

NELSON MANDELA METROPOLITAN MUNICIPALITY

EMPLOYMENT EQUITY PLAN



1. **INTRODUCTION**

The Nelson Mandela Metropolitan Municipality (NMMM) embarked on drafting an Employment Equity Plan, which reflects the primary areas of the course of action to follow. This Plan is for all intents and purposes binding and should balance considerations of strategic business with a justifiable equity rationale. The intention is that the policy be tabled at the Employment Equity and Skills Development Forum, since it is an integral part of the Committee's objective to gain acceptance of the Policy throughout the Municipality at all levels.

The drafters have constructively taken cognisance of the results of an in-depth strategic analysis and preliminary information gathering process, as well as the needs identified during the process.

This Employment Equity Plan presents proposals that will ensure that the workforce of the Nelson Mandela Metropolitan Municipality will be more reflective of the demographics of the Municipality within five years. After five years, the progress of the Plan shall be reviewed.

In designing this Plan, great care has been taken to consult all stakeholders and to reach consensus with them, to ensure that this Plan enjoys wide support throughout the Municipality.

The targets set in terms of employment levels are primarily aimed at top management and middle management transformation. Other elements cover a much wider field and will, by their nature, affect *all* employees within the NMMM.

2. **OBJECTIVES OF THE EMPLOYMENT EQUITY PLAN**

In developing an Employment Equity Plan, the drafters had due regard for the overriding purpose of the Employment Equity Act, namely to:

- a) Promote the Constitutional right to equality;
- b) Give effect to all labour legislation, in particular the Employment Equity Act and Skills Development Act;
- c) Give effect to the mission, transformation, vision and strategic plan of the Nelson Mandela Metropolitan Municipality;
- d) Give effect to the policy on the promotion of equality, diversity and the elimination of unfair discrimination.

- e) Promote employee participation through the involvement of employees and their trade union representatives, as well as other stakeholders in the development and monitoring of employment equity;
- f) Ensure the implementation of affirmative action measures to redress the effects of discrimination;
- g) Achieve a diverse workforce broadly representative of the demographics of the Nelson Mandela Metropolitan Municipality – especially at top management and middle management level;
- h) Promote economic development and efficiency in the workforce of the Nelson Mandela Metropolitan Municipality.

Any Employment Equity Plan cannot take effect in a vacuum. It is therefore important that the Nelson Mandela Metropolitan Municipality considers its strategic direction in tackling a plan of this nature to achieve the long-term goals of the Plan. The Integrated Development Plan has to a limited degree indicated the direction that the Employment Equity Plan has to take. Critical to new municipalities such as Nelson Mandela Metropolitan Municipality, will be the content and developmental context of the IDP. Inherent in the IDP is its ability to have a direct visible impact on local economic development and local tax-base generation. It is also the aim of the Municipality to be self-funded, instill a participative culture in its communities and successfully participate in the current global competitive environment, which compels it to provide visionary leadership, political stability, social security and futuristic plans and programmes – the Equity Plan being one of them.

The Plan was drafted at a time when the Uitenhage, Despatch and Port Elizabeth Municipality were involved in a process of integration, which required an effort on a very wide front. The Municipality's primary goal is the transformation of the Municipality, its developmental role being paramount. At present, while going through this process, the Municipality is very mindful of and dependent on the local economic climate.

Against this background, the Municipality has drafted the Employment Equity Policy and Contemplation of Plan (attached as **Annexure A**).

Responsibility for implementing the Equity Plan

The responsibility for implementing the Equity Plan rests with the Employment Equity Unit, every manager and supervisor and all human resources practitioners. All these people will be responsible for the successful implementation of the Employment Equity Plan.

- In line with the above, key employment equity outcomes shall be incorporated in the performance contracts of all managers. In addition, an Employment Equity Unit will be established. The Employment Equity Manager shall report direct to the Chief Executive Officer. In terms of the new Municipal Structures Act, the Executive Mayor is the Chief Executive Officer.

3. DEFINITIONS AND INTERPRETATIONS

For the purpose of this Plan, the following terms are defined as:

3.1 Affirmative action measures

- 3.1.1 Affirmative action measures refer to the measures and additional corrective steps taken to ensure that those who have been historically disadvantaged by unfair discrimination are able to derive full benefit from an equitable employment environment.
- 3.1.2 A short-and long-term strategy and process to address the imbalances in the employment profile in terms of race, gender and disability.
- 3.1.3 Education, training and development programmes that actively equip designated employees with the skills needed to enter any level of employment.
- 3.1.4 Human Resources management practices and policies that actively direct designated employees towards upward mobility (through accelerated development and mentorship programmes), unrestricted by any considerations other than the inherent requirements of the job.
- 3.1.5 Practices that ensure equal opportunity and treatment in recruitment and selection for those seeking employment, and acting and promotion opportunities, and for those already in employment in selection, planning, performance appraisal,

promotion and all other staff development policies and practices that enhance their career opportunities.

3.1.6 Practices and procedures that eliminate patronage, nepotism, favouritism, unfair discrimination and sexual or racial harassment.

3.1.7 Diversity management programmes to re-orientate all employees affected by this Policy to prevent unacceptable discriminatory attitudes and actions based on race, gender, sexual orientation, disability or any other stereotype.

3.2 Discrimination

3.2.1 Discrimination shall mean any form of treatment, restriction of opportunity or differentiation based on race, gender, disability, ethnic, or religious conviction or other stereotype.

3.2.2 Indirect discrimination shall mean any practice or procedure that adversely excludes or impacts on more persons of one racial, religious or social group or gender than another.

3.2.3 Unfair discrimination shall mean any distinction, exclusion or preference made on the basis of race, gender, social or personal treatment that directly or indirectly prejudices, or makes separate provision or provides less favourable treatment for any employee or potential employee. Unfairness in this context shall mean:

3.2.3.1 Any discrimination that is not founded on the basic requirements of the job;

3.2.3.2 Practices that may nullify or impair the equity, opportunity or treatment in employment, promotion or advancement in the workplace.

3.2.4 Fair discrimination

Section 6(2) of the EE Act qualifies action that is not unfair:

- ❖ Discrimination for affirmative action purposes
- ❖ Discrimination based on the inherent requirements of the job

3.2.5 The above definitions include those practices and procedures designated as affirmative action.

3.2.6 Designated groups refer to blacks, women and people with disabilities.

3.2.6.1 Black is a generic term that refers to African, Coloured and Indian people.

3.2.6.2 A person with a disability is any individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of physical, sensory or mental impairment of a permanent nature.

3.3 Disadvantage

3.3.1 Disadvantaged groups or historically disadvantaged groups refer to those groups identified as having been unfairly discriminated against, through past legislation, policies, prejudice and stereotype; or

3.3.2 People who have been adversely affected economically, politically, socially or by non-utilisation of ability on the grounds of race, religion, gender, national origin or physical disability and/or been discriminated against by any form of distinction, preference or exclusion or personal treatment that directly or indirectly restricted development, and/or provided less favourable treatment on the grounds of race, gender or physical disability.

3.3.3 Employment equity refers to the elimination of unfair discrimination, as well as the implementation of specific measures to accelerate the advancement of designated groups towards the achievement of equality.

3.3.4 Equal employment opportunity refers to the formal right of all to be treated equally in employment, irrespective of race, gender and disability.

Suitably qualified persons

3.3.5 Those persons who may be suitably qualified for a job as a result of any one of or any combination of the following:

3.3.5.1 Formal qualification;

3.3.5.2 Prior learning;

3.3.5.3 Relevant experience;

3.3.5.4 Capacity to acquire, within reasonable time, the ability to do the job.

4. THE DEMOGRAPHIC FRAMEWORK

During the planning stages, a number of demographic characteristics emerged that were considered in drafting reasonable targets for this Plan.

4.1 Key demographic characteristics of the Nelson Mandela Metropolitan Municipality

The total population of the NMMM geographical area is as follows:

Port Elizabeth	872,000
Uitenhage	230,000
Despatch	41,000
Total	1,143,000

The population make-up is as follows:

Race / Gender	Percentage
Africans	56 %
Whites	18 %
Coloureds	24 %
Asians	2 %
Female	52 %
Disabled	2 %

The analysis shows that, at present, the Municipality, as an employer, is unrepresentative of this demographic profile

Stakeholders also agree that steps should be taken to ensure that the Municipality abides by the Employment Equity Act in this regard.

4.1.1 Top management profile

In the Port Elizabeth component of the Nelson Mandela Metropolitan Municipality, **top management** is deemed to be those posts on levels 16 to 20, while in Uitenhage and Despatch, these are on levels 1 to 5. The following is an analysis of the profile of the entire Nelson Mandela Metropolitan Municipality's workforce during 2000:

Race / Gender	Percentage
Whites	81 %
Africans	9 %
Coloureds	8 %
Asians	2 %
Females	8 %
Males	92 %
Disabled	0.25 %

Middle management profile

Middle management incumbents in the various subdivisions of the Municipality are as follows:

Race	PE	Uitenhage	Despatch
Whites	68 %	51 %	85 %
Africans	14 %	30 %	7 %
Coloureds	14 %	18 %	8 %
Asians	2 %	1 %	0 %

4.1.2 Support staff profile

The profile and support staff, which are levels 1 to 10, is as follows:

Race	PE	Uitenhage	Despatch
Whites	15 %	3 %	19 %
Africans	66 %	83 %	51 %
Coloureds	17 %	13 %	30 %
Asians	2 %	1 %	0 %

The Municipality also submitted individual reports to the Department of Labour which present an analysis as summarised as the following table:

TOTAL NUMBER OF EMPLOYEES AT EACH OCCUPATIONAL LEVEL

(Below Top and Middle Management)

Occupational Levels	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Skilled technical & academically qualified workers, junior management, supervisors, foremen & superintendents	467	496	32	609	323	156	12	245	2340
Semi-skilled & discretionary decision-making	590	66	6	50	16	9	0	16	753
Unskilled & defined decision-making	2236	153	54	14	216	28	0	5	2706
TOTAL PERMANENT	3293	715	92	673	555	193	12	266	5799
Percentage	56.8 %	12.3 %	1.6 %	11.6 %	9.6 %	3.3 %	0.2 %	4.6 %	

Africans	66.4 %
Whites	16.2 %
Coloureds	15.6 %
Indians	1.8 %

The above also needs attention. Although Africans are in the majority, most of them are unskilled.

5. ANNUAL OBJECTIVES

In the introduction it was mentioned that the Municipality's intention was to concentrate on numerical targets insofar as these relate to Top Management and Middle management. These remain the focus, owing to the considerable underrepresentation of people from the designated groups, as identified in the analysis conducted earlier.

The adjustment of the employment profile in the Nelson Mandela Metropolitan Municipality to the demographic profile of the Municipality is admittedly a complex matter, as it involves issues of race and gender, specifically at the top ten post levels (11 to 20). This Employment Equity Plan covers a five-year period and the transformation of specifically the

Top and Middle Management structures is to commence immediately and simultaneously.

Once the new functional organogram has been adopted by the Metropolitan Council, consideration should be given to employees in the top ten management levels of the Nelson Mandela Metropolitan Municipality who are 50 years of age and above who would voluntarily wish to be relieved of their contractual employment. It follows that appropriate severance packages would have to be negotiated.

In considering the above, the drafters have designed the following matrix, which illustrates the number and nature of the appointments necessary during the period April 2002 to April 2006, if appropriate goals are to be achieved at Top and Middle Management levels.

The following represents a five-year transformation programme for top management (grades 16 to 20.)

SECTION F: QUALITATIVE ASSESSMENT

NUMERICAL GOALS SET FOR CURRENT EMPLOYMENT EQUITY PLAN

TOP MANAGEMENT (GRADES 16 – 20)

Key

() Mean current staff

	AF	AM	CF	CM	IF	IM	WF	DISAB
2002	X8,(2)	X9,(7)	X1,(2)	X0,(6)	X0,(1)	X0,(1)	X0,(3)	X1
2003	X5	X4	X3	X2			X2	X1
2004	X4	X3	X3	X1			X2	
2005	X8(5)	X25(2)	X1(2)	X6,(1)	X1	X3	X3,(1)	
2006	X5	X2	X2	X1			X1	
TOTAL	X37	X52	X14	X17	X2	X4	X12	X2

	2001	2002	2003	2004	2005	2006
WHITES	81 %	63 %	49 %	38 %	24 %	18 %
AFRICAN	9 %	26 %	35 %	42 %	54 %	56 %
COLOURED	8 %	9 %	14 %	18%	19 %	24 %
ASIANS	2 %	2 %	2 %	2 %	4%	2 %
FEMALES	8 %	17 %	27 %	36 %	44 %	52 %
DISABLED	0 %	2 %	2 %	2 %	2 %	2 %

Over the next five (5) years until 2006, it is proposed to target a representation at the Top Management approximating the demographic characteristics of the Nelson Mandela Metropolitan Municipality. In the year 2007, it is proposed to revert to the “natural attrition” model for Top Management.

MIDDLE MANAGEMENT (GRADES 11 – 15) – 2002

VACANCY	AF	AM	CF	CM	IF	IM	WM	WF	DM	DF
15 x 23	X6	X6	X3	X3	X	X		X	X	X
14 x 23	X6	X6	X3	X3	X	X		X	X	X
13 x 23	X7	X6	X3	X2	X			X	X	X
12 x 23	X6	X6	X4	X3		X		X	X	X
11 x 23	X7	X6	X3	X4	X	X		X	X	X

MIDDLE MANAGEMENT – APRIL 2002

	2002	2003
WHITES	65 %	54 %
AFRICANS	20 %	27 %
COLOUREDS	14 %	17 %
ASIANS	1 %	2 %
FEMALES	32 %	38 %
DISABLED	1 %	1 %

MIDDLE MANAGEMENT

VACANCY	AF	AM	CF	CM	IF	IM	WM	WF	DM	DF
15 x 20	X6	X5	X3	X2	X			X1	X1	X1
14 x 20	X5	X6	X2	X3		X		X1	X1	X1
13 x 20	X6	X5	X3	X2	X1			X1	X1	X1
12 x 20	X5	X6	X2	X3		X1		X1	X1	X1
11 x 20	X6	Xx5	X3	X2	X1	X1			X1	X1

MIDDLE MANAGEMENT - 2003

	2003
WHITES	54 %
AFRICANS	27 %
COLOUREDS	17 %
ASIANS	2 %
FEMALES	38 %
DISABLED	1 %

MIDDLE MANAGEMENT

VACANCY	AF	AM	CF	CM	IF	IM	WM	WF	DM	DF
15 x 20	X6	X5	X3	X2	X			X1	X1	X1
14 x 20	X5	X6	X2	X3		X		X1	X1	X1
13 x 20	X6	X5	X3	X2	X1			X1	X1	X1
12 x 20	X5	X6	X2	X3		X1		X1	X1	X1
11 x 20	X6	Xx5	X3	X2	X1	X1			X1	X1

MIDDLE MANAGEMENT - 2004

	2004
WHITES	45 %
AFRICANS	33 %
COLOUREDS	20 %
ASIANS	2 %
FEMALES	43 %
DISABLED	2 %

MIDDLE MANAGEMENT

VACANCY	AF	AM	CF	CM	IF	IM	WM	WF	DM	DF
15 x 20	X6	X5	X3	X2	X			X1	X1	X1
14 x 20	X5	X6	X2	X3		X		X1	X1	X1
13 x 20	X6	X5	X3	X2	X1			X1	X1	X1
12 x 20	X5	X6	X2	X3		X1		X1	X1	X1
11 x 20	X6	X5	X3	X2	X1	X1			X1	X1

MIDDLE MANAGEMENT – 2005

	2005
WHITES	47 %
AFRICANS	34 %
COLOUREDS	17%
ASIANS	2 %
FEMALES	55 %
DISABLED	2 %

MIDDLE MANAGEMENT

VACANCY	AF	AM	CF	CM	IF	IM	WM	WF
15 x 20	X2	X2						
14 x 20	X4	X4		X				
13 x 20	X5	X5	X					
12 x 20	X94(7)	X175(6)	X28(8)	X125(2)	X6(0)	X8(2)	X82(2)	X352(1)
11 x 20	X9	X8						

MIDDLE MANAGEMENT - 2006

	2006
WHITES	26 %
AFRICANS	47 %
COLOUREDS	23 %
ASIANS	4 %
FEMALES	54 %
DISABLED	3 %

In 2007, the “natural attrition” model will be reverted to focusing on reaching the demographic features of the Nelson Mandela Metropolitan Municipality.

6. COMMUNICATION, AWARENESS AND CONSULTATION

6.1 Introduction

6.1.1 The Employment Equity Act requires that all employees should be made aware and informed of:

- The content and application of the Act as preparation for their participation and consultation;
- Employment equity and anti-discrimination issues;
- The proposed process to be followed by the employer;
- The advantages to employees of participation in the process; and
- The need for the involvement of all stakeholders in order to achieve positive outcomes.

6.1.2 In fulfilment of these responsibilities, the Affirmative Action Office:

- Circulated a summary of the Act to all departments in 1998. This summary was prominently displayed on public notice-boards.
- Held sensitisation seminars with all stakeholders to make them aware of employment equity and anti-discrimination issues;
- Established, with the full support of the CEO, Employment Equity Committees in each department;

- Placed notice-boards in each Department to post the most up-to-date information on employment equity and make it available to all employees;
- Facilitated the appointment of an independent consultant to further advance the process.

6.1.3 The Consultant – Strategic Consultants – consistent with the requirements of the Employment Equity Act:

- Consulted with all established stakeholders and organisational structures within the Nelson Mandela Metropolitan Municipality.
- Prepared and administered a questionnaire to all employees. Prepared and administered a follow-up 10 % stratified random sample questionnaire to employees;
- Prepared and administered three separate questionnaires to members of Top Management.
- Conducted fourteen (14) ZOPP/AI (*explanation of “ZOPP/AI”*) interventions to which all employees were invited. Sixty-one percent (61%) of employees participated.

6.1.4 At the ZOPP/AI interventions, comprehensive discussions were undertaken with all employees. These discussions focused on:

- The advantages to employees of participating in the process; and
- The need for the involvement of all stakeholders in order to promote positive outcomes.

6.2 ZOPP/AI

6.2.1 All employees of the Nelson Mandela Metropolitan Municipality were invited to the ZOPP/AI interventions. Five hundred employees (500) were invited to each of the fourteen (14) meetings. A total of 3 700 employees participated, representing an attendance record of 61%. Each ZOPP session consisted of seven hours of active interaction.

6.2.2 The structure of each meeting was organised along the following agenda:

- (i) Introduction to the concept of ZOPP.
- (ii) Explanation of the background and concept of Employment Equity.
- (iii) Feedback report to the meeting on the findings of the Draft Report on Policies and Procedures.
- (iv) Inputs by employees.
- (v) Summary and conclusion.

6.2.3 The participants made two types of contributions – one in the form of a confidential written communication in response to a specific question. The other in the form of oral interventions in which specific views were expressed about the work situation in general in the context of employment equity.

6.2.4 It was emphasised to each ZOPP meeting that the Draft Report was prepared without recommendations and that recommendations will be formulated based on the inputs from the employees of the Nelson Mandela Metropolitan Municipality.

7. BARRIERS TO EMPLOYMENT EQUITY

7.1 Introduction

7.1.1 The Employment Equity Act requires the employer to identify any barriers that may contribute to the underrepresentation or underutilisation of employees from designated groups.

7.1.2 The Act also requires that the employer identify any barriers or factors that may contribute to a lack of affirmation of diversity in the workplace.

7.1.3 The Act specifically requires the employer to review all policies, practices and procedures of the working environment in order to identify any barriers that may be responsible for the underrepresentation or underutilisation of employees from the designated groups. This work is set out in the Annexure attached to this Plan.

7.2 Maturity Audit

It is important to identify the current levels of maturity and the activities undertaken by the Municipality insofar as they pertain to important components of employment equity. The Employment Equity Unit has taken a further step in drafting a table containing a number of possible deficiencies the Municipality may have, with a view to addressing these gaps.

The following table contains additional areas that have been discussed at the meetings held with the employees of the NMMM and only serves as a guideline. The purpose of this exercise was to attempt to formulate an accurate profile of the areas that Municipality has actually considered and/or addressed and the identification of possible gaps that may exist. It is believed that it will further assist the NMMM in identifying key strategic issues which need to be addressed throughout the process and will provide valuable information on a strategic focus for the future.

TABLE - EMPLOYMENT EQUITY AND SKILLS DEVELOPMENT MATURITY AUDIT

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
A.	<u>STRATEGIC ANALYSIS</u>	
1.	<p>Has a strategic analysis being launched into and information been gathered on the following matters? (If yes, give a short summary of findings and retain back-up documentation for consultations later on):</p> <ul style="list-style-type: none"> ♦ National and regional demographic profile of economically active population ♦ Pool of suitably qualified persons (from designated groups) from which employers can promote or appoint (please indicate problematic areas and possible reasons for shortages of suitably qualified persons). ♦ Sectoral and/or employer-specific current and anticipated economic and financial circumstances. ♦ The possibility of material change in core product/ service focus, the introduction of new technology, upsizing and/or downsizing over the next five years, may impact on the nature and extent of the workforce profile (e.g. a change in competencies required or numbers of employees per occupational category). ♦ The number of present and planned vacancies that exist at the various levels and employee turnover statistics. ♦ Progress made by competitors/other employers facing similar circumstances and engaged in business in the same industry/sector with regard to equity and skills development. 	<p>Yes. Extensive information has been gathered, most of which reflected in the “REPORT ON EMPLOYMENT EQUITY IN THE NELSON MANDELA METROPOLITAN MUNICIPALITY AND FRAMEWORK FOR IMPLEMENTATION – A FIVE YEAR PLAN”. (the Framework document).</p> <p>Yes. Chapter 3 of the Framework document gives an analysis of the demographic framework. It covers the key demographic characteristics of NMMM.</p> <p>No. Succession planning, mentoring, job-rotation coaching to be considered in future (see Tab 290 and 19).</p> <p>IDP Framework.</p> <p>Yes. In line with local government objectives NMMM will be required to promote the provision of housing and essential services, transformation into developmental municipality.</p> <p>Yes. Currently integrating costs. Position being monitored.</p> <p>No comparisons made except to emphasize the importance of benchmarking.</p>

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
B. STRATEGY/ POLICY DOCUMENT ON EMPLOYMENT EQUITY AND SKILLS DEVELOPMENT		
2.	Does the employer have a formal written position on employment equity and skills development (e.g. strategy/ policy document)? If yes, has this document been consulted on with an equity steering committee/ consultative forum?	Yes. Currently drafting plan.
C. EMPLOYMENT EQUITY PLAN AND WORK-PLACE SKILLS PLAN		
3.	Does the employer have a formal employment equity plan (i.e. a document containing numerical and qualitative targets, structures for implementation, diversity values and objectives with regard to attaining equitable representation per race/gender/disability group and affirmative action interventions to achieve these over a period of 1 to 5 years)? If yes, has this document been consulted on with an equity steering committee/consultative forum?	Yes. Currently drafting plan. A new plan to be in place by 2002.
	Does the employer have an education, training and development plan which will ensure the availability of the right profile of staff as defined by race, gender, disability, knowledge, skills and values? Further, does this plan for staff provisioning have a strategic link with the employment equity plan in the following areas: timing (i.e. determining the right mix of learnerships, internships and skills programmes); relevant to current staff competency profiles, etc.	Yes. Relevant structures, plans and processes are currently being reviewed and designed for approval and implementation in 2002/2003. Refer to above comment on learnerships, internships skills programmes staff competency profiles.
	What was the level of agreement reached in the formulation of the plan referred to in 3.1 and 3.2?	Yes. Consulted with all stakeholders. Agreement high.

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
D.	INTERVENTIONS	
4.	<p>Have any conscious and planned employment equity and skills development interventions been implemented/undertaken under the following headings:</p> <ul style="list-style-type: none"> • EMPLOYMENT EQUITY TRAINING to all employees, including fair discrimination principles? (if yes, state number of employees trained during the past year). ♦ MANAGING DIVERSITY initiatives (such as auditing of employment policies and practices to ensure that they are focused on productivity and that no-one is excluded on the basis of race, gender, disability and the like)? ♦ AFFIRMATIVE ACTION (where the focus is on creating employment opportunities and promotions for designated persons and hence is a process of exclusion, for example, accelerated development, mentorship and coaching programmes, and the like)? • SKILLS AUDITS in order to determine the nature and extent of internal skills that are available for development and promotion? ♦ LEARNERSHIPS and related skills programmes containing structured learning, practical and work-based exposure and assessment? • OUTCOMES–BASED learning with accredited training providers and revision of correct development programmes/curricula? ♦ COST–BENEFIT analysis of current education, training and development structures and programmes. 	<p>Yes. Numerous meetings were held through ZOPP/AI. Questionnaires and interviews with a wide range of personnel were conducted. Committees established and Affirmative Action office established. Fourteen interventions held, in which 61% of employees participated.</p> <p>No. Presently in progress. Policies also to be integrated for entire NMMM area.</p> <p>Yes. Ongoing. Affirmative Action office established.</p> <p>Yes. Skills audits have been conducted during the 2000/2001 skills year. A refinement on priority areas planned for the 2002/2003 skills year.</p> <p>Yes. The implementation of the LGWSETA/DANIDA learnerships to be introduced to ± 90 learners in June 2002.</p> <p>Yes. National accreditation of providers is currently not available through the ETQA systems. However interim accreditation to HET providers available to relevant providers that we utilise on on-ongoing basis. Envisaged to happen during 2002/2003 with introduction of Quality Assurance Systems.</p> <p>No.</p>

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
E.	EQUITY STEERING COMMITTEE/ CONSULTATIVE FORUM	
5.	Does the employer currently have any of the following structures/forums in place and, if so, are they representative of all occupational levels, races, genders and disabilities? :	Yes. SAMWU, IMATU and AMEA
	♦ Unions (specify the union as well as the occupational levels represented/percentage representation)?	
	♦ Either a statutory or non-statutory work-place forum (specify)?	Local Labour Forum.
	♦ Staff forums at which employment policies and practices are tabled for discussion?	Yes. Business Unit Employment Equity and Skills Development Forum structures currently in process of approval, after which implementation will follow.
	♦ Other?	No.
	Have they been effectively constituted and empowered to properly fulfil the requirements of the business and of statute?	Yes. Local Labour Forum constituted in terms of the SALGBC Organisational Rights Agreement.
	How regularly do the stakeholders meet?	Monthly.

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
F. COMMUNICATION		
6.	<p>What means of communication is currently used in communicating any material strategic and/or policy change/development and which of these do you believe would be most successful in communicating employment equity and skills development matters?</p> <ul style="list-style-type: none"> • Video • Newsletter • Focus groups • Memoranda (formal written communication) • E-mail • Policy statement that includes reference to employment equity • Summary of the acts displayed • Training • Diversity management programmes/discrimination awareness programmes • Other (specify) 	<ul style="list-style-type: none"> ▪ Circulars on notice-boards. ▪ Seminars held. ▪ Acts displayed. ▪ Training from time to time. ▪ ZOPP/AI. ▪ National skills development strategy communicated to trainees during training programmes.
G. ENSURING COMPLIANCE AND MAINTENANCE		
7.	<p>Has the employer engaged in any of the following activities in order to regularly monitor matters of equity and skills in employment practices and to ensure the achievement of targets set? :</p> <ul style="list-style-type: none"> ♦ Collection of data on the workforce profile, skills profile (strategic vs actual); career pathing/succession planning, employee movement, as well as reasons for employee turnover (with particular emphasis on designated persons) 	<p>Yes. Data on the workplace is available in the format as required by the workplace skills plan. This includes an educational profile. This will be refined through future interactions and processes, including skills audits. Succession planning will happen in future as per the existing draft policy, currently in the process of approval.</p>

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
ENSURING COMPLIANCE AND MAINTENANCE cont.		
	<ul style="list-style-type: none"> ♦ Feedback from line managers on progress and problems encountered with regard to employment equity and skills development matters and the inclusion of equity and skills key performance areas in their performance reviews and incentives. 	<p>Yes, through interviews. Others also surveyed. Skills Performance areas need further development.</p>
	<ul style="list-style-type: none"> ♦ The establishment of databases in order to measure the effect of various interventions and strategies used in recruiting, selecting, training and promoting designated persons in relation to other employees in order to identify the impact thereof on achieving equity and skills targets. 	<p>Yes. The effectiveness of training and development programmes will be evaluated by systems expected to be introduced after the implementation of systems in terms of the LGWSETA guidelines for quality assurance. Expected to be introduced during 2002/2003.</p>
	<ul style="list-style-type: none"> ♦ ‘Understanding differences’ workshops and communicating with regard to learning opportunities and related matters? 	<p>Yes. Communication programme planned after the introduction of business unit Employment Equity and Skills Development Forums from May 2002.</p>
H. AUDIT OF EMPLOYMENT POLICIES/PRACTICES AND ENVIRONMENT/CULTURE		
8.	<p>Has the employer engaged in an in-depth audit of employment policies and/or practices and, if so, is this conducted regularly? Indicate when this was last done as well as which of the undermentioned policies and practices were revisited:</p> <ul style="list-style-type: none"> ♦ recruitment procedures, advertising and selection criteria; ♦ appointments and the appointment process; ♦ job classification and grading; ♦ remuneration, employment benefits, and terms and conditions of employment; ♦ job assignments; ♦ the working environment and facilities; ♦ education, training and development. 	<p>In process – being done by task teams from Affirmative Action Committee, assisted by consultants - GBS.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p> <p>In process – being done by task teams from Affirmative Action Committee, assisted by GBS. Attitude surveys done regarding policies – ZOPP/AI.</p>

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
I. AUDIT OF EMPLOYMENT POLICY/ PRACTICE AND ENVIRONMENT/ CULTURE		
9.	♦ performance evaluation systems;	No. In progress. Policies to be drafted and approved.
	♦ promotion, transfer and demotion;	No. In progress. Policies to be drafted and approved
	♦ succession and experience planning;	No. In progress. Policies to be drafted and approved
	♦ any actions short of dismissal (disciplinary measures);	No. In progress. Policies to be drafted and approved
	♦ dismissal;	No. In progress. Policies to be drafted and approved
	♦ corporate culture;	Yes.
	♦ HIV/AIDS education prevention;	Yes.
	♦ Sexual harassment.	Yes.
	Has the employer consulted with an equity steering committee/consultative forum in the process of auditing?	No.
I. AUDIT OF EMPLOYMENT POLICIES/PRACTICES AND ENVIRONMENT/ CULTURE (cont.)		
	Have conscious efforts been made to provide positive and corrective measures to assist in affirming the rights of black persons, women and the disabled by contemplating the following issues? :	
	♦ child-care facilities/employment benefits;	No.
	♦ sexual and racial harassment codes;	Yes.
	♦ wheelchair access and related facilities/adapting equipment and/or jobs;	No.

No.	Description of Employment Equity and Skills Development Activity	Details of actual activities (anticipated activities are to be clearly stated as being “anticipated or planned”)
	♦ religious, cultural and language sensitisation;	Yes. Diversity and Change Management Training programmes budgeted for presentation to all levels in the 2002/2003 year.
	♦ preferential treatment in recruitment, selection and promotion;	No.
	♦ internships, learnerships, skills programmes, bursary grants and the like.	Yes. Bursary grants. The DANIDA/LGWSETA pilot project to test learnerships in Administration and Finance has been designed and developed and will be implemented for 18 months from June 2002 to ± 90 learners. Several internships, internal and external skills programmes to ± 2000 employees per annum are ongoing. Bursary grants are also allocated as per the bursary policy.

<p><u>7.6 ENVIRONMENTAL WORKING CONDITIONS</u></p> <ul style="list-style-type: none"> ❖ Working conditions for support staff are unhealthy and dangerous. ❖ Workplace not user-friendly to disabled persons. 	<ul style="list-style-type: none"> ❖ Working conditions for support staff need to be substantially improved. ❖ All buildings and toilet facilities must provide direct access for disabled persons. ❖ Dedicated budget for the adaptation of the workplace to ensure reasonable accommodation of the needs of disabled employees. 	<ul style="list-style-type: none"> ❖ On-going
<p><u>7.7 RECRUITMENT PROCEDURES</u></p> <ul style="list-style-type: none"> ❖ Lack of recruitment policy. ❖ Limited pools of suitably qualified black applicants exist in certain areas, e.g. Engineering, Finance, Building Sciences, Town Planning, etc. ❖ Poor communication between the Employment Equity and Skills Development Forums and the Appointment Committee. ❖ Stereotyping of disabled as not suitably qualified may occur. 	<ul style="list-style-type: none"> ❖ Urgently develop recruitment policy. ❖ Search for and motivate pool of suitably qualified black applicants in technical fields. ❖ Training programme to be developed. ❖ Career development plan to be initiated. ❖ An active policy of promoting disabled people needs to be promoted. 	<ul style="list-style-type: none"> ❖ On-going
<p><u>7.8 ADVERTISING</u></p> <ul style="list-style-type: none"> ❖ Advertisements are not adequately accessible. ❖ Exclusionary criteria such as years of experience and maximum requirements. 	<ul style="list-style-type: none"> ❖ The external advertisement must be placed in appropriate media or publications and/or Council's offices, ensuring maximum access by the designated and non-designated groups. ❖ The advertisement must not include exclusionary criteria such as years of experience but must attract the best qualified candidate without 	<ul style="list-style-type: none"> ❖ On-going

<p>7.9 <u>SELECTION/SHORTLISTING PROCEDURE</u></p> <ul style="list-style-type: none"> ❖ Lack of transparency in selection/shortlisting procedures. ❖ No policy on the composition of the selection panel. 	<p>excluding those with minimum requirements, taking into account the ability to acquire within a reasonable period, the ability to do the job.</p> <ul style="list-style-type: none"> ❖ Appointment committees for various levels of the organization to be established. ❖ The interview schedule should be available to all members of the Appointment Committee at least 24 hours prior to meetings. ❖ Appointment Committee members to meet at least one hour before the commencement of interviews. ❖ Recruitment and Selection Policy to clearly define the composition of the selection panel and methods of selection. 	<ul style="list-style-type: none"> ❖ 30 / 06 / 2002
<p>7.10 <u>INTERVIEWS</u></p> <ul style="list-style-type: none"> ❖ Lack of trained interviewing panel. ❖ Employment Equity considerations are unscientifically evaluated. ❖ No consistent report card for panel members. ❖ No proper taking of minutes on interview process. 	<ul style="list-style-type: none"> ❖ All members of the interviewing panel must be properly trained for the task. ❖ A common report card must be used by all members of the interviewing panel. ❖ Proper record keeping on the interview process must be ensured. 	<ul style="list-style-type: none"> ❖ On-going

<p><u>7.11 APPOINTMENTS</u></p> <ul style="list-style-type: none"> ❖ A great delay between the decision of the Appointment Committee and communication of decision to the applicants. ❖ Not clear who is responsible for authorizing of an appointment. ❖ Limited pool of internal candidates particularly in technical services, e.g. Engineering, Town Planning. 	<ul style="list-style-type: none"> ❖ The period between the interview process and communication of the decision to the applicant must be reasonable. ❖ Recruitment and Selection Policy to state clearly the appointing authority. ❖ The employer should advertise both externally and internally, but preference should be given to internal candidates. 	<ul style="list-style-type: none"> ❖ On-going
<p><u>7.12 INDUCTION</u></p> <ul style="list-style-type: none"> ❖ No systematic induction programme in place. ❖ No support programme for employment equity appointees. 	<ul style="list-style-type: none"> ❖ A uniform induction process must be instituted, organized and driven by the Training Unit. ❖ Employment equity appointees must be supported in their work and a development must be instituted. 	<ul style="list-style-type: none"> ❖ On-going
<p><u>7.13 JOB GRADING AND EVALUATION</u></p> <ul style="list-style-type: none"> ❖ Job grading and evaluation system is subjective. ❖ The process takes a long time to complete. ❖ There is considerable inconsistency in the process. ❖ The employees have no confidence in the system. 	<ul style="list-style-type: none"> ❖ A new system (Task System) should be established to ensure consistency, greater objectivity, reliability and efficiency. 	<ul style="list-style-type: none"> ❖ 31 December 2002 (SALGBC deals with this matter)
<p><u>7.14 REMUNERATION, BENEFITS AND TERMS AND CONDITIONS OF SERVICE</u></p> <ul style="list-style-type: none"> ❖ There are different systems of remuneration and benefits. 	<ul style="list-style-type: none"> ❖ Unification of benefits and Terms and Conditions of Service must be fast 	<ul style="list-style-type: none"> ❖ 31 October 2002 (SALGBC

<ul style="list-style-type: none"> ❖ Several Terms and Conditions of Service are inconsistent with the Basic Conditions of Employment Act and the Labour Relations Act. 	<ul style="list-style-type: none"> tracked. ❖ Terms and Conditions of Service must be consistent with the Basic Conditions of Employment Act, Labour Relations Act and other new legislation. 	<p>deals with this matter)</p>
<p>7.15 <u>JOB PLACEMENT</u></p> <ul style="list-style-type: none"> ❖ Some staff members are misplaced. ❖ No career pathing is being undertaken. ❖ Placing of staff is sometimes based on racial considerations. i.e. white employees are working in former “white” areas, and blacks are working in townships. 	<ul style="list-style-type: none"> ❖ Skills Audit development must ensure that the right people are placed in the right jobs. ❖ A career pathing policy to be developed. ❖ Staff rotation in terms of race must be encouraged to ensure cross-pollination. 	<ul style="list-style-type: none"> ❖ On-going
<p>7.16 <u>TRAINING AND DEVELOPMENT</u></p> <ul style="list-style-type: none"> ❖ Inadequate budget for the training function. ❖ Inadequate training facilities. ❖ Ineffective marketing of the courses offered, e.g. ABET. ❖ No effective use of modern technology in training. ❖ In-service training programme is underdeveloped. ❖ Training programme not aligned to public policy relating to employment equity. ❖ Policy on experiential learning and external training not clearly articulated. 	<ul style="list-style-type: none"> ❖ Adequate budget for training needs must be established. ❖ Marketing of training programmes available must be developed. ❖ Training Manager and Employment Equity Manager to develop the training and skills development programme in every financial year of Council. 	<ul style="list-style-type: none"> ❖ On-going
<p>7.17 <u>DISCIPLINARY PROCEDURES</u></p> <ul style="list-style-type: none"> ❖ Disciplinary procedures focus on punishment rather than rehabilitation. 	<ul style="list-style-type: none"> ❖ Development of disciplinary procedures for the Council must be fast tracked. 	<ul style="list-style-type: none"> ❖ On-going

<ul style="list-style-type: none"> ❖ Lack of professional assessment relating to perceived disciplinary problems. ❖ Lack of counselling capacity. ❖ Punishments are inconsistent. ❖ Lack of training of presiding officers and assessors. 	<ul style="list-style-type: none"> ❖ Training of presiding officers and assessors. ❖ Disciplinary process must be rehabilitative rather than punitive. 	
7.18 <u>PLANNING</u>		
<ul style="list-style-type: none"> ❖ No Human Resource Development Plan. ❖ No Integrated Development Plan in place. ❖ No succession planning. ❖ No scientific compensation management and planning. 	<ul style="list-style-type: none"> ❖ Human Resource Development Plan to be developed. ❖ Integrated Development Plan to be developed. ❖ There is a need for a comprehensive document on succession planning. ❖ A compensation management plan must be developed. 	<ul style="list-style-type: none"> ❖ 30 December 2002
7.19 <u>PERFORMANCE MANAGEMENT</u>		
<ul style="list-style-type: none"> ❖ No effective municipal-wide performance management system in place. 	<ul style="list-style-type: none"> ❖ Key Performance Indicators (KPIs) need to be developed and applied to all posts in the NMMM. ❖ Performance Management Contract for Business Unit Heads and Municipal Manager to be developed. 	<ul style="list-style-type: none"> ❖ 30 December 2002

8. TRAINING AND DEVELOPMENT OF STAFF

- 81 It is recognised that the NMMM has a responsibility to provide opportunities for the maximum development of all staff members. In view of the disparities relating to education and experience between blacks and whites, accelerated training and fast tracking are of paramount importance for employment equity. The disadvantaged require entry into all levels and all occupational classes and this should be provided for and facilitated by appropriate Human Resource Developmental measures should therefore play a key role in development achieving representativeness.
- 8.3 Those with the necessary qualifications but without experience should be assessed on their potential, and accelerated development courses should be provided to enable them to perform effectively in the specific job. Effective mechanisms should be in place so as to identify and assess candidates with potential. Supervisors should be trained to assess potential.
- 8.2 It must be recognised that in certain specialised fields, both fundamental knowledge and relevant practical experience are essential, both of which require time to develop.
- 8.4 Coaching or mentoring should be utilised.
- 8.5 Criteria for the allocation of bursaries should be adjusted to accommodate the disadvantaged groups.
- 8.6 Access to education and training for persons previously excluded from certain fields of study should be facilitated at all institutions.
- 8.7 There should be no discrimination against women and people with disabilities as far as training is concerned.
- 8.8 Supervisors shall bear the primary responsibility for the development of staff under their charge and the evaluation of supervisors shall be influenced by their endeavours and commitment. This does not take away the responsibility of the individual to keep abreast of developments in their fields.
- 8.9 Education and training programmes should be developed to enhance the skills and capabilities of all staff, at all levels for career paths with particular reference to the disadvantaged groups. Individuals also have responsibility for their own development.
- 8.10 The formal and informal orientation of new staff (including management) is absolutely vital. Attention should be given to culture, orientation and work ethics, based on a code of conduct.

9. IMPLEMENTING THE PLAN

9.1 Framework

- ❖ The attached targets and skills plan will form the framework for implementation of this plan.
- ❖ The targets are based on the economically active population of the Nelson Mandela Metropolitan Municipality area as per the Metro demographics reflected in Statistics South Africa.

9.2 Tools/Mechanisms

Recruitment and selection

- ❖ The Nelson Mandela Metropolitan Municipality is in the process of developing a recruitment and selection policy.
- ❖ The recruitment and selection policy shall set out the procedures for the advertisement of vacant posts, the selection of applicants for interviews, the conducting of interviews and the appointment of candidates to the staff establishment of the employer.
- ❖ While preserving adherence to reasonable job requirements, preference in selection will be given to applicants from disadvantaged groups in those job categories where disadvantaged people are not fairly represented in terms of the demographic data of the NMMM.
- ❖ Selection criteria shall be objective and related to the inherent requirements of the job and such criteria shall be consistently applied in the selection of all applicants.
- ❖ Qualifications unrelated to the job and unnecessarily high qualification requirements shall not be used to justify the selection of a person from the advantaged group, over those from disadvantaged groups, nor shall such selection be justified on the grounds of the seniority of an advantaged person.
- ❖ Unless formal qualifications are clearly justified as essential for the job, relevant proven experience, training (internal/external) and potential for the prospective vacancy shall be important criteria.

9.3 Interviews

- ❖ The interviewing panel should consist of diverse and representative (in respect of race, gender and disability) members, including someone from the Employment Equity Unit.
- ❖ No person shall be appointed to an interviewing panel without having previously undergone appropriate training in interviewing skills and selection techniques. All members of the interviewing panel shall be required to abide by the principles contained in this Plan

9.4 Employment Agencies

- ❖ The Council shall not make use of either public or private employment agencies that do not conform to the principles of this plan and Council's Procurement Policy.

9.5 Application of Targets

- ❖ The overall goal of the numerical targets and time-frames is to achieve representation within the Council as a whole. The targets will be met as follows:
 - Targets are first applied at an operational level within a unit, and then in terms of the profile of the Business Unit, the directorate and the Council as a whole.
 - Targets will be applied in all recruitment, selection, promotion, acting, intake of students for in-service training, bursary allocation, accelerated development and mentorship.

9.6 Roles and Responsibilities

9.6.1 Mayoral Committee

A progress report on the implementation of the Plan in each Business Unit of the Council must be a standing item on the agenda of the Mayoral Committee at least once every quarter. The Municipal Manager together with a representative from the Employment Equity office should present such report. The report should indicate trends and patterns in the implementation of the Employment Equity Plan throughout the organization. The Municipal Manager will be called upon to account for any lack of progress reflected in the report.

9.6.2 Head of Business Unit

9.6.2.1 Progress report on the implementation of the Plan must be a standing item on the agenda for the meeting of all heads of Business Units at least once every quarter. Each Head of Business Unit will present the report indicating the trends and patterns in the implementation of the Plan. The Head of Business Unit will be called upon to account for any lack of progress in their business unit. All Heads of Business Units will have implementation of the EE Plan included in their performance contracts, supported by time-bound, quantifiable targets against which their performance will be measured.

9.6.3 Line Manager and Supervisors

9.6.6.1 All line functions will be held accountable for the application of this plan in all recruitment and selection, promotion, training and development considerations in their sections. All line functions will have implementation of the EE Plan included in their key performance indicators (KPI's), supported by time bound, quantifiable targets against which their performance will be measured.

9.6.7.1 Human Resource Development

9.6.4.1 As the success of the EE Plan depends on the effective sourcing, management and development of Human Resources within the designated group, the Head of Human Resources and Managers of recruitment, selection, training and development have a key role to play in the overall success of EE Plan through their capacity enhancement responsibilities. They will also be responsible for developing the appropriate learning opportunities and interventions that support the process.

9.6.5 Employment Equity Unit

9.6.5.1 The employment Equity Unit Staff will co-ordinate the implementation and monitoring of the plan.

9.6.5.2 The EE Unit will be allocated within the Human Resource Development Business Unit. The Employment Equity Act requires the EE Manager to report directly to the Chief Executive Officer. In the context of the new Municipal Structures Act the Executive Mayor is the CEO.

9.6.6 Councillors

9.6.6.1 The Councillors who have appointing authority will be held accountable for how they exercise that authority in respect of this plan.

9.6.7 Penalties and Rewards

9.6.7.1 Non-adherence to and/or the blocking of the implementation of the Employment Equity Plan by line management will constitute gross dereliction of duty. This will be addressed through the established performance management procedures.

9.6.7.2 Annual diversity values awards will be effected to acknowledge and reward those who have met or substantially moved towards meeting their annual EE Plan.

10. MONITORING AND EVALUATION

10.1 The Monitoring and Evaluation process requires the establishment of acceptable benchmarks. It is proposed to establish benchmarks consistent with the demographic characteristics of the NMMM.

10.2 The Employment Equity Unit staff will take responsibility for monitoring and implementing the Plan. An annual report will be produced indicating progress made in implementing the Plan, evaluation of the Plan and further steps will be identified to improve and refine the Plan.

10.3 Employment Equity and Skills Development Forum will further monitor the work of the Equity Staff and assisting in driving the process.

10.4 All Business Unit Heads will be required to provide an annual report on the implementation of the general equity provisions of the Equity Plan in their sections. All reports are to be submitted by the 15th August each year, unless stated otherwise.

10.5 The employees themselves will be able to monitor and evaluate the performance of the Equity Staff through the process of communication and reporting.

11 DISPUTE RESOLUTION

11.1 Every effort must be made to avoid disputes. But inevitably disputes are likely to arise.

11.2 Any employee having a grievance or dispute arising out of the implementation of the Employment Equity Plan should lodge such a grievance / dispute through the normal grievance / dispute procedure or Appointments review procedure as the case may be. It shall be the responsibility of line management to report such grievance/dispute to the Employment Equity manager thereof. The Employment Equity Manager may investigate such a case and make any such recommendations as he/she sees fit.

11.3 In the event of Council's dispute procedure failing to resolve the dispute, it shall be referred to arbitration within a period of 7 (seven) days. Such arbitration will take place in terms of the Arbitration Act.

12 BUDGETING FOR EMPLOYMENT EQUITY

The Employment Equity Act requires the NMMM to allocate resources and means for the implementation of the Employment Plans.

The Council therefore will be expected to budget in every financial year sufficient funds for the Employment Equity Plans.

13 COMPLIANCE

The NMMM have approached this plan in a manner that not only realistically serves its Equity Employment needs and purposes but also to do so in a manner that would make it compliant with the Employment Equity Act of 1998. A checklist has been added to guide the drafters and all at NMMM to continually strive to implement this plan and to realise its legal framework and focus – see **Annexure D**.

EMPLOYMENT EQUITY PLAN

ANNEXURES

NELSON MANDELA
METROPOLITAN
MUNICIPALITY

EMPLOYMENT EQUITY POLICY
AND
CONTEMPLATION OF PLAN

1. EQUITY VISION

- 1.1. The Municipality is committed to employing, empowering and developing competent people with the necessary potential required in order to expand their careers and to become valuable participants in sustaining the Municipality's service to the local community and act as a development agent. Hence, world-class standards in terms of cost, quality, productivity and customer service will only be achieved once the competencies of every employee are effectively harnessed. This is to be achieved by implementing diversity management, affirmative action and skills development initiatives in order to create a racially and culturally diverse team.

- 1.2. As a result of the unfair discrimination in the past of South Africa, particularly that which occurred in the labour market, the Municipality recognises its responsibility to equalise opportunities for those designated people who are socially, economically and educationally disadvantaged.

Those designated people are defined as blacks (comprising African, Asian and Coloured persons), women and the disabled. This will be achieved by engaging in justifiable activities (via an employment equity plan) based on the specific circumstances faced by the Municipality.

- 1.3. The employment equity policy and plan will ensure that the career development of non-designated persons will not be ignored and employees will continue to be recognised for their competencies based on statutory and merit considerations.
- 1.4. The equity policy and plan will have consulted on short and medium-term goals and will be developed in consultation with an Employment Equity and Skills Development forum. Its implementation will be handled in a manner which is reasonable, justifiable and fair with due cognisance of the need to deal sensitively therewith.
- 1.5. The need for a policy and plan such as this will be under continuous review and the need for affirmative action activities, in particular, will cease when the fundamental objectives of this policy have been achieved.
- 1.6. The skills profiles required to ensure the achievement of strategic business objectives will be under continuous scrutiny and these will be considered along with employment equity matters in order to achieve the most efficient and innovative provisioning of intellectual capital. In this regard, workplace skills plan formulation will be integrated into the said structures addressing employment equity.

2. EQUITY OBJECTIVES

2.1. The Municipality will endeavour to have skilled designated persons adequately represented at all levels within the Municipality over the next 5 years, as far as is reasonably practicable. The definition of 'adequate representation' will be based on a number of factors prevailing at a point in time, including:

- ♦ local demographic profile;
- ♦ pool of suitably qualified people from designated groups from which the Municipality may reasonably be expected to promote or appoint employees;
- ♦ economic and financial factors relevant to the sector in which the Municipality operates as well as the present and anticipated economic and financial circumstances of the Municipality; and
- ♦ the number of present and planned vacancies that exist in the various levels and the Municipality's employee turnover:
- ♦ The progress made by other designated employers operating under similar circumstances and within the same sector.

2.2. Different divisions/departments may have different targets and timings based on the above factors and considerations.

2.3. Furthermore, all employment policies and practices will be audited for unfair discrimination and related barriers which are unjustifiable. This will include the identification and elimination of unfair discrimination on the basis of the factors listed in the Constitution and the Labour Relations Act as follows:

- ♦ Race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, political opinion, culture, language, belief, marital status or family responsibility.

2.4. The Municipality will nurture an organisational culture dedicated to respecting diversity, empowerment and learning via a number of means including the identification of potential and the adoption of sound diversity and skills management values.

- 2.5. The Municipality remains committed to maintaining high service levels and will not tolerate tokenism or any unjustifiable practices. Hence, competent employees who are capable of performing the inherent competencies required will be appointed. Education, training and development will be engaged in as dictated by the strategic business objectives of the Municipality.
- 2.6. The Municipality will ensure total commitment to the employment equity process as far as is reasonably practicable and non-delivery in this regard by any manager or employee will be deemed to be serious non-performance.

3. EQUITY POLICY

The equity and skills policy of the Municipality thus encompasses six primary considerations, each of which will be given effect to via the employment equity plan.

- 3.1. The auditing of all the employment policies, practices, procedures and the working environment, in order to identify and eliminate all employment barriers, which adversely affect people from designated groups.
- 3.2. The construction of a workforce profile of the Municipality's employee's at all occupational levels per race, gender and disability category in order to determine the degree of under-representation of designated persons. This includes an analysis of staff movement in regard to appointments, promotion and terminations.
- 3.3. The preparation and implementation of an employment equity plan which will achieve reasonable progress towards employment equity in the Municipality's workforce. The said plan is to contain both qualitative and numerical goals set out in a timetable for achievement for each year of the plan. In the process, particular attention will be given to the employment and advancement of designated persons via systematic corrective

interventions in recruitment and selection, training and development, promotions, acting in higher positions, supplier policies and the like.

- 3.4. The preparation and implementation of a skills development plan which is linked to and directly supports the strategic business objectives of the Municipality, the employment equity plan / targets and the overall values related to diversity management. This will involve determining the best interventions – such as learnerships, skills programmes, internships and the like as well as the auditing and revision of existing learning in order to ensure outcomes-based standards.
- 3.5. The assessment of organisational culture matters and the implementation of interventions required creating a new organisational culture, which is dedicated to and ensures empowerment. Various means may be used in achieving this and these include: assessment and surveys; training and development; and understanding different workshops.
- 3.6. Reporting to the Department of Labour and the SETA with jurisdiction at legislated intervals in the format required.

4. DETERMINATION OF EMPLOYMENT EQUITY MATURITY LEVELS & SKILLS DEVELOPMENT REQUIREMENTS

The activities, which are undertaken, and the results achieved from the steps set out hereunder will be materially used in giving substance to much of the equity and skills plan.

- 4.1. The Municipality will consolidate and present to the Employment Equity and Skills Development forum, its profiles in regard to employment and skills practices. The purpose hereof will be to eliminate any unfair discrimination via an audit in areas pertaining to:
 - ♦ recruitment procedures, advertising and selection criteria;
 - ♦ appointments and the appointment process;
 - ♦ job classification and grading;

- ♦ remuneration, employment benefits and terms and conditions of employment;
- ♦ job assignments;
- ♦ the working environment and facilities;
- ♦ training and development;
- ♦ performance evaluation systems;
- ♦ promotion, demotion and transfer;
- ♦ dismissals and disciplinary action short of dismissal.

- 4.2. In the same way, the Municipality undertakes to compile a workforce profile per occupational level per race/ gender/ disability category and per employee type (permanent and temporary).

This information can then be compared with any reliable and available information on local demographics and thereafter consulted on in order to assess possible levels of under-representation and occupational types which are characterised by under-representation.

- 4.3 The Municipality undertakes to conduct a skills survey in order to identify the skills planning requirements to support the achievement of strategic business objectives and employment equity targets over the next five years.

- 4.4 The Municipality will conduct a climate study/ perception survey in order to assess areas of deficiency insofar as the objective of creating a new organisational culture dedicated to respecting diversity is concerned and;

The Municipality will conduct a comprehensive audit questionnaire of all possible areas of employment, which could be of assistance in meeting employment equity objectives.

5. STRATEGIZING EMPLOYMENT EQUITY

The Municipality has engaged in preliminary strategic analysis activities in order to ensure that employment equity policies and plans assist in achieving the long-term sustained viability of the Municipality by integrating employment equity into its structures.

Initial results point to the following strategic factors which must be taken into consideration by any person/ Employment Equity and Skills Development forum when giving effect to any employment equity activities envisaged in terms of the statute in this regard:

- 5.1. The necessity of strong political leadership in the community.
- 5.2. Affordability and sustainability of all Nelson Mandela Metropolitan Municipality programs.
- 5.3. The intergradations of the 3 Municipalities of Port Elizabeth, Uitenhage and Despatch in all spheres.

6. EMPLOYMENT EQUITY AND SKILLS DEVELOPMENT PLAN (WORKPLACE SKILLS PLAN)

6.1. As contemplated in statute, an employment equity workplace / skills plan will be developed via consultation with primarily the Employment Equity and Skills Development forum and in accordance with the principles set out earlier in this document (specifically with reference to the factors contained in paragraphs 2.1 and 5). The duration of the plans will be between one and five years.

6.2. Key components of the said plan will include strategies and details on the following as well as a timetable for the achievement thereof:

- 6.2.1. employment policies, practices and targets in this regard based on the identification and elimination of obstacles to the affirmation of designated persons;

6.2.2. affirmative action and related corrective measures in order to assist in regard to achieving equity objectives;

6.2.3. numerical goals required to achieve reasonable progress in ensuring equitable representation of designated persons at top and middle management.

7. THE EMPLOYMENT EQUITY AND SKILLS DEVELOPMENT FORUM

7.1. The Municipality realises the importance of engaging in meaningful consultations with the Employment Equity and Skills Development forum. The said body will co-ordinate: the audit of employment policies, procedures and practices; the compilation of the workforce profile per race/ gender/ disability category per organisational level and the analysis thereof; the natures and extent of workplace skills plans; and the assessment of the prevailing climate.

7.2. The nature and extent of the activities of the Employment Equity and Skills Development forum will be within the framework and spirit set out in this document – this forum is focused on the elimination of unfair discrimination only and is not the appropriate forum for the pursuance of interest matters. The powers will not exceed the purpose for which it was established. Thus, the forum will conduct the following primary activities, including:

- ♦ review, monitor and make recommendations on employment equity and skills development targets;
- ♦ propose amendments to the employment equity policy and plan;
- ♦ monitor and evaluate employment decisions made;
- ♦ monitor the needs for training of its members and the use of experts who can be utilised to assist and address the forum;
- ♦ monitor and address skills development practices / policies required to support the achievement of strategic business objectives as well as the employment equity targets;
- ♦ any additional and incidental activities.

- 7.3. The Employment Equity and Skills Development forum number and distribution of seats must at all times ensure that the following considerations are reflected: size, nature, occupational structure and physical location of the workplace. The representatives must represent the interests of all occupational levels as well as designated and non-designated groups.
- 7.4. Representatives will be required to effectively represent their constituencies and report back to the said constituencies in an accurate and effective manner which ensures strict adherence to confidentiality agreements which may be reached from time to time. Representatives will also be required to place matters for discussion on the agenda and adhere to the spirit and purpose of the forum at all times during discussions.
- 7.5. Meetings should take place on a pre-planned and scheduled basis and the Chairperson must ensure that appropriate methods are followed in order to ensure that the agenda is contributed to and finalised before each meeting in order to allow the parties to prepare adequately. In addition, minutes of each meeting should be kept and the important matter of giving feedback to the relevant stakeholders, agreed. The requirements for a quorum are to be established and the Executive Mayor (or his/ her delegated representative) is to chair the meeting.
- 7.6. The disclosure of information is to be regulated by section 16 of the Labour Relations Act (1995) but specific mention should be made as to what is deemed to be confidential information/ restricted information and the like.
- 7.7. Line managers will be required to report on progress being achieved with regard to the specific application of the employment equity plan on their areas of responsibility and the said reports will be tabled at the equity steering committee after having been submitted to the Executive Mayor.

8. COMMUNICATION

The Municipality undertakes to ensure that the equity policy and plan is communicated to all employees and further that regular updates on progress being achieved by the Employment Equity and Skills Development forum are circulated. In addition, a copy of the employment equity plan will be made available for those employees who would like to access such and familiarise themselves with the contents thereof.

9. GENERAL MATTERS

9.1. The entire employment equity process is to be driven by the Executive Mayor who will also be responsible for ensuring that line managers are given, and comply with, specified equity interventions and targets for representation of designated persons (via a key performance area provision).

9.2. Labour relations and human resources departments and consultants will provide expert input and play a supporting role to the Executive Mayor, line managers, equity steering committee and employees.

The Municipality undertakes to equip managers with mentorship/ coaching skills required to develop diverse employees to their full potential.

Annexure B: Employment Policies, Practices and Targets Document for Employment Equity

NOTE: These reflect the areas considered. It attempts to identify the most important areas that require attention with a targeted completion date.

No	Employment Policy/ Practice	Identification of Problematic Areas and Corrective Actions				
		2002	2003	2004	2005	2006
1.	Recruitment and Selection:					
	♦ Updated job specifications/ key performance areas		X			
	♦ Qualifications vs. Competencies vs. Suitably Qualified		X			
	♦ Advertising (internal/ external)	X				
	♦ Application Forms	X				
	♦ Screening (disqualifying criteria)	X				
	♦ Interviews	X				
	♦ Testing and Assessments	X				
	♦ Criminal/ Credit and Reference Checks					
	♦ Other:					
2.	Appointments and the Appointments Process:					
	♦ Placement	X				
	♦ Orientation/Induction	X				
3.	Job Classification and Grading					
	♦ System		X			
	♦ Committee Composition		X			
	♦ Other					

No	Employment Policy/ Practice	Identification of Problematic Areas and Corrective Actions				
		2002	2003	2004	2005	2006
4.	Remuneration:					
	♦ Link to Performance					
	♦ Structuring of Packages					
	Employee Benefits:					
	♦ Pension/ Provident Funds					
	♦ Medical Aid					
	♦ Company Car/ Allowance					
	♦ Tax Benefit Structures					
	♦ Housing Subsidies/ Housing					
	♦ Staff Allowances/ Purchases					
	♦ Petrol Cards					
	♦ Bonuses/ Productivity Bonuses					
	♦ 13 th Cheque					
	♦ Study Allowances/ Loans					
	♦ Complete integration			X		
6.	Terms and Conditions of Employment:					
	♦ Working Hours					
	♦ Overtime/ Overtime Pay					
	♦ Leave/ Sick Leave/ Family Responsibility Leave/ Maternity Leave/ Study Leave					

No	Employment Policy/ Practice	Identification of Problematic Areas and Corrective Actions				
		2002	2003	2004	2005	2006
	♦ Public Holidays and Religious/ Cultural Observances					
	♦ Shift Allowances					
	♦ Transport					
	♦ Proof of Incapacity					
	♦ Restraints of Trade					
	♦ Security/ Searching Procedures					
	♦ Health and Safety					
	♦ Probation					
	♦ Medical Examinations					
	♦ Induction					
	♦ Dress Codes					
	♦ Languages					
	♦ Relatives and Relatives Working for Competitors					
	♦ Smoking Policies					
	♦ Exit Interviews					
	♦ Complete integration			X		
	♦					
	♦					

No	Employment Policy/ Practice	Identification of Problematic Areas and Corrective Actions				
		2002	2003	2004	2005	2006
7.	Job Assignment/ Organisation:					
	♦ Composition of Work					
	♦ Other					
8.	The Working Environment and Facilities:					
	♦ Access for the Disabled					
	♦ Smoking Areas/ Policies	X				
	♦ Ablution Facilities	X				
	♦ Adaptation to Accommodate Disabled					
	♦ Security and Safety					
	♦ Privacy					
	♦ Other					
9.	Training and Development:					
	♦ Needs Assessment / Skills Audit		X			
	♦ Types of Education Training and Development (learnerships, skills programmes, loans, career pathing etc)		X			
	♦ Appropriate Assistance					
	♦ Outcomes – based formulated learning		X			
	♦ Other:					
10.	Performance Measurement Systems					
	♦	X				
	♦					

No	Employment Policy/ Practice	Identification of Problematic Areas and Corrective Actions				
		2002	2003	2004	2005	2006
11.	Promotion/ Transfer/ Demotion:					
	♦	X				
	♦					
12.	Disciplinary Measures other than Dismissal					
	♦ Procedures for dealing with sexual harassment/ racial harassment/ unfair discrimination	X				
	♦ Representation/ Preparation and Related	X				
	♦ Sanctions and Relevance	X				
	♦ Disciplinary Codes	X				
	♦ Other:					
13.	Dismissals					
	♦ Misconduct	X				
	♦ Incapacity	X				
	♦ Operational Requirements (including selection criteria)	X				
14.	Other Matters					
	♦ AIDS / HIV	Done				
	♦					
	♦					
	♦					

Annexure C: Corrective Actions – Advancement of Designated Persons

NOTE: These reflect the areas considered. It attempts to identify the most important areas that require attention with a targeted completion date.

No	Focus Area	Affirmative Action Measure Description	Identification of Problematic Areas and Corrective Actions				
			2002	2003	2004	2005	2006
1.	Recruitment, Selection, Placement, Appointments	Activities identified as ensuring the Preferential Employment of Designated Persons (e.g. media, specifying required candidates, qualification entry barriers, bursar schemes, trainee management schemes) Induction. Interview panels. Appointment of Electrical and Civil Engineering candidates amongst disadvantaged groups. Shortlisting procedure / selection. Policy on the disables. Advertising media. Job placement.	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓
2.	Education, Training and Development	Activities to accelerate the advancement of Designated Persons (e.g. skills/ competency assessment, mentorship/ protégé schemes, learnerships, skills programmes, internships etc)	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓

No	Focus Area	Affirmative Action Measure Description	Identification of Problematic Areas and Corrective Actions				
			2002	2003	2004	2005	2006
3.	Retention of Designated Persons	Measures taken to identify reasons for turnover and means to prevent this (e.g. analysis of exit interviews, equitable benefits, integration into decision-making structures, retrenchments not only based on LIFO)	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓
4.	Promotions, Transfers & Demotions	Contemplating suitably qualified persons/ Recognising prior learning/ Relevant experience and not only Qualifications	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓
5.	Child Care	Contemplation of child-care facilities/ Flexi-time	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓

No	Focus Area	Affirmative Action Measure Description	Identification of Problematic Areas and Corrective Actions				
			2002	2003	2004	2005	2006
6.	Cultural Accommodation. Change management after experiential workshops as well as adaptive corporate culture.	Understanding Differences/ Experiential Workshops	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐
7.	Sexual / Racial Harassment	Formulation of Policies in this regard	┐ ┐	┐ ┐	┐ ┐	┐ ┐	┐ ┐
8.	Medical Testing	Formulation of Policies in this regard	┐ ┐	┐ ┐	┐ ┐	┐ ┐	┐ ┐
9.	Work Environment & Facilities	Wheelchair access/ Facilities	┐ ┐	┐ ┐	┐ ┐	┐ ┐	┐ ┐
10.	Other Measures which can be implemented to give preferential treatment to designated persons	Learnership Schemes	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐	┐ ┐ ┐
No	Focus Area	Affirmative Action Measure Description	Identification of Problematic Areas and Corrective Actions				

			2002	2003	2004	2005	2006
11.	Job Classification & Grading		☐ ☐	☐ ☐	☐ ☐	☐ ☐	☐ ☐
12.	Remuneration & Benefits		☐ ☐	☐ ☐	☐ ☐	☐ ☐	☐ ☐
13.	Terms of Conditions of Employment	Ablution facilities. Remuneration systems. Conditions of service.	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐
14.	Job Assignments		☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐
15.	Performance Evaluation Systems		☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐	☐ ☐ ☐
No	Focus Area	Affirmative Action Measure Description	Identification of Problematic Areas and Corrective Actions				
			2002	2003	2004	2005	2006

16.	Succession Planning		☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
17.	Disciplinary Measures / Training in disciplinary matters including code procedure.		☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
18.	Retention Measures		☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
19.	General Management.	Disadvantage group to receive training at top management level. Participative management techniques for top management.	☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐

Annexure D - CHECKLIST FOR COMPLIANCE OF EMPLOYMENT EQUITY () TARGET SETTING AND EMPLOYMENT PLAN DEVELOPMENT

If any of the following factors have not been taken into account when the drafters drew up the organisation's Employment Equity Plan then the employer will need to go back to the drawing board. That is, the stakeholders will need to obtain expert advice on how to put together a realistic and legally acceptable Employment Equity targets and plans. If they do not do so they are risking a situation where, 2 or 3 years down the line, the implementation of Employment Equity falls apart because the initial targets and plans were faulty.

Question/ critical element	Answer
Have the numerical targets been based on the results of the employer's Employment Equity audit?	Yes.
Were properly elected employee representatives involved in the Employment Equity audit?	Yes.
Did the audit thoroughly analyse the employer's workplace demographics, scrutinise the employer's HR/IR policies, procedures and practices and did it identify the internal and external obstacles to Employment Equity?	Yes.
Did the audit clearly show up under-representation of designated employees in specific areas and levels in the workplace structure?	Yes.
Is the aim of the target setting exercise to make the workforce reflective of the relevant demographics of the country and of the relevant region?	Yes. The region it serves was taken into account as a first priority.
Was the setting of targets done in consultation with the employee representatives at all branches and levels of the enterprise?	Yes.
Are the targets achievable in terms of the employer's financial constraints and other limitations?	Yes, dependant on a number of variables, we believe the targets are realistic.
In setting the targets have the following factors been taken into account:	

Question/ critical element	Answer
<ul style="list-style-type: none"> • Present and planned vacancies? • The pool of suitably qualified persons from designated groups, from which the employer may be reasonably expected to draw for recruitment purposes? • Present and anticipated economic and financial factors relevant to the industry in which the employer operates? • The anticipated growth or reduction in the employer's workforce during the time period for the goals? • Labour turnover trends and their underlying reasons, specifically for employees in designated groups (i.e. affirmative action employees)? <p>Is the Employment Equity Plan designed so that it forms the bridge between where the organisation's Employment Equity situation currently is at, and the target set?</p>	<p>Yes.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes. Consolidation of Uitenhage, Despatch and PE complicating factor at present.</p> <p>Yes – see appropriate tables.</p> <p>Yes – maturity audit and appropriate tables and roll-out programme.</p>
<p>Does the Employment Equity Plan thoroughly deal with all potential obstacles to Employment Equity?</p>	<p>Yes.</p>
<p>Have realistic deadline dates been affixed to each action step contained in the plan?</p>	<p>Yes – maturity audit and appropriate tables and roll-out programme.</p>
<p>Has a responsible person been designated for the achievement of each action step?</p>	<p>Yes. Head of Business Unit dealing with Employment Equity.</p>
<p>Does each division, department and section understand its place in the plan's implementation?</p>	<p>Yes but further communication and training is required in order to co-ordinate the process.</p>
<p>Has the Employment Equity Plan been set in consultation with the employee representatives?</p>	<p>Yes – two unions form part of a number of Employment Equity structures.</p>

