



# MUNISIPALITEIT MUNICIPALITY UMASIPALA

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## REPORT ON EMPLOYMENT EQUITY – EMPLOYMENT EQUITY ACT, 55 OF 1998

### PROPOSED EMPLOYMENT EQUITY PLAN FOR THE CEDERBERG MUNICIPALITY

#### 1. INTRODUCTION

The **Cederberg Municipality** has embarked on an irreversible process to implement the provisions of the Employment Equity Act. A consultation and discussion process was followed by the **Cederberg Municipality** with all interest groups including both representative Unions, and managers responsible for the implementation of the process in order to ensure that the process is fully inclusive and transparent. This document will be circulated to all stakeholders as well as all members of the management of the **Cederberg Municipality** with responsibility for the smooth implementation and further monitoring of the process. This document also incorporates a breakdown of the extensive numerical analysis which was conducted by the **Cederberg Municipality**. The results of the intensive review of all employment policies and practices at the **Cederberg Municipality** have likewise been taken into consideration in the compilation of this document. This document accordingly represents the critical link between the current workforce profile and possible barriers in employment policies and procedures, and the implementation of remedial steps to ultimately establish employment equity in the workplace.

## 2. DURATION OF THE PLAN

The **Cederberg Municipality** decided to draft and implement an Employment Equity Plan with duration of five years. This decision was based on the planning needs of the **Cederberg Municipality** with specific reference to the need to set attainable numerical goals to be achieved over a reasonable period of time.

## 3. BROAD OBJECTIVES OF THE PLAN

The Employment Equity Act requires that the Employment Equity Plan state the broad objectives of the plan and provide for a timetable for the fulfilment of these specific objectives. These objectives should:

- Take into account the output of the planning phase;
- The particular circumstances of the employer; and
- The alignment and inclusion of the plan in the broad business strategy of the employer.

The broad objectives of the plan are the following:

- Addressing under-representation of designated groups. Specifically under-representation of black people, as defined in the Act, and people with disabilities were identified during the numerical analysis as presenting special challenges which the **Cederberg Municipality** has to address.
- Identifying and developing strategies for the elimination of employment barriers in the Employment Policies and Practices of the **Cederberg Municipality**. A number of barriers were identified by the **Cederberg Municipality** and a report was prepared in this regard.
- Developing business-orientated strategies for the achievement of numerical goals and timetables for the implementation of affirmative action measures, taking into account the mission of the **Cederberg Municipality**.
- Establishing procedures for the monitoring and enforcement of the implementation process.
- Establishing procedures to address and resolve disputes regarding the implementation and enforcement of the Employment Equity Plan.

#### **4. AFFIRMATIVE ACTION MEASURES**

The following affirmative action measures have been identified and developed to address the employment barriers and under-representation identified during the numerical analysis and the review of the Employment Policies and Practices of the **Cederberg Municipality**.

- **Increasing the pool of available candidates:**

A policy on recruitment has been adopted which provides for the internal and external recruitment of suitable candidates from designated groups. A concerted effort will further be made to increase the level of interest of potential candidates from designated groups in applying for vacancies. These efforts will include:

- The utilisation of, where possible, a representative selection committee, including trade unions, rather than a single member of personnel for the purposes of pre-selection screening. The committee should also use non-discriminatory criteria which are objectively justifiable when screening applications.
- The implementation of a study aid policy for internal staff, in order to allow / encourage them to improve their knowledge and skills so as to capacitate them to fill higher -and scarce skills positions, as well as discretionary registration/bursary assistance to members of the community. This will also ensure that in future, the municipality will have the right people with the right skills at the right time, and where such people will be from the designated groups.
- The continuous review and possible rewriting of job descriptions to reflect the true requirements of the job that do not require unnecessary qualifications or experience which might be a barrier to the recruitment of suitable candidates.

- **Appointment of employees from designated groups:**

Existing policies have been scrutinized to identify employment barriers to members of designated groups, and new appointment and selection policies have been developed to increase the possibility of appointing candidates from the designated groups in employment categories and levels where they are under-represented. Policies regarding selection criteria and selection panels have been developed and implemented in order to ensure that fair and non-discriminatory selection procedures are implemented. Such procedures will help contribute to the appointment of suitable candidates from designated groups. Further effort will include:

- The redrafting of employment application forms and employment contracts so that all discriminatory or prejudicial provisions and clauses are removed there from.
- An increased awareness that psychometric tests and evaluation methods tend to be culturally based and discriminatory and also have low predictive validity of the true ability of candidates to perform in a work environment.

- The increased use of competency-based recruitment and selection methods, whereby the potential of the candidate, and the ability to perform in the job, plays an increasingly prominent role.
- The advancement of designated groups, but bearing in mind that the **Cederberg Municipality** will not resort to window-dressing, tokenism and favouritism, but will advance designated groups by providing the necessary guidance, training and development, and support.
- Recognising that the appointment of members of designated groups will help create a more diverse workforce, which holds social and economic benefits for the **Cederberg Municipality**.

- **Training and development of people from designated groups:**

The **Cederberg Municipality** recognises the obligations placed on it by the Skills Development Act of 1998 to train and develop employees. The **Cederberg Municipality** has accordingly adopted structured training programmes for employees. These programmes include:

- Bursaries for secondary and tertiary education
- Job-related training
- Training in line functioning, management, and supervisory skills
- Learner ships
- Skills programmes

Strong emphasis is also placed on mentorship and coaching of new candidates, since the development of employees is seen as a long-term upliftment measure as against a temporary corrective measure. Career planning and development therefore, becomes an integral part of the development of the human resources of the **Cederberg Municipality**, and is training only the first step in the process whereby attained abilities are eventually put into practice. This goal eventually can also be perceived in the outcome-based nature of the training provided and the purpose of the training to accelerate the advancement of designated groups within the **Cederberg Municipality**.

- **Retention of people from designated groups:**

The **Cederberg Municipality** is committed to lowering the turnover rates and increasing the retention rates of designated members. Accordingly, the **Cederberg Municipality** will adopt a new practice regarding exit interviews in order to enable the **Cederberg Municipality** to develop further strategies regarding the retention of people from designated groups by determining the reasons why people from designated groups terminate their services with the **Cederberg Municipality**. This will also enable the **Cederberg Municipality** to compete successfully with other employers in an effort to obtain and retain the services of people from designated groups.

- **Reasonable accommodation of people with disabilities:**

The **Cederberg Municipality** has adopted the Disability Framework for Local Government and will soon adopt a policy regarding the accommodation of the disabled, with specific reference to adaptations to physical facilities that will be implemented gradually with a view to making the grounds accessible to people with disabilities. Special attention will be given to the employment and Career Development of disabled people.

- **Steps to ensure that members of designated groups are appointed in such positions that they are able to meaningfully participate in corporate decision making processes:**

The **Cederberg Municipality** has adopted policies with regard to appointment and promotion that should ensure that candidates from the designated groups have the opportunity to be appointed in positions where they will be able to participate meaningfully in the decision-making of the **Cederberg Municipality**. The recruitment policy reflects the selection criteria of section 21 of the Employment Equity Act by requiring candidates to be suitably qualified for positions into which they will be appointed.

- **Steps to ensure that the corporate culture of the past is transformed in a way that affirms diversity in the workplace and harnesses the potential of all employees:**

The consultation process regarding employment equity and the sensitising of employees with regard to grounds of discrimination such as race diversity, gender and disability was attended by designated and non-designated employees. The Local Labour Forum is the consultative forum of the **Cederberg Municipality**, and it includes employees from various different levels and seniority and is fully representative.

The **Cederberg Municipality** also recognises the importance of adopting an overall strategy which highlights the importance of managing a diverse, multiracial and multicultural workforce, for the purposes of ensuring the maximum utilisation of all employees. This includes reducing negative stereotyping and discrimination, creating an acceptable and welcome environment, and the integration of affirmative action programmes with general management practices and strategies.

## 5. **CORRECTIVE MEASURES TO ELIMINATE BARRIERS IDENTIFIED DURING THE ANALYSIS**

5.1 Employment policies and practices are re-drafted by the **Cederberg Municipality** in order to remove any possible discriminatory content and to eliminate employment barriers from the policies and practices.

5.2 The selection criteria at the **Cederberg Municipality** were revised in order to allow for the definition of suitably qualified candidates as contained in the Employment Equity Act, section 20(3) to serve as standard for selection.

5.3 The affirmative action measures implemented at the **Cederberg Municipality** are designed to prevent the creation of absolute barriers for the appointment or promotion of persons from non-designated groups, and care was taken to ensure that the measures adopted does not discriminate in any way against persons from the non-designated groups.

- 5.4 Care was taken to communicate and explain the results of the analysis of the employment policies and practices of the **Cederberg Municipality** to all the employees of the **Cederberg Municipality**, representative trade unions, and managers involved in the process. The new policies and practices, which are subject to continuous review, were also made available to any interested party.

## 6. NUMERICAL GOALS

- 6.1 A numerical analysis was carried out to determine the representation of employees internally in every employment level and job category as well as externally to determine the external representation of the various groups on both a regional and provincial level. This analysis enables the **Cederberg Municipality** to set quantitative targets which are realistic and attainable, given the particular circumstances of the **Cederberg Municipality** as an employer.
- 6.2 Numerical goals were developed for the appointment and promotion of people from designated groups in order to address under-representation of the designated groups.
- 6.3 The following factors have been taken into consideration in developing the numerical goals:
- 6.3.1 The degree of under-representation of designated employees in the various employment categories at the **Cederberg Municipality** as determined by the numerical analysis.
- 6.3.2 The labour turnover at the **Cederberg Municipality** has been determined to be relatively low. This presents a significant limiting factor with regard to the implementation rate of affirmative action measures and the setting of numerical goals by the **Cederberg Municipality**. Possible measures that could be considered in order to address this problem include offering voluntary severance packages to senior employees and/or lowering the retirement age by mutual consent.
- 6.3.3 A significant increase in available positions is not envisaged over the period of the plan, which has a negative influence on the numerical targets that can be set.

## 7. CONSENSUS

- 7.1 The representative unions as well as the management structures of the **Cederberg Municipality** were involved in the consultation process surrounding the numerical analysis, the review of employment systems and policies and the drafting of the Employment Equity Plan. A high degree of consensus was achieved and a number of meaningful contributions were made by the various parties to the consultation process. A number of suggestions were adopted by the employer as a result of discussions with the consulting parties.

7.2 Workshops, attended by employees and management, were held which were utilised as opportunities to consult, inform and educate all parties as to the process to be followed and the roles to be played by all parties.

## 8. RESOURCES

8.1 The financial resources allocated to the implementation of employment equity will form part of the Municipality's budget to accommodate shortcomings in this regard.

## 9. ASSIGNMENT OF RESPONSIBILITY

9.1 The **Cederberg Municipality** has nominated the following persons/posts to accept responsibility for the implementation and monitoring of the employment equity process:

9.1.1 **Municipal Manager**

9.1.2 **Director: Corporate Services**

9.2 The abovementioned persons will be given sufficient training to enable them to perform the functions allocated to them regarding the implementation and monitoring of the employment equity process.

## 10. DISPUTE RESOLUTION

10.1 An employee or union which is dissatisfied with any aspect of the implementation of the employment equity process may refer a grievance in this regard to the Human Resources Department at the **Cederberg Municipality** who then has to inform the person and/or persons responsible for the implementation and monitoring of the employment equity process as referred to in paragraph 9.

10.2 Once a dispute has been referred to the person and/or persons responsible for the implementation and monitoring of employment equity at the **Cederberg Municipality**, such person or persons must arrange a meeting/consultation with the aggrieved parties and the management of the **Cederberg Municipality** within 14 days after the referral of the matter to such person or persons. The consultations may be joint consultations or separate consultations at which the person and/or persons responsible for the arrangement of the consultations as previously referred to must act as a mediator between the parties in an attempt to find a mutually acceptable resolution of the dispute.

10.3 If a satisfactory resolution of a dispute as previously described cannot be found within 30 days after the referral of such dispute to the responsible person, the aggrieved party may refer the dispute to the South African Local Government Bargaining Council.

## 11. COMMUNICATION

- 11.1 A copy of this document has to be kept available at the Human Resources Department of the **Cederberg Municipality** for copying and perusal by employees of the **Cederberg Municipality**.
- 11.2 Circulars, messages and notices on notice boards will be utilised by the **Cederberg Municipality** in order to inform all employees of the availability of the Employment Equity Plan of the **Cederberg Municipality** at the Human Resources Section and will also provide basic information about the contents of the plan.
- 11.3 Copies of this document will also be distributed to the parties that took part in the consultation process regarding employment equity as previously described.

## 12. MONITORING AND EVALUATING THE PLAN

- 12.1 A report detailing the progress with the implementation of the plan, with specific reference to achievement of numerical goals, has to be compiled every six months by the person with the responsibility for implementation and monitoring of the plan.
- 12.2 The abovementioned report must be made available to all consulting parties for perusal and comment.
- 12.3 A summary of the abovementioned report must be circulated to all staff members by means of circulars, and notices on notice boards.
- 12.4 The abovementioned summary must contain an invitation to all employees to submit their comments or questions on the progress with the implementation of the plan to the responsible person or persons specified in paragraph 9 of the plan.

Yours sincerely

**PL VOLSCHEK**  
**MUNICIPAL MANAGER**