An Analysis of the Application of the South African Employment Equity Act (1998) in Local Government Structures: A Case Study of Female Managers in The Kwazulu Natal Provincial Department of Economic Development

Thesis submitted in fulfillment of the requirements for the degree MASTER OF SOCIAL SCIENCE (Political Science) in the Faculty of Humanities, Development and Social Sciences of the University of KwaZulu Natal, Howard College Campus, Durban (South Africa)

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Durban
2011

DECLARATION

Submitted in partial fulfilment of the requirements for the degree of Master of Social Science (Political Science), in the Graduate Programme in the School of Politics, University of KwaZulu Natal, South Africa.

I declare that this dissertation is my own unaided work. All citations, references and borrowed ideas have been duly acknowledged. I confirm that an external editor was not used. It is being submitted for the degree of Master of Social Science (Political Science) in the Faculty of Humanities, Development and Social Sciences, University of KwaZulu-Natal, South Africa. None of the present work has been submitted previously for any degree or examination in any other University.

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Acknowledgements

First and foremost I would like to thank Almighty God who is the Author and Finisher of my life without whom any of this thesis nor I would be where we are today.

I am eternally grateful to my husband Sifiso and my two daughters Nolu and Zet who have allowed me to pursue my dreams and always had faith in my capability. To my unborn son, thank you for making me realise I needed to finish this work before you arrive!

I also would like to extend my gratitude to my Mother who has been a great role model in my life and to the entire family including my in-laws for taking care of my children when I was out doing fieldwork. Through the challenging times you have been supportive and showed faith in my capability even when I doubted myself.

I wish to extend my sincere thanks to my supervisor, Dr Lubna Nadvi, whose direction, insight and commitment have been invaluable throughout this process. Thank you for your patience and support in helping me achieve this important goal.

Finally, I would like to dedicate this thesis to the black females of South Africa who are in management positions for continuing to fight for their recognition in business and government. To the powerful yet humble and soft women that I have met on this journey of putting together this thesis, you have proven that to succeed in "a man's world" one doesn't have to lose the kindness, gentleness and love that comes with being a woman. I am truly humbled and inspired.

Phumelele Priscilla Sindisiwe Ngubane

Abstract

Since its emergence as the ruling party in 1994, when South Africa became a democratic country, the African National Congress has legislated and implemented a number of policies that are aimed at redressing the historical imbalances of the past caused by the Apartheid system. The Constitution of South Africa provides for the equality of men and women as a basic human right. The South African Employment Equity Act (1998) was introduced as a way of assisting the process of achieving equality and fairness in the employment practices of government, business and other sectors in South Africa.

Scholars such as Merilee Grindle have argued that for a policy to succeed many things need to be considered such as the internal and external environment in which the implementation is to occur. There has also got to be a buy-in from the relevant stakeholders as policy implementation can be influenced by the implementer's own belief system. Factors such as one's upbringing, religion, race, class and culture can all impact on workplace practices.

Through face to face interviews with the people who are the intended beneficiaries of this policy, this study moves away from looking at the statistics that have previously been the sole analysis of the implementation of the Employment Equity Act (EEA) to look at historical, political and cultural influences on the application of the EEA. In particular this study attempts to interrogate whether cultural factors play a role or impact on the way the EEA is being implemented within a government department using the KwaZulu Natal Department of Economic Development as a case study. The obvious reason for focusing on culture is that one's cultural background inevitably shapes how an individual views the world and engages with other people. Cultural beliefs and prejudices can also affect a person's conduct in the workplace. KwaZulu Natal is a province that has a very long history of cultural traditions rooted in a largely patriarchal system, therefore interrogating this topic within this province is highly appropriate. The responses of the participants will reflect the views of mostly women in management positions. From these perspectives the study will reflect on the degree to which culture does play a role in the implementation of the EEA in this particular case study.

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Introduction

In an era of democracy and democratization, representative and responsive governance is often viewed as an ideal. If democratic institutions are functioning, when societal change occurs, the laws of that democracy should also change in a reflective manner. Societal change can occur incrementally over time, thus inspiring incremental changes in policy. There is also the possibility of more rapid changes occurring as a result of dramatic historical events. Value change can occur as the result of mass mobilization with widespread dissemination of new values, inspiring new progressive policy. But it is important to recognize that social change does not necessitate policy change. Sometimes there might be a significant lag between value change and policy change. Or sometimes the policy change does not occur at all. Governments are not always reflective of society, be it by choice or design. For instance top-down policy can take place that is contrary to the development of in particular, women's rights. Not all societies have democratic traditions, and not all democratic governments are responsive. In fact, when policy changes occur that are consistent with new dominant social values, it is entirely possible that they come about as a result of international or social movement pressure.

However, when policy corresponds with social values there is the additional possibility that the government is simply responding to the societal changes in a representative manner. One way that societal change in gender values can translate into policy change is by the increased inclusion of women into decision making positions in policymaking institutions. While it is legal for women to run for office in almost every country, the reality on the ground is that women are generally very far from achieving parity in even the older and more advanced democracies. As societal roles change and women's participation increases, this can directly or indirectly translate into the further proliferation of women's rights policy as part of more representative governance. This is the expectation around efforts for increased women's representation and concepts such as gender mainstreaming.

Gender refers to the social system, which governs the relations between men and women. It is the different roles that societies prescribe for men and women. Unlike sex, which is

biological, gender is determined by a given society's values and norms, the social, political and economic system.

So a man's sex determines that he cannot have babies, but it is his gender role in most societies that determines that he should not feed babies and change nappies. Gender roles are cultural and culture is something that changes over time. Most societies have a patriarchal system, which governs relations between men and women. Patriarchy, which literally means the rule of the father, is a social system where men play the dominant role. It also means that men are usually seen as the heads of households. Women take a subordinate or second-class role within this framework (De Beauvoir S, 1949).

When South Africa became a democratic country after the abolishment of the apartheid system, new laws and policies had to be put in place to redress the socio-economic and political inequalities of the past. For example the Constitution of South Africa provides for the equality of men and women, as a fundamental part of its human rights approach. The policies, programmes and work of government is coordinated and overseen by an executive (Cabinet). New laws such as the Employment Equity Act, the Labour Relations Act and the policy of Affirmative Action, mean that employers (in the public and private sector) must introduce programmes, which ensure the representation of women in all professions and job grades, at equal pay and guarantees maternity rights. Government is also meant to ensure that gender issues are mainstreamed in all its programmes and structures, and has created a gender machinery to monitor and advise government. This consists of the Offices on the Status of Women in the Presidency, Premiers and Mayoral offices, the Commission for Gender Equality, gender desks in departments and gender committees in Parliament and Legislatures.

However regardless of the introduction of these legislated policies, many public and certainly private spaces in South Africa continue to be shaped by longstanding cultural belief-systems and practices which inevitably also tend to influence decision making and policy implementation processes. An example of culture continuing to influence and impact on women's lives, in a democratic South Africa, is the recent case of an African woman travelling through a taxi rank in KZN and being assaulted by men for wearing pants (as Zulu culture apparently dictates that women can not wear pants). Clearly cultural beliefs that

impact on violent attitudes that violate the rights enshrined in the SA constitution continue to feature prominently in our society.

This study attempts to explore this problematic through locating the research questions within the framework of whether cultural beliefs and practices (those that are especially derogatory of and violate women's rights), do indeed shape the implementation of legislated policies that are meant to benefit women in the workplace such as the Employment Equity Act (which is designed to ensure that previously disadvantaged persons, particularly black females have access to work opportunities, they may not have had in the past). In so doing, one is able to arrive at certain conclusions regarding the efficacy of such policies in a post-apartheid, democratic South Africa.

Chapter 1 : Literature Review

Public Policy : An Introduction

Theories of policy and policy making have been closely linked with political ideology and political values. The aim of this chapter is to look at the ideologies and the different approaches to policy and policy making. Some better known ideologies which lead to specific policy approaches and theory towards public policy making include the Laissez-faire, which determines that the state should concern itself with the maintenance of law and order, the protection of society from terrorism, the protection of private property, establishing conditions conducive to the promotion of free enterprise and interfering with the lives and activities of individuals on a limited basis (Ranney, 1966:48-49 as cited by Lawrence, and Moodley, 2002). A government following this approach therefore only makes policies that focus on the aspects referred to above. In liberal democratic theory, the political party assumes the position of the primary force in policy making.

The above theories and models have been derived from particular circumstances. Hanekom (1987:45, as cited by Lawrence, and Moodley, 2002), notes that, in public policy making, theories are used to explain the policy making process. Furthermore, simplification of policy making is enhanced by using models to present problems in acceptable dimensions, while it appears that the various perspectives on policy making could also contribute towards greater clarity of the process. Hanekom (1987) further argues, that although no universally accepted or agreed upon theory of the policy making process exist, it appears that a useful model should at least include the phases of goal identification, authorisation, public statement of intent, implementation and evaluation.

According to Hanekom (1987) public policy can be defined as "the activity preceding the publication of a goal, while a policy statement is the making known the formal articulation, the declaration of intent or the publication of the goal to be pursued. Policy is thus indicative of a goal, a specific purpose, a programme of action that has been decided upon." Public policies (the formal and stated decisions of governing bodies) are supposed to bring about

change in a current state of affairs. This change can be political, economic, social and / or institutional. If these policies are not implemented they remain merely statements of intent, argues Van Baalen (2000). Policies determine the environment and frameworks within which change interventions (or development), takes place.

Anderson (1984) argues that all public policies can be categorised as distributive, redistributive, regulatory and self – regulatory policies, which as mentioned earlier rely upon the state as a policy director. Anderson further argues that substantive policies that are to be implemented are determined by the state's actions as they often refer to the purpose of a particular policy. At the same time, procedural policies are concerned with how something is to be done, and the systems and procedures necessary for policy implementation.

Hill (1997) attains that public policy is "a theoretical construct well known as a course of action adopted and pursued by government, party, ruler, or statesman; to address a particular problem or set of problems". It involves a set of decisions that are made by various relevant stakeholders based on values regarding appropriate public goals as well as a set of beliefs about the best way of achieving those goals. The policy sciences, propose intellectual tools to aid practitioners in the identification and specification of policy problems and the development of sensible, useful and politically viable solutions to them (De Leon, Steelman 2001).

Hogwood and Gunn (1984:23–24, as cited by Lawrence, and Moodley, 2002) define public

policy as a "series of patterns of related decisions to which many circumstances and personal, group and organisational influences have contributed. The policy making process involves many sub-processes and may extend over a period of time. The aims or purposes underlying a policy are usually identifiable at a relatively early stage in the process but these may change over time and, in some cases may be defined only retrospectively. The outcome of policies need to be studied and where appropriate, compared and contrasted with the intentions of the policy makers. Policy also requires an understanding of behaviour especially behaviour involving interaction within and among organisational relationships. For a policy to be

regarded as 'public policy' it must to some degree have been generated or at least processed within the framework of governmental procedures, influences and organisations,"

Below is a generic process model that depicts the policy formulation process right through to the implementation strategy.

Figure 1: Phases for the Public Policy Generic Process Model (From De Coning, 1995 as reflected by Lawrence, and Moodley, 2002)

Policy Process Initiation	**Policy Process Design**	**Policy Analysis**
- Mandate and legitimacy	- Agreement on process	- Issue filtration & prioritisation
- Consultation with key players	- Objective setting and agenda	- Option analysis
- Preliminary objective setting	- Institutional arrangements	- Consequences & predictions
- Consider rules of the game	- Policy project planning	- Set of value judgements

Monitoring And Evaluation		**Policy Formulation**
- Management arrangements		- Report format
- Objective, criteria, indicators and information		- Confirmation
- Evaluation		- Preparation of proposals
- Report and follow-up		

Policy Implementation (Strategy)	**Policy Dialogue**	**Policy Decision**

- Translation to operational policy	- Communication Strategy	- Decision making processes
- Planning, programming & budgeting of prioritised programmes & projects	- Dialogue	- Consultation
- Management & monitoring	- Ensure feedback	- Mandated decision
	- Implementing actions	- Debrief and negotiate

Policy Implementation

Policy making and implementation are multifaceted processes which are not straight forward, but used to illuminate national policies. According to Barrett and Fudge (1981 as cited by Lawrence, and Moodley, 2002) "the study of policy indicates the complexity of the policy process. Its elements may be described as an environmental system from which demands and needs arise and upon which policy seeks to have an effect; a political system in which policy decisions are made; an organisational system through which policy is mediated and executed". In support of Barrett and Fudge, Jenkins defines implementation as "a study of change: how change occurs, possibly how it may be induced. It is also a study of the micro-structure of political life; how organisations outside and inside the political system conduct their affairs and interact with one another; what motivates them to act in the way they do, and what might motivate them to act differently" (Jenkins 1978, cited in Parsons, 1995).

Implementation, simply defined, is the carrying out of a basic policy decision, be it made in statute, executive order, or court decision (Sabatier and Mazmanian, 1983 as cited by Lawrence, and Moodley, 2002). As an ongoing process, implementation is anything but simple. It is a long and complex process where a multitude of things can occur that keep a policy from doing what it was originally designed to do. Although Hogwood and Gunn outline ten preconditions for successful implementation to be achieved, for the purposes of this study we will look at only five.

The preconditions that would have to be satisfied if perfect policy implementation were to be achieved as outlined by Hogwood and Gunn (1984);

- The circumstances external to the implementing agency do not impose crippling constraints

According to Hogwood and Gunn some obstacles are outside of the control of administrators because they are external to the policy and the implementing agency. Some of these obstacles may be political in that either the policy or the measures needed to achieve it are unacceptable to interests such as party activists who have the power to veto them. These constraints do exist however as these scholars argue, there is very little that administrators can do to overcome them except by anticipating them during the policy making stage.

- The policy to be implemented is to be based upon a valid theory of cause and effect

According to Hogwood and Gunn, policies are sometimes ineffective not because they are badly implemented but because they are bad policies. In other words the policy may be based upon an inadequate understanding of a problem to be solved, its causes and its cure. This seeming problem of implementation can only be tackled by better analysis at the issue definition and option analysis stage of the policy making process.

- That there is understanding and agreement on the objectives

The requirement here is that there should be a complete understanding of, and agreement on the objectives to be achieved and these conditions should be visible throughout the implementation process. Hogwood and Gunn note that most research studies suggest that in real life, the objectives of the organization or even the programmes are often difficult to identify as they are couched in evasive terms. Even 'official' objectives, where they exist, may not be compatible with one another and the possibility of conflict or confusion is increased when professionals add their 'unofficial' goals within the programme. Hogwood and Gunn further argue that 'official' objectives are often poorly understood, perhaps because communication downwards and outwards from headquarters are inadequate.

- That there is perfect communication and coordination

For perfect implementation to be achieved it would be necessary to have a completely unitary administration system with no factionalism or conflict within it. While management information systems can assist in matching information flow to needs they cannot ensure that the resulting data, advice and instructions are understood as intended by the senders. Hence coordination is not simply a matter of communicating information or of setting up suitable administrative structures but it also involves the exercise of power.

- That those in authority can demand and obtain perfect compliance

For Hood as cited by Hogwood and Gunn (1998), perfect obedience means there is no 'resistance to commands at any point in the administrative system. In other words those in authority or those in power must be able to secure total and immediate compliance from others whose consent and cooperation is needed for the success of the policy or programme.

Policy implementation is therefore the testing of hypotheses, built on the assumption that desired policy (or development) results will emerge from combining certain inputs (or conditions) to produce certain outputs. Johan argues that research on public policy implementation in the past centred on the conditions needed to attain "perfect" implementation, only to arrive at the realisation that this is impossible (Hogwood & Gunn, 1984 as cited by Lawrence, and Moodley, 2002). In assessing the chances for a successful implementation Weimer and Vining (2005 as cited by Lawrence, and Moodley, 2002) emphasize that one should consider the motivations and the resources of those who will be managing the implementation of the policy. At the same time one should look for ways to mobilise potential supporters of the policy who can serve as fixers. Therefore, getting the buy-in of all the key role players is critical, because if some of the key role players do not co-operate, the chances are high that the implementation will not be a success. Merilee Grindle in her book on Politics and Policy Implementation in the Third World (1975) also highlights that where one's interest is affected by a certain policy, many negative responses towards that policy may arise, especially if the goods to be redistributed are scarce.

Kickert, Kljin, and Koppenjan (1997) also point out that, due to the rapid rate at which policies have been generated, policy implementation is often constrained by a lack of human and financial resources, capacity, support staff and training. For example, implementation at local government level is often delayed by a shortage of skilled staff, which in turn contributes to slow progress in the implementation process (Kickert, Kljin, and Koppenjan 1997). McLaughlin (1987) argues that policy success depends critically on two broad factors: local capacity and will. Capacity, admittedly a difficult issue, is something that policy can address. Training can be offered, monies can be provided and consultants can be engaged to furnish missing expertise. But will or the attitudes, motivations and beliefs that underlie an implementer's response to a policy's goals or strategies, McLaughlin maintains, is less amenable to policy intervention. Questions of motivation and commitment (or will) reflect the implementer's assessment of the value of a policy or its appropriateness of a strategy.

The emphasis on individual motivation and internal institutional conditions implies that external policy features have limited influence on outcome, particularly at lower levels in the institutions. McLaughlin (1987) further argues that another issue to be considered is that successful implementation generally requires a combination of pressure and support from policy. Pressure by itself may be sufficient when policy objectives contain their own implementation directions e.g a 55 kmh speed limit. Pressure alone may be sufficient when policy implementation requires no additional resources or normative change. But pressure alone cannot effect those changes in attitudes, beliefs and routine practices typically assumed by reform policies. A balance of pressure and support is essential. Pressure is required in most settings to focus attention on a reform objective and support is needed to enable implementation.

Weimer and Vining (2005) maintain that some of the important questions to be considered during the implementation process are:

- Whether the policy statements are sensible, reasonable and practical?
- If so, who are the major stakeholders?
- What are their inspirations?

- Do they have all the skills and resources necessary to achieve the goal?

Models of policy implementation

There are many models used in policy implementation and the two commonly known and used approaches are the top-down and the bottom-up approach. Weimer and Vining (2005) suggest that the top-down and the bottom-up approaches are a useful framework for thinking critically and systematically about implementation in practice. Although these models tend to oversimplify the complexity of implementation, they have been the most used models adopted in policy implementation which could affect the efficacy of a policy.

Top-down Model

The top-down model is defined as the specific chain of behaviour that links a policy to desired outcomes by means of scenario writing explaining what is to be done and by whom (Weimer and Vining, 2005). This hierarchical approach gives no authority to lower level personnel in decision making, even when it concerns their line of function. The lower levels are then expected to report to the hierarchy for all problems and difficulties they face with regards to implementation. For example, during the State of the Nation Address, policy usually comes in the form of a political statement by the president that is mandatory and hierarchical in nature, giving orders from the top to the civil servants (Ministers) who are expected to conform and construct a proper plan that will concentrate on achieving the clear policy objectives.

According to Lawrence and Moodley (2002), the top-down view exemplified the earlier analytic models and has remained the more dominant genre. This perspective starts from the authoritative policy decision at the top level of government and asks a) to what extent were the actions of the implementing officials and target group consistent with the objectives and procedure outlined in the policy decision?; b) to what extent were the objectives attained over time?; c) what were the principal factors affecting policy outputs and impacts?: and d) how was the policy reformulated over time on the basis of experience? (Sabatier, 1986 as cited in Lawrence and Moodley, 2002).

Within this model, a person responsible for the planning and designing of an implementation strategy, should consider how policy implementers will behave and how their behaviour can be influenced. At the same time, the top-down model can also assist policy implementers to anticipate the problems that are likely to be encountered during the implementation process (Weimer and Vining 2005). One of the disadvantages with this approach is time delays and red tape, as a result of rigidity which often leads to obstacles in service delivery.

Bottom-up model

The bottom –up model argue Lawrence and Moodley (2002) was largely a reaction to the top-down model based on identifying weaknesses in it and suggesting alternatives to address those weaknesses. This approach focuses on how the policy implementers carry out the policy, compared with simply focusing on the instructions they must follow. In contrast to the top-down model, the bottom-up model is spontaneous, it is not bureaucratic, but it adopts a more horizontal approach, which encourages cooperative governance through consultation of the people who are likely to be affected by the policy this is according to the views of Weimer and Vining (2005).

This model is most useful for generating policy alternatives so that implementation will have better prospects for success. According to Weimer and Vining (2005), it is therefore, important to take into consideration the contextual factors that may affect the implementation of the policy, which include the following:

- Socio-economic factors,
- Cultural factors (manifested in beliefs, values, attitude and norms of behavior including ethnicity, race, gender, language and religion),
- Demographic factors i.e. population growth, age structure etc.
- Political factors and
- Technology

A related lesson from detailed studies of the implementation process is that change ultimately is a problem of the smallest unit. At each point in the policy process McLaughlin (1987) argues, a policy is transformed as individuals interpret and respond to it.

This perspective shifts the focus of analysis away from institutions and institutional goals to individuals and individual incentives, beliefs, and capacity. Organizations do not innovate or implement change rather it is the individuals. Individuals responsible for carrying out a policy act not only from institutional incentives, but also from professional and personal motivations (McLaughlin, 1987). Interpretations of an individual's failure to carry out policy directives fully or faithfully tended to be cynical. Often the diagnosis was "resistance to change" or just simply laziness however motivated professionals have shown to generally make every effort to do their job well (McLaughlin, 1987).

It is within this perspective that this study draws its hypothesis and the idea that true success of the implementation of the Employment Equity Act (which is the policy being examined) does not rely on the institutional frameworks but very much on the individual perspectives, beliefs and capacity of those entrusted with the policy implementation.

The role of the state in policy making and policy implementation

Government or the State can be defined as the way societies organise themselves so that people can live together peacefully and collectively share resources like land, schools, roads, water, etc. These resources are often called "public goods". Democratic governments usually have parliaments or legislatures that represent people. They are elected by the people to make the rules (laws) that everyone has to live by and policies that decide how government programmes will address people's needs. Government also organises resources that belong to everyone and makes sure that people's basic needs are addressed. People pay taxes to government and the money is used to pay for government services that people share - things like schools, health, roads, housing and water. The policies, programmes and work of government is coordinated and overseen by an executive (Cabinet). Democracies also have an

independent judiciary (court system) that has to judge when people break the law or when there are conflicts between individuals or between people and government.

Public service is a term that is usually used to refer to services provided by government for its citizens, either directly through the public sector or by financing private provision of services in order to bring about transformation by making services available to the citizens regardless of location, race or socio-economic status. In South Africa post the national elections in 1994, a new government was put in place in order to change the apartheid influenced public service into a democratic system. Therefore, the public service had to undergo a transformation process in order to redress the imbalances of the past (Department of Public Service and Administration, 2006). One of the African National Congress led Government's main tasks has been to transform the Public Service into an efficient and effective instrument capable of delivering equitable services to bring a better life for all South African citizens (Department of Public Service and Administration, 2006).

For the purposes of this study we will look at the state as the facilitator of gender equality provisions (as articulated in the SA constitution) especially with relation to addressing the issue of women participating equally to men in government's policy decision making processes, or indeed being the direct beneficiaries of certain policies. There are a number of ways in which we can understand the state to be implicated in gender relations. It is not simply that most states are comprised predominantly of men – both in terms of elected representatives and often in terms of bureaucrats. And from the growing literature on the topic it does not seem to be the case that the state simply operates on behalf of men to subordinate women as if there were some kind of conspiracy between men and the state. Rather, as the broader literature on gender analyses has argued, the state is historically patriarchal, patriarchal as a matter of concrete social practices (Robinson, 1995).

According to Robinson (1995), the state emerged within Western thinking and practice as an organisation premised upon a social contract among men. She further explains that the state was founded upon a contract between men, and premised upon the relegation of women and children to the private sphere where they would be under the control of male heads of the

family. Public spaces therefore have been coded as male and have been reserved for male participation only, for centuries.

The infrastructure of the state, Robinson argues (1995), also bears the marks of its emergence in a male dominated society. The institutional and bureaucratic cultures of the state carry the marks of this history. A particular 'male' norm is promoted as necessary for the construction of efficient bureaucracies – a norm to which women may find it difficult to adapt themselves, either as workers or clients of the state. The historical development of the tasks and functions of the state has also taken place in association with historically dominant forms of male power (Robinson, 1995). Robinson further argues that state organisations make policies and implement them in ways which reflect their own institutionalised gender biases. As all states policies are formulated within a particular historical and geographical context, the nature of the prevailing gender will of course, shape these policies and their implementation. These policies also impact upon men and women in different social positions differently.

Our experiences of the state in South Africa under the apartheid system have arguably been almost a caricature of these general findings on the masculinity of the state. Men dominated the state in terms of those elected to Parliament, by the minority white community, or by other race groups to unpopular state structures at local or national level (such as during the Tri-cameral system). They also dominated the state bureaucracy, which was structured according to hierarchies placing women at the bottom of the pile. Those state institutions which interacted with African people – from local native administration departments to the national Native or Bantu administration department – were overwhelmingly male (Robinson, 1995). The alliance which some writers have suggested was forged historically between the masculine white males and the traditional authority of black men and is now a stumbling block to efforts by the democrats to transform the state especially at the local level and in rural areas where traditional leadership is still strong (Robinson, 1995). Feminist theories of patriarchy have identified men's presence and dominance of political institutions as a major obstacle to women's equality.

According to the report of the Expert Group Meeting held in Addis-Ababa, Ethiopia in October 2005, the experts noted that the structure and organization of political parties can be

an obstacle to the participation of women. The impact of different types of party organizations and their internal culture, affect the influence of women within the party. In addition, rather than seeing women as decision makers and leaders, party leaders tend to treat their female members instrumentally, to secure women's votes and to involve them in the party's lobbying and organizational activities. Political parties are the major 'gatekeepers' in determining who will be candidates in elected office. They play a critical role in advancing or impeding women's participation in decision-making bodies. Through the process of candidate selection (where candidates are taken on by the party for election), women face a number of obstacles. Men are often viewed as more viable and better candidates and are given preference to female candidates. Additionally, the pool from which political parties search for candidates tend to be dominated by men, such as trade union officials and local councilors, a typical example is the recent division (reported by the media) about the Inkatha Freedom Party over who is to become the leader of the party after its founder Dr Mangosuthu Buthelezi steps down. While there are those that support Zanele Magwaza as the perfect candidate to take over, there seems to be a majority of those in opposition of a woman led party. The result of this tension has resulted in the "firing" of those allegedly Magwaza supporters. It is also common to observe that even when women possess the characteristics that make for good candidates, they often are not encouraged to step forward to become candidates. Women are also less likely to present themselves as candidates, often seeing themselves as lacking the skills necessary to perform well in politics. Sometimes women hesitate to become involved in party politics and show preference for participating in social movements which are less structured and more goal-oriented. Even after selection as candidates, women seeking decision-making positions can be constrained by different factors. Additionally, the environment of political institutions is usually not 'gender-friendly' and deters some women from considering entering political life, for example, sitting times in parliaments, meeting schedules of political parties and lack of childcare facilities (http://www.un.org/womenwatch/daw).

The evidence concerning the structure of employment in local authorities confirms the hypothesis concerning the gendered character of the state. According to (Robinson, 1995), a report of the Durban City Council by the Centre for Community and Labour Studies at the former University of Durban Westville, reveals that the workforce is stratified according to

race and gender. Women employees are concentrated in the clerical staff. Women clerical staff also predominate the culture and recreation divisions whereas African males are employed in the middle and senior management positions within the transport service unit. According to this report, the employment structure is strongly stratified according to race and class with females dominating in the traditionally female jobs and opportunities for promotions outside of these roles being severely circumscribed. Another study of the Johannesburg, Bedfordview and Cape Town city councils reveal that a hierarchical employment structure based upon strong divisions on the basis of race and gender, reinforced a situation where women were actually being paid less for doing the same job as men (Robinson, 1995).

When South Africa became a democratic state, the Constitution had to be amended to be in line with the values of the new era of governance. Section 8(1-2) of the Constitution provides that "every person shall have the right to equality before the law and to equal protection of the law. No person shall be unfairly discriminated against directly and without derogating from the generality of this provision, on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language". In the past the notion of equality did not permeate South African society in every respect. Van Der Walt (1995) argues that formal equality insists that everybody is treated the same way regardless of their circumstances. She goes on to elaborate that formal equality either disregards the differences between men and women or proposes that women who are unable to work due to pregnancy, should be treated in the same way as men who are unable to work for similar periods due to illness and disability. Therefore formal equality is not enough to achieve real equality for women. On the other hand substantive equality will mean that we interpret the Constitution in such a way that the unequal consequences of the differences between men and women are eliminated to ensure equal benefits of the law (Van Der Walt, 1995).

Despite various political strides made in South Africa since 1994, the general perception is that gender relations in this country still advance male interests and promote and favour men over women. Our society and cultural norms and practices tell us that women must be

subordinate to men, that they should have less power, less opportunities, and less access to resources than men because of cultural roles that have been defined over the centuries of patriarchal practice. But because gender is socially constructed, it is dynamic. Gender roles are different in different societies and have changed over time. We do not have to accept the present relations between men and women as natural and fixed. It is this basic egalitarian assumption and firm political assertion that renders this research as an important and necessary study to undertake, in an effort to make a contribution to the scholarship on workplace trends within government structures in South Africa.

In the next chapter we will look at some of the ways that the democratic government has tried to transform the gender inequality of the state. Although there are many efforts and systems that have been put in place for the development and advancement of women in government it has become evident that although women are now placed in top management positions their decision making powers are not the same as that of their male counterparts. Some scholars in the field contend that male employers deny women authority in order to preserve men's monopoly on organizational power. Since supervisory or decision making responsibility is the fundamental indicator of managerial status, it would be imperative to look at the legitimacy of the women employed at top management levels, in order to determine how influential and empowered they really are. Therefore, for the purpose of this study we will focus on the Employment Equity Act as a policy put in place to redress the past gender imbalances. We will not only be examining the number of women in management positions but also looking at the substantive power they actually have to make decisions in their respective positions.

Chapter 2 : The South African Employment Equity Act (EEA) and the influence of Social and Cultural Norms and Practices in Public Policy

In his Inaugural Address in 1994, former President Mandela noted that genuine liberation in our country would not be achieved "unless we see in visible and practical terms that the condition of women in our country has radically changed for the better and that they have been empowered to intervene in all spheres of life as equals with any member of our society " (Department of Public Service and Administration 2006).

Section 15 of the Employment Equity Act, 55 of 1998 states that, there must be "identification and elimination of barriers with an adverse impact on designated groups". While all human resources need to be developed, the achievement of employment equity requires proactive interventions that prioritize the development of the historically neglected groups who constitute designated groups under the EEA, (Commission for Gender Equity Report 1999 – 2001).

Origins of Gender and Social Inequality in South Africa – Contextualizing the need for an Employment Equity policy

It is imperative that we further interrogate how it is that gender based and other race and class based discriminatory practices originated historically within both the South African and broader social context, in order to have a more meaningful understanding of the need for redress policies, such as the EEA. In her book called "*Who's afraid of Affirmative Action*", Qunte (1995) narrates how South Africa was colonised first by the Dutch in the 17th century and then by the British from 1806 onwards. Not unnaturally, almost as soon as the Dutch arrived, trouble developed between them and the Khoi, who, though at first hospitable, gradually realised that their land and liberty were under threat. The two most important issues that the wars revolved around were land and labour. Control of either or both ensured wealth for the victor and poverty for the loser. The absence of Africans in the mainstream economy has its origins not only in the loss of a vital wealth-producing resource such as land, but also in the array of legislative measures adopted by successive white governments from the time the first colonists arrived. Qunte further argues that discriminatory labour legislation and (non labour laws) had their origins not in the coming to power of the Nationalist government in

1948 but much further back (1995). The Nationalist Party built upon what already existed and implemented these measures with a strong zeal.

Qunte (1995) identifies three types of measures that the Nationalist Party adopted; firstly it was to get Africans off their land and onto the farms and mining compounds; secondly, instilling laws that protected white workers from competition with black workers. As more and more Africans were forced off their land, they moved into the mines and developing industries. White workers, especially the unskilled ones, saw African workers as a threat because they had to compete with them for employment. While job reservation came into being almost as soon as whites arrived in this country, it operated informally and indirectly. The first official colour bar relating to jobs came into being on the Rand in 1839 with the stipulation that only whites could become engine drivers (Qunte, 1995).

The first major job reservation legislation was the Mines and Works Acts of 1911. This act Qunte argues, made racial discrimination legal in the form of hiring on the basis of race (1995). This legislation according to Qunte, set aside 32 types of jobs for which only whites could be recruited. As a result thousands of black people were prevented from getting wages as carpenters, blasters or other skilled workers. The act however did not keep the skilled black people out completely, since paying them unskilled wages for skilled labour was cost effective for the mine owners. Black miners earned about a tenth of the wages of their white counterparts. In addition to job reservation, there were also various mechanisms to keep the wages of black workers lower than their white counterparts. Their ability to bargain was hampered by the Native settlement of Disputes Act of 1953 which forbade strikes and lockouts for Africans and prevented their trade unions from being recognised (Qunte, 1995).

This political economy was explicitly patriarchal. Colonial patriarchy essentially managed 'tribal' patriarchal structures in order to facilitate political control and capitalist development. Chieftancy power, for example, was bolstered and increased as chiefs became important in the capacity of labour recruitment. Perhaps even more importantly, colonial administrators endeavoured to secure control over the institution of the rural homestead. Maintaining power in the rural areas involved, first and foremost, the control of African women in the customary

sphere. Women's roles within the family and extended community – as mothers, wives, agricultural producers, as keepers of home ('home' in its largest moral and emotional sense, the place of belonging), and as the backbone of village life – were the key factors impeding rapid African urbanization while at the same time allowing for the 'freeing' of male labour. In most histories of colonial conquest, the colonising power refused to negotiate with women or acknowledge women as leaders in a public context. The collusion between colonial powers and indigenous male leaders led to female exclusion from higher structures of power (Frenkel, 2008). The regulation of women's productive and reproductive labour in the homestead reproduced the conditions for the male African working status as a temporary urban resident. 'Home' was located in the rural homestead and rested on the labour of women under the jurisdiction of rural male headship and chiefly power. The 'housewifezation' of women (Mies, 1986 as cited in Waetjen, 1999) was an essential strategy, well recognized by the architects of the colonial government.

Despite sixteen years of a democratic public administration system being in place in South Africa, enormous differences still exist between men and women in terms of socio-economic status. As a result of the systematic privileging of whites within the economy, white women belong predominantly to the middle and upper classes, whereas the majority of black women tend to belong to the working class. An illustration of this class stratification is that 89% of people employed in domestic service are black women working for white women. Poverty experienced by black women has therefore been greatly exacerbated by discrimination. It is often noted that black women suffer triple oppression, by race, class, and gender (Murray & O'Regan, Zama, 1991 as cited in the Women's Studies International Forum).

According to the National Council of Women of South Africa, some 1.9 million households in South Africa were headed by women in 1992 (South African Institute of Race Relations,1994). Most of these impoverished women were particularly debilitated because they are unable to obtain employment because of their lack of language and technical skills, and by the collapse of the extended family or neighbourhood networks that had previously assisted women with domestic tasks (South African Institute of Race Relations, 1994, as cited in the Women's Studies International Forum).

Many women have had to move to the urban areas as a result of unemployment, eking out a survival in the informal sector. In addition, black women have had to deal with the ravaging effects on their lives of the violence within the townships and higher levels of personal domestic abuse and rape as a consequence of poor socio-economic conditions within a patriarchal society (Vogelman & Eagle, 1991, as cited in Women's Studies International Forum).

It is therefore as a result of such historical and social realities that there exists a need for affirmative action policies in South Africa. Colonialism, sexism and apartheid in South Africa prevented black people and women from getting an equal education and an equal opportunity to compete in the labour market. Therefore affirmative action is necessary because simply taking away the barriers to the appointment and promotion of black people and women will make little difference to the effects of past discrimination and of systematic discrimination in any given organization, and a more concerted approach to achieving equity is required.

The Need for Gender Equality

The Fourth World Conference on Women, held in Beijing in 1995, drew attention to the persisting inequality between men and women in decision-making. The Beijing Platform for Action reaffirmed that women's persistent exclusion from formal politics, in particular, raises a number of specific questions regarding the achievement of effective democratic transformations, in practice. It undermines the concept of democracy, which, by its nature, assumes that the right to vote and to be elected should be equally applied to all citizens, both women and men. The absence of women from political decision-making has a negative impact on the entire process of democratization. In addition, democratic institutions, including parliament, do not automatically achieve gender equality in terms of representation, or in terms of policy agenda setting and accountability (http://www.un.org/womenwatch/daw).

The outcome of the September 2005 World Summit also reaffirmed commitment to the equal participation of women and men in decision-making. Member States resolved to promote the increased representation of women in government level decision-making bodies, including

through ensuring their equal opportunity to participate fully in the political process (http://www.un.org/womenwatch/daw).

To understand equal participation of women and men in decision-making processes, the following four inter-related concepts were discussed:

• *Political participation,* which allows for political agendas to be developed by women 'taking part in politics' through a range of activities such as discussion and debate, lobbying and activism in formal and informal ways;

• *Political representation*, which consists of the articulation and presentation of political agendas of given groups by various actors in decision-making arenas and key social forums in democratic societies.

• *Political leadership,* which cuts across both political participation and political representation, by key individuals shaping political agendas, taking the lead in articulating these and participating in their translation into policy. The context in which these concepts are unfolding today also needs to be taken into account.

• *Political accountability*, which is the requirement for representatives and representative organizations to be responsible for their decisions and mandates as defined by their positions. It also includes representatives and leaders listening to and, when appropriate, acting upon criticisms, requirements and demands of their publics, constituencies or the electorate.

The experts at the September 2005 World Summit agreed that women's participation and representation in decision-making bodies involves their enhanced presence as well as their empowerment through such participation. They emphasized that women's political leadership and accountability are key cross-cutting issues. On the one hand, women's political leadership allows them to set agendas and, on the other hand, it is in such roles that they are made responsive to constituencies and publics. This accountability becomes the cornerstone for not only numerical enhancement of women's presence but also their ability to transform outcomes, the content and the ways in which policy actors make public policy.

The expert group also emphasized the importance of studying these four concepts systematically at *all* levels of governance: local, sub-national, national, regional, sub-regional, transnational and international. In order to achieve women's full participation and representation at all levels, the establishment of mechanisms to promote women's presence in public office is of crucial importance. In addition, to fully achieve women's representation in political life, there must be gender equality across a full range of decision-making levels:

• the three branches of government – the legislature, executive and judiciary—at all
territorial levels including women's policy machineries;
• non-state contexts such as trade unions, political parties, interest groups, professional
associations, and businesses/private sector;
• Beyond national governance, women need to have a decision-making presence in
regional, sub-regional and international organizations;
• trans-national social movements;
• The prevention and resolution of conflict and peace building.

The meeting considered the importance of gender equality not only in decision-making arenas, but also the interplay between the political and economic empowerment of women. That is, how more women in positions of power can influence policies and strategies for enhancing women's economic opportunities and how, in turn, the related enhancement of women's economic status can provide better conditions for accessing and ensuring effective participation in decision making institutions (http://www.un.org/womenwatch/daw).

Why more women?

Both practitioners and scholars agree that it is of utmost importance to have equal numbers of women and men in political office. The Expert Group Meeting held in Addis-Ababa, Ethiopia in October 2005, considered the following arguments for this position:
• The justice argument – women account for approximately half the population and
therefore have the right to be represented as such.
• The experience argument – women's experiences are different from men's and need to

be represented in discussions that result in policy-making and implementation. These different experiences mean that women 'do politics' differently from men.

- The interest argument – the interests of men and women are different and even conflicting and therefore women are needed in representative institutions to articulate the interests of women.

- The critical mass argument – women are able to achieve solidarity of purpose to represent women's interests when they achieve certain levels of representation.

- The symbolic argument - women are attracted to political life if they have role models in the arena.

- The democracy argument – the equal representation of women and men enhances democratization of governance in both transitional and consolidated democracies (http://www.un.org/womenwatch/daw).

The Employment Equity Act (Act No. 55 of 1998) - EEA

The EEA has been implemented quite widely in most sectors, and is considered as one of the key mechanisms for advancing equality between men and women in the workplace and ensuring that women are able to access management and executive level positions. This however does not necessarily mean that social, cultural and gender discrimination against women has been structurally eliminated. This study will attempt to test whether as part of the implementation process of the EEA, these forms of discrimination have been eliminated or at least minimized. According to the South African Department of Public Service Administration, an analysis of the fifteen years of democratic governance indicate that, while considerable progress has been made with regard to institutionalizing women's rights and gender equality at various levels, South Africa still faces many challenges (A Strategic Framework for Gender Equality within the Public Service, 2006).

The Employment Equity Act focuses on building a public service that is equitable and that has an environment that is supportive and enables those who were previously disadvantaged, to reach their full potential, thus benefiting the Public Service from their skills and talents. Section 20 (1) of the Employment Equity Act, states that; "a designated employer must

prepare and implement an Employment Equity Plan which will achieve reasonable progress towards employment equity in that employer's workforce.

The Employment Equity Act (No. 55 of 1998) was enacted in order "to provide an environment for employment equity from the realisation that the apartheid system and other discriminatory laws and practices created disparities in employment, income and occupation within the national labour market and those disparities create such pronounced disadvantages for certain categories of people that they cannot be redressed by simply repealing discriminatory laws". Therefore in order to promote the constitutional right of equality and the exercise of true democracy; eliminate unfair discrimination in employment; achieve a diverse workforce broadly representative of our people; promote economic development and efficiency in the workforce and; give effect to the obligations of the Republic as a member of the International Labour Organisation, the Employment Equity Act had to come into effect. According to Ramphele (1995) the vision of the EEA is to create an equal opportunity environment that brings out the best in all citizens. This will be achieved by increasing access to resources and opportunity, focusing on developing people as well as changing the institutional culture to allow greater diversity, recognising the contributions of men and women, blacks and whites.

The Department of Labour (1996) argues that the EEA is also focusing on "procedures to eliminate lingering discrimination in decision making about employee's careers, pay and benefits, restructuring of work organisation to promote diversity, reducing the barriers to historically disadvantaged groups, the transformation of workplace culture and procedures, in order to accelerate the training and promotion of people from disadvantaged groups" (Department of Labour 1996: 6).Section 6 (1).

The Employment Equity Act (Act No. 55 of 1998) emphasises that:
"No person may unfairly discriminate, either directly or indirectly against an employee, in any employment policy or practice, on one or more grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual

orientation, age, disability, religion, HIV status, conscience, political opinion, belief, culture, language and birth".

The purpose of this Act is to achieve equity in the workplace by promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination ; and by implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, in order to ensure their equitable representation in all occupational categories and levels in the workforce (Government Gazette, 1998).

According to the Employment Equity Act, the employer is expected to come up with a plan for the implementation of the Act. Section (20) of the Employment Equity Act 55 of 1998 stipulates that within the plan the employer must state;

- The objectives to be achieved for each year of the plan;
- The affirmative action measures to be implemented as required by section 15 (2);
- Where underrepresentation of people from the designated groups has been identified by the analysis, the numerical goals to achieve the equitable representation of suitably qualified people from designated groups within each occupational category and level in the workforce, the timetable within which this is to be achieved and the strategies intended to achieve those goals;
- The procedures that will be used to monitor and evaluate the implementation of the plan and whether reasonable progress is being made towards implementing employment equity;
- The internal procedures to resolve any disputes about the implementation or implementation of the plan;
- The persons in the workforce, including senior managers, responsible for the monitoring and implementing the plan (who will compile reports for the submission to the Director – General of their department).

Looking at the experiences of other countries in terms of addressing the issue of workplace inequality, it is evident that each country faces its own unique challenges. What is interesting to note however is that Affirmative Action has been used internationally as a useful

programme to bring about greater equity. The USA's history of African American slavery and racism had endorsed the discrimination of Africans for centuries. However, in 1961, President Kennedy issued the executive order 10925, which established a committee on Equal Employment Opportunity. Consequently, the US government initiated Affirmative Action (AA) in 1961 which aimed to achieve equal opportunity in employment.

Ramphele (1995) argues that Affirmative Action "is a concept imported from the USA and means different things to different people". The positive impact that AA made in USA is that it banned discrimination on racial, ethnic and religious grounds. Very few people in South Africa are neutral about affirmative action, there are those who think for example, that supporters of affirmative action would rather appoint unqualified black people and women than qualified white men. Those who are opposed to affirmative action condemn it as a window dressing, the fulfilments of quotas, a numbers game. Above all, it is dismissed as bad for business; appointing staff according to criteria other than merit reduces productivity and will hamper South Africa's economic recovery and ability to compete in the world economy.

In a study entitled "In Defense of Affirmative Action in South Africa" a study conducted by Dupper (Pretoria, 2004), the findings indicate that even though there is a well designed and very good Employment Equity Act (Act No. 55 of 1998) on paper in South Africa, the problem lies in the implementation of the Act (Dupper 2004, as cited in by M Pakkies, 2007). In addition, she argued that the requirements of Affirmative Action measures and the Employment Equity Act state that in order for one to benefit, one has to be from "a designated group", suitably qualified, and only those group members who have actually suffered from past discrimination should be given preference in terms of AA. However, in reality the people who often get first preference are not individual victims who suffered from past discrimination (since they are not suitably qualified), but come rather from the groups from which they belong. Consequently, this makes rich individuals richer and the poor individuals poorer. In her findings, Dupper revealed that one of the stumbling blocks to effective implementation in the public service is incorrect interpretation as well as lack of knowledge of the Act (Dupper, 2004) as cited by Pakkies, 2007).

According to the Annual Report on Labour (2005), it has been observed that some employers had a narrow understanding of Affirmative Action, especially regarding race, gender and disability. For example, with regards to race in the public service, it had been reported that there has been slow progress in implementing the EAA, consequently, Blacks, especially African women, are mainly in middle and lower management positions. On the other hand, some private companies were struggling to recruit and retain Blacks, especially African women (Department of Labour 2005).

The prevalence of systematic discrimination is due to the fact that despite personal commitment by some managers to non-racialism and non-sexism, managers continue to be prejudiced against women and blacks in ways that they do not recognise as prejudice. In a study of 306 business people, 98 percent of whom were white and 95 percent male, the study found that; whilst the majority felt that business and society should accept blacks (women), value their work and provide equal opportunities for them, the majority also felt that blacks (women) do not have the objectivity to evaluate business situations properly and just less than half felt that blacks (women) are too emotional and that challenging work is not that important to blacks (women) as it is to whites (men). The respondents also had problems with the self-confidence of blacks (women) as well as their ability to contribute as much as whites (men) to the overall goals of the organisation. Although three-quarters felt that blacks (women) have the capability to acquire the skills necessary for management positions, only half felt that blacks (women) are as capable as whites (men) of learning mathematical and mechanical skills.

According to Lambert (2005, as cited by Pakkies); some of the factors that have contributed to the delayed acceptance of women in business are as follows:

- Limited pool of required skills,
- Past discrimination which resulted in limited work experience gained,
- South African businesses not being ready for female managers,
- Stereotypes that women are not capable of handling management positions,

- Family responsibilities since women generally have more home-based responsibilities that men, and

- The issue that women are sometimes less inclined than men to take advantage of job opportunities in other provinces.

Pakkies in her thesis cites Bergman's study conducted in South Africa in 2004, which was aimed at answering, "How Affirmative Action affects the labour market in the short-run in South Africa?" In his study, Bergman (2004) found that as a result of inequality and unfair treatment emanating from the apartheid era, the future for South Africa has numerous problems as well as possibilities. With regards to the labour market, he discovered that it is difficult to know for sure what AA will lead to, due to people's different views on employment equity. Some of the findings in the study conducted by Bergman (2004) concerning the implementation of the Employment Equity Plan, especially the AA measures, was that companies using AA spend more money on recruitment, selection, as well as training and education, in order to have well qualified employees. Indeed some companies felt that implementing AA measures is a waste of money (Bergman 2004, as cited by Pakkies).

Qunte (1995), argues that Affirmative Action policies do not require the appointment of people without personal merit. What AA does do, is to open the way for the adoption of more objective selection criteria, so that African and other black candidates are not excluded from the start. It requires the use of criteria that are more related to the actual skills and competence required for a position. Qunte further argues that the measuring of the success of affirmative action is that it generally revolves around figures only, that is, how many black employees the company has and how they are distributed at various management levels. Yet figures tell only one part of the story whereas the climate within the organisation is the other and for the purposes of this study we will investigate how culture impacts on the successful implementation of the EEA.

For the purposes of this study we will not only use the numbers as an indicator for successful implementation of the EEA but also to look at the organizational climate. In other words the study aims to look at the substantive power of black female managers and identify if there are

any cultural influence that hinders the development and growth of a female executive. We will now briefly look at what is culture as this forms part of the study's hypothesis that cultural factors could potentially play a role in the development or non development of females in decision making positions.

What is Culture?

According to the Oxford Dictionary culture is defined as "1) appreciation and understanding of literature, art, music etc, 2) customs and traditions e.g. Indian Culture,, 3) improvement by care and training e.g. physical culture 4) cultivating things". For the purposes of this study we will focus on the 2nd definition of culture as customs and traditions (South African Oxford School Dictionary, 2nd Edition). Culture is made up of the values, beliefs, underlying assumptions, attitudes, and behaviors shared by a group of people. In many ways, culture is like a personality. In a person, the personality is made up of the values, beliefs, underlying assumptions, interests, experiences, upbringing, and habits that create a person's behavior.

What role does Culture play in the issue of Gender Equality?

The question of rights for women within South Africa is closely linked to cultural issues, and this interface is probably one of the most difficult the feminist movement has to address. The different cultures in South Africa have impacted on women in different ways, and the right to practice one's culture and the right to equality are often in direct conflict, a conflict- that is most pronounced in the issue of customary law. Under African customary law women become part of an extended family. A woman does not have the right to own property, her children are regarded as part of her husband's clan and she cannot be legally married unless her husband-to-be has paid lobola (brideprice), which sets her economic value (Pillay, 1994 as cited in the Women's Studies International Forum, 1998).

The requirements that adherence to customary law be out of free and informed choice (Pillay, 1994), and that customary law be subject to right of equality (Murray, 1994 as cited in the Women's Studies International Forum, 1998) have been important victories for women in the

fight against oppressive practices. Nevertheless, the interface of culture and women's rights remains complex, and cultural imperialism can be rife (Women's Studies International Forum, 1998).

Culture is a word used to describe the behaviors that represent the general operating norms in your environment. Culture is not usually defined as good or bad, although aspects of your culture likely support your progress and success and other aspects impede your progress. People learn to perform certain behaviors through either the rewards or negative consequences that follow their behavior. When a behavior is rewarded, it is repeated and the association eventually becomes part of the culture. Culture is also found at work and it is often referred to as organizational culture (Heathfield, not dated).

An organization's culture is made up of all of the life experiences each employee brings to the organization. Culture is especially influenced by the organization's executives, and other managerial staff because of their role in decision making and strategic direction. Culture is a powerful element that shapes your work enjoyment, your work relationships, and your work processes. But, culture is something that you cannot actually see, except through its physical manifestations in your work place (Heathfield). Culture is one of those terms that is difficult to express distinctly, but everyone knows it when they sense it. For example, the culture of a large, for-profit corporation is quite different than that of a hospital which is quite different to that of a university. You can tell the culture of an organization by looking at the arrangement of furniture, what they brag about, what members wear, etc. similar to what you can use to get a feeling about someone's personality. The concept of culture is particularly important when attempting to manage organization-wide change. Practitioners are coming to realize that, despite the best-laid plans, organizational change must include not only changing structures and processes, but also changing the corporate culture as well (Heathfield).

Qunte (1995), believes that the extent to which a company or organisation allows the black candidate (female) to perform at his/her peak and to advance within the company will say more about that company than a mere head count. In more concrete terms, substantive representation is about the impact of women in decision-making positions on policy

formulation and implementation. Policies can be aimed at gender mainstreaming or can explicitly advance agendas for gender equality in one area of policy. Women's presence has also proven to be important in the formulation of policies on development, sustainable peace, and good governance. Studies have shown that women in decision-making positions play a crucial role in developing meaningful gender mainstreaming strategies, which effectively and authoritatively ensure focus on gender equality in all policy areas (http://www.un.org/womenwatch/daw). Defenders of the 'numbers' position point out that it is far too early to expect women in office to have an impact on decision making. Even in most of the 16 countries where, by 2004, women had captured 30 per cent or more of legislative seats, women are simply too new to the office to necessarily have made a tangible difference (Cornwall A. and Goetz A.M 2005).

The organisation may have an impressive number of black (female) employees, but if they feel unhappy and unfulfilled it cannot be said that it has a successful affirmative action or employment equity programme. Another aspect of this study will be to look at whether the process of tokenism is practiced or not within the identified organisation. Tokenism is the typical response of organisations not wishing to make real changes. It occurs when a company or an organisation appoints a black person or female not because they believe that the person has the necessary skills for the position but because it will look good to the public to have a black person or female in that position.

Scholars have argued that for affirmative action or employment equity to succeed, this does not only require a certain amount of black people in key positions but also to create an environment that would make them flourish and be an asset within the organisation. One of the tools that can be utilised to achieve this is called diversity management. This refers to the process whereby organisations with a diverse workforce employ mechanisms to enable everyone to perform at their peak and to contribute their own special skills and expertise. It aims not to ignore racial, cultural and gender differences but to prevent these from making a section of the workforce unhappy and unproductive and thus harming the organisation's success. Ideally, organizational culture supports a positive, productive, environment**.** Happy employees are not necessarily productive employees. Productive employees are not

necessarily happy employees. It is important to find aspects of the culture that will support these qualities for your employees (Heathfield).

High levels of job satisfaction, proper utilisation of skills, a sense of belonging and respect from colleagues are the most important factors in creating a positive climate. Qunte argues that the first requirement for such a change is the acknowledgement by organisations that this country's history has been unkind to one group and very kind to another. Men themselves can play a significant role in promoting gender equality policy development. As allies, they can support women's initiatives and movements in their efforts towards equality. As major 'gatekeepers' of policy-making institutions, men can leverage women into positions of power either through direct selection and appointment or through putting pressure on other men (http://www.un.org/womenwatch/daw).

Along with this Qunte claims, should be some form of contrition, it needs to be acknowledged that organisations as well as individuals have benefitted from the political and economic oppression of black people. For the purposes of this study, the Kwazulu Natal Department of Economic Development (KZN - DED) is our chosen case study. This department makes a good case study because of its historical predisposition as a male dominated government department. In the next chapter, I will look at the Employment Equity position of the KZN DED and its efforts in providing an environment conducive for growth and the appointment to and development of females (particularly black females), in management positions. We will also look at the challenges they have identified and ways to address those challenges.

Chapter 3 : The KZN Department of Economic Development's Policy Implementation Strategies and its application of the EEA

KwaZulu Natal is located on the Indian Ocean seaboard and is one of South Africa's nine provinces. It forms part of the east coast, stretching from Port Edward in the south to Swaziland and Mozambique in the north. It is a largely rural province with 54% of the population living in rural areas, the province is the third smallest in South Africa and home to

21% of the country's population occupying 92, 100 square kilometers equivalent to almost 8% of the total land area of the country (KZN DED Employment Equity Plan : 2008-2010). Africans make up 85% of its total population while Indians contribute 8,5% of the population. In 2002, 65% of the population in the province lived in rural areas. The rural areas are characterised by high levels of poverty and illiterate people. Education levels within the country are widely discrepant, only 3.7% of the population in 1991 had some form of post - matriculation level education, and 10% had no schooling at all. An estimated 53% of the total population is women, within the rural homeland areas as a legacy of the Apartheid migrant labour laws (South African Institute of Race Relations, 1994).

Although African females made up the bulk of the population due to some racial and discriminatory policies and practices, they were not able to have a significant opportunity to contribute to the economy of the country. At the same time, women were also discriminated against in the workplace. As a result, they ended up occupying low paying jobs, regardless of the fact that they possessed similar qualifications as men occupying senior management positions (Department of Public Service and Administration, 1998).

In 1994, when the African National Congress came into power, initiatives were taken to remove discriminatory practices and policies that were against certain races (i.e. Africans, Coloureds and Indians) and that favoured White people. At the same time, women were also discriminated against in the workplace. As a result, they ended up occupying low paying jobs, regardless of the fact that they possessed similar qualifications to men occupying senior management positions (Department of Public Service and Administration, 1998).

Figure 2 : TOTAL POPULATION OF KZN PROVINCE IN PERCENTAGES (KZNDEDT EMPLOYMENT EQUITY PLAN 2008-2010)

TOTAL POPULATION OF KZN PROVINCE IN PERCENTAGES

Indians
8.5%

Whites
5.1%

Coloureds
1.5%

Africans
84.9%

Legend:
- Africans
- Coloureds
- Indians
- Whites
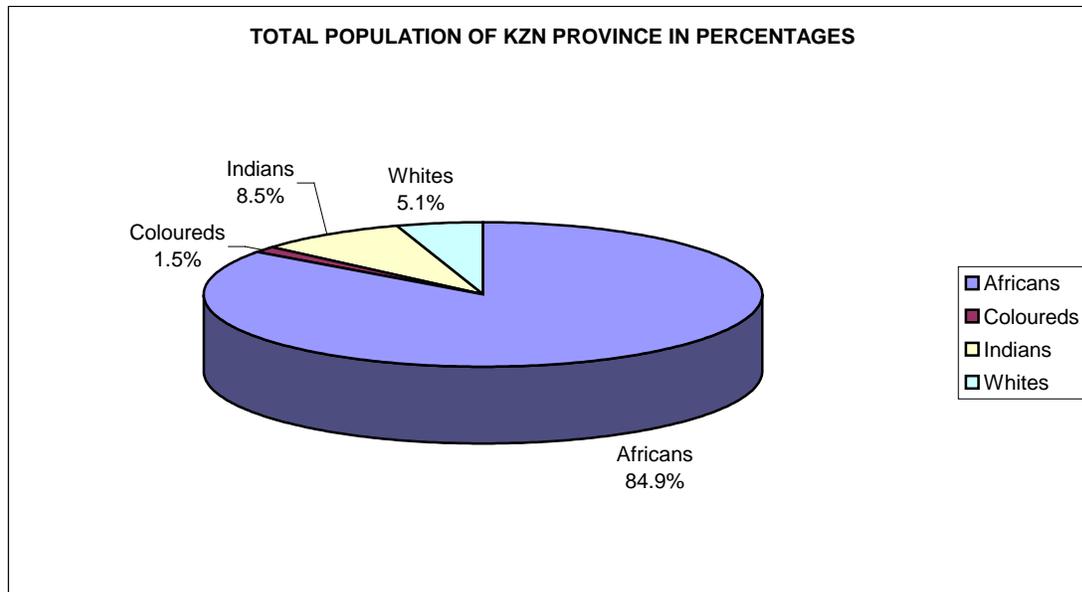
The values of the KZN DED's Human Resource Management are derived from the Constitution, for example fairness and equity. In other words the department needs to take decisions that are objective consistent, equitable and without prejudice. Where there has been unfairness, corrective measures must be implemented so as to ensure that human resource practices are free from unfair discrimination, invisible barriers and unjustness, which will impede equal employment opportunities (DED Human Resource Planning Report, 2007).

In line with the overall government policy the Department of Economic Development places an emphasis on the need for effective Human Resource Planning within the Department. The promulgation of the Employment Equity Act of 1998 requires compliance to specific reporting regulations and the White paper on Affirmative Action in the Public Sector 1998 sets guidelines and targets for the achievement of full representation (DED Human Resource Planning, 2007).

Legislation requires Departments to report on the Statistical Data and the Affirmative Action Needs Survey, the statistical survey provides statistics on all employees broken down by gender, race and disability i.e. the number of women, people with disabilities and Black people cross referenced with the categories African, Indian, Coloured and White. The Affirmative Action Needs Survey on the other hand establishes annually the needs and

priorities of each of the three target groups and the barriers they perceive to achieving employment equity, (DED Human Resource Planning, 2007).

According to the KZN Department of Economic Development (KZN DED), to ensure successful transformation of the Public Sector, an integrated and strategically directed human resource management approach is critical. The human resource management practices are governed by the, Constitution of South Africa (Act no 200 of 1993), the Employment Equity Act of 1998, the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1998, the Skills Development Act of 1998, SAQA Act of 1995, Occupational Health and Safety Act of 1993, the White Paper on Human Resource Management in the Public Service and the White Paper on Affirmative Action.

The DED Human Resource Planning, 2007 outlines the Employment Equity goals to be achieved by:

- Ensuring fair and effective procedures and processes for the selection and deployment of people to meet organisational needs
- Attracting and retaining the skilled staff needed and the enhancement of their perfomance through appropriate pay and working conditions
- Improving organisational effectiveness by fostering the skills and knowledge of people through effective training and development programmes.

The Kwazulu Natal Department of Economic Development's Equity Plan (2008-2010) has the following objectives:

- Identify and address under-representation within the department.
- To maintain employment equity, close the employment equity gaps and manage the employment equity in a planned and structured manner.
- Develop numeric targets aimed at correcting the existing imbalances.
- To ensure the commitment of all managers to the principles and implementation of the Act through the Employment Equity (EE) Plan.

- To ensure that the Department is reflective of the national demographics.

- Identify challenges hampering the effective implementation of the plan.

- Develop strategies towards achieving the objectives of this plan

- To ensure that sufficient resources including budget, time, mentors, coaches and training, are committed to developing the potential of all employees to enable them to have equal access to professional growth and development.

To focus on accelerating the development of existing staff, especially those from designated groups. These objectives must be achieved by:

- Continuously monitoring achievement of staffing targets within agreed time frames.

- Encouraging employees to commit to negotiated personal developmental plans in order to increase a pool of skills in the Department.

- Introducing a culture of learning in consultation with the Directorate Capacity Development as well as the line managers with special focus on designated groups.

ROLES AND RESPONSIBILITIES

In order to comprehensively support the achievement of the employment equity objectives, the responsibilities are allocated as follows:

Head of Department (HOD)

- Approve the Employment Equity Plan for the Department.

- Overall monitoring of the implementation and adherence to the Plan.

Employment Equity Manager (Manager: HRM in consultation with Organized Labour):

- Ensure the development and implementation of the EE Plan.

- Ensure compliance with the Department's employment equity targets.
- Ensure the timeous submission of the EE Report to the Department of Labour on an annual basis (on or before 01 October of each year).

- Ensure that the guidelines relating to recruitment, selection and performance are properly implemented.

- Ensure employment equity awareness in the Department.

- Ensure that proper records and employment equity status are maintained.

- Ensure that training interventions are in place and aligned to personal developmental plans.

Employment Equity Committee (EE Committee)

- Should the EE status reveal difficulties in fast track the appointment of appropriate persons from designated groups, the EE Committee shall commit to appointing individuals who have displayed potential during the interviews. This appointment will be subject to training and development to address the gaps identified during the interview.

- One representative from the EE Committee shall be part of all the interview panels.

- Monthly monitoring of EE Status.

- Ensuring that all new appointments are done against the EE Status.

- Rectifying deviations and gaps on a continuous basis.

Managers

- Ensure compliance and the monitoring of employment equity targets in their respective components.

Employees

- Familiarize themselves with the principles of Employment Equity.

- Maximize the use of training and development opportunities especially employees from the designated group.

HUMAN RESOURCE STRATEGY UNIT (POLICY AND PLANNING)

- Develop and monitor the Employment Equity Plan in line with National Demographics.

- Research and develop strategies that will work towards meeting the employment equity targets of the Department.

- Ensure the provision of adequate training in order to foster a true understanding of employment equity in the Department.

- Align the EE Plan with the Human Resource Plan (HR Plan).

In order to fast track equity in the Department, the recruitment, selection and retention processes will be guided by the employment equity targets of the Department. Suitably qualified people from designated groups will be given preference when considering appointments or promotions. Where more than one person from designated groups are being considered for a post, preference will be given to the person from the most under-represented category in line with the employment equity targets. In consultation with the Capacity Development component Personal Development Plans (PDP) will be utilized to advance the skills and competencies of all employees especially people from designated groups. The department has identified that a culture of learning needs to be fostered among staff within the Department, through formal and informal training. Training should seek to address strategic, line function and generic competencies, related (career and current job competencies) and the Department must introduce accelerated development programmes for employees especially those from designated groups.

The department has committed itself to ensuring that there is fast tracking of women in the department and grooming and shadowing practices. The EE Manager together with the relevant managers will utilize the mentorship programme for skills development and career advancement. The department shall, through the succession planning programme and policy, identify personnel to be groomed for middle and senior management echelons to provide a sufficient pool of capable candidates who will be readily available to succeed current incumbents (KZN DED EE PLAN 2008-2010).

The KwaZulu-Natal Department of Economic Development commits itself to embark on a vigorous process of training and development of designated groups in order to equip them with the requisite skills to compete and be appointed in promotion posts. The department

endeavors to strike a balance between the need to promote its internal staff into higher posts and the need to inject new blood into the organization that will bring a fresh perspective and new skills into the department. In order to achieve representivity targets particularly in middle to senior management echelons, the gender and race demographics of the Province as indicated earlier will be considered in order to have fair and equitable representation (KZN DED EE PLAN 2008-2010). The Department has set targets in order to reach full equity by 2011. The following tables will show the current situation as well as the targets as per salary levels:

Salary Level 12 total number of posts: 71

Figure 3: Table of the current status of filled posts within salary level 12 as at 1 August 2009

Salary Level 12 – Middle Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
30	20	1	1	0	1	3	3

Figure 3.1 : Employment Equity Targets of the DED for salary level 12

Salary Level 12 – Middle Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
27	31	2	2	1	1	4	3

NB :There is an over subscription of 3 African males in order to maintain the number of total posts in this level 3 posts of African females will be sacrificed.

Salary Level 13 total number of posts: 20

Figure 4: Table of the current status of filled posts within salary level 13 as at 1 August 2009

Salary Level 13 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF

4	6	1	0	1	0	1	1

Figure 4.1 : Employment Equity Targets of the DED for salary level 13

Salary Level 13 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
8	8	1	1	0	0	1	11

NB : In terms of the EE targets above if there is a shortage of African males one of these posts will be sacrificed to accommodate for other designated groups that are not targeted but already employed in this case Coloured Male. Therefore, only 7 posts at this level will be reserved for African Males.

Salary Level 14 total number of posts: 9

Figure 5: Table of the current status of filled posts within salary level 14 as at 1 August 2009

Salary Level 14 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
3	1	1	0	0	0	1	1

Figure 5.1 : Employment Equity Targets of the DED for salary level 14

Salary Level 14 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
4	5	0	0	0	0	0	0

NB : Although in terms of the EE targets above if there is a shortage of African males and Females, these posts will be sacrificed to accommodate for other designated groups that are not targeted but already employed. Therefore to create a balance between males and females in general the two remaining vacancies must be reserved for African females.

Salary Level 15 total number of posts: 3

Figure 6: Table of the current status of filled posts within salary level 15 as at 1 August 2009

Salary Level 15 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
2	0	0	0	0	0	0	0

Figure 6.1 : Employment Equity Targets of the DED for salary level 15

Salary Level 15 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
2	1	0	0	0	0	0	0

Salary Level 16 total number of posts: 1

Figure 7: Table of the current status of filled posts within salary level 16 as at 1 August 2009

Salary Level 16 – Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
0	0	0	1	0	0	0	0

Figure 7.1 : Employment Equity Targets of the DED for salary level 16

Salary Level 16– Senior Management							
African		White		Coloured		Indian	
AM	AF	WM	WF	CM	CF	IM	IF
0	0	0	1	0	0	0	0

Chapter 4 : Research Methodology and Fieldwork Findings

This study attempted to test whether there is effective application of Affirmative Action and equity policies, as legislated by the existing South African Equity legislation, within the selected case study, viz, the KZN Provincial Department of Economic Development. There are two major reasons for choosing this department; firstly since it is the national government that enacts laws and regulations for addressing gender equity, therefore interrogating a public sector entity seems to be the logical thing to do instead of the private sector to ascertain whether the government is able to apply its policies effectively within its own structures. Secondly a survey of broad scholarship in this area, reveals that females are placed in top management positions but are accorded less decision or policy making powers as opposed to their male counterparts.

In the past few years the KZN Department of Economic Development has tried to come up with ways of looking at the issue of equity. As a result, the department conducts what they call "The Affirmative Action Needs Survey", on a regular basis. This exercise must take the views of employees from within and outside the target group into account and must cover, among other things the following. (Department of Economic Development HR Report 2004-2007):

- Human resources and other management practices,
- Training and career development,
- Working hours, travel and other conditions of service,
- Accommodation and facilities, and
- Management style and organizational culture.

The basic hypothesis attempts to test whether the Employment Equity Act does actually lend itself to foster true equity in the workplace by minimising and managing cultural and social discrimination, generally practiced in broader society. A series of research questions have been articulated as below to explore these issues further.

Broad Research Questions

1. What constitutes an effective implementation of the Employment Equity Act (EEA) in the KwaZulu Natal Department of Economic Development?

2. What measures have been put in place to ensure successful implementation of the Employment Equity Act within the Department of Economic Development?

3. Who is responsible for the monitoring and evaluation of the Department's Employment Equity Act?

4. Do social and cultural factors have an impact in the implementation of the Employment Equity Act with specific reference to gender equity?

5. What challenges do Black women managers face within the Department of Economic Development?

6. What are the implications of these challenges in attaining effective implementation of Employment Equity Act?

7. What measures need to be put in place to address the challenges outlined above?

Core Conceptual Issues

1. Policy understanding and interpretation of the EEA.

In this section the study seeks to look at how the Department of Economic Development understands and interprets the EEA.

2. Policy Implementation of the EEA.

This study also aims to ascertain the Department of Economic Development's implementation processes of the EEA.

3. Implementation challenges of the EEA

The study will also look at the challenges faced by the Department in terms of implementing the EEA.

4. Cultural factors and its influence on implementation.

As the basic hypothesis for this study, the influence of cultural factors on the implementation of the EEA was investigated.

Principal theories upon which the research is constructed

This research draws strongly on implementation theories and frameworks in order to shed some light on the various facets of implementation and some of the things to be considered for successful implementation to be achieved. These were examined in some detail in Chapters 1 and 2 of this study.

To recap, Weimer and Vining (2005) maintain that some of the important questions to be considered during the implementation process are:

- Whether the policy statements are sensible, reasonable and practical?
- If so, who are the major stakeholders?
- What are their inspirations?
- Do they have all the skills and resources necessary to achieve what needs to be achieved?

In assessing the chances for a successful implementation Weimer and Vining (2005) emphasize that one should consider the motivations and the resources of those who will be managing the implementation of the policy.

For Grindle, implementation even when successful, "involves far more than mechanical translation of goals into routine procedures, it involves fundamental questions about conflict, decision making and who gets what in society" (1980, 3). What Merilee asserts is that policy implementation is largely affected by the institutional and regime characteristics such as whether the state is democratic, authoritarian, etc. She therefore suggests that it is important to convince everyone involved in the programme about the benefits of such a programme and to eliminate any potential opposition to the programme.

In policy analysis there are a number of useful techniques that can be adopted but for the purposes of this study we will focus on the technique referred to as forward mapping. Weimer and Vining (2005) define forward mapping as the specification of the chain of behaviours that link a policy to desired outcomes by means of scenario writing explaining what is to be done and by whom. Forward mapping is most useful for anticipating the problems that are likely to be encountered during the implementation process (Weimer and Vining: 2005). Policy usually

comes from National Government in the form of a political declaration and the civil servants are commissioned with constructing a proper plan that translates into manageable and achievable policy objectives. Therefore using this technique assists tremendously.

Feminist literature constitutes a secondary body of scholarship that has framed the discussions around cultural factors that affect policy implementation. According to de Lauretis (1990), 'a feminist standpoint can allow us to understand patriarchal institutions and ideologies as perverse inversions of human social relations'. Feminism focuses on theories of patriarchal power and its distribution. In other words these theories of inequality reflect on an account of how social arrangements of patterned disparity can be internally rational yet unjust. The feminist movement had two main goals; firstly it wanted to 'right the wrongs' experienced by women by arguing for equal pay and opportunities and altering the way in which women's sexuality was viewed. Secondly it aimed to question and reverse men's views of women as simply mothers and carers. In a multi-cultural society like KwaZulu Natal, a range of traditions and histories infuse gender relations.

Research methodology and methods

The research methodology that was employed in this study was a qualitative methodology approach. This methodology is defined as a set of methods for organizing, displaying and processing, summarising and interpreting words and image based information. It involves the analysis of data collected in variety of forms for example, observation notes, interview transcriptions and historical documents (Babbie and Mouton, 2004).

Qualitative methodology is appropriate for this research as it makes the research and data collection methods flexible and it will make it easy to capture the views of the policy implementers and all the stakeholders involved in the implementation of the Employment Equity Policy. Neuman (2003) emphasizes that using this method allows the researcher to explore the perspectives of the interviewee, their views, meanings and feelings based on their experiences on the topic being investigated.

Data Collection Method

The research approach adopted for this study was in-depth interviews and surveys. This method has many advantages as it elicits powerful and detailed data that can be used for analysis. It allows the interviewer to offer clarity on questions and this will increase the chances of acquiring relevant usable responses (Babbie and Mouton, 2004).

Although there are some disadvantages of using this method as it takes time to conduct and because of the face to face environment, the participant may feel awkward in answering some of the controversial questions. This problem was addressed by reassuring the participant to not respond to questions that they are uncomfortable with, as well as to emphasise to the participant that anonymity of the interview is maintained at all times therefore the participant's identity will not be revealed. Twenty five participants from the KZN DED were identified as interviewees, although only 24 were interviewed. Responses from the interviewees were then transcribed.

The survey questionaire was administered to the participants to serve as an extra set of information for the study. In total 25 surveys were administered. The advantage of using the survey questionaire as a data collection tool is that it is less time consuming however the limitation of this method is that questions are close ended; in other words it does not give room to do a follow – up on some of the issues that may arise from the answers.

Research Challenges and Limitations

Due to some unforeseen circumstances, the tape recorder which was used to record oral interviews was stolen and as a result 12 (out of 25) interviews were lost. Another limitation encountered was that although permission to conduct interviews within the DED was granted for the study in late 2009, due to some internal politics within the KZN DED, the fieldwork component was further delayed for almost 10 months. As a result the interviews were conducted in early June 2010.

Sample

The study conducted interviews and administered surveys to the Senior Managers within the department of Economic Development, in particular Black female managers, as well as the professionally qualified and experienced specialists and mid-management. The study focused directly on the management personnel that are directly or indirectly responsible for the implementation of the Equity Policy. Using the 2008 – 2010 Employment Equity Plan we sampled 24 participants mainly Black female managers for both the survey and interviews from the level 12 to level 16 Senior Management. The reason for choosing a specific sample is that we wanted to observe specific variables that can only be obtained from such a sample.

In order to protect the anonymity of the participants, when quoting their responses, a coding method was used, simply referring to the level of the person being interviewed, their sex and the numerical sequence of the interview.

Data Analysis

Qualitative data analysis is applied to this data using content analysis. Neuman (2003) describes content analysis as a technique for examining information content in written format. It means collecting and organising information systematically in a standard format that allows the researcher to draw conclusions and meaning from the data.

Using tables, the following information is collated as part of the analysis:

- Management level – men and women
- Biographical data / Gender / Race / Position
- What attitudes are predominant

Figure 8 : Table on Interview and Survey Sample Data

Quantity	Gender	Race	Position

2	Males	white	2 DM–Deputy Managers
3	Males	Indians	2 DM–Deputy Managers 1 M–Manager
7	Males	Black	5 DM-Deputy Managers 1 GM–General Manager 1 M-Manager
3	Females	Indians	1 DM-Deputy Manager 1 GM-General Manager 1 M-Manager
1	Female	White	1 DM-Deputy Manager
8	Females	Black	1 GM-General Manager 6 DM-Deputy Managers 1 M-Manager

A total of 24 staff members from the DEDT were interviewed, they comprised of people who are directly and indirectly responsible for implementing the EEA Therefore the findings in this study present their perspectives and experiences. The participants have been coded in the following manner:

(MMFP) - Middle Management Female Participant

(SMFP) - Senior Management Female Participant

(MMMP) - Middle Management Male Participant

(SMMP) - Senior Management Male Participant

An Analysis of the Application of the EEA within the DED – Methodology, Successes, Failures and Other Influences, such as Culture

In many instances successful implementation of a policy is normally considered through the numbers. Qunte (1995) further argues that the measuring of the success of affirmative action is that it generally revolves around figures only that is, how many black employees the organization has and how they are distributed at various management levels. Yet figures tell only one part of the story whereas the climate within the organisation is the other. For the purposes of this study we will not only use the numbers as an indicator for successful implementation of the EEA but also to look at the organizational climate. In other words the study aims to look at the substantive power of black female managers and identify if there are any cultural influences that hinders the development and growth of a female executives.

According to the KZN Department of Economic Development, the Human Resource Strategy component (Policy and Planning Unit) compiles and monitors the employment equity status in the Department on a monthly basis. Employment Equity statistics are attached to submissions for the approval for the filling of posts. A short listing committee screens applications for advertised posts to ensure adherence to the Employment Equity plan of the Department.

In order to fast track equity in the Department, the recruitment, selection and retention processes are guided by the employment equity targets of the Department. Suitably qualified people from designated groups are given preference when considering appointments or promotions (DED EE Plan 2008 – 2010). This has been evident through the compilation of EE statistics and targets that are communicated through to the interview panel before any interviews begin so as to ensure that they hire with the intention of adhering to the Equity Targets of the organization. This has been supported by the following statement from one of the participants:

"I think we are implementing because everytime when we do recruitments we look at the equity stats and then you implement according to what is required from the stats" (SMFP1).

It is important to note that although HR claims to have educated the relevant stakeholders responsible for the implementation of the EE Plan, there are those that seem to lack this crucial information about the Department's EE Plan, for example one participant argues that:

"At my level I have never seen the employment strategy or plan which indicated that these are the number of females we need in the department. I just know that there is that plan but I have never seen it. I don't even know whether the department has got what it takes to ensure that plan is implemented. Whether we are reaching our target or not because that is mostly with the HR because even when we go to conduct interviews they don't really put it on the table, they just tell us you know with regard to for example our directorate we are still okay, but I have never seen this holistic plan that says these are the number of females we need, these are the number of males we need etc" (MMMP4).

Where more than one person from designated groups are being considered for a post, preference will be given to the person from the most under-represented category in line with the employment equity targets (DED EE Plan 2008 – 2010). Although this may be the case there are those that feel that sometimes quality is compromised in order to meet the equity targets for example, as argued by the following interviewee;

"I have sat in interviews where we had recommended a candidate to a secretary position low as it was. A candidate, an excellent candidate but we couldn't recommend her because of the employment equity and then you get the second best person who was not what we were actually looking for, that was one incidence. There are many other incidents where a person is thrown out of the bag because of employment equity, so although we understand that it has to happen, I just think it should be done; for me the most underlying factor is that we have to get the one who is competent" (SMFP2).

The Department will ensure that there is fast tracking of women by engaging in the grooming and shadowing programmes (DED EE Plan 2008 – 2010). The department shall, through the Succession planning programme and policy, identify personnel to be groomed for Middle and Senior Management echelons to provide a sufficient pool of capable candidates who will be readily available to succeed current incumbents (DED EE Plan 2008 – 2010). Although this has formed part of DEDs plan of action, in reality there is no evidence to support that these programmes are actually in place, as affirmed by the following interviewees:

" To be honest I don't think it has been given the necessary attention and its not unique to this department, I must say although its not an excuse. Its not been given the necessary attention as to how… its been discussed at many levels including senior management level but I don't think there's been a focus on coming up with a succession plan, it would not apply only to senior management posts but it cuts across. And for me it may be a bad reflection on the capabilities of our HR unit in terms of addressing these issues, it then asks the question why don't we have succession planning in positions or the skills retention plan because it literally means that if somebody is leaving the organisation and they would need that person to stay on they would need to put an offer only when that person is ready to go but we don't have the systems in place that is going to say to us listen this person has got these skills and we need to retain these skills though we have done it I don't think its structured" (SMMP1).

"There isn't one, a person just takes someone who is in his or her heart and that's why it goes back to you see what I said earlier that if you look at the senior positions all are political appointees then what can you say; is that the fair process of implementing the policy? No. When a person here is in charge it ends up being their own home or family business and so if I like you I will then choose you" (MMMP1).

Some of the challenges that have been faced by the Department in the process of implementing Employment Equity:

- Establishment of new structure (DED EE Plan 2008 – 2010). Some feel that when the department looks at addressing equity issues it needs to look at the unit level not a departmental level in order to avoid an imbalance in representation from one unit to another. This is backed up by the following sentiments from a participant;

"what I am trying to say there is that our employment equity is holistic they look at the department as a whole and not the unit as such. For instance we are 99% males as a unit just because when we have to employ people, we have to look at this grand employment equity plan which will say when you hire this time around hire people who are males. We can have the grand equity plan but that grand equity plan should be able to address the needs of individual units because as it stands now it is too open. You find that some units have too many females while other units have too many males but when you join this as a whole it will reflect a picture that the department is balanced in terms of males and females but you find that this balance is skewed. For example you find that in a certain unit the majority are females and here in our unit the majority are males but the staff component as a whole would say that the department has 50% males and 50% females but as you go up at an operational level it is not so. I believe it should start at the unit level e.g. if they find that within our unit we are balanced in terms of gender and all the other units are balanced common sense should tell you that the overall component is balanced (MMMP2).

- High staff turnover due to the variety of available job opportunities for previously disadvantaged groups inside and outside the Public Service. Rigidity of the Public Service Regulations in terms of post progression (promotions)
- Recruitment of people with disabilities and women especially at SMS, this is something that is quite evident within the department and here are some of the views from participants concerning this problem:

"I think as a department we are trying to implement as per employment equity obviously there is changes with the stats and every month it will fluctuate... its not...even though the demographics are the same as you try implementing them you find that the challenges are when you are recruiting. In some positions it becomes difficult to get the suitable candidate in

terms of the equity plan and then you end up taking someone that does not fall into the equity target and then you have imbalances" (MMFP1).

"There are lots of skilled women, experience could be the problem where they are not given exposure to like say act in this position or try and do this and then given the opportunity to fill those positions permanently. I think experience is a big problem even with the cv we receive everything is there academically the only thing is that experience is lacking so I think they need to focus more on experience than anything else" (SMFP2).

"I think our females are not marketing themselves as men do, men are not frightened. I mean we are coming out of an era where women are trying to get into the workplace and do what they need to do but I don't think they market themselves. I mean I have seen when the department advertises positions all the time and bulk of it are men so its either women are not qualified or women are just scared of being in a management position or like I said its qualification or they don't want leaving the comfort of what they are doing right now. Women need to be more go-getters" (SMFP2).

Some of the Barriers to achieving Employment Equity within the Department:

- Poor understanding between shortlisting and interviewing committees on the importance of implementing EE. This is affirmed as following;

"firstly at my level I have never seen the employment strategy or plan which indicated that these are the number of females we need in the department. I just know that there is that plan but I have never seen it. I don't even know whether the department has got what it takes to ensure that plan is implemented. Whether we are reaching our target or not because that is mostly with the HR because even when we go to conduct interviews they don't really put it on the table they just tell us you know with regard to for example our directorate we are still okay we can you know… but I have never seen this holistic plan that says these are the number of females we need these are the number of males we need etc." (MMMP3).

- No representation from Organized Labour in the form of observer status

- Employees don't perceive themselves as part of the Department as there are no clear standards or common values shared/followed within the Department. One participant felt that there is:

" No communication or dissemination of information from management and literally no co-ordination just working in silos" (MMFP3).

Findings and Analysis

Affirmative Action

As reported earlier in this study Qunte (1995), argues that Affirmative Action policies do not require the appointment of people without personal merit. What AA does do, is to open the way for the adoption of more objective selection criteria, so that African and other black candidates are not excluded from the start. It requires the use of criteria that are more related to the actual skills and competence required for a position. Qunta further argues that the measuring of the success of affirmative action is that it generally revolves around figures only that is, how many black employees the company has and how they are distributed at various management levels. Yet figures tell only one part of the story whereas the climate within the organisation is the other and for the purposes of this study the researcher has also tried to investigate how broader cultural influences, including organisational culture impacts on the successful implementation of the EEA within the chosen case study.

For the purposes of this study I will not only use the numbers as an indicator for successful implementation of the EEA but also assess the organizational climate within the case study environment. In other words the study aimed to look at the substantive power of black female managers and identify if there are any cultural influence that hinders the development and growth of a female executive. Qunte 1995, believes that the extent to which a company or organisation allows the black candidate (female) to perform at his/her peak and to advance

within the company will say more about that company than a mere head count. The organisation may have an impressive number of black (female) employees, but if they feel unhappy and unfulfilled it cannot be said that it has a successful affirmative action or employment equity programme.

This study wanted to ascertain whether broader (social) cultural factors (amongst other factors) have an impact on the application of the EEA within the DED, and though many participant's views suggested that culture has no bearing on the implementation of the act, there were those who felt that certainly organizational culture (which may to some degree be influenced by socialised forms of culture) did play a role in how the policy is implemented. Some views that suggest this;

"This department is more relaxed and people are more readily able to express their views on things that they are not happy about. And if we had to say that the patriarchal influence has got something to do with employment trends I wouldn't say no and I can't say yes definitely but you might find that the patriarchal manifestation would find itself in people in a manner that people subconsciously behave but not necessarily aggressive or actively wanting to do that but probably because of comfort zone and that informs some of the way they do things and they think what they do is right" (SMMP1).

"I think what happens is, it depends I grew up in a different household from another person but you find that sometimes when you come into an organization males would not take you seriously but sometimes we as Black females we come to these positions and we then lose sight of what we are there to do and become big headed and don't see people. I believe that respect is something that you earn it doesn't come with a position. So the way you treat people that is how people are going to treat you those are things that we need to instill in ourselves that for me to get somewhere I need to behave in a certain manner because that is another thing unfortunately which will stop us from getting certain positions because we behave in a certain manner and people want a person who is like this and that and you come there and you meet someone who is assertive someone who is outspoken" (SMFP2).

Effectiveness of Implementation of the EEA

At middle and lower management levels the EE Plan seems to have been effective however the problem starts at the senior management levels (Especially Salary Level 14 to 16) where the representation of women is less. These are some of the views on the matter:

"It is a challenge for the department to get candidates especially in the field of finance because CAs earn a lot of money at the moment and when you compare the government scales with the private sector the private sector beats us when it comes to money. So sometimes it is difficult to get someone and at times its because of the scales and experience not in finance per se but in many other fields and strategic positions like the DDG position where they would want maybe Masters in economics plus experience, so a person can have the qualification but when it comes to experience that they are looking for maybe six years and you find that the person may not be able to meet all those requirements and so it's a challenge but at times they do get them. Another issue is that of the EE where in a certain post they would want a female and you find that it is mostly males that apply even if there are women who apply they don't have all these requirements that are needed you see. It may also be males but in many cases it is with female candidates that we tend to struggle to find anyone suitable. They may have the skills but in many cases they lack experience and maybe we too as government can be blamed for wanting too many years of experience instead of maybe taking someone with two years they may be able to perform in that certain position" (MMFP3).

"That could be true but also the element of attractive package. It depends on what kind of skill are you looking for; for instance we have scarce skills. For example if we want to employ the chief finance officer you might need a person who is a chartered accountant and if you compare the package she might get at a private sector and at a government department there is a mass difference so hence our packages are not attractive and people decide to come here on a contract basis while they are looking for a job and as soon as they find a job in the private sector they quit" (MMMP3).

"I think in those positions you can't take someone for the sake of them being a female because its at a strategic level so you need someone who will work. I think we must look at the position itself what entails I've been with a company where we had a woman as a CFO and she didn't know what she was doing so when you look at that because that is a very critical position within the department. So it will depend on the position as you would expect to pay that person so much for what they are doing so you expect them to know what they are doing unlike a clerk where you can teach them on the job. But in that position that is someone who every month has to submit financial reports at treasury so now where do you get time to babysit that person. I think it depends on the type of job there are jobs where here you want someone with the knowledge and who is teachable so that you know when you put them here they can learn on the job and it's not going to impact negatively. And then you've got a position where you want someone who will come and you will say right here are the notes, look at the systems change what needs to be done in terms of accounts and policies and these are how things are done. In fact to become a manager its quite challenging you deal with the job and you deal with the people so you can't just...you need someone with experience and I don't know for me as a Black woman it took me ten years to become a manager starting from being a clerk and obviously progressing up until I became a manager" (SMFP3).

Are Cultural Factors Impacting on the Implementation of the EEA ?

Based on the feedback from respondents at the KZN DED it emerges that what seems to shape the implementation of the EEA in the DED is not so much cultural factors as defined in Chapter 3 which speaks of feminism and cultural issues but rather "organizational" culture. It is clear that the study has revealed that most of the interviewees felt that traditional understandings of "culture" (ritual, customs, religious practices etc), are not central to impacting the implementation process of the EEA. This is further explained by one of the participants as follows;

"This department is more relaxed and people are more readily able to express their views on things that they are not happy about. And if we had to say that the patriarchal influence has got something to do with employment trends I wouldn't say no and I can't say yes definitely but you might find that the patriarchal manifestation would find itself in people in a manner

that people subconsciously behave but not necessarily aggressive or actively wanting to do that but probably because of comfort zone and that informs some of the way they do things and they think what they do is right" (SMMP1).

"I think what happens is, it depends I grew up in a different household from another person but you find that sometimes when you come into an organization males would not take you seriously but sometimes we as Black females we come to these positions and we then lose sight of what we are there to do and become big headed and don't see people. I believe that respect is something that you earn it doesn't come with a position. So the way you treat people that is how people are going to treat you those are things that we need to instill in ourselves that for me to get somewhere I need to behave in a certain manner because that is another thing unfortunately which will stop us from getting certain positions because we behave in a certain manner and people want a person who is like this and that and you come there and you meet someone who is assertive someone who is outspoken" (SMFP2).

What is perhaps more influential in shaping the implementation process is;

- **Lack of qualified women or lack of applications from women**

"its either we don't apply or we are not competent enough I don't know!. Maybe we are scared to apply or why else would they not employ us?!(MMFP4).

- **Perceptions by women of being inadequate for those positions as reflected from interviews**

"I think our females are not marketing themselves as men do, men are not frightened. I mean we are coming out of an era where women are trying to get into the workplace and do what they need to do but I don't think they market themselves. I mean I have seen when the department advertises positions all the time and bulk of it are men so it's either women are not qualified or women are just scared of being in a management position or like I said its

qualification or they don't want leaving the comfort of what they are doing right now. Women need to be more go-getters" (SMFP2).

- **Organizational culture – shaped by politics**

"… a person just takes someone who is in his or her heart and that's why it goes back to you see what I said earlier that if you look at the senior positions all are political appointees then what can you say; is that the fair process of implementing the policy? No. When a person here is in charge it ends up being their own home or family business and so if I like you I will then choose you" (MMMP1).

Analysis of the Survey Data

Figure 9: Table of Survey responses to the Issues pertaining to the application of the EEA in DED KZN

Issues	Yes	No	Not Really
High degree of commitment to implementation of the EEA	**9**	**10**	**2**
Collection and maintenance of information on the EEP of DED	**13**	**4**	**5**
Any goals, plans and timetable for achieving equity	**13**	**4**	**5**
Has the department successfully implemented the EEA	**10**	**0**	**11**

While it is evident that the department has all the necessary tools and resources in place for ensuring gender equity there is a general observation from the participants that more could still be done. For instance there is a great representation of females in the middle and lower

management positions, however as you go up to the senior management positions, there is less visibility of females. Although explanations have been given to justify this phenomena many feel that the department could pursue 'Succession Planning' as a way of dealing with the lack of qualified and experienced females in management. The general view is that the department is equipped with the right people to implement this policy; it is merely a problem of commitment. Judging from the responses and data acquired from the interviews, the study concludes that the Department of Economic Development in KwaZulu Natal has made considerable strides in ensuring gender equality through the implementation of the EEA.

Chapter 5 : Conclusion

Colonialism, sexism and apartheid in South Africa prevented black people and women from getting an equal education and an equal opportunity to compete in the labour market. Therefore policies such as Affirmative Action and The Employment Equity Act (No. 55 of 1998) were necessary tools to redress the injustices of the past because simply taking away the barriers to the appointment and promotion of black people and women will make little difference to the effects of past discrimination and of systematic discrimination in an organisation.

The Employment Equity Act (No. 55 of 1998) focuses on building a public service that is equitable and that has an environment that is supportive and enables those who were previously disadvantaged, to reach their full potential, thus benefiting the Public Service from their skills and talents. Section 20 (1) of the Employment Equity Act, states that; "a designated employer must prepare and implement an Employment Equity Plan which will achieve reasonable progress towards employment equity in that employer's workforce.

The purpose of this study was to look at the Department of Economic Development's implementation of their Employment Equity Plan which takes its mandate and direction from the Employment Equity Act (No. 55 of 1998) and to ascertain whether cultural factors (including organisational culture) have any influence in the process. This task was done using the interview schedule (see Appendix B) through face to face interviews with the relevant stakeholders. Secondary data was used in order to support the primary data that was collected.

The findings from this research are very similar to a study conducted by Lambert in 2005. The problems that were encountered by the Department in terms of successfully implementing the Employment Equity Plan with special focus on placing women in senior management positions i.e. Post Level 14 upwards were the following:

- Limited pool of women with the required skills,
- Past discrimination which resulted in limited work experience gained especially by Black females,

- Lack of job applications for senior positions from the females and people with disabilities

- Family responsibilities since women generally have more home-based responsibilities that men, and

- Internal politics and power relations (Resisting change)

- The issue that women are sometimes less inclined than men to take advantage of job opportunities in the demanding senior management positions

- Lack of knowledge about succession planning and grooming procedures

When looking at the research findings it is important to note that some of the key challenges highlighted by the Department were problems that the study identified as well, that is:

- **Establishment of a new organizational structure**

While it is evident that the Department is not dominated by an overt patriarchal system, organizational culture however seems to have a bearing on how women in management positions do face challenges in performing their jobs properly. Women in management positions have mentioned that there is that male resistance to take orders from female managers and at times it can go as far as having a disciplinary hearing to resolve the matter.

- **High staff turnover due to the variety of available job opportunities for previously disadvantaged groups inside and outside the Public Service.**

What was observed during the study was that looking at the staff component on the positions from Post level 13 downwards, there is a considerable amount of female representation. However as the Post levels increase, there are less females represented in these Senior Management positions. So if one was looking at the overall staff composition of the department one could conclude that females are well represented which is not entirely true, when looking at the more senior management levels.

- **Rigidity of the Public Service Regulations in terms of post progression (promotions)**

It became evident during the research process that although a succession plan is considered a valuable tool in getting women into senior management positions it was more difficult to apply it because of the Public Service Regulations.

- **Recruitment of people with disabilities and women especially at Senior Management Levels**

While the Department is commended on its effort to increase female representation it is however unfortunate that in the decision making positions, achieving representation has proven difficult. A number of reasons contribute to the lack of women in senior management posts for example there are not enough women that are qualified to fill the critical positions. This problem is the same with recruiting people with disabilities as well and the reason may be that there are not enough qualified people within this category and as a result not many apply for positions.

While many of these problems are really difficult in resolving, the Department needs to come up with solutions to address these issues otherwise successful and effective implementation of the Employment Equity Act and the Department's Employment Equity Plan will not be achieved. At the same time, further research with regards to succession planning or grooming procedure needs to be done in order to acquire and retain qualified and skilled women to take up senior management positions.

In summary, this study can conclude that there has been a degree of successful implementation of the EEA within the KZN DED, according to both Grindle's criteria for successful implementation (see Chapter 1 – 3) as well as the DED's own implementation strategy. However some of the participants in the study suggest that much more could be done to improve the implementation process / strategy, and certainly as it relates to trying to employ more females at the more / most senior management levels.

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Appendices

Appendix A

Interview Questionaire

The Impact of Cultural Factors in the Implementation of the South African Employment Equity Act (1998) - A Case Study of the Black Female Managers in the Kwazulu Natal Provincial Department of Economic Development

Name of Participant:

Gender: **Race:**

Position: **Date:**

Name of Interviewer: Phumelele Ndhlela-Ngubane

Have you read and signed the Informed Consent? Yes / No?

Interview questions, will focus on the attitude and perceptions about the employment equity act and the stereotypes, linked to employment equity positions.

1. What does your position entail - In terms of duties and responsibilities?

----

2. What are some of your ideas that have translated into policy?

---

3. What are some of the challenges that you face in your management position and how do you handle it?

--

4. Does the Department have all the skills, knowledge and resources necessary to implement the Employment Equity Plan?

----

5. How do you think the department is doing in terms of implementing the Employment Equity Act? Elaborate.

----

6. What in your opinion hinders successful implementation of the EEA?

Appendix B

Schedule of Interviews

Gender	Race	Position	Interview Date
Male	Indian	DM-Deputy Manager	7 June 2010
Male	African	DM-Deputy Manager	7 June 2010
Male	African	DM-Deputy Manager	7 June 2010
Male	African	DM-Deputy Manager	7 June 2010
Male	White	DM-Deputy Manager	7 June 2010
Female	White	DM-Deputy Manager	7 June 2010
Female	African	DM-Deputy Manager	8 June 2010
Female	African	DM-Deputy Manager	8 June 2010
Female	African	M- Manager	8 June 2010
Female	African	M- Manager	8 June 2010
Female	Indian	GM- General Manager	8 June 2010
Male	Indian	M- Manager	8 June 2010
Female	African	DM- Deputy Manager	9 June 2010
Female	African	DM- Deputy Manager	9 June 2010
Female	Indian	DD- Deputy Director	9 June 2010
Male	African	GM- General	9 June 2010

		Manager	
Male	African	DM- Deputy Manager	9 June 2010
Male	African	DM- Deputy Manager	9 June 2010
Male	Indian	GM- General Manager	9 June 2010
Male	African	DM- Deputy Manager	10 June 2010
Male	African	DM- Deputy Manager	10 June 2010
Female	African	GM- General Manager	10 June 2010
Female	African	DM- Deputy Manager	10 June 2010
Female	Indian	M- Manager	10 June 2010

Appendix C

Survey Questionaire

The Impact of Cultural Factors in the Implementation of the South African Employment Equity Act (1998) - A Case Study of the Black Female Managers in the Kwazulu Natal Provincial Department of Economic Development

Name of Participant:

Position:

Date:

Name of Interviewer:

Do you agree to the interview? Yes / No?

(The survey questionnaire will cover the implementation of the employment equity act within the department)

1.   Describe the degree of commitment communicated throughout your organization by senior management, union and/or employee associations

High Degree	Low Degree

2.   Who is responsible for implementing the employment equity act?

High Management	Middle Management	Low Management

3.   Is there any collection and maintenance of information on the employment status of the designated group by occupation and salary levels in terms of hiring, promotion and termination in relation to all other employees?

Yes	No

4.   Do you have goals and timetables for achieving equity?

Yes	No	Not Really

5.   Is there a plan for reaching these goals?

Yes	No	Not Really

6.   Is there an establishment of a climate favourable to the successful integration of designated group members within the organization by focusing on the following aspects:

6.1   Conscientization

6.2   Cultural

6.3   Social

Yes	No	Not Really

7.   Adoption of procedures to monitor the progress and results achieved in implementing employment equity.

•   According to your organization what constitutes as successful implementation of the Employment Equity Act

Number of women in any management positions	Number of women in management positions with decision / policy making powers