



**UNIVERSITY OF
KWAZULU-NATAL**

**FACULTY OF LAW
EMPLOYMENT EQUITY PLAN
AND
REPORT**

**2010 -2014
OCTOBER-SEPTEMBER**

SECTION A: INTRODUCTION AND INSTRUCTIONS

The University of KwaZulu-Natal is a public institution with a mission of becoming a leading institution of higher learning in South Africa. The University commits itself to academic excellence, innovation in research and critical engagement with society.

VISION

To be a Premier University of African Scholarship.

PURPOSE

A broad objective of the Employment Equity Act is to achieve an equitable representation of the designated groups that mirrors their Economically Active Population (EAP). The Economically Active Population includes people from 15 to 64 years of age who are either employed or unemployed and seeking employment; as per Statistics South Africa's parameters.

In line with this objective the University has pledged itself as a truly South African university that is demographically representative, redressing the disadvantages, inequities and imbalances of the past.

PRINCIPLES AND CORE VALUES

The University commits itself to the principles and values enshrined in the constitution of the Republic of South African and articulated in the preamble to the Higher Education Act of 1997 (as amended).

GOALS

The University is trying to achieve the following goals in Equity:

- Increase representation of under-represented groups in both staff and students, across all levels of the University, and to provide support for those groups;
- Staff and students skilled in working and studying with people from diverse cultural and linguistic backgrounds;
- Ensure that the University meets its responsibilities to staff and students as required by legislation like the Employment Equity Act and the Promotion of Equality and Prevention of Unfair Discrimination Act;
- Embed principles of equity within the fabric of the working life of the University;
- Work towards 'best practice' in equity and diversity in all areas of the University's operations.

SECTION B: NATIONAL AND REGIONAL DEMOGRAPHICS

The national and regional workforce distribution supplies information on the total population and the Economically Active Population (EAP) of the country's four major population groupings in terms of their race and gender, which is crucial for the setting of Employment Equity numerical goals.

It is important for the demographics of the workplace to reflect the demographics of the operating region, thus it is necessary to consider the KZN population, to see whether there are any marked differences from the national data.

Table 1: Profile of the national population by race and gender and profile of the Active Population by race and gender

Population Group	National population distribution (2007)			Economically active (QLFS, 3 rd Quarter 2009)		
	Male	Female	Total	Male	Female	Total
African	18,417,431	19,837,737	38,255,168	6,697,284	5,847,073	12,544,357
	38.0%	40.9%	78.9%	39.2%	34.2%	73.5%
Coloured	2,117,606	2,257,918	4,375,524	1,034,927	891,633	1,926,560
	4.4%	4.7%	9.1%	6.1%	5.2%	11.3%
Indian	615,971	628,663	1,244,634	332,403	186,366	518,769
	1.1%	1.3%	2.4%	1.9%	1.1%	3.0%
White	2,261,054	2,365,683	4,626,737	1,150,381	936,986	2,087,367
	4.7%	4.9%	9.6%	6.7%	5.5%	12.2%
Total	23,412,062	25,090,001	48,502,063	9,214,995	7,862,058	17,077,058
	48.2%	51.8%	100%	54%	46%	100%

Table 1 shows that Africans constitute the largest group (78.9%) of the national population in South Africa; followed by Whites (9.6%); Coloureds (9.1%) and Indians (2.4%). In terms of gender, females constitute 51.8% and males 48.2% of the national population.

Again **Table 1** shows that Africans constitute the largest group (73.5%) of the EAP in South Africa; followed by Whites (12.2%); Coloureds (11.3%) and Indians (3%). In terms of gender, males and females are relatively evenly distributed at 54% and 46% respectively. Africans are the only group, where their EAP lags behind their National Population Distribution (NPD).

Table 2: Profile of the regional (KZN) population by race and gender and profile of the Active Population by race and gender

Population Group	Regional population distribution (2007)			Economically active (QLFS, 3 rd Quarter 2009)		
	Male	Female	Total	Male	Female	Total
African	4, 173 734	4, 651 488	8, 825 222	1,231,997	1,188,358	2,420,355
	40.7%	45.3%	86%	40.7%	39.3%	80%
Coloured	68,769	77,135	145 904	19,824	20,363	40,187
	0.7%	0.8%	1.4%	0.7%	0.7%	1.3%
Indian	410,786	425,094	835 880	205,848	119,429	325,277
	4.0%	4.1%	8.1%	6.8%	3.9%	10.8%
White	219,993	232,231	452 224	131,842	106,277	238,119
	2.1%	2.3%	4.5%	4.4%	3.5%	7.9%
Total	4, 873 282	5, 385 948	10, 259 230	1,589,510	1,434,427	3,023,937
	47.5%	52.5 %	100%	52.6%	47.4%	100%

Quarterly Labour Force Survey (3rd Quarter 2009)

Table 2 shows that in Kwazulu-Natal Africans constitute the largest group (80%) of the EAP; followed by Indians (10.8%); Whites (7.9%); and Coloureds (1.3%). In terms of gender, males and females are relatively evenly distributed at 52.6% and 47.4% respectively.

SECTION C: WORKFORCE PROFILE AND CORE & SUPPORT FUNCTIONS

1. FACULTY WORKFORCE PROFILE – 2010 APRIL

Table 3: Please report the total number of **employees** (including employees with disabilities) in each of the following **occupational levels**: Note: A=Africans, C=Coloureds, I=Indians and W=Whites

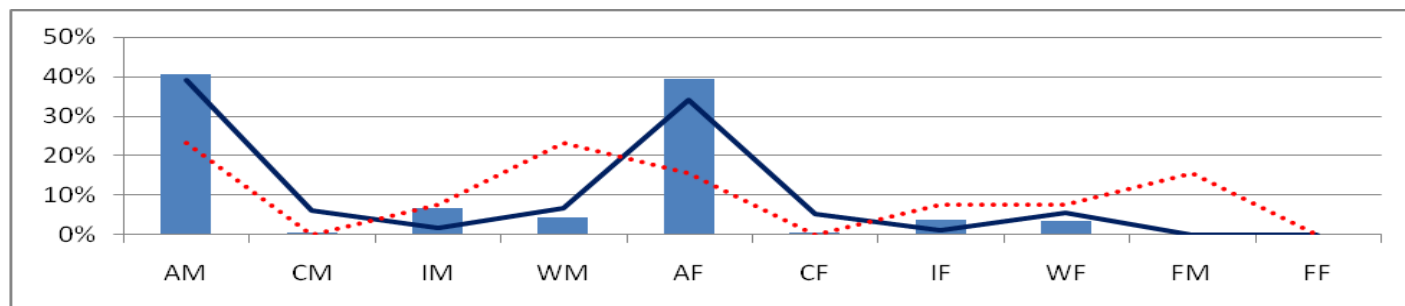
Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	M	F	
Top management (Gr. 1)											
Senior management (Gr.1 - 3)											
Professionally qualified and experienced specialists and mid-management (Gr. 4 - 6)			2	10	1	1	1	7			22
Skilled technical and academically qualified workers, and junior management (Gr. 7 - 12)	5	1	4		8	3	21	16	1	3	71
Semi-skilled and discretionary decision making (Gr. 13 – 16)	1				19		1	2			23
Unskilled and defined decision making (Gr. 17 – 19)											
TOTAL PERMANENT	6	1	6	19	28	4	23	25	1	3	116
Temporary employees	5		3	3	10	1		8	0	0	30
GRAND TOTAL	11	1	9	22	38	5	23	33	1	3	146

2. TRENDS ANALYSIS

The trends analysis provides a snapshot of representation in the top four occupational levels for the year 2009. Focus is placed on these specific four levels because almost all designated employers, including ourselves both large and small, have a large over-representation of Africans in the lower levels as such setting of special target in less needed. Trends on the representivity levels is centred around the first three occupational levels, i.e. Top Management and Senior Management, Professionally Qualified and Academically Qualified levels, as this is where the designated groups are most under-represented.

Figure 1: Percentage representation of senior and top management employees by race and gender

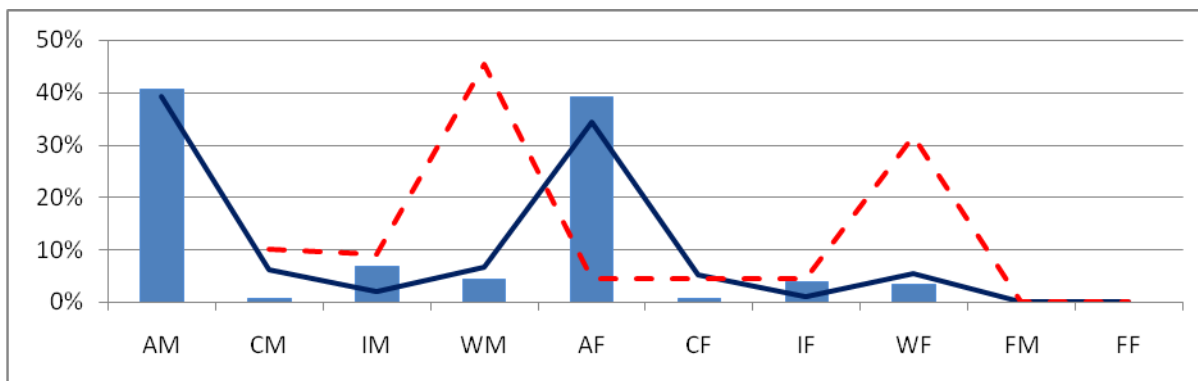
AM - African Male	AF - African Female	IM - Indian Male	IF - Indian Female	CM - Coloured Male
CF - Coloured Female	WM - White Male	WF - White Female	FM - Foreign Male	FF - Foreign Female



— National EAP	AM	CM	IM	WM	AF	CF	IF	WF	FM	FF
■ Regional EAP	39.2	6.1	1.9	6.7	34.2	5.2	1.1	5.5	0	0
..... UKZN Top and Senior Management	40.7	0.7	6.8	4.4	39.3	0.7	3.9	3.5	0	0
	23.1	0	7.7	23.1	15.4	0	7.7	7.7	15.4	0

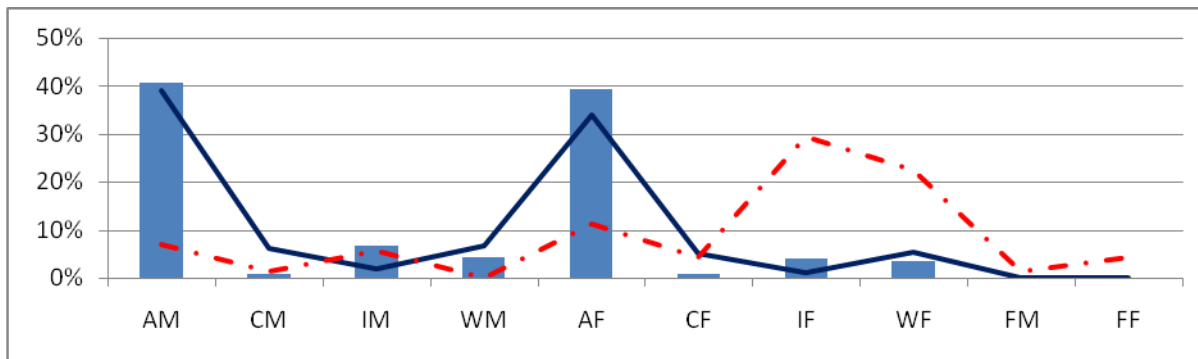
Figure 1 shows that UKZN top and senior Management lags behind relative to their national and regional EAP statistics. It also shows that white males have the highest representation, followed by Indians and White females.

Figure 2: Percentage representation of middle management and professionals employees by race and gender



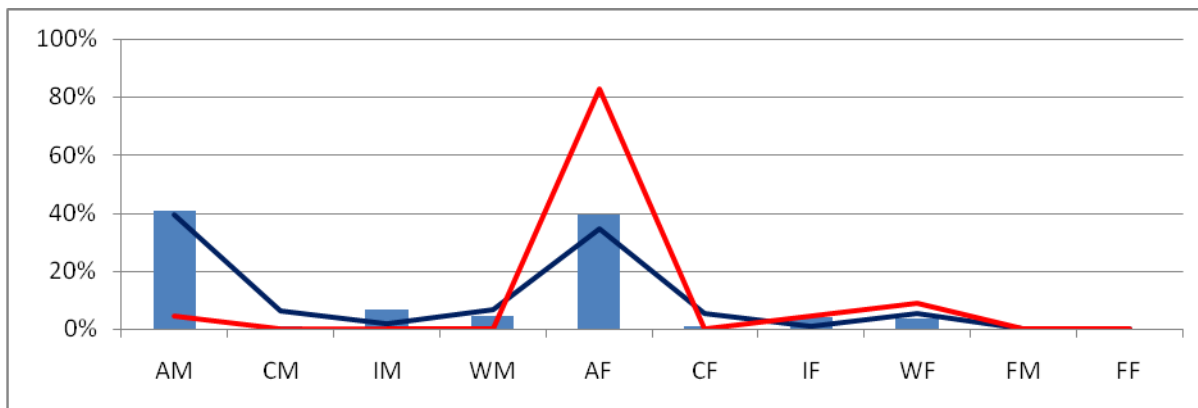
	AM	CM	IM	WM	AF	CF	IF	WF	FM	FF
National EAP	39.2	6.1	1.9	6.7	34.2	5.2	1.1	5.5	0	0
Regional EAP	40.7	0.7	6.8	4.4	39.3	0.7	3.9	3.5	0	0
Law Middle Management and Professionals		10	9.09	45.45	4.54	4.54	4.54	31.8	0	0

Figure 3: Representation of junior management and academically qualified employees by race and gender



	AM	CM	IM	WM	AF	CF	IF	WF	FM	FF
National EAP	39.2	6.1	1.9	6.7	34.2	5.2	1.1	5.5	0	0
Regional EAP	40.7	0.7	6.8	4.4	39.3	0.7	3.9	3.5	0	0
Law Junior Management and Academically Qualified	7.04	1.4	5.63	0	11.26	4.22	29.57	22.53	1.4	4.22

Figure 3: Percentage representation of semi-skilled employees by race and gender



	AM	CM	IM	WM	AF	CF	IF	WF	FM	FF
National EAP	39.2	6.1	1.9	6.7	34.2	5.2	1.1	5.5	0	0
Regional EAP	40.7	0.7	6.8	4.4	39.3	0.7	3.9	3.5	0	0
Law Semi Skilled Workers	4.34	0	0	0	82.6	0	4.34	8.69	0	0

SECTION D: TARGET SETTING

1. Guidelines and principle for setting targets

- The national and regional statistics of economically active people should provide a guide.
- Targets should be set by occupational levels, race and gender, first at the university level and then at a college/division level; the reason to this is because Department of Labour (DoL) evaluation is at university level, and not at college/division level.
- The principle of appointable candidates (as entrenched in the equity policy) should be retained.
- A special consideration and/or target should be set for people with disabilities.

2. Implementation guidelines

- Special development programs as well as budget should be identified and introduced to accelerate upward movement especially for internal staff, i.e. accelerated development programs.
- Transformation is of strategic importance to the university as such, it must form key performance criteria of all executive members as well as senior management.
- Special considerations and communication addressing the possible fears of the non-designated employees must be introduced (promotion will be without prejudice).

NB* Employment equity and skills development are the two elements of the seven pillars of broad-based black economic empowerment which was gazetted in 2009. The Institute of Higher Learning, in part the university, in terms of statement 004 of code 000 of the Code of Good Practice is eligible to be measured against the adjusted generic scorecard as they are incapable of being measured against the ownership scorecard. Special consideration and executive decision is required in setting skills development and employment equity targets.

3. Approved Positions and Vacancies

Table 4: Please report the total number of vacancies against approved positions as per staff establishment.

Occupational Levels	Grade	Vacancies
Top management	1	
Senior management	3 and above	
Professionally qualified & specialists and mid-management	4, 5, 6	2
Skilled technical and academically qualified workers, junior management, and supervisors	7, 8, 9, 10, 11, 12	6
Semi-skilled and discretionary decision making	13, 14, 15, 16	
Unskilled and defined decision making	17, 18, 19	
GRAND TOTAL		

Table 5: Please report the total number of expected vacancies in the department.

Note: A=Africans, C=Coloureds, I=Indians and W=Whites

Vacancies	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	M	F	
Resignation (projection)	1		1	2	1		1	1	0	0	7

Non-renewal of contract	0	0	0	0	0	0					
Retrenchment – Operational requirements	0	0	0	0	0	0					
Retirement			1	2	3		1				7
GRAND TOTAL											

4. Skills Development

Table 6: Please report the total number of people from the designated groups, including people with disabilities, who form a part of a skills development programme/leadership programmes aimed at capacity building (eg. LEAP).

Note: A=Africans, C=Coloureds, I=Indians and W=Whites

Occupational Levels	Male				Female				Total
	A	C	I	W	A	C	I	W	
Academic			2						
Support Staff									
TOTAL PERMANENT									
Temporary (Graduate/Learnership)	0	0	0	0	0	0	0	0	0
GRAND TOTAL									

5. Numerical goals

Table 7: Please indicate the numerical goals (i.e. the workforce profile) you project to achieve for the total number of employees, including people with disabilities, **at the end of your current employment equity plan** in terms of occupational levels.

Note: A=Africans, C=Coloureds, I=Indians and W=Whites:

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	M	F	
Top management (Gr. 1)											
Senior management (Gr. 1 – 3)											

Professionally qualified and experienced specialists and mid-management (Gr. 4 – 6)	2	1	2	10	1	1	1	7			25
Skilled technical/academically qualified workers, junior management, and supervisors. (Gr. 7 – 12)	5	1	4		8	3	21	16	1	3	71
Semi-skilled and discretionary decision making. (Gr. 13 – 16)	1				19		1	2			23
Unskilled and defined decision making (Gr. 17 – 19)											
Temporary employees	5		3	3	10	1		8	0	0	30
TOTAL PERMANENT	6	1	6	19	28	4	23	25	1	3	116
TOTAL	11	1	9	22	38	5	23	33	1	3	146

6. Numerical targets

Table 8: Please indicate the numerical targets (i.e. the workforce profile) you project to achieve for the total number of employees, including people with disabilities, **at the end of the next reporting in terms of occupational levels**. Note: A=Africans, C=Coloureds, I=Indians and W=Whites

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	M	F	
Top management (Gr. 1)											
Senior management (Gr. 1 – 3)											
Professionally qualified and experienced specialists and mid-management (Gr. 4 – 6)	2	1	2	10	1	1	1	7			25
Skilled technical/academically qualified workers, junior management, and supervisors. (Gr. 7 – 12)	5	1	4		8	3	21	16	1	3	71
Semi-skilled and discretionary decision making. (Gr. 13 – 16)	1				19		1	2			23
Unskilled and defined decision making (Gr. 17 – 19)											
Temporary employees	5		3	3	10	1		8	0	0	30
TOTAL PERMANENT	6	1	6	19	28	4	23	25	1	3	116
TOTAL	11	1	9	22	38	5	23	33	1	3	146

SECTION E: MONITORING & EVALUATION

1. Disciplinary Action

Table 9: Disciplinary action: (report the total number of disciplinary actions during the twelve months preceding this report). Report on formal outcomes only.

Note: A=Africans, C=Coloureds, I=Indians and W=Whites

DISCIPLINARY ACTION	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
									1	1	

2. Awareness of Employment Equity

Table 10: Please indicate which of the following awareness measures were implemented by your organization:

	Yes	No	No. of employees covered
Formal written communication			
Policy statement includes reference to employment equity			
Summary of the Act displayed			
Employment Equity training			
Diversity management programmes			
Discrimination awareness programmes			

3. Consultation

Table 11: Please indicate which stakeholders were involved in the consultation process when developing and implementing your employment equity plan and when preparing this Employment Equity Report:

	Yes	No
Consultative body or employment equity forum		
Registered trade union (s)		
Employees		

4. Barriers and affirmative action measures

Table 12: Please indicate in which categories of employment policy or practice barriers to employment equity were identified. If your answer is 'Yes' to barriers in any of the categories, please indicate whether you have developed affirmative action measures and the timeframes to overcome them.

CATEGORIES	BARRIERS		AFFIRMATIVE ACTION MEASURES		TIMEFRAME FOR IMPLEMENTATION OF AA MEASURES	
	YES	NO	YES	NO	START DATE	END DATE
Recruitment procedures				√		
Advertising positions				√		
Selection criteria				√		
Appointments				√		
Job classification and grading				√		
Remuneration and benefits			√		2009	2011
Terms and conditions of employment				√		
Job assignments				√		
Work environment and facilities				√	2010	2011
Training and development				√		
Performance and evaluation				√		
Promotions				√		
Transfers				√		
Succession planning				√		
Disciplinary measures				√		
Dismissals				√		
Retention of designated groups			√		2010	2012
Corporate culture				√	2010	2012
Reasonable accommodation				√	2010	2012
HIV&AIDS prevention and wellness programmes				√		
Appointed Snr. manage(s) to manage EE actions				√		
Budget allocation in support of EE goals				√		
Time off for EE consultative committee to meet				√		

Comment: Due to the competitive market, it is becoming more difficult to attract enough people. Because of the low retirement age of 60 years, staff members are being snapped up by other institutions who have a higher retirement age.

5. Monitoring and evaluation of implementation

Table 14: How regularly do you monitor progress on the implementation of the employment equity plan? Please choose one.

Weekly	Monthly	Quarterly	Yearly
		√	

Table 15: Did you achieve the annual objectives as set out in your employment equity plan for this period?

Yes	No	Please explain
	√	