



POLICY

Title : Employment Equity and Diversity Policy

Document number : POLH00

Version number : 2

Active date:

Date of next review	Date Reviewed	Date Signed Off	Reviewed by	Action
Feb 2016			Human Resources	
Draft document				
			EESDT	For consultation
			BLRF	For consultation
			EXCO	For input
			RHRC	For approval
			Board	For final approval

Date withdrawn:

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version



Draft document

***EMPLOYMENT EQUITY
POLICY***

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

TABLE OF CONTENT

No	SECTION	PAGE
-	Definitions	4
1.	Preamble and strategic intent	5
2.	Guiding Principles	5
3.	Scope and Application	6
4.	Legal Framework	6
5.	Towards Equal Opportunity Employer	6
5.1	Employment Equity Initiatives	7
5.2	Diversity at Workplace	8
6.	Awareness, Consultation and Communication	8
7.	Responsibility, Monitoring and Review	9
8.	Policy Review	10

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

Definitions

Affirmative action measures: measures that are designed to ensure that suitably qualified people from designated groups shall have equal employment opportunities and are equitably presented in all occupational categories and levels in the workforce of the NHLS.

Analysis: the assessment of employment practices; policies procedures and the working environment to identify barriers or factors that contributed to under and over representation of certain groups and to identify factors that positively promote employment equity and diversity in the workplace.

Black people: mean Africans, Coloureds, Indians and Chinese.

Designated groups: means black people, women and people with disabilities who are citizens of the Republic of South Africa by birth or descent; or became citizens of the Republic of South Africa by naturalization – (i) before 27 April 1994; or (ii) after 26 April 1994, who would have been entitled to acquire citizenship by naturalization prior to that date but were precluded by Apartheid policies.

Diversity: is a word that means 'varied and different'. Diversity, therefore, is about more than equality. It's about creating a culture which values individual differences and variety for the benefit of society, individuals and organizations.

Disadvantaged: means any person or group deprived of rights who were subject to discrimination on the basis of race, gender or disability.

Discrimination: means any actions/decisions that show favour, prejudice or bias for or against a person on any arbitrary grounds, for example on the basis of race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth by an employer.

Employee: as defined in the Basic Conditions of Employment Act, Act 75 of 1997 and the Labour Relations Act, No. 66 of 1995.

Employment equity: refers to the promotion of equal opportunity and fair treatment in employment through elimination of unfair discrimination and implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups.

Equal opportunity: means a situation where everyone has the same chance of applying for a benefit and confirms the right of any person to be protected against unfair discrimination and to be treated on personal merit.

Employment Equity Plan: It is a plan or program that enables an employer to achieve reasonable progress towards employment equity, to assist in eliminating unfair discrimination in the workplace, and to achieve equitable representation of employees from designated groups by means of affirmative action measures.

Recruitment: refers to a planned process used to fill a vacancy to effect appointment.

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

1. PREAMBLE AND STRATEGIC INTENT

NHLS recognises that as a result of past discriminatory laws and practices, there are disparities in employment, occupation and income within the South African labour market; and that those disparities create such pronounced disadvantages for certain categories of people that they cannot be redressed simply by repealing discriminatory laws.

Not only is the adoption of an employment equity policy a legal requirement for the majority of South African companies, but also good human resource management is increasingly being regarded as the differentiating factor between businesses.

It follows that to invest in and develop NHLS' Employees, will contribute to business sustainability and future returns.

2. GUIDING PRINCIPLES

This policy is informed by existing South African laws, enforceable by statutory bodies established for that purpose; therefore, the NHLS will ensure that its employment equity and diversity objectives enable the realisation of the below mentioned principles.

This policy seeks to:

- 2.1 Propel NHLS towards being an equal opportunity employer;
- 2.2 Create a welcoming workplace culture in which everyone is treated with respect, dignity, appreciated and valued;
- 2.3 Encourage multiple perspective and alternative solutions to organizational problems affecting the work environment;
- 2.4 Explicitly commit leadership towards identifying and developing fair, equitable, inclusive and participative strategies for NHLS;
- 2.5 Ensure that staff are aware of inclusive values and practices, as such are actively engaged, consulted, included in the development of policies and practices in NHLS;
- 2.6 Enable the establishment of staff network forums, consultation and participation platforms in which diversity is appreciated;
- 2.7 Establishment of leadership and coaching platforms in which upwards feedback and conversation occurs and leadership is open to be influenced by ideas from lower levels;
- 2.8 Express our intolerance of unfair discrimination, prejudices, stereotypes, gender-based violence and any form of workplace harassment;
- 2.9 Demonstrate NHLS commitment to diverse representation of all race, gender and various diversities across various levels and provide them with equal access to opportunities; as well as implement equitable systems of remuneration and reward;
- 2.10 Introduce positive action plans to accelerate the advancement of employees from designated groups (i.e. Africans, Coloureds, Chinese and Indians, women and persons with disabilities), to increase their potential to meet the inherent requirements of jobs.
- 2.11 Integrate the requirements of Employment Equity Act into broader Human Resources management strategy, policies, processes and leadership performance contracts.

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

3. SCOPE AND APPLICATION

This policy is applicable to all employees of NHLS both permanent and fixed-term contract employees including anyone appointed on temporary assignments.

4. LEGAL FRAMEWORK

The policy framework is in accordance with applicable legislation and any relevant policies and guidelines of the NHLS.

There is a variety of labour and employment related acts that are there to make sure that organizations are adhering to the minimum standards, democratize the workplace, redress the imbalances of the past and indeed the legislation in place is wide ranging and comprehensive. These acts include amongst others: -

1. Labour Relations Act, 66 of 1995
2. Skills Development Act, 97 of 1998
3. Employment Equity Act, 55 of 1998
4. Basic Conditions of Employment Act, 75 of 1997
5. Constitution of the Republic of South Africa No. 108 of 1996

This policy does not seek to present nor summarize the constitution, employment equity act, or any other employment laws – for detail reading of those, please visit the NHLS notice boards and government gazettes (www.acts.co.za).

All of these laws are in place to ensure that talent attraction, development and retention is always taken from the widest possible pools of potentials, processes are inclusive and furthermore that once at work, all staff no matter what their backgrounds are – have been given fair, equitable treatment and opportunity.

5. TOWARDS EQUAL OPPORTUNITY EMPLOYER

It is NHLS's intent to make decisions regarding recruitment and selection, remuneration, career development and training, transfers, promotion and talent management based solely on merit – which is the skills, experience, qualification and potential of employee relative to the job. This must be applied consistent across all employees without regard for gender, age, sexuality, family circumstance marital status, disability, religion etc.

NHLS Leadership-Management, Human Resources Staff and all Employees are required to:

1. Act in a balanced, non-discriminatory manner when making employment-related decisions in relation to all other employees;
2. Be aware of, and manage for, unconscious biases and work practices which may lead to exclusion of various groups or unintended discriminatory consequences;
3. Adhere to applicable NHLS policies and SA acts;

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

4. Redress the imbalances created by our past laws in a consistent and deliberate manner – arbitrary application of equity decision is equally undesirable; as it leads to discriminatory practices even amongst the designated groups.

5.1 Employment Equity Initiatives

Equity is about promoting and fostering everybody's right to be different, about being free from unfair discrimination, valued as an individual, and having choice and dignity with a right to your own beliefs and values.

- 5.1.1 NHLS encourages employment and promotion of individuals from groups and genders that are underrepresented in the organisation, aiming at all times to create an inclusive representative workplace.
- 5.1.2 Leadership will, from time to time, initiate and implement various programs to increase representation of various groups (designated) in the workplace. This may include amongst others, target recruitment and selection, accelerated talent development for target groups only, targeted bursaries etc.
- 5.1.3 The Board through delegated authority to the Executive shall set measurable equity targets in relation to gender and race, aiming to increase the level of participation of designated groups throughout the organisation, with particular regard to professional roles especially in the three layers of the NHLS below the role of the Chief Executive Officer.

5.1.4 Human Capital Development: the NHLS will take reasonable steps to implement programs which enable inclusive environment through the following:

- NHLS to advocate a culture of learning which is actively involved in promoting leadership and management development programmes that facilitate access to, competency development and management advancement of employees from designated groups.
- Provide mentoring and development programs for staff from designated groups;
- Develop guidelines for the reasonable accommodation with regard to work arrangements of employees studying for relevant qualifications.

5.2 Diversity at Workplace

Diversity is a word that means 'varied and different'. Diversity, therefore, is about more than equality. It's about creating a culture which values individual differences and variety for the benefit of society, individuals and organizations.

We believe in creating an inclusive culture where our uniqueness can thrive. Today's talent is more diverse than ever before and an inclusive work environment is key to innovating, developing and retaining that talent.

- 5.2.1 Openness and Acceptance of Multiple Perspectives: we at NHLS commit to recognizing and valuing multiple perspectives to create openness for learning from diversity.

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

5.2.2 Opportunities for Influence and Participation: NHLS shall create opportunities for participation and influence to leverage diversity for superior performance. Executive or CEO Conversation platforms for upwards coaching, feedback and meaningful engagement shall be explored and implemented.

5.2.3 Being an Inclusive Organization: NHLS shall:

- be explicitly committed, in action as well as words - to diverse representation throughout its areas and at all levels.
- It shall be sensitive to maintaining an open, supportive, and responsive environment, as well as working toward and purposefully including elements of diverse cultures in its ongoing operations.
- Its authenticity in responding to issues confronting it (commitment to changing policies and practices that blocks cultural diversity), shall be visible to all its employees.
- NHLS shall develop and implement systematic and long-term commitment to programs which educate the entire workforce concerning diversity issues, to address barriers that block inclusion and to increase the sensitivity and tolerance of employees – till acceptance of each other is a shared attribute.

6. AWARENESS, CONSULTATION AND COMMUNICATION

It is a requirement of the Act that all employees should be aware of NHLS's Employment Equity Policy. All employees will be informed in writing and various other mediums.

The NHLS will inform all employees on the following:

- The Employment Equity Act no 55 of 1998, a summary of which to be displayed at all work places.
- Effort to include all employee representatives in all aspects of the plan, especially the planning and development phases.
- The annual EE report submitted to the Department of Labour and communicates progress thereof to all staff.
- The definition of discrimination and the identification and reporting of discriminatory practices in the organization.
- The degree of representation of designated employees in each occupational category and level in the workforce and the rights of employees in terms of the Employment Equity Act.

6.1. All policies, programmes and procedures relating to employment equity are developed on a consultative basis with all stakeholders.

6.2. The NHLS consultative EE forum of all relevant stakeholders will meet quarterly to monitor progress made in achieving its employment equity objectives and implementing equity plans.

6.3. Copies of this policy will be distributed to all parties that take part in the consultative process.

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version

6.4. This policy together with the EE plan shall be available in electronic format posted in the official website /public domain of the NHLS.

7. RESPONSIBILITY, MONITORING AND REVIEW

- 7.1. The monitoring of progress and achievement of EE targets outlined in the Employment Equity Plan will form an integral part of senior management's responsibilities. Through the guidance of Human resources Division and its Executive, Manager's will have to develop mechanisms for monitoring compliance for their units.
- 7.2. All non-target appointments must be approved by the relevant Area Manager who must be satisfied that all reasonable efforts have been made to secure a candidate from the target designated groups.
- 7.3. Progress reports will be submitted to the EE forum which will ensure the realization of the purpose and principles of this policy.
- 7.4. The Chief Executive Officer will ensure that the completed EE annual report is submitted on the date provided by the Department of Labour each year, and the standards for both procedural and substantive compliance are fully met.
- 7.5. The Chief Executive is the appointed and accountable equity manager with delegated execution being through his/her executives responsible for divisions and areas; as such all to receive addendum to the appointment letters explicitly confirming this requirement.
- 7.6. Employment Equity Forum: it shall be a platform for consultation and engagement where all stakeholders are represented. The forum shall be responsible for monitoring the implementation of employment equity and the adoption of appropriate initiatives, policies and procedures on a consultative basis as discussed below:
- Mobilize support for the EE plan.
 - It shall ensure that the employer consults properly on all relevant issues.
 - The forum will represent all NHLS employees in the consultation process.
 - It will monitor EE plan implementation and communicate progress thereof with employees including any other relevant EE issues.
 - Identify employment equity barriers, provide recommendations and proposals on affirmative action measures.

8. POLICY REVIEW

The Executive Human Resources is responsible for reviewing and updating this policy. A formal review of this policy shall be every 3yrs or earlier if any legislative update necessitates an earlier review. This policy will be submitted for review to the Remuneration and Human Resources Committee, who will make recommendation to the Board. The Board is responsible for approving this policy.

In the event of a dispute concerning this document, the electronic version stored on Q-Pulse will be deemed to be the correct version