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Know others, Respect others.

COMMITTED TO EQUITY & BELONGING

EMPLOYMENT EQUITY POLICY

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1. PREAMBLE

- 1.1 St Cyprian's School acknowledges that due to apartheid and other discriminatory laws and practices there are disparities in the employment arena.
- 1.2 The disparities referred to in 1.1 above are reflected in the following forms:
 - 1.2.1 Persons from previously disadvantaged groups are under-represented in the managerial, professional and skilled occupational levels in the workplace.
- 1.3 There are remnants of direct and indirect discrimination in the employment policies and practices of employers that limit equal opportunity and the advancement of persons from previously disadvantaged groups in the workplace.
- 1.4 St Cyprian's School, in terms of this policy will comply with the relevant statutory provisions of the Employment Equity Act, No. 55 of 1998 that has been promulgated by the Department of Labour to deal with employment equity.
- 1.5 The intention of the school is to implement corrective measures to overcome the effects of past discrimination.

2. SCOPE OF EMPLOYMENT EQUITY POLICY

- 2.1 St Cyprian's School is a designated employer in terms of the Employment Equity Act, No 55 of 1998.
- 2.2 Subject to 2.1 above, St Cyprian's School as a designated employer also will comply with the obligations of Chapter 2 of the Employment Equity Act, No 55 of 1998.
- 2.3 This policy confers and upholds all the obligations of the Employment Equity Act, No 55 of 1998.
- 2.4 All affirmative action strategies, targets and plans of action that are established for St Cyprian's School will be undertaken in accordance with the provisions of this Employment Equity Policy.
- 2.5 The Employment Equity Plan for St Cyprian's School will uphold the provisions and principles espoused in this policy.
- 2.6 The non-compliance of any staff member with the provisions of this policy will result in disciplinary action being taken against the said employee.

3. DEFINITIONS

- 3.1 “Affirmative Action” in terms of this policy refers to the process whereby preference is given to suitably qualified persons from previously disadvantaged groups in the recruitment, selection and appointment process.
- 3.2 “Designated Employer” is defined in this policy as St Cyprian’s School.
- 3.3 “Designated Groups” refer to black, coloured and Indian people, all women and disabled people.
- 3.4 “Employee” is defined in this Employment Equity Policy with reference to Section 200A “Presumption as to who is an employee” in the Labour Relations Act 66 of 1995 and Chapter 1 Section 1 of the Employment Equity Act, No 55 of 1998.
- 3.5 “Line Manager” is the person designated by the school to control and direct the operations of the school and its individual departments and as such has the authority to make certain decisions on the employer’s behalf.
- 3.6 “Employment Equity Manager” is the person appointed by the school to take responsibility for the implementation of Employment Equity at the school, and the skills development of the staff.
- 3.7 “Discrimination” in terms of this policy, refers to the practice where one employee, or group or category of employees is treated less favourably than another or is not given the same opportunities as another.
- 3.8 “Previously disadvantaged groups” refer to black, coloured and Indian women and disabled people.
- 3.9 “Selection” in terms of this policy, refers to a process whereby applicants are screened to determine their suitability for a position.
- 3.10 “Suitably Qualified” in terms of this policy refers to an applicant who must have the ability to do the job based on one or a combination of the following applicable attributes, namely: formal qualifications; prior learning; relevant experience; capacity or potential to acquire, within a reasonable time, the ability to do the job.
- 3.11 “Recruitment Agency” in terms of this policy refers to an external body that undertakes on behalf of the school for an agreed fee or commissions the recruitment and selection of applicants for a vacant position.

4. OBJECTIVES OF EMPLOYMENT EQUITY POLICY

4.1 The objectives of this policy are to facilitate the promotion of employment equity at St Cyprian's School through the following activities:

4.1.1 The identification and elimination of any vestiges of unfair discrimination in all of the school's employment policies and procedures.

4.1.2 The establishment of affirmative action measures that will ensure that suitably qualified persons from previously disadvantaged groups have equal employment opportunities in all the occupational levels in the workplace of St Cyprian's School.

5. PROTECTION AGAINST DISCRIMINATION

5.1 The employer undertakes not to discriminate in its employment policies and practices against any person employed at St Cyprian's School on the basis inter alia of their race, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth and as such promotes the concept of employment justice.

5.2 Furthermore, the employer undertakes not to discriminate against any applicant for employment on grounds mentioned in 5.1 above.

6. PROTECTION AGAINST UNFAIR DISCRIMINATION OF NON-DESIGNATED GROUPS

6.1 Whilst the school upholds the principles of the Employment Equity Act, no employment policies will contain provisions that create absolute barriers to the prospective or continued employment and advancement of people from non-designated groups.

6.2 Furthermore, employment practices that create an absolute barrier to the prospective or continued employment and advancement of South African citizens from non-designated groups will be prohibited.

7. AFFIRMATIVE ACTION MEASURES

7.1 Suitably qualified people from previously disadvantaged groups will be targeted in the recruitment process, unless the occupational and or job level where the position is being sought already adequately represents people from previously disadvantaged groups.

7.2 Whilst affirmative action criteria will be applied in the recruitment and selection (staffing) processes, the competence of the applicant to meet the inherent requirements of the job shall always remain the primary focus of St Cyprian's School.

7.3 Subject to 7.1 above, an equal opportunity policy whereby all applicants regardless of their race, sex and or disability status are given equal access and opportunity to apply for a position will be adopted.

- 7.7 The organisation does not consider affirmative action selection criteria or the advancement of previously disadvantaged groups as defined in the Employment Equity Act in the staff selection process to be unfair discrimination.
- 7.8 The school does not consider it unfair discrimination to prefer or exclude any person in the staff selection process based on the inherent requirements of a job.
- 7.9 Suitably qualified applicants from previously disadvantaged groups will be given preference in the selection and appointment process, unless the occupational level where the position is being sought already adequately represents people from previously disadvantaged groups.
- 7.10 In terms of this Employment Equity Policy, the school will be entitled to by-pass its internal recruitment policy and appoint a suitably qualified external black candidate in preference to a suitably qualified internal white candidate, if subject to the employer's employment equity numerical targets, a black incumbent is to be targeted for the position. The approval of the Principal in conjunction with the Employment Equity Manager will be required.

8. ESTABLISHMENT OF AN EMPLOYMENT EQUITY COMMITTEE

- 8.1 In terms of this policy, St Cyprian's School hereby establishes the Employment Equity Committee to perform the role of a staff consultation mechanism as required of a designated employer, prescribed in the Employment Equity Act.
- 8.2 It is the role of the Employment Equity Committee to monitor the application of this Employment Equity Policy and to monitor the implementation of the Employment Equity Plan for St Cyprian's School.

9. BARRIERS TO THE IMPLEMENTATION OF AFFIRMATIVE ACTION

- 9.1 Although South Africa is more than 25 years into democracy, it must be acknowledged that there still remains a legacy of apartheid that partially limits the effective implementation of the affirmative action measures that have been documented in the Employment Equity Policy for St Cyprian's School. The most common barriers towards affirmative action are:

9.1.1 Research has shown that the negative impact of HIV/AIDS has decreased the availability of skilled professionals from designated groups.

9.1.2 The numerical targets established by St Cyprian's School have taken into account the fact that major disparities exist in the skills and educational levels of people in South Africa, based on past disadvantage experienced by designated groups in terms of education and employment prospects. This means that in the near future numerical goals can never absolutely reflect regional demographic trends.

10. NON-COMPLIANCE WITH THIS EMPLOYMENT EQUITY POLICY

- 10.1 Non-compliance with any provision prescribed in the Employment Equity Policy will be subject to disciplinary action in accordance with the school's staff disciplinary code.

11. REVIEWS AND AMENDMENTS TO EMPLOYMENT EQUITY POLICY

- 11.1 This Employment Equity Policy may be amended provided that the proposed amendments are discussed and agreed to by a two third quorum of the Employment Equity Committee and authorised by the St Cyprian's School Principal.

12. STATEMENT OF COMMITMENT

- 12.1 St Cyprian's School is committed to ensuring that the provisions of this policy are applied and upheld.

