

EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION POLICY

TABLE OF CONTENTS

1. PREAMBLE	289
3. OBJECTIVES.....	289
3. PRINCIPLES OF EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION	290
4. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION MEASURES	290
4.1. EMPLOYMENT EQUITY MEASURES	290
4.2. AFFIRMATIVE ACTION MEASURES	291
5. EMPLOYMENT EQUITY PLAN AND NUMERICAL GOALS	292
6. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION PROGRAMMES	292
7. INTERFACE WITH OTHER POLICIES AND PRACTICES	293
8. REASONABLE ACCOMMODATION OF EMPLOYEES WITH DISABILITIES	293
9. COMMENCEMENT OF THIS POLICY	293
10. INTERPRETATION OF THIS POLICY	293
11. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY	293
12. AMENDMENT AND/OR ABOLITION OF THIS POLICY	293
13. COMPLIANCE AND ENFORCEMENT	294

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1. PREAMBLE

The Matatiele Local Municipality is committed to employing, empowering and developing competent people with the necessary potential, required in order to expand their careers and to become valuable participants in sustaining the Municipality's competitive advantage in the long term, hence world-class standards in terms of cost, quality, productivity and customer service will only be achieved once the competencies of every employee are effectively harnessed. This is to be achieved by implementing diversity management programmes and affirmative action initiatives in order to create a racially and culturally diverse team.

3. OBJECTIVES

- 3.1. To Equalize opportunities for those designated groups who are Socially, Economically and Educationally disadvantaged, particularly referred to as Blacks (comprises of Africans, Indians and Coloured), women and disabled people through engaging in justifiable activities (via the Employment Equity Plan) based on specific circumstances faced by the Municipality.**
- 3.2. To ensure that the Career Development Plan of the designated groups is not ignored and that employees will continue to be recognized for their competencies based on statutory and merit consideration.**
- 3.3. To develop and implement Employment Equity Plan in consultation with the following stakeholders:**
 - 3.3.1. The Employment Equity Committee**
 - 3.3.2. Local Labour Forum**
 - 3.3.3. Trade Unions**
 - 2.3.4 Management, Staff, Women and people with disabilities**
- 3.4. To ensure that the Implementation is done in a fair and justifiable manner.**
- 3.5. To ensure adequate representation of designated groups at all levels within the Municipality over the cycle of five years, as far as is reasonable and practicable.**
 - 3.5.1. The definition of adequate representation will be based on a number of factors including:**
 - 2.5.1.1. The outcome of the organizational diagnosis done in terms of section 19 of the Employment Equity Act of 1998.**
 - 2.5.1.2. Regional demographic profiles of the Economically Active Populations (EAP) Pool of suitably qualified people from designated group from which the Municipality may reasonably be expected to Promote or Appoint.**
 - 2.5.1.3. Economic and financial factors relevant at the local Government sector as well as the present and anticipated economic and financial circumstances of the Municipality.**
 - 2.5.1.4. The number of present and planned vacancies that exist in the various levels and the Municipality employment turnover.**
 - 2.5.1.5 The progress made by other designated employers operating under similar circumstances within the same sector.**

- 2.6. To promote measures to ensure the removal of barriers for those prospective employees who were historically denied access to jobs, skill and other advancement opportunities in the labour market and work place.
- 2.7. To form a partnership between the Municipal workforce and the Municipality through the establishment of the Employment Equity Steering Committee for addressing issues of representativity and equity in the workplace.
- 2.8. To introduce a mechanism for the eradication of all forms of unfair discrimination and disparities in the workplace.
- 2.9. To give effect to all objects of the Employment Equity Act of 1998.

3. PRINCIPLES OF EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION

- 3.1. The primary focus of the policy is the implementation of remedial steps to ultimately result in employment equity in the workplace.
- 3.2. Employment Equity and affirmative action processes shall be conducted in an open and transparent manner.
- 3.3. Inclusive and consultative approaches shall be employed in the development of the plan.
- 3.4. Consensus shall underpin the development of Employment Equity and Affirmative action objectives and corrective measures.
- 3.5. The Municipality shall take a final decision in all actions pertaining to the implementation of Employment Equity Plan.

4. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION MEASURES

4.1. EMPLOYMENT EQUITY MEASURES

- 4.1.1. Assignment of a Senior Manager reporting to the Municipal Manager for driving the Employment Equity Programme.
- 4.1.2. Incorporation of key Employment Equity Indicators in Performance Contracts of the Heads of Departments.
- 4.1.3. Allocation of necessary resources like budget for the Employment Equity programme.
- 4.1.4. Communication of the Employment Equity programmes to all employees.
- 4.1.5. Creation of awareness about the imperatives of the Employment Equity Act.
- 4.1.6. Institution of a consultative and participatory process in addressing issues of equity in the workplace.
- 4.1.7. Designing of effective Employment Equity communication strategy e.g. through external and internal newsletters and the Municipal annual report.

- 4.1.8. **Effective utilization of the employment Equity consultative forum reflecting the interests of the employees from both designated and non-designated groups and all occupational categories and levels of the workplace.**
- 4.1.9. **Meaningful participation of the Trade Unions in the Consultative Forum.**
- 4.1.10. **Alignment of the business Plan and Strategy of the Municipality with the Employment Equity Plan.**
- 4.1.11. **Disclosure of relevant information by the Municipality for successful implementation of the plan.**
- 4.1.12. **Good faith practices should be at the centre of interaction with parties at all times.**
- 4.1.13. **Conducting of the workforce profile analysis in terms of the Employment Equity report methodology.**
- 4.1.14. **Comparison of the workforce profile with the relevant demographics of Economically Active Population (EAP).**
- 4.1.15. **Critical review of all established policies, practices, procedures and working environment in order to eradicate own forms of adversarial discrimination.**
- 4.1.16. **Formulation of supportive policies which will inject practices and patterns of Employment Equity.**

4.2. AFFIRMATIVE ACTION MEASURES

- 4.2.1. **Appointment of members from designated groups.**
- 4.2.2. **Increasing the pool of available candidates.**
- 4.2.3. **Training and Development of people from designated groups**
- 4.2.4. **Promotion of people from designated groups**
- 4.2.5. **Retention of people from designated group.**
- 4.2.6. **Reasonable accommodation of people from designated groups.**
- 4.2.7. **Steps to ensure that members of designated groups are appointed in such positions that they are able to meaningfully participate in corporate decision-making processes.**
- 4.2.8. **Steps to ensure that corporate culture of the past is transformed in a way that affirms diversity in the workplace and enhances the potential of all employees.**
- 4.2.9. **Embarking on a comprehensive Diversity Management Programme for meaningful affirmation of all employees.**

4.2.10. Any other measures arising out of the consultative process of interaction with employees in relation to issues like race, gender, diversity, disability and religious accommodation.

5. EMPLOYMENT EQUITY PLAN AND NUMERICAL GOALS

- 5.1. An Employment Equity Plan with numerical goals as required by the Employment Equity Act of 1998 shall be formulated for a cycle of five years.**
- 5.2. The numerical goals shall be reviewed on an annual basis.**
- 5.3. The numerical goal set for each year shall be based on the Economically Active Population of Kwazulu-Natal or Matatiele local Municipality areas in terms of gender and race and the current workforce.**
- 5.4. The attainment of Employment Equity numerical goals shall be merit driven.**
- 5.5. The numerical goals shall not be interpreted to mean targets/quota systems in order to be compatible with the principle of merit.**

6. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION PROGRAMMES

- 6.1. The Employment Equity and Affirmative Action programmes shall be embarked upon in order to uphold the objectives and principles of Employment Equity and Affirmative Action.**
- 6.2. The principles of merit and equity shall guide appointments of staff.**
- 6.3. The principle of merit shall take precedence over a numerical goal.**
- 6.4. Communication and awareness programmes shall be pursued to contextualize Equity or Affirmative Action and sensitize employees with regard to the grounds of discrimination such as race, gender, diversity, sexual orientation, disability and religious accommodation.**
- 6.5. Training workshops and other forms of information sessions will be used to transform the organizational culture and affirm its diversity in the workplace in order to harness the potential of all employees.**
- 6.6. Furthermore, the Employment Equity and Affirmative Action Programmes shall encompass the following:**
 - 6.6.1. Meaningful involvement and participation of consultative structures in culture-building processes.**
 - 6.6.2. Contextual analysis and removal of barriers to equity through organizational diagnosis.**
 - 6.6.3. Enforcing compliance.**
 - 6.6.4. Accountability by the stakeholder representatives.**
 - 6.6.5. Monitoring and evaluation of progress towards achieving equity and affirming disadvantaged people.**
 - 6.6.6. Integration of affirmative and equity programmes with the overall organizational strategy.**

6.6.7. Link to Performance Management and Organizational Performance Appraisal.

7. INTERFACE WITH OTHER POLICIES AND PRACTICES

- 7.1. Principles of this policy shall guide the framework and content of other policies and practices in the workplace.**
- 7.2. All workplace policies and practices shall be consistent with the objectives and requirements of this policy.**
- 7.3. This policy shall enjoy a superseding status over all workplace policies and practices.**

8. REASONABLE ACCOMMODATION OF EMPLOYEES WITH DISABILITIES

- 8.1. Liaison and open relationships with organizations representing people with disabilities shall be facilitated.**
- 8.2. Access to job advertisements by people with disabilities shall be facilitated.**
- 8.3. Reasonable accommodation of people with disabilities shall be instituted in terms of the Code of Practice on Key Aspects of Disability in the Workplace.**

9. COMMENCEMENT OF THIS POLICY

- 9.1 This policy will come into effect on the date of adoption by Council.**

10. INTERPRETATION OF THIS POLICY

- 10.1 All words contained in this policy shall have an ordinary meaning attached thereto, unless the definition or context indicates otherwise.**
- 10.2 Any dispute on interpretation of this policy shall be declared in writing by any party concerned.**
- 10.3 The Office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.**
- 10.4 If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council or Arbitration**

11. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY

- 11.1 This policy may be partly or wholly waived or suspended by the Municipal Council on a temporary or permanent basis after consultation between Management and Trade Unions.**
- 11.2 Notwithstanding clause No. 10.1 the Municipal Manager may under circumstances of emergency temporarily waive or suspend this policy subject to reporting of such waiver or suspension to Council and Trade Unions.**

12. AMENDMENT AND/OR ABOLITION OF THIS POLICY

- 12.1 This policy may be amended or repealed by the Council after consultation between Management and Local Labour Forum.**

13. COMPLIANCE AND ENFORCEMENT

- 13.1 Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.**
- 13.2 It will be the responsibility of all Managers, Supervisors, Executive Committee and Council to enforce compliance with this policy.**

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