

UNIVERSITY OF PRETORIA
Department of Human Resources

EMPLOYMENT EQUITY POLICY

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1. PURPOSE

The purpose of this policy is:

- 1.1 To promote equal employment opportunities and fair treatment by eliminating unfair practices and principles, such as discrimination, sexism, racism and gender binarism, and implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, with a view to ensuring that they are equitably represented at all occupational levels in the workforce.
- 1.2 To ensure that urgent attention is paid to making the University profile more representative, as directed by the Employment Equity Act (Act 55 of 1998) and viewed in the context of the University's personnel profile. As an equal-opportunity employer, the University will strive to ensure equitable representation of designated groups in its structures across all occupational categories and levels, and will consider its workforce planning and employment equity (EE) plans with regard to all appointments.
- 1.3 To uphold fair and objective principles and procedures for talent acquisition, development, progression and retention of employees and talent transitions from the institution.
- 1.4 To provide guidelines for talent management, including the appointment of candidates to the institution, the development, promotion and retention of employees as well as their exit from the institution.
- 1.5 To provide guidelines for the recruitment, selection and career advancement and progression of new and existing employees in compliance with the requirements of labour and equity legislation.
- 1.6 To identify and explore opportunities for employing persons with disabilities.
- 1.7 To foster diversity in the organisation through the introduction of diversity initiatives.
- 1.8 To set-up the necessary forums required to champion EE, Diversity and Disability awareness and interventions in the workplace.

2. SCOPE

This policy applies to the following:

- 2.1 Academic and professional services staff in permanent and fixed-term positions appointed for a period of more than three (3) months and more than 15 hours per week, as well as job applicants.
- 2.2. For purposes EE planning and reporting appointments in these categories are excluded:
 - 2.2.1 The appointment of students in staff roles linked to their studentship (for example, research assistants, teaching assistants, student assistants, lab

assistants and tutors);

2.2.2 Short-term contract appointments (a month or less) and staff who work 15 hours per week or less;

2.2.3 Contract appointments remunerated from external (outside) funds (specific service-level agreements need to accompany this);

2.2.4 Honorary professors, research fellows/post-doctoral fellows, and visiting professors; and

2.2.5 Service providers and independent contractors who are engaged by the University through procurement processes.

2.3 this policy must be read in conjunction with the Recruitment and Selection Policy; and the Procedure on the Appointment of fixed-term Staff).

3. CONSEQUENCES OF NON-COMPLIANCE

Non-compliance with this policy may result in undesirable performance outcomes for the University and may contravene some of the approved national policies and attract legal inquiry and / or disciplinary action, as set out in the University policies. Some of the sanctions for non-compliance are listed below.

4. APPOINTMENTS DEVIATING FROM THE EE PLAN TARGETS AND PROJECTIONS

- 4.1 The University's EE plan sets targets that are aligned with the sector EE targets. Since non-achievement of sector targets may result in adverse penalties and reputational damage, any appointment that deviates from the EE targets of the faculty / professional services department should be viewed in this context.
- 4.2 The EE targets and annual EE projections of faculties / professional services departments should be the prime focus of activities from the initiation of a recruitment process to the point at which recommendations are made to the final decision-making structure.
- 4.3 All vacancies are treated as opportunities to appoint persons from designated groups, therefore appointments that deviate from the EE plan targets of the faculty / professional services department should be motivated by the degree of progress made towards achieving its EE targets and annual EE projections.
- 4.4 The appointment deviating from the EE targets of the faculty / professional services department should be referred to the Director: Human Resources for consideration and approval by Executive responsible for the faculty / professional services department involved and the Executive responsible for Human Resources.

5. POLICY STATEMENT

The EE Policy seeks to develop a framework that will guide the University of Pretoria community in promoting equal opportunities and fair treatment regarding employment by eliminating discrimination and implementing affirmative action measures to redress the disadvantages in respect of employment as experienced by designated groups with a view to ensure that they are equitably represented at all occupational levels in the workforce. This process should be guided by affirmative action measures as stipulated in the EE Act.

6. DEFINITIONS

Affirmative action:	Refers to measures developed in response to barriers identified in the analysis report (EEA12) to ensure that suitably qualified persons from designated groups have equal employment opportunities and are equitably represented in all occupational categories in the workforce.
Barriers:	Any obstacles to the implementation of EE and affirmative action as identified by the institutional barrier analysis and set out in the objectives of the University's current EE Plan.
Designated groups:	Includes all black (i.e. African, Coloured and Indian) men and women, and persons with disabilities who are citizens of South Africa by birth or descent, or became citizens of the Republic of South Africa by naturalisation before 27 April 1994 or after 26 April 1994 and who would have been entitled to acquire citizenship prior to that date, but were precluded by apartheid policies. It also includes Chinese employees who are citizens of South Africa by birth or descent, or became citizens of the Republic of South Africa by naturalisation before 27 April 1994, or after 26 April 1994, and who would have been entitled to acquiring citizenship prior to that date, but were precluded by apartheid policies.
Employee:	Refers to any person other than an independent contractor who works for the University and receives, or is entitled to receive remuneration, and who in any manner assists in carrying on or conducting the business of the employer.
Employment Equity Committee:	The committee for consultation on EE as required by the

	Act.
Employment Equity policies:	This policy and its annexures / supporting documents
Inherent requirements of the job:	Those tasks that are essential to perform a job and without which the position or the job cannot function effectively. It refers to characteristics that are essential to ensure that the duties attached to a position are carried out effectively.
Manager:	Any employee of the University who has managerial or supervisory responsibilities.
Occupational levels:	Refers to occupational levels within organisations as determined by using different job evaluation or grading systems. Guidelines on occupational levels are provided in the EEA9 Annexure of the 2014 EE Regulations, as amended.
Persons living with disabilities:	People are regarded as 'persons living with disabilities' if they have long-term physical or mental impairments (i.e. impairments that have lasted or are likely to persist for at least 12 months or are recurring and substantially limit their prospects of entry into, or advancement in employment).
Reasonable accommodation:	Any modification or adjustment made to a job or to the working environment that will enable a person from a designated group to have access to or participate or advance in employment.
Recognition of prior learning (RPL):	Refers to a process by which individuals who had gained skills and knowledge through informal, non-formal or experiential learning can be assessed and awarded credits for such learning if it meets the requirements of a qualification or part qualification registered with the National Qualification Framework
Recruitment and Selection Committee:	The committee responsible for the appointment process and for making recommendations regarding the appointment of suitable candidates.
Registered trade union representative:	A representative of a trade union, as defined in section 213 of the Labour Relations Act, who is registered in terms of section 96 of the Labour Relations Act and is recognised by the University's recognition agreements with that trade union.
Suitably qualified person:	A person may be suitably qualified based on formal qualifications, prior learning, relevant experience or the capacity to acquire, within a reasonable time, the ability

(attributes, skills and competencies) necessary to perform a job. A person may be deemed to be 'suitably qualified' for a job as a result of any one of or a combination of the aforementioned.

7. PRINCIPLES GOVERNING EMPLOYMENT EQUITY PRINCIPLES

7.1 As an employer and as an institution, the University of Pretoria is committed to the principles of equity, anti-discrimination and diversity as stipulated in the Constitution and the EE Act 55 of 1998.

7.2 The University of Pretoria seeks to create an institution that reflects the diversity of South African society, and which contributes to maximising the human resource potential of all employees.

7.3 The University of Pretoria's commitment to EE is based on the following **key principles**:

- (a) The recognition that the disparities inherited from the past regime have created major inequalities for the majority of the South African population and that these disparities require urgent redress;
- (b) The need to expand the skills-pool of all functioning sections within the University through talent management strategies;
- (c) The full utilisation of the knowledge and skills of all employees through development opportunities in order to ensure effective service delivery and performance excellence;
- (d) Right to confidentiality and disclosure for persons living with disabilities;

7.4 The University's approach to EE will be governed by the following principles;

- (a) EE is both a redress mechanism and a key strategy for enhancing existing human capital;
- (b) In an attempt to redress some of the imbalances of the past, which created lack of access into certain senior occupations and positions, preference in future appointments for groups that are under-represented in the different occupational levels / categories, will form a key feature of the University's EE strategy;
- (c) EE does not involve tokenism or making appointments simply to meet numerical requirements without also ensuring that the individual is suitably qualified for the position. Instead, affirmative recruitment, which is key to the EE strategy, involves creating equitable representation of designated groups across all occupational levels and categories.;

- (d) The University understands the concept of managing diversity as a process whereby a conducive environment is created that allows all kinds of people to reach their full potential while pursuing their business objectives; and
- (e) Persons living with disabilities will have the same rights and privileges as all other employees and that disability related issues cannot be dealt with in isolation but will form an integral part of the EE and Diversity guidelines.

8. KEY DRIVERS OF THE EMPLOYMENT EQUITY POLICY

- Implementation of Affirmative action measures where applicable;
- Integration of other people management strategies and finding the flow between EE strategies and the University's key strategic imperatives such as the internationalisation strategy; and
- Strive to reflect the demographic profile of the region or country by aligning with economically active population (EAP) measure.
- Access to reasonable accommodation and/ or adjustments for persons living with disabilities; to ensure as far as possible that the physical environment, communication and other systems and resources are accessible to persons living with disabilities.

9. ROLES AND RESPONSIBILITIES

9.1 The Vice-Chancellor

- The Accounting Officer responsible to champion the implementation of the EE Act and EE Plan.

9.2 A designated employer must:

- Consult with his or her employees as required by section 16;
- Conduct an analysis as required by section 19;
- Prepare an EE plan as required by section 20; and
- Report to the Director General on progress made with the implementation of the EE plan as required by section 21.

9.3 Deans and directors

- Deans, directors and heads of department are jointly responsible for establishing and implementing the policy and offering support programmes in their respective faculties and departments. They are accountable for the performance of their

faculties and departments.

9.4 Employees

- Employees are expected to familiarise themselves with the EE plan and all activities surrounding EE strategies.
- They plan and drive their own work and career goals.
- They participate in EE matters.

9.5 The Department of Human Resources

The Executive responsible for the Department of Human Resources has the following responsibilities:

- To monitor and evaluate the progress made in respect of achieving EE numerical targets and the implementation of strategies;
- To ensure that EE targets are achieved;
- To ensure that faculties and professional services departments pursue applicants from designated groups in accordance with their targets;
- To deal with disputes and find solutions to address concerns raised;
- To facilitate the roll-out and implementation of the EE Policy and Plan;
- To maintain and discuss quarterly EE Plan performance;
- To provide expert support, advice and training to line managers and employees on all aspects of EE;
- To coordinate, integrate and supply statistical data; and
- To monitor and report on the effectiveness of EE Plan strategies.

9.6 Employment Equity Committee

This Committee which is constituted by labour (unions), and management is responsible for:

- Monitoring the progress made towards the achievement of the set EE targets; and
- Making proposals to the Executive to advance EE and transformation.

9.7 The Registrar

- The Registrar has overall accountability and responsibility for ensuring that the University manages all institutional policies responsibly.

10. ASSOCIATED DOCUMENTS

10.1 Associated policies and procedures

- Recruitment, selection and appointment policy
- Human Resources Development Policy
- Probation Policy
- Remuneration Policy
- Transformation Policy
- Anti-discrimination Policy
- Recruitment Policy

10.2 Associated guidelines

- Diversity funds guidelines

11. POLICY LIFE CYCLE

This policy should be reviewed at least every three (3) years.

12. DOCUMENT METADATA

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