



# Employment Equity Policy

Reference number of this document	EEP0002
HEMIS classification	
Purpose	To promote equal opportunity and fair treatment regarding employment
Type of document	Policy document
Accessibility	General (external and internal)
Date of implementation	September 2016
Revision date	When adjustments are necessary
Previous revisions	April 2015
Owner of this policy document	Vice-Rector: Social Impact, Transformation and Personnel
Institutional functionary (curator) responsible for this policy	Chief Director: Human Resources
Date of approval	September 2016
Approved by	Council
Keywords	employment equity (EE) policy

The English version of this policy will be seen as the original source document should there be any difference in interpretation

## The core of the policy

The objective of this policy is to promote **equal opportunity and fair treatment** regarding employment by **eliminating unfair discrimination and implementing affirmative action measures** to redress the disadvantages in employment experienced by designated groups with a view to ensure that they are equitably represented at all occupational levels in the workforce. The policy also focuses on **utilising and managing diversity**.

## 1. Introduction

The need to develop an employment equity (EE) policy is derived from the Constitution of the Republic of South Africa, 1996 and the Employment Equity Act, no. 55 of 1998.

The document Institutional Intent and Strategy 2013–2018 anchors the strategic positioning of Stellenbosch University (SU) for the 21st century in creating and sustaining an environment of inclusivity, transformation, innovation and diversity, and in maintaining excellence with a focus on the future. This positioning underlies the University's core activities, which are teaching and learning, research and community interaction, with student success, knowledge base, diversity and systemic sustainability as focus areas. By operationalising its Institutional Intent and Strategy 2013–2018 and vision 2030, SU shows its commitment to developing and implementing an EE programme that will adequately address the effects of past employment related discrimination in a fair and balanced way.

Building greater diversity among its staff and expanding its knowledge base to strengthen its position as Africa's top research university represent two of SU's four strategic focus areas. However, these objectives will not materialise if the University does not recruit, develop and retain talented support staff, academics and researchers from the designated groups.

SU hereby declares that EE is a strategic priority and that it must form the basis of the University's actions, which should include addressing the inequalities of the past as well as positioning the University for the future.

## 2. Definitions of terms

**Africans** – In this policy document, the ethnic use of this term does not imply the exclusion of other South Africans in the political sense of citizenship. Furthermore, the use of racial terms in this document is not intended to uncritically reiterate legal classifications ascribed under apartheid, but is made necessary by the historical legacy of inequality among the racial groups defined in this paragraph 2.

**Black people** – This is a generic term for Africans, Coloureds and Indians.

**Designated groups** – This means black people (i.e. Africans, Coloureds and Indians), women and people with disabilities who are natural persons and citizens of the Republic of South Africa by birth or descent; or who are citizens of the Republic of South Africa by naturalisation that occurred before the commencement date of the Constitution of the Republic of South Africa. The English version of this policy will be seen as the original source document should there be any difference in interpretation

Republic of South Africa Act of 1993 (i.e. 27 April 1994); or who became citizens of the Republic of South Africa on the commencement date of the Constitution of the Republic of South Africa Act of 1993, but who would have been entitled to acquire citizenship by naturalisation before that date had the Apartheid policy not been in place.

Employment Equity Act – In this policy document, this term refers to the Employment Equity Act, no. 55 of 1998 as amended. Furthermore, any expression used in this policy document which is defined in the Employment Equity Act has that defined meaning unless the context indicates otherwise.

### **3. Purpose of the policy**

The purpose of this policy is to provide the guiding principles, the institutional framework and the basic strategies for the development and implementation of the University's EE programmes.

### **4. Implementation of the policy**

EE is integrated into SU's strategic direction as embodied in Institutional Intent and Strategy 2013–2018, the University's character as an academic institution, and in particular the way in which staff are managed. It all takes place within the framework of sensitivity for the needs of the broader community.

### **5. Four pillars of SU's EE Policy**

#### **5.1 Elimination of unfair discrimination**

5.1.1 SU is committed to eliminating all forms of unfair discrimination – be it direct or indirect, in policies, management practices, conditions of employment or labour practices – with a view to establish a working environment where opportunities, dealings with people and expectations are based on practices unrelated to race, religion, gender, convictions or any arbitrary reasons.

5.1.2 Where discrimination does take place, it must be related to inherent requirements of the position, the implementation of the relevant EE plan or other legally permissible justifiable reasons.

#### **5.2 Affirmative action**

5.2.1 Affirmative action is not an objective per se, but a planned process to establish EE in the working environment. It is considered to be a temporary measure tied to clear objectives, aims and time frames to achieve the main objective: to establish equal opportunities and fair representation of the designated groups in the workplace.

5.2.2 Affirmative action requires that measures be implemented to ensure that the designated groups are adequately represented in the composition of the staff corps. Therefore, SU needs to implement diversity initiatives, training and development programmes with a view to promote accelerated employment,

The English version of this policy will be seen as the original source document should there be any difference in interpretation

promotion, and the training and development of suitable people from these groups.

5.2.3 Fair representation of the designated groups at all post levels and in all categories will be obtained by setting specific, realistic targets.

5.2.4 Targets are determined, as far as possible, keeping in mind the availability of suitable candidates in those sections of the labour market from which the University recruits staff, subject to factors such as the availability of posts and SU's operational and academic needs.

### 5.3 Equal opportunities

5.3.1 The removal of unfair, discriminatory practices and the implementation of affirmative action measures will establish a working environment where equal access to work opportunities is afforded to applicants and current staff. It will enable staff to realise their full potential in accordance with the University's operational needs.

5.3.2 SU aspires to achieve economic empowerment and a broad realisation of potential within the framework of equal access to employment, promotion, training and development.

### 5.4 Using and managing diversity

5.4.1 The University strives to develop a work environment and culture that is non-discriminatory and welcoming to diversity, which will establish a relationship of mutual trust and cooperation, and self-confidence and change perceptions that it is discriminatory

5.4.2 The aim is to integrate the diversity within the university setting with the functions of the University in a manner that will benefit the University.

## 6. Conflict settlement

6.1 All disputes arising from the implementation of this policy, whether individual or collective in nature, will be dealt with via the normal processes and procedures at SU. Should the grievance relate to EE, the Manager: Employment Equity will also be informed.

6.2 If necessary, the assistance of an independent third party may be acquired to mediate the dispute informally.

6.3 General complaints concerning unfair discrimination in University-wide policies, practices and procedures must be directed to the Chief Director: Human Resources and Strategic Initiatives and the Manager: Employment Equity for investigation and monitoring.

6.4 Issues that impact on policy and strategy must be referred to the Employment Equity Advisory Committee (EEAC), who will submit recommendations to the Chief Director: Human Resources and to the Rector's Management Team (RMT).

The English version of this policy will be seen as the original source document should there be any difference in interpretation

## 7. Roles and responsibilities

- 7.1 SU Council confirms the strategic value of the EE Policy.
- 7.2 The Rector acts as guardian of the EE process, while the direct responsibility for managing the process and for developing and implementing an EE plan rests with the Vice-Rector: Social Impact, Transformation and Personnel or his or her official delegate.
- 7.3 Deans and heads of environments are jointly responsible for establishing and implementing the policy and for offering support programmes in their respective faculties and environments. Within the University's normal decision-making system and within their areas of responsibility, deans and heads of environments accept responsibility for the implementation of EE.
- 7.4 The Manager: Employment Equity is responsible for the day-to-day management of EE in cooperation with the Chief Director: Strategic Initiatives and Human Resources and the Vice-Rector: Social Impact, Transformation and Personnel.
- 7.5 The Human Resources Department supports the Manager: Employment Equity and the Vice-Rector: Social Impact, Transformation and Personnel by helping to sensitise management and to monitor external trends such as legislation, programme design and the provision of management information.
- 7.6 Staff members are responsible for their own development by enrolling for continued study and using training opportunities to improve their own skills continuously. Deans and heads of environments must, wherever possible, support their staff by making available time and facilities.
- 7.7 The EEAC is a component of the EE process available for consultation on EE plans and related issues. **(Refer to EEAC terms of reference, Annexure A.)**

## 8. Monitoring

Compliance with this policy will be monitored at multiple levels.

- 8.1 All members of the RMT must monitor compliance with this policy and with the EE plans for the environments that report to them.
- 8.2 The EEAC plays a consultative and monitoring role with regard to the implementation of EE processes at the University, and initiates recommendations for policy adjustments as required. **(Refer to EEAC terms of reference, Annexure A.)**

## 9. Reporting

The deans and heads of environments must report annually to the Rector on progress towards achieving EE in their respective faculties or environments with reference to their KPAs. The achievement of EE related objectives must form part of the key performance indicators of all deans and heads of environments.

## 10. Revision

The English version of this policy will be seen as the original source document should there be any difference in interpretation

This EE Policy and the EE Plan are subject to review and approval by Council. Reviews will be conducted every five years.

## 11. Supporting documents

<b>Item no.</b>	<b>Name of document</b>	<b>Status</b> <i>(e.g. identified, in the process or approved)</i>
EEP0003	Employment Equity Plan	
EEP0004	Terms of Reference: Employment Equity Advisory Committee	
AP0050	Code for Management Practice	

The English version of this policy will be seen as the original source document should there be any difference in interpretation

EEP0002-Employment Equity Policy (June 2017)