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**CHALLENGES REGARDING THE IMPLEMENTATION OF EMPLOYMENT EQUITY  
ACT WITHIN THE DEPARTMENT OF HEALTH AND THE MANAGEMENT  
THEREOF: A CASE OF STUDY OF VHEMBE DISTRICT.**

BY

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A research proposal submitted at school of management sciences of the  
University of Venda in partial fulfillment of the requirements for the degree of the  
Master of Public Management

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2013

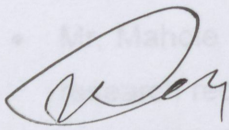
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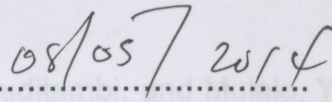
## DECLARATION

I, **Ndou Badinwgwaani Joseph** hereby declare that the dissertation for the degree of Master of Public Management at University of Venda hereby submitted by me has not been previously submitted for a degree at this or any other university. This is my own work in design and execution, and that all reference materials contained therein has been duly acknowledged.



.....

Signature



.....  
Date

## ACKNOWLEDGEMENT

I, **Ndou Badinwgaani Joseph**, gratefully acknowledge the following contributors for having made this dissertation a successful and memorable piece of work:

- Mrs. Ndou NP, my beloved wife, for her words of encouragement, motivation and endless support from the beginning to the completion of this study,
- Prof M.P Khwashaba, my promoter, for his honest but positive criticism that guided and fine-tuned this final research product,
- Mr, Mahole who edited the first study-proposal attempt and thus exposed me to research requirements and principles,
- I would like to thank my Children, Anza, Muditambi, and Mulalo, You were there for me all the way;
- Mr MMBengeni B, for editing and proofreading the final research proposal and chapters, and for his sterling advice and remarks,
- I would like to thank my friend, Mathevhlula F and the late Talifhani Mulaudzi. You were there for me all the way;
- The Limpopo Department of Health for granting me permission to conduct this research in 'Employment Equity Act schools policy in Vhembe district, and

Last to God Almighty, in whom I trust, for guiding me and bestowing in me the wisdom to organise and conduct this project,

## DEDICATION

On my personal note, I dedicate this project to the late my mother, Vho-Denga Marubini Ndou-Rasilingwani. You were there for me all the way.

Department of Health and the management thereof. A case of study of Vhembe District. The Employment Equity Act No. 55 of 1998 was put in place by Government to facilitate the implementation of fair workplace practices, which will correct the imbalances of the past as well as creating a workforce, which reflects the demographics of South Africa. The inequalities in employment patterns and practices with respect to access to employment, training, promotion and equitable remuneration especially for black people, women and people with disabilities are addressed in the said Act. The Employment Equity Act is quite specific about the minimum requirements of an organisation's Employment Equity Plan, which make it easy to identify what progress is being made towards ending discrimination in the workplace. The question arises as to whether South African organisations are merely implementing Employment Equity policies to adhere to the basic requirements and deadlines of the Act. Or, are these policies genuinely based on commitment to the principles of equality and equal opportunity for all in the workplace.

The study uses both quantitative and qualitative techniques for data collection and analysis. Qualitative techniques were mostly used in that they provide the researcher with an understanding of experiences and challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof. Purposive sampling was used for the selection of sample for the study. Both primary and secondary data was used for analysis in this study. Secondary data were obtained from government publications, research publications, and reports. Primary data was obtained through personal observation, and household's questionnaire. Data was collected through semi-structured interviews and documentation.

## ABSTRACT

The general objective of this study is to investigate challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof: A case of study of Vhembe District. The Employment Equity Act No. 55 of 1998 was put in place by Government to facilitate the implementation of fair workplace practices, which will correct the imbalances of the past as well as creating a workforce, which reflects the demographics of South Africa. The inequalities in employment patterns and practices with respect to access to employment, training, promotion and equitable remuneration especially for black people, women and people with disabilities are addressed in the said Act. The Employment Equity Act is quite specific about the minimum requirements of an organisation's Employment Equity Plan, which make it easy to identify what progress is being made towards ending discrimination in the workplace. The question arises as to whether South African organisations are merely implementing Employment Equity policies to adhere to the basic requirements and deadlines of the Act. Or, are these policies genuinely based on commitment to the principles of equality and equal opportunity for all in the workplace.

The study uses both quantitative and qualitative techniques for data collection and analysis. Qualitative techniques were mostly used in that they provide the researcher with an understanding of experiences and challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof. Purposive sampling was used for the selection of sample for the study. Both primary and secondary data was used for analysis in this study. Secondary data were obtained from government publications, research publications, and reports. Primary data was obtained through personal observation, and household's questionnaires. Data was collected through semi-structured interviews and documentation.

The research contained the following as findings:

- Strategies for enhancing the consultation process. Participants proposed the involvement of employees on development and implementation of operational plans at business unit levels
- Provision of reasonable accommodation. Participants proposed strategies such as assistive devices for people with disabilities, training and development programs, participation in exchange programs with other institutions and diversity management
- A need for a holistic approach to people management and alignment to the HR Plan, which in turn is linked to Departmental strategic objectives
- The participants indicated that there was misalignment of training and development programs with EEP. The importance of aligning these two programs has been greatly emphasised in both the Literature Review and the legislative requirements.

The following were recommendations which were:

- Enforce management commitment to facilitate implementation of the EEP and develop strategies for holding them accountable, such as inclusion of EE in Performance Agreements
- Increasing EEP awareness and empowerment programs to enable effective and active participation of employees
- Strengthen Monitoring and Evaluation Processes to clarify and reaffirm roles and responsibilities of stakeholders, with specific reference to active functioning of EAC

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## LIST OF ACRONYMS

AA	Affirmative Action
ALRC	Australian Law Reform Commission
CHRA	Canadian Human Rights Act
CMA	Canadian Multiculturalism Act
DPSA	Department of Public Service and Administration
DDA	Disability Discrimination Act
EE	Employment Equity
EEA	Employment Equity Act
EEB	Employment Equity Bill
EEC	Employment Equity Committee
ED	Executive Deans
EEO	Equal Employment Opportunity
EEP	Employment Equity Plan
EOA	Equal Opportunity Act
HRD	Human Resources Development
PDR	Performance Development Review
PSA	Public Service Act
RDA	Racial Discrimination Act
RQF	Research Quality Framework
SAS	Statistical Analysis System
USA	United States of America
WBR	World Bank Report

## CHAPTER 1: ORIENTATION OF THE STUDY

### 1.1 Introduction

In this chapter the researcher introduces the motivation behind, as well as the purpose of, the study. It begins with background information on some of the problems and challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof in Vhembe district. This is then followed by a brief statement of the aim and, lastly, objectives of the study.

### 1.2 Background of the study

According to Mekwa (2012:1), before 1994, under the apartheid government the work environment was characterised by several cases of inequality, unfair treatment and unfair discrimination, which led to continual industrial action. After 1994, with the beginning of democracy, many labour laws were passed to address labour disputes, and to make the work environment governable and conducive for maximum presentation (Mekwa:2012 1). One of these laws made huge development in transforming the work situation, the Employment Equity Act, No. 55 of 1998 (EEA). The objective of the Act as being to promote equal opportunity and fair treatment through the elimination of unfair discrimination, supplies a stipulation for continuous affirmative impact on transforming the work environment (Andrews, 2008:530)

According to the Commission for Employment Equity (2007), in 1996 South Africa constructed a Constitution that entails an equality clause and makes reference to racial equality in several other provisions (Employment Equity Act, Act 55 of 1998, and its forerunner the Labour Relations Act, Act 66 of 1995, the Promotion of Equality and Prevention of Unfair Discrimination Act, Act 4 of 2000, and the Broad-Based Black Economic Empowerment Act (Act 53 of 2003).

The means to achieve racial equality and to conquer the legacy of past discrimination is without doubt a form of equality intended to compensate for that history through affirmative action. Nevertheless, after more than nineteen years of democracy, enormous disparities between black and white still characterise employment. Despite the repeal of numerous discriminatory laws in employment such as the reservation of jobs for white people, high profile jobs are still occupied mainly by white people and white people still get the higher salaries (Republic of South Africa, 1998). Poverty today remains a black characteristic and as such is rising, even though there has been an increase in the average personal income (South African Institute of Race Relations, 2003).

The Department of Health issued a circular to all its employees in which it spelled out its latest Employment Equity Plan. The plan gave strict instructions for the attainment of equality targets throughout the service. In the Vhembe District, the target for black South Africans was 79.3%; for whites 9.3%; for coloureds 8.8%; and for Indians 2.5% to bring employees into line with national - and not regional – demographics.

Milne, (2009:53), from its very inception the Employment Equity Act was viewed with mixed feelings by both employers and employees in terms of whether it would manufacture the envisaged changes of transforming the work environment as well as improve service delivery. Other personnel eagerly anticipated transformational changes in the work environment in terms of additional career opportunities. On the other hand, business leaders expressed concerns that the work environment was over-regulated, biased near the interests of the employees and limiting the employers in effective and efficient running of business (Esterhuizen, & Martins, 2008:99).

Cilliers, & Stone, (2005:123) affirmative Action can be seen as the “generator” of the equalisation process with the establishment of pro-active steps to erase disparity between citizens brought about by inferior standards of education, racism, government policies, and by other disadvantages that resulted in a lack of identical development and

opportunities (Wingrove, 1993:9). It removes discriminatory practices and addresses the legislative aspects. It seeks to overturn the effects of discrimination that have been damaging to previously disadvantaged groups (McGregor, 2006:32). Wingrove (1993:7) states that Affirmative Action is based on artificial corrective action to create a workforce that demographically represents all levels within the organisation. However it has an element of preferential treatment, and can create resistance. A number of Departments statements a drop in standards or deterioration in the eminence of work as a consequence of implementing Affirmative Action programme (Klein, 1997:2).

### **1.3 Statement of the problem**

In terms of the Employment Equity Act, No 55 of 1998, the Department of Health is classified as a designated employee. South African labour laws conform to the Constitution of Republic of South Africa, 1996, which is the supreme law of the country; this means that any law or organisational policies and procedures inconsistent with it are invalid. The government promulgated the Skills Development Act No 97 of 1998 immediately after the Employment Equity Act, No 55 of 1998, where its focus was on addressing historical skills and educational disparities. The Act emphasises the need to identify and implement affirmative action measures in order to realise these objectives. This highlights the importance of providing support to EE appointees through implementation of AA measures. The objectives of EEA are based on the principles of the Constitution and compliance with International Labour Organisation Convention (No. 111) regarding discrimination in respect of employment and occupation. Section 16 of EEA provides guidelines for the formation and functioning of the consultation process. Consultation has been identified as one of the fundamental processes in transforming the work environment and ensuring that all employees, including non-designated people, trade union and management participate in making it conducive. Section 9 of the Constitution promotes non-discriminatory and fair discriminatory practices. Emphasis is placed on direct or indirect unfair discrimination on one or more grounds,

including race, gender, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

Despite the provision Employment Equity Act the Department of Health employers are faced with the challenges of implementing the employment equity plans and eliminate the causes of discrimination in the workplace and the society at huge. Although the provision of Employment Equity Act the Department of Health continued to have the challenges on the implementation, Due to this, the South African public service work environment experienced inequalities and unfair labour practices, such as lack of gender representation, and race discrimination. The capacity problem may lead to inconsistent application, and thus further exacerbate elements of mistrust in employees about the effectiveness of EEP in the organisation. Employers are not only faced with the challenge to ensure legal compliance, but also to foster productivity while considering the demographic labour market changes in the global perspectives. Department of Health has established an Employment Equity Plan.

#### **1.4 General objective**

The general objective of this study is to investigate challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof: A case of study of Vhembe District.

#### **1.5 Specific objectives**

- To identify the challenges facing the Department of Health with regard to the implementation Employment Equity plan
- To investigate the crucial role of Department in implementing an Employment Equity Plan.

- To improve measures that can be used to implement Employment Equity Plan within Department of Health

## 1.6 Research questions

- What are the challenges faced by the Department of Health with regard to the implementation Employment Equity plan?
- What is the role of the department in implementing an Employment Equity Plan?
- What are the measures that can be used to implement Employment Equity Plan within Department of Health?

## 1.7 Limitations of the study

Funds are a limiting factor as the study required a lot of funds for travelling, typing, binding and photocopying. Due to the sensitivity of the topic, some people will feel uncomfortable to answer research questions because they are not sure where the information will be taken to.

## 1.8 Delimitation of the study

The study focuses on challenges regarding the implementation of Employment Equity Act in the Department of Health in Vhembe District. The purpose of demarcating a study is to make it more manageable and to this end, the proposed research was limited to Department of Health in the Limpopo province, South Africa.

## 1.9 Significance of the study

This research seeks to assist the department of Health to understand how the Employment Equity Act affects the productivity of the service within the organisation. The significance of this study dwells solely in the fact that its findings will undoubtedly assist the Department of health in particular the HR manager of Vhembe District and other relevant stakeholders about the challenges regard the implementation of Employment Equity Act. Out of this research the department of Department of health in particular will have a better understanding of the challenges of the entire process of Employment Equity Act.

## 1.12 Definitions of terms

In this section the researcher defines the major concepts of the study

- **Employment Equity**

Employment Equity is defined as a policy that gives predilection of employment opportunities to qualified people that were previously discriminated against in the work environment. Employment Equity involves efforts to achieve equity and fairness throughout the elimination of structural and attitudinal discrimination, as fine as a work situation that promotes diversity management. According to the Smith and Roodt (2003:32) further outlined the objectives of Employment Equity as to achieve equity in the workplace by promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination and to implement affirmative action measures to equalize the difficulty in the workplace experienced by designated groups.

- **Designated Group**

The term designated group has been defined in the Employment Equity Act of 1998 to refer to black people, women and people with disabilities. 'Black people' has been used as a generic word to include Africans, Coloureds, Indians and Chinese. In the descriptive communication on the Employment Equity Amendment Bill, 2010, the definition of 'designated group' was amended to ensure that beneficiaries of affirmative action, in terms of Chapter III of the Employment Equity Act, are limited to persons who were citizens of the Republic of South Africa before the democratic government, or those who would have been entitled to citizenship but due to Apartheid policies were not granted it.

- **Affirmative Action**

According to Tladi (2008:14) defines Affirmative Action as a approach to address the inequality and unfair discrimination knowledgeable by a designated grouping in the work environment. The White Paper on Transformation of the Public Service of 1995 defined Affirmative Action as a law, curriculum or activity designed to redress past imbalances and to ameliorate the conditions of individuals and groups who have been disadvantaged on the grounds of race, colour, gender or disability. The White Paper on Affirmative Action in the Public Service of 1998 defined Affirmative Action as additional corrective steps to address undue discrimination and guarantee full benefit from an equitable employment environment by previously disadvantaged groups.

### 1.13 Organisation of the study

The chapters of the dissertation are as follows:

#### CHAPTER 1: ORIENTATION OF THE STUDY:

In this chapter, a high level background will be provided of the scope of the research to be undertaken. Specific focus will be levelled at aspects such the research process, background to the research problem, (the research question & investigative questions), research assumptions, research constraints, an overview of the dissertation structure, chapter and content analysis, key research objectives, and the significance of the proposed research.

## **CHAPTER 2: LITERATURE REVIEW:**

In this chapter a literature review will be provided on the concept of Employment Equity Act. The researcher will evaluate implementation by comparing the observations of how Employment Equity Plans are implemented against the expectations with regard to legislative requirements and information gathered from the Literature Review study in Chapter 2. A literature review will be undertaken to identify specific methods or strategies to be followed for the successful implementation of employment equity.

## **CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY:**

In this chapter the Employment Equity Act survey design and methodology will be addressed. Specific focus will be levelled at aspects such as types of research, aspects impacting on the survey, data collection, and the target population, the choice of sampling method, measurement scales, survey design, the validation of survey questions and validation of survey results.

## **CHAPTER 4: DATA ANALYSIS, PRESENTATION AND INTERPRETATION**

In this Chapter, a data analysis and interpretation of results will be conducted on the data gleaned from the research survey to be conducted within the ambit of this research. Specific focus will be levelled at aspects such as descriptive survey analysis and key research findings.

## CHAPTER 5: FINDINGS, CONCLUSION AND RECOMMENDATION:

In this chapter the research will be concluded, recommendations will be made and final analogies of the research will be drawn.

Chapter 2 employment equity and other related concepts will be defined, such as employment equity, affirmative action, designated group and employer, provision for reasonable accommodation and diversity management in order to understand the contributing factors towards effective implementation of EEP. How or possible improvement on strategies that facilitate effective implementation of employment equity will be explored, such as affirmative action and reasonable accommodation of designated groups.

Additional strategies will include measures that enhance employment equity, such as skills development and effective communication of departmental EE objectives. This chapter will deal with adverse impact by effective implementation of EE, also on the work environment and employees as well as service delivery. Lastly, the relevant strategies to minimise identified negative impacts that may compromise effective implementation of EEP, in order to realise the implications of the Act on organisations, and what the Act sanctions in terms of development of an Employment Equity Plan, this summary needs to be understood before an organisation can embark on the development of an Employment Equity Plan.

### 2.3 Legislative framework on the employment equity

In 1994 the new democratic government had to actively intervene in order to promote social justice and eradicate inequalities in the work environment. Coetzee and Vercauteren (2003:17) refer to the need for government intervention in bringing strong measures against discriminatory practices for the realisation of true equality and equity. Zulu and Perumalur (2003:1) agree about the importance of enhancing legislative

## CHAPTER 2: LITERATURE REVIEW

### 2.1 Introduction

Chapter 2 employment equity and other related concepts will be defined, such as, 'employment equity' within the context of this study, 'affirmative action', 'designated group' and 'employer', provision for 'reasonable accommodation' and 'diversity management' in order to contextualise the contributing factors towards effective implementation of EEP. New or possible improvement on strategies that facilitate effective implementation of employment equity will be explored, such as affirmative action and reasonable accommodation of designated groups.

Additional strategies will include measures that enhance employment equity, such as skills development and effective communication of departmental EE objectives. This chapter will deal with adverse impact to effective implementation of EE, also on the work environment and employees as well as service delivery. Lastly, the relevant strategies to minimise identified negative impacts that may compromise effective implementation of EEP. In order to realize the implications of the Act on organisations, and what the Act specifies in terms the development of an Employment Equity Plan, this summary needs to be understood before an organisation can embark on the development of an Employment Equity Plan.

### 2.2 Legislative framework on the employment equity

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institutional and policy instruments for correcting the historical injustices perpetuated against black people, Indians, Coloured and Chinese people, women and people with disabilities.

Kunene (2005:28) supports the importance of enacting non-discriminatory laws aimed at eradicating racial and other forms of discrimination in the work environment. In an effort to redress the hardships experienced by designated groups, the South African government passed a series of employment laws to mandate, among other things, affirmative action. The legislative framework will be discussed below in order to contextualise the implementation of EEP in the work environment.

South African labour laws conform to the Constitution of Republic of South Africa, 1996, which is the supreme law of the country; this means that any law or organisational policies and procedures inconsistent with it are invalid. The White Paper on the Transformation of Public Service was issued in 1995 as one of the government strategies to accelerate transformation in the public service. Although it was implemented before the Constitution had been finalised, it should be noted that it is fully aligned to Constitutional principles.

### **2.2.1 The White Paper on the Transformation of Public Service (WPTPS) 1995**

The main objective of the WPTPS was to accelerate transformation in the public service in order to fulfill the role of efficient service delivery to the South African community. In order to fulfill its democratic government role, a coherent, representative and capable public service needed to be established and maintained. However, Hercules (2001:12) warns that too much emphasis on representivity, where the focus is based on race, might contradict the government's transformational initiatives in building social unity across the arbitrary divisions created by apartheid. This view has, however, been questioned.

The main intention of the WPTPS was on transforming the public service in terms of efficient service delivery, in contrast to the high number of service delivery protests by ordinary community members. The notion of service delivery in this case emphasises an understanding of the needs of the community being served. Chapter 2 of the WPTPS outlines the government's mission as "the creation of a people-centered and people-driven public service which is characterised by equity, quality, timeousness and a strong code of ethics".

It has been noted that for the government to realise this mission there is an urgent need to create a public service work environment that will support it. This in turn calls for a committed leadership with a proactive, coherent and visionary approach in order to identify and ensure the implementation of interventions that make for a conducive work environment.

Chapter 3 of the WPTPS focuses on identification of areas of concern that have a negative impact on the work environment in the public service, that result in poor service delivery. Section 3.1 of WPTPS identified some of the difficulties within the public service structures, ranging from lack of representivity of all the people of South Africa, a management style that did not encourage employee innovation or participation, the generally low employee morale operating in an environment with no career opportunities or training and development. These areas of concern have a direct impact on the conduciveness of the work environment to enhance implementation of EEP. The WPTPS therefore calls for interventions integrated into a comprehensive plan in order to implement measures that can be used to implement EEP and create a conducive work environment. It is noted that adversarial working conditions should be radically approached to accelerate the achievement of transformational initiatives.

Chapter 5 of the WPTPS outlines government transformational priorities and processes for moving towards its vision of a representative workforce, efficient service delivery and to have a workforce that is accountable and responsive to the needs of South African

citizens. The workforce profile should be aligned to the recipients of public services, with specific reference to communication with the community in order to understand their needs. Sebola (2009:1107) raises a further concern, namely constitutional contradiction, where representivity is more emphasised than individual abilities, and ignoring the promotion of efficient, economic administration.

This concern calls for a balanced approach when addressing representivity. The rationale behind the emphasis on representivity should be understood in the context of service delivery based on communication in addressing specific needs of the recipients of public services.

### **2.2.2 The Constitution of the Republic of South Africa, 1996**

The South African Constitution, 1996, is regarded as the supreme law of the country and all its obligations must be fulfilled and fully complied with. It forms the basis of all legislation and policies. Leonard and Grobler (2006:3) provide a brief background on the policies of the apartheid government in terms of social segregation by race, where white people held a privileged place in the workplace as well as in the general society.

The South African Constitution, 1996 requires measures to be put in place to affirm the previously disadvantaged. Section 9(2) of the Constitution stipulates that “equality includes the full and equal enjoyment of all rights and freedoms”. It is thus critical that organisational policies and practices are developed in terms of ensuring the practical application of equal rights and freedoms. While most organisations do indeed have policies that include EE in compliance with Constitutional requirements, the greatest challenges often lie in the implementation.

The Bill of Rights has been declared a cornerstone of democracy in South Africa. It enshrines the fundamental rights of all people and affirms the democratic values of human dignity, equality and freedom. The realisation of these rights is the duty of the

state, which has an obligation to respect, protect, promote and fulfil the rights listed in the Bill of Rights (South Africa 1996:6).

Isaaks (2008:43) maintains that equality, as intended in the Constitution, requires an investigation of the actual social and economic circumstances of groups and individuals. In the transformational context equality needs to be considered in line with the provision of preferential treatment of formerly disadvantaged groups. Milne (2009:974) contextualises this by referring to Section 195(1)(i) of the Constitution, which emphasises broad representivity in the public administration based on employment, and people management practices that focus on ability, objectivity and fairness. Section 9 of the Constitution promotes non-discriminatory and fair discriminatory practices.

Emphasis is placed on direct or indirect unfair discrimination on one or more grounds, including race, gender, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. Significant progress has been made in elimination of unfair discriminatory policies, procedures and practices in the work environment.

The notable difficulty is in practical implementation. Matshikwe (2004:88) relates a number of conspicuous discriminatory decisions made by employers based on irrelevant personal characteristics instead of work performance merit. In order to accelerate the total elimination of unfair discrimination and promote fair practice, the Constitution calls for the enactment of national legislation that will prohibit unfair discrimination, as well as promote Constitutional principles.

### **2.2.3 Employment Equity Act, 55 (1998)(EEA)**

Since this study focuses on the implementation of EEA in the Public Service, the discussion on EEA will be limited to the chapters that deal with EE implementation.

In the overview of the EEA in relation to legislative requirements from the designated employers, Chapter 1 of the Act outlines the purpose; Chapter 2 sets forth the prohibition of unfair discrimination; Chapter 3 addresses the duties of designated employers in terms of workplace analysis, consultation, compilation of an EE Plan and the annual progress report submitted to Department of Labour.

### 2.2.3.1 Purpose of EEA

The objectives of EEA are related in Chapter 1, where the emphasis is on promotion of equal opportunities and fair treatment in the workplace. Human, Blues and Davies (1999:30) support this, stating that equal employment opportunity is the provision of an environment which enables all individuals to realise their full potential.

### 2.2.3.2 Affirmative Action measures

The second important objective is based on equitable representation of designated groups in all occupational levels and categories. The Act emphasises the need to identify and implement affirmative action measures in order to realise these objectives. This highlights the importance of providing support to EE appointees through implementation of AA measures. The objectives of EEA are based on the principles of the Constitution and compliance with International Labour Organisation Convention (No. 111) regarding discrimination in respect of employment and occupation. From this it can be deduced that for the work environment to be declared conducive, a critical principle is for it to be non-discriminatory, fair and equitable.

### 2.2.3.3 Non-Discrimination in the work environment

The procedural and substantive guidelines for implementing AA measures are outlined in this Chapter.

Chapter 2 of the EEA emphasises non-discrimination in the work environment and differentiates between unfair and fair discrimination: fair discrimination gives preference to the application of affirmative action measures in order to achieve the objectives of EEA. This Chapter also emphasises eradication of inequalities and unfair discrimination or treatment.

The focus is on policies and procedures or practices, with specific reference to recruitment processes, promotion, training and development, compensation, employee service benefits or any other employment-related practices or processes. Since the employer is responsible for ensuring that the work environment is conducive to enable employees to perform, the employer is also responsible to make sure that policies, procedures and practices are non-discriminatory. It has been noted that tackling discrimination in the workplace is indeed a legal obligation for all employers, but it is also value-adding for business in terms of getting the best out of employees and reducing the potential for costly complaints and disruptions (E-dictionary, undated: on-line).

### 2.2.3.3 Affirmative Action measures

Chapter 3 deals with affirmative action (AA) objectives and processes. These measures are meant to provide reasonable accommodation to designated groups in order to remove any possible EE adverse impact. The processes of affirmative action focus on the promotion of diversity management in terms of ensuring the appointment of a workforce that reflects the demographics of the country. Affirmative action measures begin with the acknowledgement that designated group never had fair opportunities in the work environment, including exposure to quality education and training.

It is therefore essential for the employer to ensure that the work environment is conducive to enabling the designated group to realise their potential. The procedural and substantive guidelines for implementing AA measures are outlined in this Chapter, and the following discussions will highlight critical areas regarding implementation of AA measures in order to achieve EEA objectives:

Section 16 of EEA provides guidelines for the formation and functioning of the consultation process. Consultation has been identified as one of the fundamental

processes in transforming the work environment and ensuring that all employees, including non-designated people, trade union and management participate in making it conducive. The participation of the EE Forum remains questionable in terms of active and equal involvement of all stakeholders. Esterhuizen (2008:44) acknowledges the importance of the consultation process, and warns that employers should consult in good faith and not just 'go through the motions'.

It has also been noted that trade unions believe in being given equal status with management when talking about employee issues, to the extent that the consultation processes are perceived to nullify union powers, as opposed to the negotiation process as directed in the Labour Relations Act, No. 66 of 1995. Section 20 requires employers to develop EE Plans. This is preceded by the conducting of EE audits to identify adverse impact that may hamper implementation of EEA objectives. The purpose of the audits is to assess the existence discriminatory practices, policies and procedures, as well as to identify categories and levels that are under-represented.

The outcomes of EE audits inform the areas that need attention, and forms part of the EE Plan, whereby employers should develop an action plan on how the identified adverse impact are to be addressed. A comprehensive document is compiled listing all the identified adverse impact and giving strategies to address them; the focus then shifts to the implementation of identified interventions. Jaarsveld (2008:639) emphasises the importance of developing EE Plans before implementing affirmative action measures as proof that an employer's decision was well-planned, and not an impulsive one to discriminate against others.

Section 21 requires employers to submit an annual progress report. This provides information on qualitative and quantitative analysis, where the qualitative analysis focuses on the implementation of affirmative action measures. The quantitative analysis addresses progress made in ensuring that the workforce profile is fully represented in terms of reflecting the demographics of the country. The Department of Labour's focus

has been more on statistical analysis, with little attention being given to the qualitative part.

This has created a big problem, with the appointment of non-designated employees to meaningless positions, or to positions without necessary support. It is thus crucial to enhance other strategies to empower them and monitor the allocated tasks to ensure maximum realisation of individual potential.

#### **2.2.4 The White Paper on Affirmative Action in the Public Service (WPAAPS) (1998)**

The purpose of WPAAPS was to set out mandatory requirements to develop and implement affirmative action programmes within the public service. Chapter 1 identified employment inequalities characterised by ineffectiveness, unfair discrimination and division on the basis of race and gender within the Public Service.

Transformation within the public service thus became one of the priorities in terms of the appointment of a workforce that broadly represents the public service. The major drive has been to ensure a transformed, effective and efficient Public Service that is capable of delivering equitable services to all the citizens, as outlined in the WPTPS and EEA. Affirmative Action has been adopted as one of the corrective steps necessary to fast-track the achievement of broad representation within the Public Service. The target groups are black people, women and people with disabilities.

Chapter 2 provides guidelines for building an environment that supports and enables previously disadvantaged groups to fulfill their maximum potential within the Public Service. The core principles of affirmative action emphasise the integrated human resource management and development, with specific reference to diversity management.

Furthermore, the focus is on principles that promote efficient service delivery to ensure that through affirmative action measures productivity is improved. The other major principles relate to employee participation and communication of affirmative action policies and programmes. Chapter 3 emphasises the importance of utilising affirmative action as a tool for achieving the organisation's strategic and operational goals. The achievement of these goals requires the active participation of all role-players, especially line managers, supervisors and human resource practitioners. The implementation of affirmative action measures in the public service has to be consistently applied, in line with the mandatory requirements.

Section 2 (1) of the Act outlined its purpose as:

These requirements stipulate the content of affirmative action programmes, namely, numeric targets, employee profile, affirmative action survey, management practices review, performance management, affirmative action plan and allocated responsibilities on specific roles and policy statement. It is believed that all these are essential aspects in the work environment that could lead to implementation of EEA. Wessels (2005:10) describes affirmative action as "an intervention that is visible in the form of compensatory programmes, laws or activities; universal criteria; the recruitment, employment, and advancement of qualified members of historically disadvantaged groups; preferential treatment of certain individuals or groups; organisational audit and the monitoring of policies".

to empower the designated groups to manage and execute their functions

Chapter 4 provides a basic framework for implementing affirmative action policies. The Department of Public Service and Administration (DPSA) plays a facilitating role in supporting other government Departments to develop and implement AA policies. The DPSA facilitation role includes a Public Service-wide communication campaign aimed at informing public servants about the goals, objectives and principles as set out in the WPTPS; they also provide practical guidelines for developing affirmative action programmes by building on current best practices within the Public Service.

are key to enabling designated groups to advance to equitable representation in an occupational category. This is to ensure a better quality of education and training

## 2.2.5 Skills Development Act, No 97 (1998) (SDA)

The government promulgated the Skills Development Act No 97 of 1998 immediately after the Employment Equity Act, No 55 of 1998, where its focus was on addressing historical skills and educational disparities. Ajani (2005:73) provides a reminder that the institutional cultures of historically black and white higher education institutions are frequently cited as the main obstacles to increased diversity, which further contributed to educational imbalances.

Section 2 (1) of the Act outlined its purpose as:

- To develop the skills of the South African workforce by improving the quality of life, as well as ensuring prospects of workers in order to enhance labour mobility. These are based on improving employee performance and enhancing service delivery
- To encourage employers to use the workplace as an active learning environment where employees are provided opportunities to acquire new skills. The Act recognises the need to 'go the extra mile' in accommodating designated groups in assisting new entrants and the people who find it difficult to be employed
- To encourage workers to participate in leadership and other training programmes to empower the designated group to manage and execute their functions
- To improve the employment prospects of persons previously disadvantaged by unfair discrimination, and to redress those disadvantages through training and education

According to Groenewald (2006:42) skills development of employees is a key driver to the achievement of employment equity objectives. The EEA regards skills development of designated groups as an affirmative action measure, where development and training are key to enabling designated groups to advance to equitable representation in all occupational categories. This is to ensure a better quality of education and training

within the workplace that is related to skills and competencies relevant to the jobs. Based on this it can be deduced that the SDA forms part of transformational legislation that enhances implementation of EEA in order to eliminate lowering of individual performance standards. The integration of EEP and Skills Development Programme (SDP) is essential to service delivery.

## 2.2.6 Basic Conditions of Employment Act, 75 (1997) (BCEA)

The purpose of this Act is to advance economic development and social justice by giving effect to the right to fair labour practices conferred in Section 23(1) of the Constitution. This Act acknowledges the discriminatory practices previously endured by employees in the work environment, hence the enhancement and enforcement of basic conditions of employment. Zondi (2009:48) concurs, emphasising the necessity of legislation that supports the conduciveness of the work environment to ensure fair labour practices by making provision for the regulation of basic conditions of employment.

The Act forms part of transformational processes where provision is made for reasonable accommodation for designated groups, with specific reference to maternity leave for working women. Section 25(1) provides for maternity leave where the health of pregnant women is taken into account. Section 26(2) requires the employer to offer pregnant women “suitable alternative employment on terms and conditions that are no less favourable than her ordinary terms and conditions of employment.” Jongens (2006:9) refers to discriminatory practices that still prevail in some organisations, where there is no flexibility in accommodating women with regard to their family roles and needs. Another basic provision of the BCEA relates to cultural and diversity issues, where reasonable accommodation is provided for family responsibility leave.

Section 27(2)(c)(ii) requires an employer to grant an employee three days family responsibility to attend the death of “the employee’s parent, adoptive parent,

grandparent, child, adopted child, grandchild or sibling". The leave section in the Act makes provision for other leave entitlement to all employees; the maternity and family responsibility leaves are mentioned here as they relate more to designated groups. The rationale is based on ensuring that the work environment is accommodative of employee circumstances, given the historical background of discriminatory policies and practices. Part C of the BCEA addresses issues of discrimination in the work environment based on the rights of every employee.

Section 79(2)(c) stipulates clearly that employees should not be prejudiced based on "past, present or anticipated". This Section enforces equal treatment of employees and negates any decisions that are based on historical background that may disadvantage a designated group. This is based on the impact of decisions which may create animosity to an extent where the work environment may not be conducive for designated groups to realise individual performance.

### **2.3 Analysis of the implementation of employment equity in the public service**

One of the problems that necessitated this study was to enhance the conduciveness of the work environment to ensure effective implementation of EEP. Du Plessis, Fouche and Van Wyk (1999:230) argue that the need for transformation in South Africa should be linked with environmental considerations on the basis of moral and strategic nature. Jongens (2006:2) adds that Employment Equity and Affirmative Action are two aspects of the significant process of transformation.

He further outlines transformation as the process whereby an institution actively takes steps that lead to a working environment where non-discrimination exist and where employees enjoy equal opportunities. Based on these arguments, it may be accepted that effective implementation of EEP may result in a transformed and conducive work environment. The context of all such discussion is that the public service work environment was adversely affected by the previous regime, with its apartheid laws.

Due to this, the South African public service work environment experienced inequalities and unfair labour practices, such as lack of gender representation, and race discrimination.

Milne (2009:970) concurs, describing the public service workforce as being divided along racial lines with separate administrations for white, coloured and Asian people. Other notable characteristics of the public service work environment consisted of income differentials, where the majority of black people were paid low salaries, as they were performing menial duties. In terms of gender representivity, women in general were employed in lower-level positions, while disabilities were handled as a social welfare problem. In order to address the identified inequalities within the work environment in the public service, transformation has been identified as one of the fundamental processes in the effort to reshape the service.

Zulu and Parumasur (2009:2) add that transformation requires an environment where equal opportunities are given so that everyone can be developed to experience full potential. Wessels (2008:23) provided further clarity about transformation within the public service that it should lead to genuine representivity which reflects South African demographics based on efficiency and competency. The transformational process should also facilitate attitudinal and behavioural changes in promoting a democratic ethos. All this relies on a transformed environment in the public service.

The extent of successful transformation in an organisation can be determined by employees' perceptions on whether programmes are fair in addressing inequalities, in addition to mere legal compliance in terms of fairness requirements. The next discussion will focus on employee perceptions towards achievement of the intended objectives of transforming the public service in order to create a conducive work environment.

### 2.3.1 Perceptions of employees on EEP

The perceptions of the workforce on the effectiveness and implementation of EE in the workplace contribute largely to its success. There are various factors that contribute to both negative and positive perceptions, all of which affect the conduciveness of the work environment. Some of the factors are related to race, gender, the behavioural aspect towards EEP, working conditions and management commitment.

Coetzee and Vermeulen (2003:18) agree that the perception on whether affirmative action is fair depends on the effectiveness of its implementation. The degree of fairness in implementing EEP can be measured by management's commitment to making it possible. This can be done through creating opportunities, a platform for consultation and providing the necessary resources.

Oosthuizen and Naidoo (2010:2) add that the necessity that management should consider whether the organisation has the capacity to design and lead the process of creating fair, equitable and tangible actions that demonstrate their commitment. The capacity problem may lead to inconsistent application, and thus further exacerbate elements of mistrust in employees about the effectiveness of EEP in the organisation (Booyesen, 2007:56).

Negative perceptions in employees about EEP may create an undesired attitude towards poor individual performance as well as to service delivery. At the individual designated groups are stigmatised and labelled 'AA appointees', and perceived to be employed on the basis of tokenism. Bezuidenhout, Bischoff, Buhlungu and Lewins (2008:8) confirm this viewpoint, based on interviews that they conducted, where it was established that many people are concerned in terms of the perceptions that black workers are employed to positions for which they are not qualified.

A study conducted by Pretorius, Human, Niemann, Klinck and Alt (2002:18) on employment indicated an adverse impact experienced by women and revealed that some of the perceptions relate to actions of exclusion and degrading expressions such as “You women are hysterical or emotional”. Van Zyl and Roodt (2003:14) identified the consequences of such utterances, and noted the perceptions that they may create more tension between men and women weaken women decision-making and reinforce male employees’ sense of superiority.

In addition to these, other perceptions persist, reinforcing the sense of a work environment still non-accommodative to designated groups, with specific reference to special needs for women and people with disabilities. Mafunisa (2005:260) refers to male-dominated informal networks and cultures which often inhibit women’s progress. In this case the organisational policies are established in a manner that cause women difficulty occupying senior management positions, due, for example, to inflexible work practices which do not accommodate working mothers with small children in terms of allowing them flexible working hours to take care of family responsibilities.

Zondi (2010:316) conducted a study in the Department of Agriculture, Forestry and Fisheries and found that not all the employees in that Department were satisfied with Affirmative Action Policies. White respondents perceived it as a tool to perpetuate inequality. This argument has been shared by many. Some political parties argue that timelines should be put in place to regulate possible workforce profile changes in future, as the scene might change, and white people become under-represented. Kunene’s (2005:98) research finding on the study conducted in the Department of Justice and Constitutional Development identified the following employees’ perceptions:

- A lack of interest in and awareness of AA and employment equity by many employees.
- That employee only became interested when their own positions and interests were threatened.

- Resistance to change by some employees and managers, especially white.
- Lack of executive management support for implementation of employment equity in some directorates.
- Many managers paying lip-service to the need for a more representative service.
- A lack of an effective communications strategy for informing employees about the need for AA and employment equity.
- A lack of involvement by employees in the formulation of EE communication strategies.

These negative perceptions may cause irreparable damage, such that qualified and competent people disassociate themselves from EEP. This could lead to difficulty in attracting and retaining designated groups and, ultimately, to non-achievement of EE targets. Isaaks (2003:35) encourages proper management of negative perceptions to targeted groups in order to eliminate possible feelings of being degraded and ridiculed. Oosthuizen and Naidoo (2010:5) suggest approaches of addressing such perceptions. EE should be implemented sensitively and strike a balance in order to afford black peoples an opportunity to benefit from life's opportunities. Some of the perceptions may instil anxiety from the previously advantaged groups who might perceive AA and EE processes as reverse discrimination. Such perceptions, if not properly managed, may lead to resistance to implementation of EEP (Esterhuizen and Martins, 2008:19).

The legitimacy of EE can be continually questioned and challenged by many opposing its existence, including at the court of law, if clear objectives of EEP are not provided (Harris, 2009:357). The perceptions and arguments presented above clearly indicate the importance of clarifying AA and EE objectives to both non-designated and designated groups.

### 2.3.2 Adverse impact to effective implementation of EE

The issue of representivity remains a national priority, followed by a strategy of ensuring achievement while maintaining efficient service delivery. Maphunye (2006:307) raises the most critical question in terms of how government would be able to attract and retain employees with a mix of relevant skills within its limited financial constraints. This question is based on the challenges faced within the public services where there is high demand and stiff competition of the skilled and competent in designated groups.

Further arguments have come to the fore with regard to a balanced approach, not only focusing on representivity, but also ensuring fair treatment in employment and elimination of unfair discrimination. A concern raised by Agocs (1996:32) is that of focusing on AA compliance in terms of numerical representation without changing organisational policies and practices to ensure proper adjustment of designated group. The working environment must be such that designated groups enjoy equitable career development opportunities and rewards for their contributions, in order to eliminate any possible negative perceptions as outlined in the previous discussion.

These employee perceptions may translate into adverse impact to implementation of EE if they are not properly addressed. Unresolved perceptions may negatively affect the work environment, individual performance and service delivery to the extent of hampering progress towards implementation of EEP.

### 2.3.3 Adverse impact of EE on work environment

The conduciveness of the work environment is critical to ensuring effective implementation of EEP. According to Thomas (2002:2) the South African work environment is still characterised by adversarial relationships, where organisational culture does not embrace diversity management. EE adverse impact are believed to be worsened by the work environment that is not ready for smooth implementation of EE

objectives and where organisational policies, procedures and practices are still based on discriminatory and unfair labour practices.

According to research conducted by Cohen and Ledford (2005:52), non-designated. The organisational culture may be seen as incompatible with designated groups. Esterhuizen and Martins (2008:40) described the work environment as having a historically white corporate culture. In such an environment it may be difficult for a designated employee to easily fit and adjust. This may result in a designated group feeling alienated from the organisational culture, and may impact negatively on individual career growth and performance. Coetzee and Vermeulen (2003:19) strongly oppose a work environment that is surrounded by negative perceptions as likely to result in employee frustrations and threaten their self- and social images. This may, in turn, cause a high labour turnover, legal battles and lower the probability that the implementation of EEP will succeed.

Furthermore, it is noted that the EE benefits may not be realised if its objectives are not integrated with strategic business objectives. Esterhuizen and Martins (2008:69) link strategic integration with management commitment, and the argument is that the impact of a lack of leadership commitment may result in poor management of diversity and a reduced chance of achievement of strategic objectives. Leadership direction is considered to be critical in ensuring that the work environment is conducive and accommodating the policies, procedures and practices supporting transformational initiatives.

Pretorius et.al (2002:32) identified some of the adverse impact as limited time, money or resources. Adverse impact such as these may be attributed to resistance to change while in other cases may be genuine problems given the work pressure due to work load or capacity problems. Development and enforcement of transformational policies and procedures would be essential to overcome these adverse impacts.

### 2.3.4 Adverse impact of EE on employees

According to research conducted by Cilliers and Stones (2005:52), non-designated groups still have deeper behavioural experiences and unprocessed negative feelings in the workplace regarding the implementation EE. Their research explored the systems of psychodynamic behaviour manifesting in the context of employment equity. They found that, while EEP may appear to be fully supported by non-designated groups, with clear evidence of good intentions and legislative compliance, many may still experience anxiety of losing or giving away the power they have possessed for so many years.

The question then is, to what extent are these primary concerns being utilised? Both They are sometimes compromised by the fact that they are expected to provide training to the designated groups, while carrying the suspicion that the designated people, once trained, will take over their jobs. The results of this anxiety may manifest in defensive behaviour, withdrawal (which may be in the form of poor performance), absenteeism and resistance to EEP initiatives. Another such reaction, according to Romano (2007:5) is that white workers leave the country because they feel that there are not enough opportunities for them here, and that they are limited in their upward mobility.

Friedman and Erasmus (2008:38) concur with these views, that exclusionary hiring practices when implementing affirmative action measures at the expense of non-designated groups reinforce the perceptions of limited opportunity. Of course, such perceptions may be motivated by either lack of information or resistance to change, and this calls for interventions to ensure that all stakeholders are in agreement.

Hoog, Siebers and Linde (2010:74) mention concerns of employees of poor implementation of AA, where inappropriate selections are made without consideration of relevant competencies which may have an impact on productivity due to non-performance. Dupper (2008:434) maintains that too much emphasis on achieving targets may create tension and greater disruptions, more especially where the employer does not have a proper EE plan in place, with clear objectives. Thus employers are

urged to ensure that their actions are clearly outlined, communicated and supported by all employees.

The arguments at national level raised by political organisations indicated concerns of lack of skills and competencies or provision of opportunities for acquiring those skills. The counter-argument points to the tripled results of black graduates. The consolidated national EE Report from DOL (Occupational Risk: Legislation and Compliance: 2010:6) has shown a tremendous increase of professionals.

The question then is, to what extent are these newly-acquired skills being utilised? Both designated and non-designated groups aspire after career growth, and non-recognition of their competencies or acquired skills may demotivate them or even reinforce misconceptions of transformational initiatives. Coetzee and Vermeulen (2003:17) mentioned a further, disturbing, barrier to EE; that designated groups may be allocated meaningless job assignments that do not provide opportunity to develop their potential, more especially where individuals possess both required skills and competencies of the job. Thus people skills are under-utilised.

Such actions are tantamount to sabotaging the transformational process. Mavundla (2009:22) identified a gap between policies and effective implementation of these policies. The argument points to a lack of critical building blocks for equality of outcomes, and not just equality of opportunity. Romano (2007:9) further warned that beneficiaries of affirmative action may experience racial tension, finding themselves excluded. Strategies for enabling support are required for the designated groups to enhance their performance. Van Zyl and Roodt (2003:14) add other adverse impact that may hinder women's career development as follows:

- The culture and values of the organisation, based on the male career model, that includes total availability to work long hours;

- The organisation's attitude to family care responsibilities, which may create a problem for balancing career progress and to the needs of children;
- Lack of mentorship programs providing training and breadth of skill; and
- Lack of self-confidence that arises from a need to balance home and work in an unsupportive environment, leading to a feeling of inadequacy in both.

### 2.3.5 Adverse impact of EE on service delivery

According to Clare (1996:122) the EE agenda is critical for rendering excellent and professional service to communities. A diversified workforce with the right attitudes and skills thus needs to be attracted and retained. However, the public service is moving slowly in achieving this. It inherited from the previous regime, many who are resistant to change, and who are likely to view EE as one of those unnecessary, irrelevant processes.

Coetzee and Vermeulen (2003:18) identify a barrier to effective implementation of EE to lie in seeing it in terms of compliance with political imperative rather than as an integrated business objective, which includes the appointment of a competent workforce. Thus the EEP might not be concerned with business needs, but remain a compliance issue, or even a fruitless exercise that does not enhance service delivery. The focus on political imperatives could reduce it to window dressing, where in turn the quality of service may be compromised, and the very competent people may not be able to achieve job fulfilment.

## 2.4 Strategies towards effective implementation of employment equity

The previous section identified adverse impact to the implementation of EEP. Having identified them it is necessary to look at strategies for overcoming them. It has been emphasised that the effective implementation of EEP should commence with the identification of measures that can be used to create a conducive work environment.

Strategies will be discussed in terms of their impact on ensuring transformation at both individual and organisational levels. Further essential strategies are the legislative requirements that have been provided as guidelines to assist both management and employees with implementation.

These include development of EE plans with more emphasis placed EE audits and AA measures, provision of reasonable accommodation and monitoring and evaluation with specific reference to active participation by all stakeholders. It has been noted that some of the adverse impact experienced at both individual and organisational levels are the result of limited understanding of diversity issues, where individual differences are not embraced. This results in poor working relationships and, intolerance amongst employees, which ultimately negatively affect the conduciveness of the work environment. Based on this, diversity management will be discussed as one of the strategies to enhance the implementation of EEP.

#### **2.4.1 Employment Equity Plan and Affirmative Action measures as a strategy**

A designated employer is obliged, in terms of EEA, to develop an EE plan before implementing AA measures (Van Jaarsveld, [sa]:639). This should be preceded by other activities, such as conducting EE audits to enhance underrepresented levels or categories. The EE audits should also analyse the work environment regarding policies, procedures, practices and facilities that are discriminatory or may impede implementation of EE. De Vos (2010:1) mentioned other important factors when formulating AA measures, namely that there should be clear targets to advance individuals who belong to a group which suffered from past unfair discrimination. The adopted measures should be designed in such way that they protect the rights and interests of those individuals.

The other point is to ensure that the measures are used to promote equality in the long term. The important principle to be observed is that AA measures are purposeful and

should not be randomly applied in terms of preferential treatment. The AA measures to be prioritised in order to accelerate effective EEP have been outlined by Hlongwane, ([sa]:69) to include recruitment procedures, advertising and selection criteria, appointment process, promotion, remunerations, the working environment and facilities, training and development, performance management systems and all other practices that may be deemed discriminatory or to constitute unfair labour practice.

#### 2.4.2 Reasonable accommodation as EE strategy

The provision of reasonable accommodation has been defined above in terms of its applicability to designated groups. It has, however, been noted that the provision of reasonable accommodation has mostly been limited to people with disabilities. The author considers that this definition should be extended to include all the designated groups, given the historical background and hardships they also endured from the previous regime. This is also based on transformational initiatives of creating a conducive environment within the public service, as confirmed by Sebola (2009:1104), by clarifying government's intention of transformational policies as being to bring positive results that will maintain stable and positive political, economic and social change.

Sebola (2009) further encourages significant measures to redress the past discriminatory and unfair treatment endured by designated groups. Maphunye (2006:301) holds that South Africa's government departments have not done enough where "no deliberate attempt has been made to avoid addressing gender imbalances". The Constitution provides for the eradication of adverse impact that unfairly discriminate on the basis of race, gender, class and other grounds of inequality. All these views justify an urgent need to present innovative ideas and actions to implement EEP. Ramphele (1995:5) refers to the adoption of programmes that should create an equal opportunities environment to bring out the best in all citizens.

Such programmes include providing increased access to resources and opportunities; and greater focus on the development of people, that is, a people-centered development process. Matshikwe (2004:139) linked other innovative measures to training and development of people from designated groups, including access to structured training and development programmes such as learnerships and internships, on-the-job mentoring and coaching; and accelerated training for new recruits. Provision of reasonable accommodation should commence with basic strategies in terms of the organisation's attraction and retention processes that cover the recruitment and selection process and the working environment.

### 2.4.3 EE strategies at individual level

Successful implementation of EEP depends on how people issues are dealt with in an organisation. The important strategy comes with diversity management in terms of the value placed on people differences. Wessels (2008:29) discusses the importance of diversity management, emphasising behavioural aspects in getting the best from every employee to the benefit of the organisation.

This viewpoint is supported by Horwitz, Bowmaker-Falconer and Searll (1996:134), who propose creative solutions to address deeply-entrenched discriminatory practices and social divisions as they impact on the work environment. The proposal is to incorporate diversity management with human resource development to change employees' attitudes and values, and bring tolerance and understanding to the organisational vision in order to implement EEP. Once tolerance amongst employees is obtained, the next process will be to ensure employee involvement and participation. Rangarajan (2010:252) emphasises the utilisation of diversity management to accelerate representation to harness the full potential of diverse individuals. Diversity management is closely linked to the transformational process in terms of clarifying and removing fears, stereotypes or doubts about the intended objectives of EEP, and to ensure that both employees and organisation benefit.

It is believed that this approach will ultimately lead to a harmonious working relationship where EE principles are embraced. Walbrugh and Roodt (2003:28) propose other employment equity strategies that should form part of the EE Plan, including skills and career development opportunities for designated groups. The proposed flexibility relates to provision of reasonable accommodation to designated groups, taking into account the historical hardships that they experienced, especially in denied opportunities to education and advanced career opportunities in the workplace.

Andrews (2008:12) further advises on strategies to fast-track transformation. Transformation will not happen without a better understanding to dispel myths; broadcasting benefits in order to reduce fear and anxiety; helping people become aware of the support available, including recognition of 'transformation heroes', and generally generating a feeling of inevitable change. It is believed that if individuals contribute to transforming the work environment, the EEP will yield better results.

#### **2.4.4 EE strategies at organisational level**

Human, Blues and Davies (1999:33) outlines critical success factors for employment equity and identified management commitment and integrated strategy as forming part of that. The entire organisation is required to be involved in the implementation of employment equity. Implementation of EE also requires active management commitment and accountability, so that leadership direction must be initiated from top to bottom. Leadership direction begins with the development of a business case for transformation, which should be incorporated into the organisation's strategic objectives and cascaded down to all employees (Selby and Sutherland, 2006:58). Once strategic direction is given and management is adequately visible in support of the EEP, this could lead to elimination of EE adverse impact and strengthen employee participation. Selby and Sutherland (2006:47) support the idea of people involvement, and, further, encourage effective consultation and communication between management and

employees. In this way, the employees' needs and inputs will be taken into consideration and management's EE position clarified.

Agocs and Burr (1998:30) refer to the importance of integrating diversity management. Watkins (Anon) emphasises the importance of Employment Equity committees, as they remain the most elementary components of the EEA. This view is supported by Balkin (1996:181), maintaining that stakeholder involvement ensures participation in and ownership of, the process. According to Thomas (2003:5) holistic and supportive human resources practices are essential in the quest for the workplace equity in order to address unfair workplace discrimination.

Based on this, it is therefore critical that human resource policies, procedures and practices be analysed in order to identify possible EE adverse impact, as all these have a direct impact on the conduciveness of the work environment. Wessels (2008:23) describes the need for transformation in the public service in terms of a genuine process of ensuring better representation of the public service that reflects the essential characteristics of South African demography. The emphasis in this instance is on reshaping the workforce profile in the public service with competent people that will enhance efficient service delivery.

The appointed public servants should reflect the demographics of the country in such a manner that diversity is embraced in line with the democratic ethos, with positive attitudes and behaviour towards service delivery. Mafunisa (2005:258) urges the public service to be exemplary in terms of ensuring that its workforce reflects the demographics of the country, as well as being representative in service delivery. By so doing, it is believed that a significant and discernible system of governance change will be achieved, where relationships are built and maintained within the structures of public service institutions and the people they serve. This is based on the assumption that black civil servants will empathise with the plight of the black community, and thus be more responsive and caring towards them.

## 2.4.5 Diversity management as EE strategy

Agocs and Burr (1996:30) refer to the importance of integrating diversity management and affirmative action in view of the fact that diversity management is primarily a response to demographic changes. Furthermore, diversity management is seen as complementary to EEA as a mandatory policy, as well as a strategy to address affirmative action issues. Horwitz, Bowmaker-Falconer and Searll (1996:139) describe diversity management as in-depth understanding of individual differences based on upbringing with different values and assumptions, which may affect relationships in terms of how people co-operate, compete, communicate, plan, organise and are motivated.

Agocs and Burr (1996:36) agree that the underlying objectives of diversity management are improving interpersonal and inter-group communication and relationships in the workplace. EEP emphasises transformation in the workplace to ensure that it is non-discriminatory and promotes fair treatment and equity. Changes are to be implemented by individuals who have been living differently with different beliefs and cultures. It therefore becomes necessary that a programme be put in place to ensure better understanding.

Horwitz, Bowmaker-Falconer and Searll (1996:134) argue for the necessity of diversity management given the changes brought by the new government, from apartheid to democracy. This needs creative solutions for integrating economic growth and development in order to overcome deeply-entrenched discriminatory practices and social divisions.

Rangarajan (2010:249) believes that a diversity programme should bring organisational change, leadership commitment, employee participation, accountability of AA and diversity goals. He further emphasises the critical role that managers should play in terms of demonstrating leadership commitment, setting an example of openness, and at

the same time changing the organisation's philosophy and culture. Diversity management should be presented to employees in the form of diversity training in order to empower them to manage stereotypes, prejudice and bias. It should further assist people from different backgrounds to value diversity and to empathise with those who are different from themselves. Agocs and Burr (1996:39) advise that the beneficiaries of diversity management should be both designated and non-designated groups.

Through diversity management programmes, non-designated groups will be helped to feel comfortable and to eliminate their fears and anxieties, while designated groups will be assisted with assertiveness skills. Gray (2008:286) advocates employing positive measures that will ensure diversity in the Public Service workforce that reflects the citizens it serves. This view supports the alignment of employment equity and diversified workforce, in the interests of rendering efficient service delivery.

Based on all this, it can be concluded that diversity management is an essential strategy in enhancing effective implementation of EEP. It further has a direct positive impact on a conducive work environment, as it ranges from employee relationships for both designated and non-designated groups, individual performance and overall organisational performance, which in turn enhances service delivery.

## 2.6 Conclusion

The legislative framework discussed in this chapter is, clearly, based on government efforts to transform the work environment. The importance of conduciveness in the work environment has been acknowledged, especially in terms of the enhancement of regulations to enforce changes that contribute to efficient service delivery. The WPTPS commenced with the identification of the actual challenges in the public sector that contribute to poor service delivery, and the legislative framework was developed to address them.

The Constitution has been acknowledged as the cornerstone of democracy where the principles of basic human rights directs the work environment to ensure non-discriminatory, equitable and fair treatment of employees with specific reference to designated groups. The transformation of the public service became one of the key priorities of government, centred on the needs of the citizens receiving quality service. It has been noted that public service transformation requires a representative workforce that will be in a position to understand the needs of the people they serve.

The transformational legislative framework objectives were based on Constitutional principles and the problems identified in the public service. The labour laws outlined in this chapter provide guidelines on promoting non-discriminatory practices, policies and procedures. They also prescribe for the importance of creating a fair and equitable work environment in order to realise the goals and vision of democratic government.

These legislative requirements acknowledged the hardships previously experienced by designated groups and made provision for strategies for the implementation of affirmative action measures, provision of reasonable accommodation, EE representivity and diversity management. It can therefore be reasonably hoped that the implementation of the legislative framework will result in a conducive work environment. It is, however, essential to explore further the reasons why it continues to be difficult to implement EE in spite of the supporting legislative framework being available and accessible.

## CHAPTER 3: RESEARCH METHODOLOGY AND DESIGN

### 3.1 Introduction

The aim of this chapter is to discuss the research design and the process of investigation based on the two research paradigms, namely the quantitative and the qualitative research paradigms (Leedy, 2004:89). A suitable research paradigm for this study was selected after the two paradigms were studied and discussed. A justification for the research paradigm chosen is provided. The data collection method including ethical measures is discussed. The procedure employed for data analysis is provided. In general, this chapter will illustrate an overall methodology together with the methods used to achieve the objectives of this research as stated in chapter one. It also describes the overall methodology adopted, population identification, sampling procedures and unit of analysis, the means to study site methods for data collection and analysis.

### 3.2 The study area

Vhembe District is found in the Limpopo province of South Africa. It coordinates are  $22^{\circ}30'S$  and  $29^{\circ}30'S$  latitude and  $30^{\circ}30'E$  and  $24^{\circ}30'E$  longitude. Vhembe District is situated at the foot of the densely forested Soutpansberg mountain range near the Zimbabwean, Botswana and Mozambiquean borders. The area comprises 754 1727 square Kilometres. The climatic conditions of the two study area sites resemble some of the climatic conditions of the Vhembe. The climate of Vhembe can be characterised as a semi-arid. Summer maximum temperatures average from  $25^{\circ}C$ - $40^{\circ}C$ . Winter maximum temperatures average from  $14^{\circ}C$ - $25^{\circ}C$ . The rainy season in the study areas extend from October to April, with the peak of precipitation taking place during January and February.

### 3.3 Research design

A research design refers to the methodologies available for researchers to study certain phenomena (De Vos et al 2005:268). The study will utilise both qualitative and quantitative research designs because it is aimed at understanding perceptions about the implementation Employment Equity Act on the Department of Health. A case study approaches will also be utilized. According to De Vos et al (2005:272), a case study aims at the exploration or in-depth analysis of phenomena.

An intrinsic case study will be most appropriate for this project as it focuses solely on gaining better understanding of the individual case, which in this study is the challenges regarding the implementation of Employment Equity Act within the Department of Health and the management thereof: A case of study of Vhembe District. The study is based on social sciences theory because social science theories provide an explanation, a prediction and generalisation about how the world operates (De Vos et al 2005:263) which in the study would be the Employment Equity Act implemented within the Department of Health and the management thereof.

### 3.4 Research methodology

According to Huysamen (1995:163) research methodology is the creation and development of techniques and strategies to collect data. In this study the researcher used both qualitative and quantitative methods of data analysis. In this study, research methodology involves a selection of appropriate research approaches, research methods, sampling procedures, respondents and instruments for collecting and analyzing data.

### 3.4.1 Quantitative research methodology

Quantitative research tends to be associated with measuring (Barnes, 1992:108). According to Good (1993:279) as well as Denzin and Lincoln (1994:4), quantitative studies emphasise the use of numerical measures to arrive at specific findings. Data collection in quantitative research is accumulated by means of inanimate instruments such as scales, tests, surveys, questionnaires and computers (Storbeck, 1994:73). Creswell (1994:4) is of the opinion that because quantitative research is impersonal and experimental it is not suitable to study human phenomenon.

Quantitative research methods include the implementation of statistics to measure data. Statistics, according to Leedy (1993:244), are a very simple matter but are a powerful tool in the hands of the researcher who is able to view their nature and interrelationships more understandably. Through statistics, therefore the researcher is able to conceptualize what otherwise might be incomprehensible (Leedy, 1993:244) hence the advantages of this study. The facts gathered from questionnaires were translated into tabular form. This was done so that the facts (statistics) would speak more clearly.

### 3.4.2 Qualitative research methodology

De Vos (2001:240) defines qualitative research as a multi-perspective approach making sense of interpreting or reconstruction this interaction in terms of meanings that the subjects attach to it. This approach deals with data that are principally verbal. It is the approach in which the procedures are not as strictly formalized as in quantitative research and the scope is more likely to be undefined and a more philosophical mode of operation is adopted. It aims at understanding and interpreting the meanings and intentions that underlie everyday human action. Qualitative researchers maintain that many natural properties cannot be expressed in quantitative terms; they will lose their reality if expressed simply in terms of frequency (Kincheleo, 1991:143).

Qualitative methodology refers to research which produces descriptive data: generally no numbers or counts are assigned to observations. The indispensable condition or qualification for qualitative methodology is a commitment to seeing the world from the point of view of the actor (the participant). Because of this commitment to see through the eyes of one's subjects, close involvement is advocated (Bryman, 1984:78).

Creswell (1998:12) states that it is clear that in qualitative research one gets closer to the people, talks to them and tries to get into their subjective feelings to understand the reasons why they do what they do. Reality is, therefore, subjective and one seeks to understand phenomena. Concepts are in the form of themes, motifs and categories. The research design is therefore flexible. Inductive logic is employed in the quest to derive meaning from subjects. These are meanings people attach to everyday life. Applied qualitative methodologies allow the researcher to know people personally and to see them as they are, to experience their daily struggles when confronted with real situations. Using a qualitative research methodology, the researcher interprets and describes the actions of people when confronted with life situations.

A purposive sampling method will be used to reach out to employees of Department of Health. Based on the qualitative research methodology, the researcher designed and compiled semi-structured interview questions in order to collect information from HR, managers and directors for departments of administration, community and technical services. In this regard information was collected through the use of questionnaires. The qualitative research methodology was used because it provides a framework for a subject to speak freely out in his or her own terms about a case which the researcher brings to the interaction.

### 3.5 Population of the study

Population is defined as a total set from which the individuals or units of the study are chosen (De Vos et al 2005:193). The population for the study will be employer in the Department of Health. The sampling frame will be drawn from officials who work with

implementation of Employment Equity Act issues in government departments. Most participants lived in Vhembe District. The population targeted in this study included all managers, health care employees (N = 1700) at the Department of Health

### 3.6 Sampling

Wimmer and Dominick (1983:58) mention that a sample that is not representative of population, regardless of its size, is inadequate for testing purposes. In general, sampling makes it possible to estimate characteristics of a large group by examining the characteristics of smaller groups. The larger group is referred to as a population. The smaller group drawn from the population is called sample. The results cannot be generalised for the population. This study was sample the HR officer, Manager, and Employees in the Department of Health, Vhembe District.

### 3.7 Sampling method

A purposive sampling method will be used to reach out to employees of Department of Health to be included in the study. A purposive sampling method refers to a sample in which the researcher deliberately obtain units of analysis in such a manner that the sample obtained may be regarded as being representative of the relevant population (De Vos et al 2005:69). Thus Employee Advisory Committee (EAC) and management representatives have been selected as a sample.

### 3.8 Sampling size

Dominick (1983:60) concludes by stating that generally speaking, the larger the sample used the better. However a large un-representative sample is as meaningless as a small un-representative sample.

**Table 3.1: Population size of the study**

TARGET	STUDY POPULATION	STUDY SAMPLE
HR officers	5	5
Manager	5	5
Employees	250	35
Unions	5	5
<b>Total</b>	<b>265</b>	<b>50</b>

### 3.9 Data collection methods

Mouton (2002:156), data collection subsists in the use of a variety of methods and techniques of data collection in a single study. Schulze (2002b: 14) maintains that data should meet the requirements of a qualitative or quantitative research design or a design consisting of a combination of these approaches.

#### 3.9.1 Questionnaire survey

The questionnaires have been compiled with a set of dimensions and statements to enhance perceptions of employees on the conduciveness of the work environment within Department of Health in promoting the effective implementation of EEP. The questions for questionnaires consisted of close-ended questions such as scale questions, where the learners, educators and the parents had to mark their responses in the appropriate blocks, e. g.

- A = Strongly Agree
- B = Agree
- C= Uncertain
- D = Disagree
- E = Strongly Disagree

In addition, in order to respond to the research questions of this study, a semi-structured interview questionnaire has been utilised to investigate management's views and perceptions on the value that EEP adds to Departmental strategic objectives.

### 3.9.2 Open ended interview

De Vos, (2005), outlined the importance of open ended interview in terms of allowing researcher and participants with flexibility; where follow up questions can made and detailed information be given. This method is therefore deemed appropriate when collecting information from managers given the level of their responsibilities and involvement in implementing EEP.

### 3.10 Data analysis methods

De Vos, Strydom, Fouche and Delport (2011:252) encourage data preparation, which includes checking and editing collected data. Then the raw data must be organised, either through numerical codes or numbers. The numerical approach will be adopted in this study to analyse collected data as it will ensure that every response is consistently accounted for, and validate the analysed information.

The data collected will be analysed, using both quantitative and qualitative methods. Mouton (1999:166) outlined one of the fundamental uses of qualitative analysis in terms of perspectives and plans that emerge from the interplay between a socially constructed self and a socially constructed environment. In this way a holistic approach will assist the researcher to reach descriptive data obtained from survey results, responses received from management interviews, literature review and legislative framework analysis.

A statistical analysis method will be adopted to summarise the questionnaire results, while the open-ended questions will be categorised under the identified dimensions. Measures of central tendency will be used to provide some indication of the size of average or typical scores (Eysenck, 2004:8).

### **3.11 Ethical considerations**

Whilst conducting the study, the researcher will adhere strictly to all ethical issues to inform and protect respondents in the following manner:

#### **3.11.1 Voluntary participation**

Respondents will not be tricked into participating involuntarily in the study but will be made aware that they are participating in a study. Consent will be sought either verbally or in writing and the purpose of the study will be explained to respondents.

#### **3.11.2 Protection from harm**

Precautionary measures will be taken to protect respondents from any psychological harm. Protection from harm will be ensured by asking respondents to stop the interview at any stage should they feel uncomfortable.

#### **3.11.3 Confidentiality and anonymity**

The right of respondents to privacy, confidentiality and anonymity will be respected. The use of respondent's names, video cameras, tape recorders, one-way mirrors and microphones will not be utilised in the study.

### 3.12 Conclusion

This chapter has covered all issues concerning overall research methodology adopted in this study, population identification, sampling procedure and methods for data collection and analysis. The issue of how data were collected and analysis were dealt with in this chapter. The next chapter deals with the interpretation and analysis of collected data.

In this chapter, the findings of the study are discussed. The aim of this study was to gain a deeper understanding of the implementation of Employment Equity Act in the Department of Health at Vhembe District. As discussed in the previous chapters, data for this study was collected by means of interviews and questionnaires. The data was then transcribed and analysis was done by means of content data and statistical analysis. Categories and themes emerged throughout the analysis process.

This chapter presents the results of the field study. The data was collected mostly through interviews with communities using structured questionnaires. In a few cases, especially concerning Department and district, structured self-administered questionnaires were sent out and later collected for analysis.

#### 4.2 Biographical Information

Table 4.1: gender status of the respondents

	Frequency	Percentage
Male	24	48
Females	26	52
Total	50	100

Out of the 50 responses the respondents made were that 24 were males and 26 were females which constitute 48% and 52% respectively while 2% of respondents had not indicate their gender (See table 4.1). This ratio may be attributed to the fact that Management levels of Department of health are dominated by males.

## CHAPTER 4: DATA PRESENTATION, ANALYSIS AND INTERPRETATION

### 4.1 Introduction

The previous chapter focused on the research methodology and on how the research was conducted. In this chapter, the findings of the study are discussed. The aim of this study was to gain a deeper understanding of the implementation of Employment Equity Act in the Department of Health at Vhembe District. As discussed in the previous chapters, data for this study was collected by means of interview and questionnaires. The data was then transcribed and analysis was done by means of content data and statistical analysis. Categories and themes emerged throughout the analysis process.

This chapter presents the results of the field study. The data was collected mostly through interviews with communities using structured questionnaires. In a few cases, especially concerning Department and other stakeholder, self administered questionnaires were sent out and later collected for analysis.

### 4.2 Biographical information

**Table 4.1: gender status of the respondents**

	Frequency	Percentage
Male	24	47
Female	26	53
<b>Total</b>	<b>50</b>	<b>100</b>

Out of the 50 responses the observations made were that 24 were males and 26 were females which constitute 53% and 47% respectively while 2% of respondents had not indicate their gender (See table 4.1). This ratio may be attributed to the fact that Management levels of Department of health are dominated by males.

**Table 4.2: Language used by the respondents**

	Frequency	Percentage
English	10	20
Tshivenda	10	20
Tsonga	30	60
<b>Total</b>	<b>50</b>	<b>100%</b>

Table 4.2 revealed that 50 respondents which constituting 20 percent of the total sampled was indicated Tshivenda as their mother tongue. The 60% of the respondents spoke Tsonga as their mother tongue and used the same language as medium of communication in meetings, and 20% of the respondents indicate English as their home language (See table 4.2). Table 4.2 indicates that more black people participated than other race groups. This reflects a true picture of the demographics of the country and the Department of Health workforce profile, as well as compliance with the EEA in terms of equitable representation

**Table 4.3: Employment status of the respondents**

	Frequency	Percentages
Full time	6	12
Part time	7	13
Unemployed	31	62
Pensioner	6	13
<b>Total</b>	<b>50</b>	<b>100</b>

In terms employment status the majority of the respondents were unemployed, that is, 62%. Ironically, 25% of the respondents were employed although the majority of this category was employed on a part-time (i.e. 13% and 12% full-time employed). In addition, pensioners constitute 13% of the total number of respondents (See Table 4.3).

**Table 4.4: Distribution according to position**

	Frequency	Percentages
Administrative	30	60
Middle Management	10	20
Senior management	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

According to Table 4.4 60% of the respondents operate at middle management, and 20% are administrative employees and 20% of the respondents are in Senior Management. Section 16 of EEA requires a balanced representation of all levels within the EE Committee. Thus an indication that the Departmental EE Committee is composed of all levels, and as such, is compliant with the EEA. The years of service of EAC members who participated in the survey range from 2 to 37. This provides confirmation that the respondents have been employed in the Department long enough to have some knowledge about equity employment issues. The table indicates that of 44 participants who returned the questionnaires 4 did not indicate their years of experience.

**Table 4.5: Distribution according to race**

	Frequency	Percentages
Asian	2	4
Black	31	64
Coloured	11	22
White	5	10
<b>Total</b>	<b>50</b>	<b>100</b>

A breakdown of responses per race, shows the highest number of respondents (64%) was black people, followed by white people, (23%) then coloureds (9%) and the lowest Asians (4%). This profile reflects a diversified workforce profile within Department of Health, a balanced, fair and diversified workforce

### 4.3 Quantitative data analysis

The data was analysed using a SPSS computer based programme for analysing data from social science studies..

**Table 4.6: Training Programmes are aligned to EE objectives**

	Frequency	Percentages
Strongly Disagree	10	20
Disagree	5	10
Neutral	5	10
Strongly Agree	20	40
Agree	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.6 indicate that 15 respondents which constituting 30 percent of total sample were disagreed with the statement while 10 percent of the respondent was neutral. 30 respondents which constituting 60 percent of the total sampled was strongly agreed with statement. Thereof table 4.6 revealed that 30 percent of the respondents felt that training Programmes are aligned to EE objectives, whilst the remaining 60 percent did not feel that way. It has been noted that the alignment of training and development to EEP is critical as stipulated in the Training and Development Act of 1998. Table 4.6 agrees that Training and Development should form part of EE strategies in order to accelerate achievement of EE objectives.

**Table 4.7: Employees have freedom in their jobs to be creative and to grow**

	Frequency	Percentages
Strongly Disagree	20	40
Disagree	5	10
Neutral	3	6
Strongly Agree	7	14
Agree	15	30
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.7 shows that 25 respondents which constituting 50 percent of the total sampled was strongly disagree with the statement while 3 respondents was neutral with the statement. 22 respondents which constituting 44 percent of the total sampled was strongly agreed with the statement. Thereof the results indicate that, eEmployees have freedom in their jobs to be creative and to grow.

It is believed that the work environment should encourage creativity in order to enhance service delivery. These results show that employees are dissatisfied with Departmental training programme in relation to its support for EEP, and therefore calls for urgent attention. The researcher proposes urgent attention to address this perception, based on the importance and critical role that training and development plays in the achievement of EE. The urgency is increased by the consideration that this can be construed as non-compliance with the legislative requirement, as well as its impact on the conduciveness of the work environment.

Total	50	100
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Table 4.9 reveals that only 13 respondents which constituting 30 percent of the total sampled that I have the same opportunities here as others of the same ability, experience and education, 20 respondents said they I have the same opportunities here as others of the same ability, experience and education, 32 respondents which

**Table 4.8: Preference is given to people according to EE priorities**

	Frequency	Percentages
Strongly Disagree	5	10
Disagree	7	15
Neutral	3	5
Strongly Agree	10	20
Agree	25	50
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.8 indicates that only 70% of the respondents said they were Preference is given to people according to EE priorities, whilst the other 25% indicated that they Preference are given to people according to EE priorities. 3 respondents which constituting 6 percent of the total sampled was neutral with the statement. There are perceptions that designated groups are appointed to positions for which they do not qualify.

**Table 4.9: I have the same opportunities here as others of the same ability, experience and education**

	Frequency	Percentages
Strongly Disagree	20	40
Disagree	12	25
Neutral	3	5
Strongly Agree	5	10
Agree	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.9 reveals that only 15 respondents which constituting 30 percent of the total sampled they I have the same opportunities here as others of the same ability, experience and education, 20 respondents said they I have the same opportunities here as others of the same ability, experience and education, 32 respondents which

constituting 65 percent of the total sampled they said that I have the same opportunities here as others of the same ability, experience and education.

This statement is meant to test whether equal opportunities are given to all employees, in line with the objectives of the EEA. Respondents indicate that encourages proper implementation of affirmative action and employment equity in order to provide individuals and society with opportunities to bring out the best in people and to advance people and systems in the society. It has been interesting to note that employee perceptions within Department of Health indicate the view that they are given fair opportunities based on abilities, experience and education, and not only as EE candidates.

**Table 4.10: The Departmental EE Plan enforces transformation**

	Frequency	Percentages
Strongly Disagree	5	10
Disagree	5	10
Neutral	10	20
Strongly Agree	15	30
Agree	15	30
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.10 indicates that 30 respondents which constituting 60 percent of the total sampled was strongly agreed with the statement while 10 respondents which constituting 20 percentage of the total sampled was neutral with the statement. EEA has been acknowledged as a piece of transformation legislation which requires proper planning with clear intentions and achievable objectives. Respondents support the importance of an EE Plan before implementing AA measures so as to avoid impulsive implementation. This is based on the acknowledgement that transformation is a *process*

designed to culminate in behavioural and systemic factors, so addressing all these requires clear transformation objectives.

**Table 4.11: All managers demonstrate commitment to ensure effective implementation of the EE Plan**

	Frequency	Percentages
Strongly Disagree	4	8
Disagree	6	12
Neutral	10	20
Strongly Agree	20	40
Agree	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.11 indicates that 30 respondents which constituting 60 percent of the total sampled was strongly agreed with the statement All managers demonstrate commitment to ensure effective implementation of the EE Plan while 10 respondents which constituting 20 percent of the total sampled they neutral with the statement. These results are of great concern if employees feel that the commitment of management is not apparent.

**Table 4.12: The EE Plan is integrated into Departmental strategic objectives, and is one of the priorities**

	Frequency	Percentages
Strongly Disagree	6	12
Disagree	4	8
Neutral	9	18
Strongly Agree	16	32
Agree	15	30
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.12 indicates that 10 respondents which constituting 20 percent of the total sampled was strongly disagreed with the EE Plan is integrated into Departmental strategic objectives, and is one of the priorities while 9 respondents which constituting 18 percent of the total sampled was neutral with the statement. The impact of non-integration of the EE Plan into Department strategic objectives has been identified as a serious barrier to service delivery.

Table 4.14: Social practices are culture-free

**Table 4.13: Departmental EE Plan has been developed for legislative compliance only**

	Frequency	Percentage
Strongly Disagree	14	28
Disagree	5	10
Neutral	9	18
Agree	15	30
Strongly Agree	7	14
<b>Total</b>	<b>50</b>	<b>100%</b>

The general perception of developing EE for legislative compliance only has been noted as a barrier, and therefore calls for more strategies to implement it effectively in order to benefit the employer. 50% of the respondents agreed; 38% disagreed and 18% indicated that they didn't know. The results on how the EE Plan is implemented in the Department are somewhat contradictory, as 44% of the respondents agreed with the statement that the EE Plan enforces transformation and 75% indicated that EE Plan is integrated into Departmental strategic objectives.

These two positive responses give the impression that management is actively involved in the process of integrating EE Plan into Departmental strategic objectives. However, 63% disagreed that management demonstrate commitment to effective implementation of EE. 50% felt that EE within the Department is implemented only for compliance purposes. These results raise critical questions, such as: how is the EE Plan integrated

into Departmental strategic objectives, whereas management commitment is not apparent? If EE is implemented for purposes of compliance, to what extent does it enforce transformation? In order to respond to these questions and to enhance the effectiveness of this aspect of EEP in the Department of Health further research may be needed.

**Table 4.14: Social practices are culture-free**

	Frequency	Percentages
Strongly disagree	19	38
Disagree	20	41
Neutral	6	12
Agree	4	8
Strongly disagree	1	1
<b>Total</b>	<b>50</b>	<b>100</b>

The purpose of the Employment Equity Act has been outlined in Chapter 2, where the emphasis is based on fair discriminatory practices. This is based on the historical background characterised by discriminatory laws and practices. 79% of respondents agree with this statement, which means that progress has been made in terms of elimination of unfair discriminatory practices. On the other hand, 9% disagreed that the social practices are culture-free, and 12% indicated that they didn't know.

**Table 4.15: My workplace is a fun place to work at**

	Frequency	Percentages
Strongly disagree	14	29
Disagree	20	40
Neutral	6	11
Agree	8	15
Strongly disagree	2	5
<b>Total</b>	<b>50</b>	<b>100</b>

It has been noted that the conduciveness of the work environment forms one of the enabling factors towards effective individual performance. The Literature Review in Chapter 2 highlighted a number of factors that contribute negative perceptions about the workplace. Table 4.15 outlined some of the factors, including employee anxiety and fears on how the EEP is implemented, so that employees feel threatened about their career opportunities with regard to fairness and equal opportunities. 69% of participants disagreed that the workplace is a fun place, 20% agreed to the statement and 5% indicated that they didn't know.

**Table 4.16: Cultural and religious differences are catered for in the workplace**

	Frequency	Percentages
Strongly Agree	22	43
Agree	22	44
Neutral	3	6
Disagree	3	6
Strongly disagree	2	3
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.16 revealed that 87% of the participants agreed that different cultures and religions are accommodated in the workplace; 9% disagreed with this statement and 6% indicated that they didn't know. Of the statements presented to test their perceptions of Departmental culture in relation to EE implementation, employees responded positively to three and disagreed with only one. The overall impression given by these responses is that the Departmental culture embraces EE.

It has been acknowledged that the pre-1994 South African government was driven on the basis of apartheid laws. Cultural and religious differences were highlights of discriminatory practices in the workplace. The legislative framework in Chapter 2 focused on the provisions that were made to eliminate all the discriminatory practices

that arose from apartheid laws. Participants outline stresses the necessity of recognising cultural differences between groups of employees and providing practical allowances for such differences in organisational policies, and further refers to diversity management as the latest development in a series of strategies aimed to better represent excluded groups in employment.

**Table 4.17: Departmental EE targets are achieved**

	Frequency	Percentages
Strongly disagree	19	38
Disagree	22	44
Neutral	4	8
Agree	4	8
Strongly Agree	1	2
<b>Total</b>	<b>50</b>	<b>100</b>

The majority of the participants (82%) disagreed that the Department did achieve EE targets, 10% agreed with the statement and 8% indicated a 'don't know' answer. These results indicate that Departmental EE targets have not been achieved, and as such, its workforce profile does not reflect the demographics of the country. However, participants indicate that, at Branch level, efforts have been made towards achievement of EE targets.

Disagree	10	20
Disagree	10	20
Neutral	1	2
Strongly Agree	15	30
Agree	14	28
Total	50	100

Table 4.18 shows that 56% of participants agreed with the statement that there is no discrimination regarding employee benefits, 40% of respondents disagreed with the statement and 2% indicated that they didn't know. The two statements indicate that the

**Table 4.18: Remuneration is based on the principle of “equal pay for equal work of equal value”**

	Frequency	Percentages
Strongly Disagree	8	16
Disagree	8	16
Neutral	4	8
Strongly Agree	15	30
Agree	15	30
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.18 revealed that 60% of the participants agreed that employees are fairly remunerated, 32% disagreed with this statement, and 8% indicated that they didn't know. Table 4.18 outline that internal consistency can be achieved if employees believe that they are paid what their work is worth, where the company's pay rates reflect the overall value of each person's job to the organisation. Based on this view employee remuneration and service benefits disparities have been one of the burning issues that the Employment Equity Act purported to address.

**Table 4.19: All forms of discrimination are removed from the benefits**

	Frequency	Percentages
Strongly Disagree	10	20
Disagree	10	20
Neutral	1	2
Strongly Agree	15	30
Agree	14	28
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.19 shows that 58% of participants agreed with the statement that there is no discrimination regarding employee benefits; 40% of respondents disagreed with the statement and 2% indicated that they didn't know. The two statements indicate that the

participants are satisfied with how employees are remunerated; as both statements received a high positive score rate of 58% and 64%. This could be attributed to the prescriptive and regulated nature of Public Service Remuneration System where Trade Unions are involved.

**Table 4.20: Communication between management and staff is good**

	Frequency	Percentages
Strongly Disagree	10	20
Disagree	5	10
Neutral	5	10
Strongly Agree	10	20
Agree	20	40
<b>Total</b>	<b>50</b>	<b>100</b>

A healthy and conducive work environment is required to encourage sound working relationships across race, where employees respect and communicate effectively irrespective of colour. 60% of the respondents agreed that communication is good among employees across race, 30% of the respondents disagreed with the statement and 10% indicated that they didn't know (Table 4.21).

**Table 4.21: Employees feel free to express differences that may be due to different cultural backgrounds**

	Frequency	Percentages
Strongly Disagree	10	20
Disagree	10	20
Neutral	5	10
Strongly Agree	15	30
Agree	10	10
<b>Total</b>	<b>50</b>	<b>100</b>

Table 4.21 shows that national survey of some of the top 100 companies in South Africa indicated workplace problems that included lack of trust and confidence between subgroups; a breakdown in communication between subgroups; prejudices and stereotypes; poor teamwork; decreased productivity; intergroup conflict; high staff turnover, especially among the previously disadvantaged people recruited to companies, and unhealthy competition.

All these problems centre on communication, and have a direct impact on the work environment, especially on service delivery, and therefore necessitate attention. Communication forms the basis of a healthy culture in a work environment as it concerns interactions and relationships. The overall response on this dimension indicates that 50% of the respondents agreed that there is freedom of expression in the Department; 40% disagreed with the statement and 10% indicated that they didn't know.

**Table 4.22: Employees are fully consulted on EE activities**

	Frequency	Percentages
Strongly Disagree	25	50
Disagree	5	10
Neutral	5	10
Strongly Agree	10	20
Agree	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

Section 16 of the EEA requires employers to consult employees on EE issues. 60% of respondents indicated that employees are not fully consulted on EE activities; 40% agreed that employees are consulted, and 10% indicated that they didn't know. Of the statements, participants disagreed with above statement: that there is no freedom of

expression in the Department, and that there is no consultation on EE activities. It has been noted that the agreements on the other two statements are also at low scores of 52% and 50%. Based on these scores, it can be deduced that more attention is needed to improving communication within the Department, especially as employee consultation forms part of the legislative requirement in terms of Section 16 of EEA.

#### 4.4 Qualitative data analysis

An open-ended structured questionnaire was used. This was meant to allow respondents to bring out as much information as possible as compared to a closed questionnaire, which allows respondents to choose between predetermined responses (Schumacher and McMillan, 1993). Furthermore, open-ended questionnaires were preferred because they offer respondents the opportunity to freely respond according to their own views, experiences and feelings. Open-ended questionnaires accommodate a discussion on the answers so as to find out why the particular respondents give those specific answers.

The researcher made telephone calls to 18 participants from different branches to make appointments for interviews with members of management and to give them a full background of the study. The discussion included arranging a 20-minute interview with individual managers. Due to busy schedules, the researcher only managed to secure a meeting with three managers; the other seven completed the questions and e-mailed them to the researcher. These managers were contacted telephonically on questions that needed further clarification. The researcher made several attempts to arrange a meeting with the seven managers, without success. However, their participation in the form of completion of semi-structured questions was appreciated, as they provided constructive and valuable inputs.

#### 4.4.1 To what extent is the Departmental Employment Equity Programme aligned to its strategic objectives?

Question 1: In your view, to what extent is the Departmental Employment Equity Programme aligned to its strategic objectives? The researcher's interest was to source information from management as they are held accountable for implementing EE in the work environment, especially as it has been emphasised that EEA and other related legislation is aimed at transforming the work environment to enhance service delivery. Respondent 1 indicate that the importance of the role of management in ensuring the EE alignment to Departmental strategic objectives.

Chapters 1 and 2 have provided a background of what the alignment of EEP and strategic objectives should entail. Their business imperatives in the public service have been linked to transformation and efficient service delivery.

Respondent 2 supports this view that the EE agenda is essential for responding to the needs of the community in rendering professional service. The management's responses are summarised below:

Respondent 3 shows that there is an alignment to key strategies that promote the achievement of the departmental objectives. Such strategies include Recruitment and Selection; Performance Management and Training and Development

Respondent 4 indicated that alignment of EEP with Departmental strategic objectives is at a minimal level, where the focus is more on numbers than on providing reasonable accommodation to retain the designated group. They added that the alignment is more on capacitating the Department and reducing the vacancy rate. These respondents warned that too much emphasis on achieving targets may compromise the employing of people with appropriate skills and competencies

Respondent 5 felt that there is no alignment, and that EE is only discussed as a side issue or for legislative compliance

The other respondent 6 indicated that the Department has improved in the achievement of EE targets, and that this has been demonstrated by the Director General's commitment and directive towards appointment of women at senior management levels

A general concern was that the alignment of EEP and Departmental strategic objective could be further enhanced if all managers were committed to fully implementing EE. It was further suggested that EE monitoring and evaluation systems should be strengthened, and management empowered to take ownership rather than rely on HR for implementation.

#### 4.4.2 What are the benefits of employee consultation?

Question 2: For the Employment Equity Programme to be fully implemented there should be an effective consultation in order to address specific issues that will promote and enhance its achievement. Do you agree to this view? If yes, elaborate by indicating the benefits of consultative process. If no, give reasons of your disagreement and indicate disadvantages. This question was intended to enhance management's belief and also the extent of their support for the employee consultation process. It was also aimed at determining whether they see any benefits in consulting with employees. Employee consultation is a legislative requirement, as stipulated in Section 16 of the Employment Equity Act of 1998.

Respondent 7 emphasises the necessity of consultation as the eventual realisation of achieving the goal of EE, and urges the employers to engage in this process in good faith. It is believed that consultation in good faith will improve trust and relationship between management and employees, and in turn, contribute to a conducive working environment.

Respondents 8 fully supported effective consultation of stakeholders when implementing EEP. They further indicated that the consultation should involve line managers, union and employees. They also maintained that consultation fosters buy-in, awareness and understanding by employees, and encourages a sense of ownership.

The respondents 9 indicated that the process of consultation can give management an opportunity to identify blockages and areas for improvement. Again the respondents mentioned yet other advantages of consultation process; that it ensures that the entire department has a common understanding of EEP, and that it creates a collective responsibility for all stakeholders in the Department.

Furthermore, designated groups should be made to understand the service delivery expectations from EE beneficiaries. Those not in the targeted group should be made to understand their responsibilities for embracing the programme in pursuit of building capacity, eliminating fear of being discriminated against, and clear any misconceptions.

The participants further indicated that a consultation process enforces the organisation's commitment to a fair and equitable workplace for all, and provides for greater transparency and accountability. Communicating regularly with employees, managers, bargaining agents and employee representatives fosters an environment of understanding, commitment and support that will contribute to the initiation of an EEP in the workplace.

Furthermore, it is believed that these communications should explain employment equity and describe the activities and measures the organisation should undertake to implement it. During the initiation stage especially it is important to ask employee representatives and bargaining agents for their opinion about how best to implement employment equity in the workplace and how to communicate with employees on matters related to employment equity.

Based on the responses received on this question, the majority of the participants fully supports the importance of consultation, and enumerated the advantages. It has been noted that the advantages would benefit both the employer and employees in the creation of a conducive work environment, with enhanced service delivery as well as achievement of EE Act objectives.

#### 4.4.3 What strategies should managers adopt when implementing the Employment Equity Act of 1998?

Question 3: The objective of the Employment Equity Act of 1998 is to promote equity and fair treatment in the work environment in order to enhance service delivery. In order to achieve this, what strategies should managers adopt? EE has been closely linked to the transformation process, which has been made enforceable by a legislative framework. The process is therefore understood to be evolving in order to improve the work environment to ensure that all employees have the same opportunities to maximise their potential.

A need for continuous improvement in the work environment is also supported by respondents. The foundation of transformation processes should also be based on Constitutional principles in order to entrench the full and equal enjoyment of all rights and freedoms as enshrined in the Constitution. Strategies for promoting equity and fair treatment in the work environment, as identified by participants may be summarized as follows:

##### • Provision of reasonable accommodation

- Designated groups should be provided with assistive devices.
- Provide training and development.



- Use vacancies to address identified gaps.
- Use natural attrition to fill with target of EE groups
- Early retirement of non-designated groups (without penalty clause)
- Use performance management and development to provide incentive for achievement of equity targets by business units.

These proposed strategies form part of EEA requirements, and it is interesting to note that innovative ideas are considered to strengthen effective implementation of EE. Most strategies centre on achievement of EE targets, and also acknowledge the need to empower the targeted group in order to avoid negative perceptions on incompetence by the designated group. Communication and consultation have also been identified as EE strategies to ensure employee buy-in and participation. Cultural and diversity issues are also looked at in terms of building relationships and fostering unity with the ultimate objective of improved performance at both employee and organisational levels.

#### 4.4.4 What is the impact of the EEP within individual units?

Question 4: Describe the impact of the Employment Equity Programme within your Unit. EEP objectives remain line management responsibility, so it is necessary that for monitoring purposes the implementation of EEP be measured at business unit level.

Respondent 1 shows that mainstreaming this to the work of the whole organisation would yield better results. The following are responses from the respondents describing the impact of EEP in various individual branches:

- **EE targets achievements**



The historical background described in Chapter 3 implies that the fundamental purpose of EEA ought to be equitable representation in occupational levels and categories of the workforce profile. The White Paper on the Transformation of Public Service emphasised the need to transform, and create an equitable public service work environment to provide efficient service delivery.

Respondent 2 described the impact of EE in their individual branches in terms of their EE target achievement, where they felt that great efforts had been made to accelerate achievement. However, more could still be done to ensure EE target achievement of employment of women at senior management levels. The respondents indicated that, while they had made some efforts to achieve EE targets, they were still lacking on employing people with disabilities.

- **Employee consultation**

Employee consultation forms part of the legislative requirement as well as one of the best practices where employees are afforded the opportunity to present their views and contribute to the conduciveness of the work environment.

Respondent 4 support the idea of employee involvement, which encourages two-way communication between management and employees where employee needs and inputs are considered, and management expectations clarified. The respondents mentioned their consultation initiatives where employees are involved in branch activities where they actually remain motivated and united, with no racial or gender compartments. A negative note was expressed in discomfort experienced by non-designated groups who perceive EE as punitive; this negative perception is exacerbated by the absence of change management interventions.



- **Training and development of the designated group**

The negative perceptions about lack of competencies and abilities of designated groups have caused the greatest concern, and are seen as a barrier towards achievement of equitable representation of the workforce profile. Respondent 5 confirms these perceptions regarding doubts about designated groups' qualifications. The problem of lack of skills has been identified as a national priority, which resulted in the enactment of Skills Development Act of 1998

The respondent 6 indicated a concern about lowering job requirements in order to achieve EE. An alternative was identified of investing in people by empowering employees with skills and competencies.

- **Diversity management**

Diversity management has been described as a key strategy to ensure smooth transformation in the work environment. Respondent 8 summarises the importance of diversity management in bringing organisational change, leadership commitment, employee participation and accountability to AA.

The respondents 9 indicated the impact of EE in the change it brought to transform their Branches with regard to diverse approaches that enhanced management thinking. The managements' response indicates their understanding of the objectives of EEA in ensuring that the workforce profile in individual Business Units is diversified and equally represented. Representivity and target achievement are based on women and people with disabilities, and the responses above show that Business Units do make efforts to achieve their EE targets. A need for effective change management intervention has been proposed, where it is believed that smooth transformation will be enhanced, and possible resistance eliminated. Training and development has been acknowledged as a possible positive contribution to service delivery. The impact of employee participation

and consultation has been shown to be important in bringing unity and a platform for employee engagements.

## 5.1 Introduction

### 4.5 Conclusion

The first chapter of this study presented four research aims. The aim of this final chapter

The main objective of this chapter has been presented and interpreted from the results of the research survey, and hence to respond to the research question of this study. Statistical analysis, based on the information obtained from the questionnaires and semi-structured interview questions was provided. The researcher was satisfied with the response received as 88% of the questionnaires were returned. 30% of the interviews were conducted and 70% of the semi-structured questions completed and submitted. Eleven dimensions were utilised to determine the perceptions of the employees regarding the effectiveness of EEP.

Further, probing statements were used on each dimension in order to stimulate their perceptions and knowledge about EEP. Five dimensions were used on the semi-structured questions to determine the interpretation of management on the value that EEP adds to Departmental strategic objectives. The responses provided a significant contribution to the study, with clear indications on measures that can be used to enhance the conduciveness of the Departmental work environment in order to implement EEP.

The majority of participants fully supported employee participation in EEP and the overall responses were satisfactory, and demonstrated an understanding of EEP, although the majority still emphasised the achievement of EE targets without balancing it with the provision of a supportive work environment that would embrace EEP implementation and service delivery. Chapter 5 will provide a summary of the findings and recommendations of areas that need attention in order to improve implementation of EEP within Department of Health.



### 5.1 Introduction

The first chapter of this study presented four research aims. The aim of this final chapter is to address the fourth research aim, which is to establish what recommendations could be made regarding an instrument that could be used by the universities to measure the effectiveness of employment equity. It is essential to provide a summary of the study before presenting recommendations and concluding remarks in this chapter. In addition, the limitation of the study is sketched and the researcher study makes suggestions for future research.

The transition from apartheid to democracy in South Africa dictated that all the organisations and the society at large should refrain from discriminatory practices and conform to the new inclusive legislation. Employment equity is one of the strategies sanctioned by the South African government to promote equality and diversity in the workplace. The sporadic implementation of employment equity in the respective higher education institutions persuaded the researcher to embark on this study.

### 5.2 Major Findings of the study

- The majority of participants fully supported employee participation in EEP and expressed its benefits. These benefits included getting employee buy-in for the achievement of a common goal, and employee ownership in creating collective responsibility of all stakeholders
- Participants indicated that an effective consultation process would ensure transparency and accountability, as well as unity on both designated and non-designated groups, where a harmonious working relationship is embraced

- Strategies for accelerating EE targets. The participants indicated the first step as communicating clearly EE targets, in order to ensure their achievement and adherence to them. Other strategies included using vacancies for EE targets; offering employees early retirement without penalty, and incentivising those who achieve EE targets
- Strategies for enhancing the consultation process. Participants proposed the involvement of employees on development and implementation of operational plans at business unit levels
- Provision of reasonable accommodation. Participants proposed strategies such as assistive devices for people with disabilities, training and development programs, participation in exchange programs with other institutions and diversity management
- Most responses and strategies are fully in line with the legislative requirements. These included the development of EE Plans; enhancement of EE Committees; annual submission of an EE Report to Department of Labour, and inclusion of EE responsibility in the performance agreements of management, in order to make them accountable for non-achievement of EEP at business unit levels
- A need for a holistic approach to people management and alignment to the HR Plan, which in turn is linked to Departmental strategic objectives
- The participants indicated that there was misalignment of training and development programs with EEP. The importance of aligning these two programs has been greatly emphasised in both the Literature Review and the legislative requirements. The Skills Development Act of 1998, as described in Chapter 3, emphasises the importance of developing the skills of designated people in order

5.3 to improve their quality of work life prospects of advancing employment and enhanced performance, as well as service delivery

Comparing information gathered from Literature Review, Legislative Framework and the

• Inflexible working hours that do not accommodate designated groups was identified as an area that needed attention. The importance of providing reasonable accommodation to designated groups is both a legislative requirement and a 'best practice' as presented in Chapters 2 and 3

Although the survey results indicated problems regarding factors hindering implementation of

• Lack of management commitment to ensure effective implementation of EEP. It has been noted that the successful implementation of EE depends on management commitment. Both the Literature Review and Legislative Framework Chapters emphasised the role expectations from management. This included the responsibility of creating a conducive work environment, as well as integrating EE into Departmental strategic objectives so as to ensure efficient service delivery

but that more needs to be done for implementing EEP. It was also seen that the conduciveness of the work environment is linked to providing adequate

• Participants indicated that they had a limited understanding of EE, as well as poor communication amongst staff members. The research findings from Kunene (2005:56) indicate communication as a problem within Department of Health. It has also been noted that consultation and communication with employees about EE issues is a legislative requirement. Chapter 2 also identified this as one of the effective strategies adopted as a best practice to ensure employee participation and buy-in, making the work environment as conducive as possible

that EEP is ineffectively implemented.

• The participants indicated that the Departmental EE Plan is not fully implemented, and that it is only implemented for compliance purposes. It is noted that the Department will not realise EE benefits if its objectives are not integrated into Departmental objectives to enhance service delivery.

These measures will add value to improving the conduciveness of the work environment and effective

### 5.3 Conclusion



Comparing information gathered from Literature Review, Legislative Framework and the study itself indicates that the Departmental EEP is fully compliant with legislative requirements. The areas of concern are also not substantially different from the prevailing barriers outlined in Chapter 2. The fact that these barriers have a negative impact on implementation of EE indicates that they warrant attention. Although the survey results indicated problems regarding factors militating against implementation of the EEP in Department of Health, it was nonetheless encouraging to note that the positive perceptions outweigh the negative.

The survey results showed that the conduciveness of the Department of Health work environment can be improved, especially in terms of integrating the EEP into Departmental strategic objectives, alignment with HR processes and holding management accountable for implementing EEP. It has also been shown that the conduciveness of the work environment is linked to providing reasonable accommodation to designated groups to maximise their potential in order to enhance service delivery.

The quest for effective implementation of the EEP within Department of Health is not whole-heartedly accepted by all employees, and poor communication was identified as being largely responsible for this. The communication problem may limit employee participation, which may in turn strengthen employee perceptions that EEP is ineffectively implemented.

The limitations of the study have been noted, as well as efforts taken to minimise their effect on the integrity and validity of the results. The recommendations are based on identified problems, and it is the researcher's belief that identified measures will add value to improving the conduciveness of the work environment, and effective

implementation of the EEP, with the ultimate objective of enhancing efficient and effective service delivery.



#### 5.4 Recommendations of the study

Progress in compliance with EEA requirements in Department of Health has been noted, based on the responses received from participants. The overall responses clearly indicate that attempts have been made to develop the EEP in compliance with the EEA and other related legislation. It is apparent, however, that Department of Health struggles with effective implementation, as most of the questions were focused on employee perceptions of practical application of the EEP. The following are recommendations of measures that should be used to create a conducive work environment to enhance effective implementation of the EEP within Department of Health:

- Integration of the EEP into Departmental strategic objectives and alignment with HR processes, such as Succession Planning, Recruitment and Selection
- Enforce management commitment to facilitate implementation of the EEP and develop strategies for holding them accountable, such as inclusion of EE in Performance Agreements
- Increasing EEP awareness and empowerment programs to enable effective and active participation of employees
- Strengthen Monitoring and Evaluation Processes to clarify and reaffirm roles and responsibilities of stakeholders, with specific reference to active functioning of EAC

- Alignment of the EEP with Skills Development Programmes in order to create opportunities for skills empowerment, career growth and to maximise performance efficiency
- Continuing analysis of the needs of designated groups and provision of necessary resources to address the identified needs
- Alignment of transformation programmes in order to create a conducive work environment, such as diversity management and change management, in order to create and maintain equitable, non-discriminatory policies and practices and fair treatment of all employees

It is believed that the implementation of these recommendations will promote a work environment that will certainly enhance the implementation of the EEP. Effective implementation of the EEP is presumed to have an impact on efficient service delivery, although it was beyond the scope of this study to enhance this connection.

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Table 4.1: gender status of the respondents

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Table 4.3: Employment status of the respondents

Full time	
Part time	
Unemployed	
Pensioner	

Table 4.4: Distribution according to position

Administrative	
Middle Management	
Senior management	

Table 4.5: Distribution according to race

Asian	
Black	
Coloured	
White	

**Table 4.1: gender status of the respondents**

Male	
Female	

**Table 4.2: Language used by the respondents**

English	
Tshivenda	
Tsonga	

**Table 4.3: Employment status of the respondents**

Full time	
Part time	
Unemployed	
Pensioner	

**Table 4.4: Distribution according to position**

Administrative	
Middle Management	
Senior management	

**Table 4.5: Distribution according to race**

Asian	
Black	
Coloured	
White	

**Table 4.6: Training Programmes are aligned to EE objectives**



Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.7: Employees have freedom in their jobs to be creative and to grow**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.8: Preference is given to people according to EE priorities**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.9: I have the same opportunities here as others of the same ability, experience and education**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.10: The Departmental EE Plan enforces transformation**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.11: All managers demonstrate commitment to ensure effective implementation of the EE Plan**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.12: The EE Plan is integrated into Departmental strategic objectives, and is one of the priorities**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.13: Departmental EE Plan has been developed for legislative compliance only**

Strongly Disagree	
Disagree	
Neutral	
Agree	
Strongly Agree	

**Table 4.14: Social practices are culture-free**

Strongly disagree	
Disagree	
Neutral	
Agree	
Strongly disagree	
Agree	

**Table 4.15: My workplace is a fun place to work at**

Strongly disagree	
Disagree	
Neutral	
Agree	
Strongly disagree	

**Table 4.16: Cultural and religious differences are catered for in the workplace**

Strongly Agree	
Agree	
Neutral	
Disagree	
Strongly disagree	

**Table 4.17: Departmental EE targets are achieved**

Strongly disagree	
Disagree	
Neutral	
Agree	
Strongly Agree	

**Table 4.18: Remuneration is based on the principle of “equal pay for equal work of equal value”**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.19: All forms of discrimination are removed from the benefits**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.20: Communication between management and staff is good**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.21: Employees feel free to express differences that may be due to different cultural backgrounds**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

**Table 4.22: Employees are fully consulted on EE activities**

Strongly Disagree	
Disagree	
Neutral	
Strongly Agree	
Agree	

4.4.2 What are the benefits of employee consultation?

4.4.3 What strategies should managers adopt when implementing the Employment Equity Act of 1996?

4.4.4 What is the impact of the EEP within individual firms?

## APPENDIX B: INTERVIEW SCHEDULE

4.4.1 To what extent is the Departmental Employment Equity Programme aligned to its strategic objectives?

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4.4.2 What are the benefits of employee consultation?

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4.4.3 What strategies should managers adopt when implementing the Employment Equity Act of 1998?

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4.4.4 What is the impact of the EEP within individual units?

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