

NEWSLETTER

THE IMPORTANCE OF EMPLOYMENT EQUITY AND ITS 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 ("the Act") came into play.

The purpose of the 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."*

With that said, the aim of the Act is to standardise how people within an organisation are managed in terms of their roles, skills and remuneration in a fair and non-

discriminatory manner. This also assists organisations to manage their recruitment, and advancement policies and procedures with the Act in mind.

Due to the nature of the organisation and its business, we see many organisations struggling to comply with the Act. The biggest challenge that arises is that organisations then have to align their compliance strategies with those of the business and the business' overall objectives. The biggest key to overcoming these barriers are to drive awareness through education of the Act within the organisation. With the view of the Act being a considerable driver within the Human Capital of the Organisation and its aims being embedded within policies and procedures of the business, compliance can go beyond just being viewed as just a necessity but can form part of the culture of the organisation.

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 the employees 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. The role of the committee is to drive Employment Equity in the workplace by ensuring the organisation's Employment Equity Plan is drafted and effectively implemented and aligned with the organisation's strategic business objectives.

As much as certain organisations may adopt a "fit the bill" approach and just want to recruit to meet the required quota, it is crucial that the business does not just chase the numbers for the sake of being compliant, but to make sure that the suitable candidates are being chosen for the right positions. When promoting people within the company, it is important to remain mindful of employees' skills and experience as ultimately these are the key factors which determine positions within the business.

In conclusion, as much as the implementation of legislation may at times be a thorn in the organisation, 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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