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UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG

POLICY DOCUMENT

Title

EMPLOYMENT EQUITY POLICY

Version No. 3

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Policy Title	Employment Equity
Policy Officer	Manager: Employment Equity Office
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1.   PREAMBLE

The University is committed to honouring the right of the individual to dignity, which is a foundation of the Constitution of the Republic of South Africa. In identifying and developing the potential of its employees, the University acknowledges that there were past injustices and imbalances whose consequences continue to affect South African workplaces. In order to create a more diverse, cosmopolitan but demographically representative workplace, the University will take all reasonable steps to implement equitable employment practices.

2.   DEFINITIONS

In this policy, unless the context indicates otherwise –

(a)   **Affirmative Action** refers to the deliberate employment programmes and interventions required by law, which are designed to remedy unfair discriminatory practices and employment disparities in the workplace. These interventions include, *inter alia,* positive steps designed to:

- eliminate any existing unfair discrimination,

- remedy the lingering effects of past unfair discrimination, and

- create systems and procedures to prevent future unfair discrimination.

(b)   **Black people** as defined in the Employment Equity Act 55 of 1998, as amended, is a generic term which means Africans, Coloureds and Indians. Chinese people who are South African citizens by birth or who received citizenship before 27 April 1994 are classified as Coloured.

(c)   **Designated groups** as defined in the Employment Equity Act 55 of 1998, as amended, 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 naturalisation – before 27 April 1994; or after 26 April 1994 and would have been entitled to acquire citizenship by naturalization prior to that date but who were precluded by Apartheid policies.

(d)   **EAP** refers to the Economically Active Population published by Statistics South Africa in the Quarterly Labour Survey (QLS). The Economically Active Population reflects the proportion of people between the ages of 16 and 64 who, for purposes of the national

population census, are considered to be of working age.

(e) **EE Act** refers to the Employment Equity Act 55 of 1998, as amended.

(f) **EE Plan** refers to the Employment Equity Plan developed and implemented by the University in accordance with Section 20 of the Employment Equity Act 55 of 1998, as amended.

(g) **EE Report** refers to the Employment Equity Reports submitted by the University to the Department of Labour on an annual basis in accordance with Section 21 of the Employment Equity Act 55 of 1998, as amended.

(h) **Employee** as defined in the Employment Equity Act 55 of 1998, as amended refers to any person other than an independent contractor who works for the University and who receives, or is entitled to receive, any remuneration and in any manner assists in carrying on or conducting the business of the University.

(i) **Employment Practices, Procedures and Policies** refer to activities, systems, processes and procedures within the University relating to the attraction, deployment and retention of staff for the University.

(j) **Numerical targets** refer to the total number of employees from designated groups that the School/Department seeks to achieve in each year of the EE planning cycle.

(k) **Numerical goals** refer to the total number of employees from designated groups that the School/Department seeks to achieve at the end of the EE planning cycle.

(l) **People with disability** as defined in the Employment Equity Act 55 of 1998, as amended, means people who have a long-term or recurring physical or mental impairment which substantially limits their prospects of entry into or advancement in employment.

(m) **A suitably qualified candidate** refers to a person as contemplated in Section 20 (3) of the Employment Equity Act (Act No. 55 of 1998 as amended). In terms of this Section of the Act, a person may be suitably qualified for a job because of any one of, or any combination of, his or her formal qualifications, prior learning, relevant experience or capacity to acquire, within a reasonable time, the ability to do the job.

(n) The **University** refers to the University of the Witwatersrand, Johannesburg.

3.   POLICY STATEMENT

3.1   The University upholds the rights to human dignity, to redress and to substantive equality as enshrined in the Constitution of the Republic of South Africa. It is committed to operating as a diverse and cosmopolitan university. In pursuit of this commitment, and as an institution reflecting the broader society, the University recognises the need to address any disparities in employment and undertakes to implement employment practices aimed at ensuring equity.

3.2   In addressing any disparities in employment, the University commits to affirm the dignity of all employees. Appreciation of difference or diversity presents an opportunity for the University

community to learn in unprecedented ways, including but not limited to vibrant exchange between academics, professional and administrative staff and students of diverse backgrounds. Such exchanges hold significant potential for developing and enhancing academic excellence and social cohesion.

3.3 The University acknowledges that employment processes and practices must recognise merit, competence and potential while deflecting prejudices and stereotypes about preparedness and ability. Therefore, the University will develop and maintain programmes aimed at affirming all groups, at ensuring equitable access to the various employment and career advancement opportunities, and it will enhance the relevant monitoring mechanisms.

4. POLICY OBJECTIVES

The intention of this policy is to remove any form of barrier to the employment and advancement of people from designated groups. To this end, the objectives of this policy are to:

4.1 redress the wrongs that arose from historic unfair discrimination and disparities in employment experienced by designated groups, by implementing affirmative action measures, in relation to the recruitment, selection and appointment policy;

4.2 eliminate all forms of unfair discrimination in employment as per the University Anti-Discrimination Policy and other operational practices, systems, policies and procedures; and

4.4 outline monitoring and accountability measures.

5. MANDATE OF THE POLICY

This policy draws its mandate from the following legislation, as amended, and policy instruments:

(a) Constitution of the Republic of South Africa (Act 108 of 1996)
(b) Basic Conditions of Employment Act (75 of 1997)
(c) Code of Good Practice on Key Aspects of Disability in the Workplace (April 2001)
(d) Employment Equity Act (55 of 1998)
(e) Higher Education Act (101 of 1997)
(f) Labour Relations Act (66 of 1995)
(g) Promotion of Equality and the Prevention of Unfair Discrimination Act (4 of 2000)
(h) Skills Development Act (97 of 1998)

This policy must be read in conjunction with the following University policies and the University Statute:

(a) The Statute of the University of the Witwatersrand, Johannesburg

(b) Recruitment, Selection and Appointment Policy

(c) Policy on Workplace Inclusion of Employees with Disabilities

(d)   on Anti-Discrimination Policy and Procedure

(e)   Staff Development Policy

(f)   HIV and AIDS Policy

6.   PRINCIPLES

This policy is premised on, and should be interpreted in light of the following guiding principles:

6.1   The University will redress the wrongs that arose from past unfair discrimination and disparities in employment and implement equity. In doing so, the University will:

6.1.1 recognise the disparities in employment emanating from past unjust employment practices;

6.1.2 recognise the need to move from formal equality to substantive equality;

6.1.3 ensure the implementation of its employment practices;

6.1.4 continue to evaluate its institutional culture to ensure that the principles of diversity and inclusivity are upheld across all faculties, schools, administrative departments and divisions;

6.1.5 support cosmopolitanism and academic excellence.

6.2   In implementing these principles, the University will:

6.2.1 through the selection and promotion process, affirm and advance people from the designated groups in line with the spirit of the Employment Equity Act;

6.2.2 recognise that employees are not a homogenous group, their abilities, needs and aspirations vary, and will, therefore, take steps to reasonable accommodate and advance each individual through fair employment practices;

6.2.3 do everything in its powers to recognise that human dignity is the foundation of the Bill of Rights;

6.2.4 ensure that its institutional culture is diverse and inclusive;

6.2.5 continue to attract highly qualified individuals while fulfilling its moral and legal obligation to transformation of the South African employment landscape;

7.   POLICY IMPLEMENTATION

All senior and middle managers, i.e., the Vice Chancellor, the Senior Deputy Vice-Chancellor, the Deputy Vice Chancellors, the Deans of Faculties, Directors, Heads of Divisions, Heads of Schools and Heads of administrative departments, shall be responsible and accountable for implementing the provisions of this policy. To this end, Transformation, with Employment Equity as one of the performance indicators, will become a Key Performance Area (KPA) for all line managers and will be incorporated into all line managers' employment contracts.

7.1   RESPONSIBILITY AND ACCOUNTABILITY

7.1.1   **Human Resources Committee and its sub-committee**

a)   A joint Human Resources Committee of Council and Senate ensures that the implementation of employment equity processes and reporting are properly facilitated, thereby contributing to the achievement of employment equity targets and objectives, as well as complying with employment equity legislation and the objectives thereof.

b)   **The** Human Resources sub-committee, chaired by the Deputy Vice-Chancellor: People Development and Culture:

    i.   implements employment equity processes to contribute to the achievement of employment equity targets and objectives, as well as compliance with employment equity legislation and the objectives thereof.

    ii.   facilitates the implementation of human resources policies in faculties/divisions, including processing and reporting to HRC on deviations, expedited and post-retirement appointments.

7.1.2   **The Vice Chancellor**

The final line of accountability for effective implementation of this policy rests with the Vice Chancellor, who will be required to:

(a)   appoint a senior manager responsible for transformation from the ranks of the Deputy Vice Chancellors, and provide him or her with the necessary power, authority and resources to execute responsibilities as assigned in terms of this policy;

(b)   ensure that all members of the Senior Executive Team adhere to the provisions of this policy and execute their responsibilities thereunder;

(c)   ensure alignment of EE objectives with the overall strategic objectives of the University;

(d)   develop EE numerical targets for senior management at Grades 2 and 3 (Deputy Vice Chancellors, Deans of Faculties, Senior Directors and Directors) and put in place measures to ensure the attainment of these targets;

(e)   communicate the University's commitment to, and direction on, EE in the University management structures;

(f)   articulate the University's long-term/strategic EE objective, both inside and outside the University;

(g)   sign performance contracts with Deputy Vice Chancellors to ensure that at least 50% of new appointments are members of designated groups;

(h)   consider written justification for appointments that are not in line with the EE plan of

respective departments/ divisions and the 50% target for new appointments;

(i)   review and sign off annual EE Reports to be submitted to the Department of Labour, unless this function has been delegated to the Deputy Vice-Chancellor: People Development and Culture; and

(j)   report to Council on annual progress towards meeting the University's EE targets

7.1.3 The SET Member

The SET member with executive authority over Transformation and EE shall be the University's Employment Equity "executive manager," reporting directly to the Vice Chancellor on all related matters. Working together with the Transformation and Employment Equity Office and other stakeholders, the SET member's responsibilities shall include, *inter alia*:

(a)   advise the Vice Chancellor, senior managers, middle managers and the broader University community on all Employment Equity matters;

(b)   forge partnerships with relevant Units/Centres aimed at the promotion of diversity and the advancement of equitable representation of all population groups within the University;

(c)   work together with the Head: Human Resources Development Unit to ensure alignment of Employment Equity and Skills Development initiatives, as well as effective and efficient utilisation of resources to achieve the University's Employment Equity and Skills Development objectives;

(d)   ensure allocation of required resources towards the attainment of the University's transformation and employment equity objectives;

(e)   ensure that annual EE reports are compiled and submitted to the Department of Labour; and

(f)   ensure that the EE Plan is revised timeously and support its implementation.

7.1.4 Line Managers

All line managers shall play a leading role in managing diversity and equitable representation of employees across occupational categories and levels in their areas of responsibility. Their roles shall include, *inter alia*:

(a)   to develop Employment Equity plans aligned to the Institutional Strategic goals with clear numerical and non-numerical targets in consultation with their employees;

(b)   to integrate Employment Equity objectives in their strategic and operational activities, including routine budgeting and reporting processes;

(c) to develop and to implement measures to remove all barriers to workplace diversity;

(d) to sign performance agreements intended to ensure that at least 50% of all new appointments are from members of designated groups; where members of designated groups are not appointed, written justification must be submitted to the Senior Executive Team through the Transformation and EE Office for consideration;

(e) to communicate and to articulate their School/Department/Faculty/Division's short-term and long-term/strategic Employment Equity objectives to the various University structures including Selection Committees (EE targets must be made available to all members of Selection Committees);

(f) to submit EE related reports to the University Forum and other appropriate structures as requested;

(g) to ensure that all employees within their areas of authority are in possession of Personal Development Plans (PDPs) which guide the advancement of their employees;

(h) to put in place mentoring and coaching systems to empower and develop their employees; and

(i) to ensure the provision of reasonable accommodation in accordance with the Policy on the Employment and Advancement of Persons with Disabilities and any other appropriate policy.

7.1.5 **Employment Equity Office**

The Employment Equity Office shall be the custodian of Employment Equity related matters within the University and shall support and assist the designated EE manager in performing EE related functions. Its responsibilities shall include, *inter alia*:-

(a) assisting the SET member in the process of developing the University's Employment Equity Plans;

(b) conduct University's Employment Equity analysis, both qualitative and quantitative;

(c) develop the University's Employment Equity Plan in consultation with appropriate structures including the Joint Staff Working Group, University Forum, Senate and Council;

(d) review all Faculties/Divisions/Schools and Departments' Employment Equity plans and recommend corrective measures where appropriate;

(e) compiling the University's annual Employment Equity reports to be submitted to the Department of Labour, and any other report required by an appropriate structure, both within and outside the University, including the Diversity Index;

(f) reporting to the University Forum on progress towards meeting the University's targets;

(g) maintaining and making available on request, records of the University's Employment Equity plans and reports, including any other records necessary for compliance with the Act in terms of Section 26 thereof;

(h) communicating all matters relating to employment equity to all employees across the University;

(i) in collaboration with Human Resources Managers, advising and providing the necessary support to line managers in respect of Employment Equity processes including development of plans, consultations, data, workshops and selection processes; and

(j) Facilitating objections relating to non-appointments in accordance with the Recruitment, Selection and Appointment Policy of the University.

(k) analysing all policies, practices, procedures, appointments and systems on a continuous basis for their compliance with the EE Act and making recommendations thereon.

7.1.6 Human Resources Managers

The Faculty and Central Human Resources Managers will be required to assist schools/ departments to operationalise their employment equity plans by:

a) ensuring that line managers are operating within their respective Employment Equity Plans and policy in respect of recruitment, selection and appointment, promotions, transfers, secondments and acting appointments;

b) providing line managers with the necessary resources including relevant templates to prepare their Employment Equity Plans;

c) advising line managers on the provisions of this Policy and other related Policies; and

d) ensuring that all line managers have put in place Personal Development Plans for all staff members including induction/orientation of new members.

7.1.7 Transformation Committees

(a) All faculties, schools and support departments are required to designate a functional Transformation Committee represented of race, gender and levels;

(b) The Transformation committees will play a role in the development of the university EE Plan and report;

(c) The committee will work in collaboration with the TEEO to drive Employment Equity and transformation in the university

The committee will play an oversight role in ensuring the effective implementation of the EE Plan in

their respective Faculty, School and Department level.

7.1.8 **Staff**

    (a)   All staff members of the University are required to familiarise themselves and understand the contents of the University's Employment Equity Policy and Plan;

    (b)   In addition, staff members are expected to provide for collective success in achieving employment equity processes and initiatives by:

        i.   participating in training and workshops as appropriate;

        ii.   adhering to the provisions of the policy;

        iii.   reporting experience inequalities and

        iv.   actively promoting the principles of redress, equity and social justice.

8. EMPLOYMENT EQUITY PLANNING

The Employment Equity Planning process of the University is intended to achieve an inclusive workplace rather than limiting employment equity to compliance with quotas. The achievement of an inclusive workplace requires a deliberate effort to set numerical targets and goals, as well as the implementation of measures to remove employment barriers.

8.1 Numerical Targets and Goals

Numerical targets and goals should be developed for each occupational level and academic rank in line with the University's organisational structure. In setting numerical targets and goals, the following factors must be taken into account:-

    (a)   for academic departments, the School/Department/Faculty demographic profile in relation to the University's internationalisation strategy[1] whose primary purpose is to transfer skills, and the national EAP; the intention is to progressively work towards an academic staff profile that represents national EAP;

    (b)   for support divisions, representation should approximate the national pattern of the Economically Active Population;

    (c)   the degree of underrepresentation of both designated and non-designated groups within a School/Department/Faculty/Division in each occupational level and academic rank;

    (d)   School/Department/Faculty/Division's annual growth rate (the number of additional positions created in a year);

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[1] 1 The University's Internationalisation Strategy requires that at least 30% of all staff should be of foreign citizenship. This means that at least 70% of our academics should be South African and their profile should approximate that of the National Economically Active Population.

(e)   the rate of terminations in a year, based on the annual rate of retirements, resignations, dismissals, and retrenchments;

(f)   skills availability among underrepresented groups;

(g)   this policy does not make provision for quotas, that is, numerical targets must be developed for all population groups and not only for designated groups; and

(h)   although numerical targets should be reasonable, they must progressively change the demographic profile of a School / Department / Faculty / Division to reasonably reflect the EAP as appropriate.

8.2   Barriers and Affirmative Action Measures/Interventions

8.2.1   In order for Schools/Departments/Faculties/Divisions to achieve numerical targets, they are required to:

(a) conduct analysis as prescribed in the Employment Equity Regulations

(b) develop and implement appropriate affirmative action measures/interventions as depicted in the Employment Equity Plan to remove any such barriers and to provide fair and equitable access to employment and other opportunities presented by the University.

8.2.2   Affirmative action measures/interventions must promote diversity and respect for human dignity of all employees in the University, including job applicants;

8.2.3   Affirmative action measures/interventions shall include, *inter alia*, positive efforts to recruit, develop, promote and retain suitably qualified people from designated groups. This policy, therefore, provides for preferential treatment of member of designated groups who are suitably qualified and appointable; and

8.2.4   The University shall take reasonable steps to transform its institutional culture to become one which is enabling, inclusive and conducive for workplace diversity. The university will roll out a climate survey every 3 years to identify any barriers that might have an adverse impact to both staff and students. Relevant interventions to address barriers identified should be implemented accordingly.

9.   MONITORING

The Transformation and Employment Equity Office shall perform the following functions and present reports to the Senior Executive Team which monitors and evaluates compliance with the policy:

a)   review all recruitments, appointments, promotions and terminations in Faculties/Divisions;

b)   develop Employment Equity performance indicators for approval by the University

Forum;

c) monitor Employment Equity at School/Department level and shall maintain a database of Schools/Departments' EE plans;

d) conduct regular analysis of the University's policies to ensure that any policy provisions, procedures, practices and operational strategies which are inconsistent with the spirit of this policy are reviewed and modified;

e) compile and publish annual EE statistics and degrees of representivity across occupational levels;

f) conduct research and communicate emerging trends in respect of employment equity and workplace diversity; and

g) support Faculty Transformation Committees which shall be required to submit biannual reports to the University Forum highlighting progress towards the attainment of Employment Equity targets and challenges encountered in this respect.

10. EMPLOYMENT EQUITY GOVERNANCE

10.1 University Forum

(a) The University Forum shall be one of the consultative structure for Employment Equity matters within the University.

(b) It will be required to advise the Council of the University on disability, gender and race policies in accordance with Section 12(b) (c) of the University Statute.

(c) In order to effectively perform its functions relating to employment equity, the University Forum may establish a sub-committee in accordance with Section 13 of the University Statute.

10.2 Transformation Steering Committee

The Transformation Steering Committee will play an advisory and oversight role on institutional programme of the university and;

a) receive progress reports on faculty transformation projects;
b) advise on implementation, monitoring and evaluation of the institutional transformation programmes and the university transformation plan;
c) input on policy and institutional debates from transformation perspective;
d) provide support to faculty transformation committees and student transformation effort more generally.
e) ensure the development and the implementation of the University Transformation Plan and Charter.
f) It shall be responsible for leading the overall transformation process and ensuring the effective implementation of the University's transformation plans.

10.3   Joint Staff Working Group

(a)   Employment Equity will be a standing item in the agenda of the JSWG.

(b)   All representatives of staff associations will be required to report to their constituencies on EE related matters.

11.   THE EMPLOYMENT PRACTICES OF THE UNIVERSITY

(a)   All University's employment practices shall take into account the spirit of the Employment Equity Act which seeks to address current employment disparities and to advance members of designated groups in all Peromnes levels and academic ranks across the University.

(b)   All recruitment, selections, appointments, promotions, transfers, acting appointment and staff development processes shall be made in line with the school/faculty/division/departmental Employment Equity plan.

(c)   Suitably qualified and appointable candidates from the designated groups shall be given preference, if found to be appointable by the selection committee. Any deviation from this rule must be presented to the T&EEO for approval by the Senior Executive Team.

(d)   All selection, recruitment and appointments shall be made in line with the Recruitment, Selection and Appointment policy of the University, read together with this policy.

(e)   All appointments and promotions which are not in line with the University's employment equity targets and are not consistent with the respective EE Plan for that division/ faculty/ school/ department are required to be referred to the T&EE Office for consideration by the Senior Executive Team.

(f)   The T&EE Office shall make a recommendation to the Senior Executive Team (SET) on whether or not the envisaged appointment can be made taking into account reasons advanced by the selection committee.

11.1   Expedited Appointments

(a)   In order to achieve their employment equity targets and address under-representation of designated groups, Schools/Faculties and support Departments/Divisions may use an "expedited appointment process."

(b)   Expedited appointment processes make provision for Schools/Faculties and support Departments/Divisions to identify, interview (where appropriate) and appoint suitably qualified candidates from designated groups.

(c)   Expedited appointment process shall only be used to assist a School/Faculty or support Department/Division in increasing the number of under-represented designated group members within its Peromnes levels and academic ranks in line with their EE plans.

(d)   Appendix A of this policy sets out procedures to be followed in appointing a person through this process.

11.2 Vice-Chancellor's Employment Equity Fund

(a)   The Vice Chancellor's Employment Equity Fund (VC's FEE Fund) will support the University EE plan by funding the permanent appointment of academic staff from designated groups.

(b)   Appointment via the fund will be based on an agreement between the Vice Chancellor, the responsible Dean and the Head of T&EE Office to pay the salary of a staff member for a maximum of three years after which time the appointing School or Department would be required to take on the salary of the appointee.

(c)   The Vice Chancellor's EE Fund Committee will make awards based on the motivated requests received by the Transformation and EE Office from the department/school.

(d)   These appointments will be made against future retirements or resignations.

(e)   All appointments made against this fund will be made through an expedited appointment process.

11.3 Preferential Recruitment, Selection and Development Strategy

(a)   In order to achieve their employment equity targets, schools/faculties and support departments/divisions may use a "targeted recruitment strategy," which enables them to recruit applicants from the preferred designated group in line with their employment equity targets in their job advertisements.

(b)   Employees from designated groups who possess the required qualifications, skills and working experience will be identified as potential candidates and mentored into vacant senior positions.

(c)   When acting positions arise, employees from designated groups with the necessary qualifications, skills and practical working experience will be given preference to act in such positions as a means of personal development provided the process was transparent to all staff in the department.

(d)   All Schools will be required to integrate into their business plans, strategies aimed at attracting and recruiting postgraduate students from designated groups to pursue a career in academia.

11.4 Deviation from the EE Policy

(a)   The University recognises that in disciplines which require exceptional skills to ensure operational continuity and delivery on the academic programmes, the employment of members from designated groups may be a challenge. Therefore, the recruiting line

manager should submit a motivation to the HRC sub-committee for consideration, based on the following criteria:

   i.   Staffing Plan

   ii.   Proven recruitment efforts (search committee reports, Department of Employment and Labour platforms, print media publications, etc.) to identify a suitably qualified candidate from designated groups.

   iii.   Motivation that the appointment of a non-designated candidate is necessary for operational continuity.

   iv.   Proof of support by the relevant SET member.

   v.   Need to be eligible to comply with accreditation requirements of professional bodies, where applicable.

11.5 Selection Committee Representivity

NOTE: This section should be read with the applicable sections in the Recruitment, Selection and Appointment Policy.

(a)   The principle of diverse committees should be adhered to in order to ensure that discrimination and marginalisation is prevented in selection committees and to challenge committees to think in terms of, and to support, diversity of perspectives and understandings.

(b)   In order to ensure an equitable representation of academics from designated groups in selection committees, Schools and Faculties may invite external[2] academics from designated groups to sit on selection committees.

(c)   Selection committee work may be assigned as administrative service in accordance with the workload policy. The Dean/Head of School shall ensure that responsibilities attendant to university citizenship are appropriately balanced in light of other academic responsibilities.

(d)   It is the responsibility of the Dean/Head to ensure that no one staff member is disproportionately enlisted to serve on selection committees.

12. DISPUTE RESOLUTION & GRIEVANCE MECHANISMS

(a)   All disputes or complaints which fall within the scope of this policy, except disputes arising from the interpretation and implementation of the EE Plan, which will follow the process stipulated in the EE Plan shall in the first instance be submitted to the Transformation and Employment Equity Office for investigation.

(b)   Depending on the outcome of the investigation, the Director of the Transformation & Employment Equity Office, in consultation with the Office of Employee Relations may

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[2] External refers to academics in either the same faculty or different school or in a different faculty. If necessary, an external academic from outside the University may be approached.

recommend one or more of the following:

i.   mediation;

ii.   lodging of a grievance in terms of the Grievance Procedure of the University;

iii.   lodging of a complaint in terms of the   Policy and Procedures on Disputes of Interest - Complaints;

iv.   disciplinary action, if misconduct is alleged, with either of the following outcomes:

a.   suspension of the accused or

b.   amendment of relevant policy or plan

The above remedial actions will only be implemented after confirmation by the Vice-Chancellor's Office following recommendation by the Deputy Vice-Chancellor responsible for Employment Equity and Transformation matters.

13   THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013

13.1   In order to give effect to this Policy and to the relevant employment contracts, the University may be required to process personal information and/or special personal information from time to time; this being in pursuance of the University's legitimate interests.

13.2   Any Personal Information obtained for purposes of this Policy will be processed in accordance with the requirements of the Protection of Personal Information Act, 4 of 2013.

14   POLICY REVIEW

This policy shall be reviewed on a three-year cycle or as the enabling legislation changes, whichever is earlier.

VERSION HISTORY

Version	Date	Summary	Changed by
3		The proposed amendments are intended to align the policy with the legislation changes of the Employment Equity Act.	TEEO

APPENDIX A

EXPEDITED APPOINTMENT PROCEDURE

1. SCOPE OF APPLICATION OF THIS PROCEDURE

These procedures will apply to the following employment categories when a suitably qualified member of the target designated groups as defined in the Employment Equity Act has been identified for a vacant budgeted post and, whose appointment would enable the achievement of the units or University's equity objectives and targets:

(a) for academic staff at Lecturer/ Researcher, Senior Lecturer, Associate/ Adjunct Professor and Professorial level;

(b) for Support Service staff at grades 9 - 5.

(c) appointments to renewable contract positions, including grant-funded positions, are excluded from this procedure. The contract extension processes must be followed to fill these positions as per the Recruitment, Selection and Appointment Policy of the University.

2. CRITERIA

Requests for expedited appointments must meet the following criteria:

2.1 Candidates must be members of the designated groups, provided that they meet the minimum requirements of the job;

2.2 Proof that the appointment ensures operational continuity, and that the non-appointment of the identified candidate will be a lost opportunity. Where there are other staff members who are eligible for consideration in the particular position, such must be advertised; and

2.3 Proof of support by the relevant SET member

3. PROCEDURE FOR ACADEMIC STAFF

3.1 Identification

Suitably qualified candidates may be identified at a number of levels, for example, by a head of school, a dean, a Senior/Deputy Vice Chancellor or by the Vice Chancellor. However, the request to implement the expedited appointment process will come formally from the Dean of the faculty concerned, after consultation with the Head of School. For academic staff members who are not faculty based, the request will come from the head of the unit concerned.

3.2 Request

The written request and motivation, with the CV of, references and expression of interest from the candidate, will be forwarded to the Manager of the Employment Equity Office (TEEO). The

Manager: EE will undertake an initial assessment of whether the application meets the criteria of this policy and submits it to the HRC subcommittee for consideration. If the application meets the criteria, the HRC subcommittee will authorise the Unit to undertake the process.

3.3 Screening process

The HR manager will convene a screening committee according to the Recruitment, Selection and Appointment Policy C2016/118:

The screening committee will consider the request, interview the individual, if necessary, evaluate the candidate's suitability against the appropriate criteria (including evaluation of publications as appropriate) and make a decision. If the candidate has already been interviewed by a properly constituted selection committee as part of another recent (within the last year) process and found to be appointable at the level and for a position requiring similar competencies as proposed, the interview may be waived, but a screening process must still be conducted by the committee outlined above.

3.4 Probation

A candidate appointed to the permanent staff in terms of this procedure will follow the normal probation procedures.

4. PROCEDURE FOR PROFESSIONAL AND ADMINISTRATIVE STAFF

4.1 Identification

Suitably qualified candidates may be identified at a number of levels. For Professional and Administrative Staff based in faculties, the formal request to implement the expedited equity appointment procedure will come from the Head of School, supported by the Dean of the faculty concerned. For Professional and Administrative Staff outside of faculties, the formal request to implement the expedited equity appointment procedure will come from the Head of the Division concerned.

4.2 Request

The written request and motivation, with the CV of, references for and expression of interest from the candidate, will be forwarded to the Manager of Employment Equity Office (TEEO). The Manager of EE will undertake an initial assessment of whether the application meets the criteria of this policy and submits it to the HRC subcommittee for consideration. If the application meets the criteria, the HRC sub-committee will authorise the Unit to undertake the process.

4.3 Screening process

The HR manager will convene a screening committee according to the Recruitment, Selection and Appointment Policy C2016/118:

The screening committee will consider the request, interview the individual, if necessary, evaluate the candidate's suitability against the appropriate criteria, and make a decision. If the candidate has already been interviewed by a properly constituted selection committee as part

of another recent (within the last year) process and found to be appointable at the level and for a position requiring similar competencies as now proposed, the interview may be waived, but a screening process must still be conducted by the committee detailed above.

5.   PROBATION

A candidate appointed to the permanent staff in terms of this procedure will follow the normal probation procedures.