shall ensure that in all cases where the people from the designated groups have potential , they are the first to be considered until the set targets are met

4.4.2. In the event that :

(i) The people from the various categories of designated groups compete for a job ; learnership; internship ; bursary or training , preference shall be given to the candidate/ applicant from the most under-represented category

(ii) The people from the designated groups compete and there is equal representation from both of their categories , then the Department shall consider the best candidate

(iii) The people from the designated groups compete for a job/post and the Selection / Interviewing Panel cannot agree on their first choice candidate / applicant because the competing candidates / applicants are equal in all respects , they shall be expected to further discuss the matter until they reach a consensus , and if that fails , then they shall be allowed to vote . If voting results in a tie , then the chairperson shall give a casting vote

#### **4.5. Communication / Consultation / Reporting :**

4.5.1. The successful implementation of this EE Plan shall depend largely on the extent to which it is communicated to the stakeholders ; implementers and employees

4.5.2. With a view to reach out to as many people as possible , the Department shall utilize a number of communication strategies and mechanisms , some of which shall include , but not limited to the following :

(i) The EE Plan Consultative Forum members shall , after every meeting , inform or report back to their constituencies on the progress made regarding the implementation of this EE Plan

(ii) Quarterly and Annual Implementation Reports shall be posted on the Departmental websites

(iii) The EE Plan Implementation Reports shall also be published in Departmental magazines ; circulars ; flyers ; pamphlets ; notice boards ; workshops ; brochures ; braille and audio recorded material for blind people etc.

(iv) Copies of this EE Plan shall be provided to all Departmental offices / institutions and those of the relevant stakeholders

(v) Presentations shall be made to various forums , e.g. Senior Management meetings ; Employee Workplace Forums ; PELRC / Labour Bargaining Chambers ; one-on-one basis etc.

(vi) Districts / Directorates / Chief Directorates etc. shall where possible , replicate the Provincial EE Plan Consultative Forum by establishing their own EE Plan Consultative Forums for purposes of advocacy and dissemination of information

(vii) Organization of awareness programmes on employment equity issues at all levels

(viii) Consultations shall also be extended to all employees from across all occupational categories and levels of the Employer's workforce ; employees from the designated groups as well as employees from non-designated groups

(ix) Integration of this EE Plan implementation into the other programmes of the Department

(x) The Department shall submit a Report to the Director –General , Department of Labour on the progress made regarding the implementation of this EE Plan in November / December of every year and shall further be expected to submit quarterly progress reports to the Office of The Premier

(xi) The method of reporting shall remain the same for the period of this EE Plan and shall be consistent from year to year and from reporting period to reporting period

(xii) If there are employees at the workplace who are unable to read and understand the contents of this EE Plan , the Employer / their representatives shall inform those employees verbally about the contents of any documentation related to the employment equity issues

#### **4.6. Matters for consultation :**

The Department , as a Designated Employer , shall consult the relevant stakeholders / employees on the following issues :

4.6.1. Analysis of the profile of the entire workforce within each occupational category and level in order to determine the degree of under – representation of people from designated groups

4.6.2. Analysis of the recruitment and employment policies ; practices ; procedures and the working environment , with a view to identify employment barriers which adversely affect employment equity issues

4.6.3. The preparation and implementation of this EE Plan which is aimed at achieving reasonable progress towards employment equity at the workplace

4.6.4. The disclosure of all relevant information that shall allow the employees / representatives to take informed decisions during the discussions, e.g. the employee profile over a period of 12 months which include the following aspects:

- the total number of employees
- the number of employees per gender, race and disability
- the total number of employees at the different occupational or salary levels
- the salary grade / notch within each occupational or salary level
- the total number of temporary or permanent employees per each occupational or salary level



- the total number of vacant posts ( both newly created and residuals) that were advertised per each occupational or salary level
- the total number of appointments, promotions, transfers, terminations with reasons thereof, probations etc. per each occupational or salary level
- the total number of employees receiving fringe benefits and the type of fringe benefits, e.g. name of medical aid, home loan, housing subsidy / allowance, incentives, pension etc.
- the total number of employees receiving monetary allowances and awards and the type of allowance or award, e.g. danger allowance, performance related pay such as merit awards, second and third notch improvements
- the total number and type of training and development programmes provided in order to address the employment equity issues
- the total number of employees occupational or salary level who participated in the training and development programmes provided to address the employment equity issues
- the total number of employees per occupational or salary level recruited from outside the Public Service / Eastern Cape Province
- the total number of induction and orientation programmes per occupational or salary level
- the total number of child care arrangements for the employees
- the total number of office accommodation, equipment and facilities for people with disability
- the total number of on – the - job training , mentoring and coaching schemes
- the total number of support services for employees with domestic responsibilities
- the total number of health and safety services provided to the employees

#### **4.7. Record – keeping :**

4.7.1. The Employer shall keep all the documents , e.g. information reports , minutes , attendance registers , manuals , annexures etc. that are relevant to employment equity for a period that is equivalent to the duration of this EE Plan , for reference purposes

4.7.2. Such records shall be accessed by all the relevant stakeholders / employees whenever the need for doing so arises

4.7.3. Inspection of documentation by the Department of Labour or any officially recognized body shall be done at their own requests

4.7.4. Proper and safe keeping of records shall assist in the effective monitoring and evaluation of this EE Plan

4.7.5. A revised or subsequent EE Plan shall be prepared at least SIX months before the expiry of the current EE Plan

**4.8. Time-off :**

4.8.1. Members of the EE Plan Consultative Forum shall be given an adequate time-off from their normal day-to-day duties , so that they can specifically focus on the employment equity issues at a particular time

4.8.2. A formal notice inviting them to the employment equity session(s) shall be sent to individual members and/or their supervisors / managers / section heads / heads of the institutions / trade union offices etc. informing them about such session(s)

4.8.3. The contents of that formal notice shall give light on all the issues that are relevant to the employment equity session in question

**4.9. Budget and resources :**

4.9.1. The Department shall be responsible for budgeting for the implementation ; monitoring and evaluation of all the employment equity programmes proposed in this EE Plan

4.9.2. The employment equity programmes proposed in this EE Plan shall have separate budgets reserved solely for employment equity purposes

4.9.3. The Department recognises that investing wisely in affirmative action programmes shall result in greater job satisfaction and a more competent workforce , which shall improve the efficiency of the service delivery level

**4.10. Enforcement ; Compliance and Grievance Procedure :**

4.10.1. Any employee / employees / organized labour who has an employment equity or affirmative action related complaint or grievance arising from the incorrect implementation or failure to comply with any provisions of this EE Plan and the EE Act , shall lodge a formal complaint in writing and direct it to the EE Manager

4.10.2. That formal complaint shall have details like :

(i) The nature of the complaint

(ii) Date on which the incident occurred

(iii) Venue / institution / unit where the incident occurred

(iv) Name(s) of the accused party / parties

(v) Name(s) of the complainant / complainants and their contact details

(vi) Signature(s) of the complainant(s)

4.10.3. In the event that there is no response / unsatisfactory response from the EE Manager on the matter in question within SEVEN (7) working days , then the complainant(s)

shall refer the matter to the Director Labour Relations for adjudication

4.10.4. Further complaints can be directed to :

(i) EE Manager

(ii) Head of Department

(iii) Trade Union Representative

(iv) Workplace Forum / EE Plan Consultative Forum

## **SECTION FIVE :**

### **5. Workforce :**

#### **A. Prelude :**

5.1. The Eastern Cape Department of Education employs two categories of permanent employees under two different Acts and the total number of these employees is **61 075** , as per **Table No. 05**

5.2. The first category of these permanently appointed employees are educators (both school- based and office – based at management levels) whose total number is **13 393 (per Tables 1 & 2)** and are employed under the Employment of Educators Act (**Act No. 76 of 1998**)

5.3. The second category of these permanently appointed employees are public servants (at management levels) whose total number is **320 (per Table 03)** and are employed under the Public Service Act (**Act No. 38 of 1994** )

5.4. Both of these two categories of employees are equally affected by the 50 : 50 gender split of employment equity at all managerial positions , which is a demand and standard set up by the Department of Public Service and Administration (DPSA) , with a view to :

- redress all the gender imbalances of the past at all managerial levels
- increase the representation of people with disabilities at the same managerial levels

5.5. Managerial positions in the case of educators range between salary levels 8 – 12 ( i.e. Head of Division , Deputy Principal , Principal , Senior Education Specialist , Deputy Chief Education Specialist and Chief Education Specialist)

5.6. With regard to the public servants , the management positions range between salary levels 9 – 16 (i.e. Assistant Director , Deputy Director , Director , Chief Director , Deputy Director General and Head of Department

**B. Analysis :**

**1. Permanently employed School-based educators according to rank and gender as at 31 January 2018**

<b>Rank</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Heads of Division	1758	3990	<b>5748</b>
Deputy Principals	813	649	<b>1462</b>
Principals	2950	1901	<b>4851</b>
<b>TOTAL</b>	<b>5521</b>	<b>6540</b>	<b>12061</b>

**2. Permanently employed Office-based educators according to rank and gender as at 31 January 2018**

<b>Rank</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Senior Education Specialists	247	476	<b>723</b>
Deputy Chief Education Specialist	293	233	<b>526</b>
Chief Education Specialist	54	29	<b>83</b>
<b>TOTAL</b>	<b>594</b>	<b>738</b>	<b>1332</b>

**3. Permanently employed Public Servants according to rank and gender as at 31 January 2018**

<b>Rank</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Assistant Directors	79	82	<b>161</b>
Deputy Directors	50	56	<b>106</b>
Directors	30	10	<b>40</b>
Chief Directors	5	5	<b>10</b>
Deputy Director Generals	1	1	<b>2</b>

<b>Rank</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Head of Department	1	0	1
<b>TOTAL</b>	<b>166</b>	<b>154</b>	<b>320</b>

**4. Permanently employed People with disabilities according to rank and gender as at 31 January 2018**

<b>Rank</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Heads of Division	11	10	21
Deputy Principals	2	1	3
Principals	8	4	12
Senior Education Specialists	3	3	6
Deputy Chief Education Specialist	3	4	7
Chief Education Specialist	1	1	2
Assistant Directors	1	2	3
Deputy Directors	1	1	2
Directors	1	0	1
Chief Directors	0	0	0
Deputy Director Generals	0	0	0
Head of Department	0	0	0
<b>TOTAL</b>	<b>31</b>	<b>26</b>	<b>57</b>

**5. All permanent employees according to age and gender as at 31 January 2018**

<b>Age Groups</b>	<b>Males</b>	<b>Females</b>	<b>Grand Total</b>
Age 20 – 29 years	1119	1906	3025
Age 30 – 39 years	2874	5690	8564
Age 40 – 49 years	6854	17532	24386
Age 50 – 59 years	6253	16300	22553
Age 60 – 64 years	783	1732	2515
Age 65 and above	11	21	32
<b>TOTAL</b>	<b>17894</b>	<b>43181</b>	<b>61075</b>

**C. Findings :**



5.12.1. The situational workforce analysis of the Department was conducted through PERSAL and was found that :

(i) The Department's general standing in respect of the implementation of the EEA is summarily below average , as reflected by **Tables 01 – 05** respectively of this EE Plan

(ii) The glaring workforce imbalance detected as of now is in the areas of recruitment ; selection and appointment

(iii) The total workforce at managerial positions (salary levels 8 – 16) is dominated by male employees

(iv) The total number of women at management positions seriously decreases as the hierarchical management ladder of the Departmental workforce goes up . The picture that is painted by this statement is quite evident when one goes inside the individual components / units , where women are grossly under – represented at managerial positions

(v) The total number of people with disabilities at management positions is very small (**is only 57 as per Table 04**) when one compares it with the total number of the employees of the Department and they are characterized by their absence in certain higher occupational levels of the workforce

(vi) Young employees who are below 40 years of age are only **11 589** in number whilst the number of the employees who are from 50 years of age and above is **25 100** . Unfortunately , this large group of elderly employees qualify to exit the system during the next FIVE (5) years from now (i.e. as from the year 2018), through the natural attrition systems . This situation casts a huge dark cloud over the future of the Department , with regard to quality service delivery level which may be affected by the departure of these elderly employees. Young employees must be given much attention with regard to their increase in number as they shall remain the pillars of the Department in a space of almost FIVE (5) years from the year 2018 after the majority of the elderly employees have exited the system through the natural attrition processes

5.12.2. Regarding the availability of the key infrastructure and working tools to assist the proper implementation of employment equity issues, the situation was found to be below the average in many aspects and was characterised by the absence or minimal presence of the key equipment / documentation , some of which are mentioned below:

( i) Budget to drive the EE programmes

(ii) Publication of the EE matters

(iii) Establishment of work place forums at all levels



(iv) Key documents like EE Act , EE Plan, EE Policies and Procedures

(v) Access ramps and lifts

(vi) Adapted government vehicles, telephones, computers etc.

(vii) Aids ( both materialistic and human) to assist the blind, dumb, deaf, amputated etc.

(viii) Training programmes which directly address the employment equity issues etc.

#### **D. Remedial Action :**

5.13. In order to address the gross imbalances in advertising, recruitment ; selection, promotions and appointment practices , the corrective measures indicated below are recommended to assist the Department to implement the provisions of the EEA as expected and as expressed in this EE Plan :

(i) Both the newly created posts and residual vacancies at managerial levels shall be equally affected by this Remedial Action

(ii) All managerial positions (both school-based & and office-based / non- educator) shall also be addressed through this Remedial Action proposal

(iii) Managerial positions shall be distributed amongst the racial groups in line with the Population Demographics of the Eastern Cape Province as guided by the 2016 STATS SA data which is reflected below :

- Black Africans : 86.4%
- Coloureds : 8.6%
- Indians /Asians : 0.4%
- Whites : 4.6%

(iv) An *ad hoc* EE Plan Committee shall sit and work on the distribution formula of the said managerial positions before any advertisement goes out

(v) Upon the finalisation of the distribution process , correspondence signed by the EE Manager shall be sent out to all the EE Plan Consultative Forum members ; relevant District offices ; Directorates ; Trade Union offices and affected institutions / components / units , informing them about the posts that have been earmarked to address the employment equity imbalances (i.e. women & people with disabilities) at the workplace . This action shall be in line with what is contemplated in sections 3.1.10 – 3.1.13 ; 3.2.11 ; 3.3.9. – 3.3.10 ; 3.4.1. – 3.4.4. of this EE Plan

(vi) The issue of the youth recruitment at entry / junior level posts shall form part of this process

(vii) The composition of the *ad hoc* EE Plan Committee shall consist of 16 officials whose representation shall be as follows :

- 3 officials from HRP Unit
- 3 officials from the Recruitment Unit (HRA)
- 1 official from each registered Trade Union / SGB Association

5.14. The following proposals shall be implemented over a period of Four (4) years:

**YEAR ONE: 01. 10. 2017 – 30.09.2018:**

#### **A. PERSONNEL**

5.14.1. 80% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced women, but this arrangement does not exclude them from being considered for appointment in the remaining 18% of those posts. The implementers shall take cognisance of the issue of racial balance in all occupational categories where these posts exist

5.14.2. 2% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced people with disabilities, irrespective of the nature of disability, gender and racial group, particularly people with disability at the 40- 55 years age group, , but this arrangement does not exclude them from being considered for appointment outside the parameters of the earmarked posts / positions

5.14.3. 80% per batch of the advertised entry level posts / positions ( both newly created and residual vacancies) shall be earmarked for the young entrants / applicants / candidates who seek employment for the first time, irrespective of gender, disability or racial groups. The affected age groups shall be below 30 years and 31- 45 years. The remaining 20 % of these posts / positions can be occupied by any applicants / candidates who do not fall under the above - mentioned categories.

#### **B. INFRASTRUCTURE / WORKING CONDITIONS OR TOOLS**

The following equipment / working conditions / tools shall be attended to :

5.14.4. Employment Equity Act ( Act No. 55 of 1998)

5.14.5. EE Plan

5.14.6. Advocacy / Publicity / Communication Campaigns

5.14.7. Crash course / Training for Selection / Interviewing Panel

5.14.8. Formation of District / Chief Directorates EE Plan Consultative Forums

5.14.9. Allocation of budget to EE Programmes

5.14.10. Drafting of the Sample Form of the EE Complaint

**YEAR TWO : 01. 10. 2018 – 30.09.2019:**

#### **A. PERSONNEL**

5.15.1. 70% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced women, but this arrangement does not exclude them from being considered for appointment in the remaining 29% of those posts. The implementers shall take cognisance of the issue of racial balance in all occupational categories where these posts exist, particularly women at the 40- 55 years age group

5.15.2. 1% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced people with disabilities, irrespective of the nature of disability, gender and racial group, particularly people with disability at the 40- 55 years age group, , but this arrangement does not exclude them from being considered for appointment outside the parameters of the earmarked posts / positions

5.15.3. 90% per batch of the advertised entry level posts / positions ( both newly created and residual vacancies) shall be earmarked for the young entrants / applicants / candidates who seek employment for the first time, irrespective of gender, disability or racial groups. The affected age groups shall be below 30 years and 31- 45 years. The remaining 10 % of these posts / positions can be occupied by any applicants / candidates who do not fall under the above - mentioned category.

#### **B. INFRASTRUCTURE / WORKING CONDITIONS OR TOOLS**

The following equipment / working conditions / tools shall be attended to :

5.15.4. Staff Recruitment Plan

5.15.5. Attraction , Succession and Retention Plan

5.15.6. Human Resource Plan

5.15.7. Provision of aids ( both materialistic and human ) to assist the blind, dumb, deaf, amputated etc.

5.15.8. Skills Development and Training Plan to address the EE issues

5.15.9. Employee Health and Wellness Plan to address the EE issues

5.15.10. Coaching and Mentoring Programmes at all levels

5.15.11. Establishment of work place forums for people with disabilities, women and youth

**YEAR THREE : 01. 10. 2019 – 30.09.2020:**

**A. PERSONNEL**

5.16.1. 60% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced women, but this arrangement does not exclude them from being considered for appointment in the remaining 39% of those posts. The implementers shall take cognisance of the issue of racial balance in all occupational categories where these posts exist, particularly women at the 40- 55 years age group

5.16.2. 1% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced people with disabilities, irrespective of the nature of disability, gender and racial group, particularly people with disability at the 40- 55 years age group, , but this arrangement does not exclude them from being considered for appointment outside the parameters of the earmarked posts / positions

5.16.3. 90% per batch of the advertised entry level posts / positions ( both newly created and residual vacancies) shall be earmarked for the young entrants / applicants / candidates who seek employment for the first time, irrespective of gender, disability or racial groups. The affected age groups shall be below 30 years and 31- 45 years. The remaining 10 % of these posts / positions can be occupied by any applicants / candidates who do not fall under the already mentioned category

**B. INFRASTRUCTURE / WORKING CONDITIONS OR TOOLS**

The following equipment / working conditions / tools shall be attended to :

5.16.4. Erection of access ramps in all government buildings

5.16.5. Provision of lifts in all government buildings

5.16.6. Incorporation of EE into the work Plans / Performance Contracts of all Line Function Senior Managers as Key Performance Area (KPA)

5.16.7. Publication of EE Plan matters in magazines, circulars, flyers, pamphlets, notice boards, workshops, brochures, braille and audio recorded material for blind people

**YEAR FOUR : 01. 10. 2020 – 30.09.2021:**

**A. PERSONNEL**

5.17.1. 50% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced women, but this arrangement does not exclude them from being considered for appointment in the remaining 49% of those posts. The implementers shall take cognisance of the issue of racial balance in all occupational categories where these posts exist, particularly women at the 40- 55 years age group

5.17.2. 1% per batch of the advertised managerial posts / positions shall be earmarked for the appointment of suitably qualified and experienced people with disabilities, irrespective of the nature of disability, gender and racial group, particularly people with disability at the 40- 55 years age group, , but this arrangement does not exclude them from being considered for appointment outside the parameters of the earmarked posts / positions

5.17.3. 90% per batch of the advertised entry level posts / positions ( both newly created and residual vacancies) shall be earmarked for the young entrants / applicants / candidates who seek employment for the first time, irrespective of gender, disability or racial groups. The affected age groups shall be below 30 years and 31- 45 years. The remaining 10 % of these posts / positions can be occupied by any applicants / candidates who do not fall under the already mentioned category

**B. INFRASTRUCTURE / WORKING CONDITIONS OR TOOLS**

The following equipment / working conditions / tools shall be attended to :

5.17.4. Provision of adapted government vehicles, telephones, computers etc.

5.17.5. Sexual Harassment Policy

## SECTION SIX :

### 6. ACTION PLAN

This Action Plan has been developed on the basis of the audit analysis and findings which were conducted on the performance of the Department regarding the implementation of the EE Affirmative Action Measures at the workplace. The working environment of the Department was found to be full of challenges, weaknesses and barriers which prevented the Employer from implementing the provisions of the EEA, as expected. This Action Plan, therefore, consists of strategies; actions and proposals that shall be applied to address the identified employment equity flaws.

**TABLE 06 :**

**YEAR ONE :**

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Women	Lack of consideration for women in appointments in managerial positions	Earmarking of 80% per batch of advertised managerial posts for the appointment of women	To facilitate the attainment of the 80% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced women	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2017 – 30.09.2018
People with disabilities	Lack of consideration for people with disabilities in appointments in managerial positions	Earmarking of 2% per batch of advertised managerial posts for the appointment of people with disabilities	To facilitate the attainment of the 2% target per batch of advertised managerial posts for the appointment of	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum	01. 10. 2017 – 30.09.2018



Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Youth	Lack of consideration for youth in the advertised entry level posts / positions ( both newly created and residual vacancies)	Earmarking of 80% per batch of advertised entry level posts / positions ( both newly created and residual vacancies) for youth	suitably qualified and experienced people with disabilities To facilitate the attainment of the 80% target per batch of advertised entry level posts / positions ( both newly created and residual vacancies) for the youth below 30 to 45 years	Union Representatives Employees EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2017 – 30.09.2018
EE Act ( No. 55 of 1998 )	Not all the employees are aware of the EE Act	Provision of EE Act copies to all the employees	To help employees read and understand all EE issues raised in the Act	Director HRP& PS	01. 10. 2017 – 30.09.2018
EE Plan	Expired EE Plan of the Department	Development of the new EE Plan of the Department	To accelerate the implementation of the EE issues at the workplace	Director HRP& PS EE Plan Consultative Forum	01. 10. 2017 – 30.09.2018
Advocacy	EE issues do not receive adequate publicity at the workplace	Organisation of the EE publicity/ communication programmes at all levels	To develop EE awareness campaigns with a view to reach out to all employees	Director HRP& PS EE Plan Consultative Forums Workplace EE Forums Employees	01. 10. 2017 – 30.09.2018

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Selection / Interviewing Panels	Disregard or ignorance of the EE demands on appointments	Organisation of training or crash courses on EE appointments	To equip the Selection / Interviewing Panel on meeting the demands of EE appointments	EE Manager Director HRP& PS EE Plan Consultative Forums Workplace EE Forums	01. 10. 2017 – 30.09.2018
Coaching and Mentoring	Absence of coaching and mentoring programmes at District/ Directorate/ Institution/ Unit Levels	Development of coaching and mentoring programmes at all levels	To equip the employees to be ready for the internal upward mobility in the management hierarchy of the organisation	Director HRP& PS Director HRD Line Function Managers Section Heads Supervisors Heads of Institutions	01. 10. 2017 – 30.09.2018
EE Budget	Absence of an EE Budget to drive the AA Measures	Allocation of an EE Budget to drive the AA Measures	To achieve the EE Measures identified in this EE Plan	Director HRD Line Function Managers Supervisors Heads of Institutions Section Heads	01. 10. 2017 – 30.09.2018
EE Complaint Form	Absence of the EE Complaint Form	Development of the EE Complaint Form	To facilitate the complaints and solutions related to the lack of implementation of EE AA Measures	Director HRP& PS	01. 10. 2017 – 30.09.2018



TABLE 07 :

YEAR TWO :

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Women	Lack of consideration for women appointments in managerial positions	Earmarking of 70% target per batch of advertised managerial posts for the appointment of women	To facilitate the attainment of the 70% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced women	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2018 – 30.09.2019
People with disabilities	Lack of consideration for people with disabilities appointments in managerial positions	Earmarking of 1% per batch of advertised managerial posts for the appointment of people with disabilities	To facilitate the attainment of the 1% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced people with disabilities	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2018 – 30.09.2019
Youth	Lack of consideration for youth in the advertised entry level	Earmarking of 90% per batch of advertised entry level	To facilitate the attainment of the 90% target per batch	EE Manager Director HRP&PS Director HRA	01. 10. 2018 – 30.09.2019

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
	posts / positions ( both newly created and residual vacancies)	posts / positions ( both newly created and residual vacancies) for youth	of advertised entry level posts / positions ( both newly created and residual vacancies) for the youth below 30 to 45 years	Line Managers EE Plan Consultative Forum Union Representatives Employees	
Staff Recruitment Plan	Unavailability of a clearly defined Staff Recruitment Plan	Development of an operational Staff Recruitment Plan	To assist in the acquisition of suitably qualified candidates/ applicants	Director HRP&PS Director HRA EE Plan Consultative Forum	01. 10. 2018 – 30.09.2019
Attraction, Succession and Retention Plan	Unavailability of a clearly defined Attraction, Succession and Retention Plan	Development of an operational Attraction, Succession and Retention Plan	To assist in the acquisition of suitably qualified candidates/ applicants with scarce skills.	Director HRP&PS Director HRA EE Plan Consultative Forum	01. 10. 2018 – 30.09.2019
HR Plan	The current HR Plan is due to expire on 31 March 2019 and has never been fully operationalized from the onset	Development of an operational HR Plan	To assist in the training and acquisition of suitably qualified candidates/ applicants in relevant positions	Director HRP&PS HR Plan Committee	01. 10. 2018 – 30.09.2019

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Aids	Lack of materialistic and human resources to assist people with disabilities	Provision of materialistic and human resources to assist people with disabilities	To improve the performance of the blind, dumb, deaf amputated etc. by providing them with both materialistic and human resources	Director HRP&PS Director HRA Director HRD	01. 10. 2018 – 30.09.2019
Skills Development and Training	Absence of Skills Development and Training Plan to address EE issues	Development of an operational Skills Development and Training Plan to address EE issues	To capacitate women, people with disabilities and make them ready to occupy managerial positions in the administration of the Department	Director HRD EE Plan Consultative Forum	01. 10. 2018 – 30.09.2019
Employee Health and Wellness Plan	Unavailability of the Employee Health and Wellness Plan to address EE issues	Development of an Employee Health and Wellness Plan to address EE issues	To promote a good health condition of the designated employees	Director HRP&PS Director EHW Director HRD EE Plan Consultative Forum	01. 10. 2018 – 30.09.2019
Districts/ Directorates/Chief Directorates, EE Plan Consultative Forum	Absence of EE Plan Consultative Forums at lower levels	Formation of EE Plan Consultative Forums at lower levels	To cascade the EE information to the lower levels	EE Manager Director HRP&PS EE Plan Consultative Forum	01. 10. 2018 – 30.09.2019



TABLE 08 :

YEAR THREE :

Area of focus	Identified Challenge / Barrier	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Women	Lack of consideration for women appointments in managerial positions	Earmarking of 60% per batch of advertised managerial posts for the appointment of women	To facilitate the attainment of the 60% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced women	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2019 – 30.09.2020
People with disabilities	Lack of consideration for people with disabilities appointments in managerial positions	Earmarking of 1% per batch of advertised managerial posts for the appointment of people with disabilities	To facilitate the attainment of the 1% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced people with disabilities	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2019 – 30.09.2020
Youth	Lack of consideration for youth in the advertised entry level posts / positions ( both newly created and residual vacancies)	Earmarking of 90% per batch of advertised entry level posts / positions ( both newly created	To facilitate the attainment of the 90% target per batch of advertised entry level posts/positions ( both newly created	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum	01. 10. 2019 – 30.09.2020



Area of focus	Identified Challenge / Barrier	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
		and residual vacancies) for youth	and residual vacancies) for the youth below 30 to 45 years	Union Representatives Employees	
Access ramps	Lack of access ramps in other government buildings	Erection of access ramps in all government buildings	To give people with disabilities easy access to all government buildings	Director Infrastructure	01. 10. 2019 – 30.09.2020
Lifts	Unavailability of lifts in other government buildings	Provision of lifts in the government buildings	To give people with disabilities an easy access to all government buildings	Director Infrastructure	01. 10. 2019 – 30.09.2020
Work Plans / Performance Contracts	Exclusion of EE issues in Work Plans / Performance Contracts	Inclusion of EE issues into the Work Plans / Performance Contracts of all Line Function Managers / Supervisors as their KPA	To enforce the implementation of the EE issues by the Line Managers / Supervisors	EE Manager	01. 10. 2019 – 30.09.2020
Publication of EE matters	Little or no publication of EE matters in the Department	Publication of EE matters in magazines, pamphlets, notice boards, workshops, brochures braille and recorded material for blind people	To inform the public about the implementation level of the EE matters in the Department	EE Manager Director Communications	01. 10. 2019 – 30.09.2020

TABLE 09 :

YEAR FOUR :

Area of focus	Identified Challenge	Barrier /	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
Women	Lack of consideration for women appointments in managerial positions		Earmarking of 50% per batch of advertised managerial posts for the appointment of women	To facilitate the attainment of the 50% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced women	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2020 – 30.09.2021
People with disabilities	Lack of consideration for people with disabilities appointments in managerial positions		Earmarking of 1% per batch of advertised managerial posts for the appointment of people with disabilities	To facilitate the attainment of the 1% target per batch of advertised managerial posts for the appointment of suitably qualified and experienced people with disabilities	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum Union Representatives Employees	01. 10. 2020 – 30.09.2021
Youth	Lack of consideration for youth in the advertised entry level posts / positions ( both newly		Earmarking of 90% per batch of advertised entry level posts / positions ( both newly created	To facilitate the attainment of the 90% target per batch of advertised entry level posts /	EE Manager Director HRP&PS Director HRA Line Function Managers EE Plan Consultative Forum	01. 10. 2020 – 30.09.2021

Area of focus	Identified Barrier / Challenge	Key Strategy / Action to address barrier/ challenge	Objective for the chosen Strategy / Action	Responsible Manager	Time Frames
	created and residual vacancies)	and residual vacancies) for youth	positions ( both newly created and residual vacancies) for the youth below 30 to 45 years	Union Representatives Employees	
Adapted government vehicles	Some of the people with disabilities are unable to drive /use government equipment like vehicles , telephone/ computers etc.	Provision of adapted government vehicles and other working tools	To assist the people with disabilities to personally drive government vehicles and be able to use other working tools	EE Manager Director Fleet and Assets Management Director IT	01. 10. 2020 – 30.09.2021
Sexual Harassment Policy	Unavailability of Sexual Harassment Policy to address EE issues	Development of Sexual Harassment Policy to address EE issues	To prevent Sexual Harassment of junior staff members at the workplace	Director Policy Research	01. 10. 2020 – 30.09.2021



## **SECTION SEVEN:**

### **7. CONCLUSION**

7.1. This EE Plan shall be evaluated at intervals of twelve months with a view to pick up areas of excellence and disappointments, which shall be used as a basis for re-enforcement and correction of strategies and tactics in the subsequent EE Plan

7.2. The reviewal of this EE Plan shall take place after four (4) years to determine whether the set objectives were met and if this EE Plan is still in line with legislative changes or Collective Agreements of the time

7.3. It is important to note that not all the barriers to AA Measures were mentioned in this EE Plan, as the idea was to avoid an overload of strategies and tactics, which at the end of the day, would be unachievable during the life-span of this EE Plan.

... END...



**EMPLOYMENT EQUITY PLAN COMPLAINT FORM**

1. Nature of the complaint :

.....  
 .....  
 .....

2. Date on which the incident occurred :

.....

3. Venue / Institution / Unit where the incident occurred :

.....

4. Name(s) of the accused person(s) :

4.1.....

4.2.....

4.3.....

5. Names of the complainant(s) :

5.1.....

5.2.....

5.3.....



6. Personal Details of the complainant(s) :

6.1. Institution / Unit / Union :

.....

6.2. Cell No.....

6.3. Cell No. ....

6.4. Cell No.....

7. Signatures of the complainants :

7.1. .... Date : .....

7.2. .... Date : .....

7.3. .... Date : .....

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