

EMPLOYMENT EQUITY – IMPORTANCE OF IMPLEMENTATION

Before South Africa became a democratic country, there were colonial and apartheid laws that excluded black people from participating in the educational and labour systems. To rectify this and to bring an end to the discrimination, the Constitution was put in place, giving all the occupants of the land the right to equality. Because the previous process was one that took place over a number of years, the government knew that the transition and transformation would not take place over night. Therefore a provision within the legislation was put into place, to assist with the accomplishment of equality and this is when the Employment Equity Act came into play.

The purpose of the Employment Equity Act is to “achieve equity and equality in the workplace by promoting equal opportunity and fair treatment through the elimination of unfair discrimination, implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups.”

The Act aims to standardise the fair and non-discriminatory management of employees in their roles, skills and remuneration. The Act also encourages organisations to align their advancement policies and procedures with the Act in mind.

The biggest challenge arises when organisations have to align their compliance strategies with those of the businesses overall goals and objectives. The biggest key to overcoming these barriers is to drive awareness campaigns through educating employees and senior management. The implementation of multiple forms of communication that speak throughout the organisation at various levels starting at the grassroots would be a strategic manner in which barriers can be addressed and the buy-in of all stakeholders can be encouraged.

Furthermore, the nomination and appointment of an equal and fairly represented Employment Equity Committee would be critical in the implementation of the Act. Fair representation means the appointment of individuals across the race and gender groups including persons with a disability, at all occupational levels. The role of the committee is to drive Employment Equity in the workplace by ensuring the organisation's Employment Equity Plan is drafted, effectively implemented and aligned with the organisation's strategic business objectives.

With the view of mobilising the Act to be a considerable driver within the Human Capital of the Organisation, compliance can go beyond being viewed as just a necessity but can form part of the culture of the organisation.

Sometimes organisations may adopt a “fit the bill” approach to recruit to meet the required quota. However, it is crucial that the business does not only chase the numbers for the sake of being compliant, but to make sure that suitable candidates are being chosen for the right positions.

As much as the implementation of the legislation may be challenging, embracing a holistic view to transformation by aligning it with the business' objectives and strategies, may result in a more seamless and natural progression.

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TEBOHO MOTSOANE

SKILLS DEVELOPMENT FACILITATOR AND EMPLOYMENT EQUITY CONSULTANT