

**THE IMPLEMENTATION OF EMPLOYMENT EQUITY: THE
CASE OF THE DEPARTMENT OF EMPLOYMENT AND
LABOUR**

by

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DECLARATION

I, Lerato Annikie Makgolane, hereby declare that this dissertation titled “The implementation of employment equity: The case of the Department of Employment and Labour” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references. I further declare that I submitted the dissertation to originality checking software and that it falls within the accepted requirements for originality. I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.

Signature: _____

Date: ____23/09/2025_____

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ABSTRACT

This study explored perceptions on the implementation of employment equity within the Department of Employment and Labour in South Africa, a key institutional player in promoting workplace fairness and equality. Following the transition to democracy, the South African government enacted the Employment Equity Act, 1998 (Act 55 of 1998) to redress historical imbalances and provide equal employment opportunities to all citizens. The study employed a case study design and adopted a mixed-methods approach, combining quantitative and qualitative data collection techniques to gain an in-depth understanding of the research problem. A stratified random sample of 50 employees was drawn from a larger population in the Department. Data collection instruments included structured questionnaires with Likert-scale items and semi-structured open-ended questions.

The study was underpinned by the Compliance Theory, particularly the deterrence and normative perspectives, to examine how employees perceive and respond to employment equity mechanisms within the Department of Employment and Labour. The findings revealed that while there are commendable efforts toward compliance with the Act, full implementation has not yet been achieved. Participants acknowledged improvements in diversity and inclusivity but highlighted challenges such as inadequate enforcement, limited stakeholder engagement and gaps in leadership commitment.

The study recommends enhanced educational programmes to promote diversity, improved resource allocation, transparent promotion criteria, and regular evaluation of equity initiatives. These strategies aim to accelerate the implementation of employment equity and foster a more inclusive public sector work environment. Overall, the study offers a critical reflection on both progress made and areas needing improvement in the implementation of employment equity within South Africa's public service.

Key terms: Employment Equity; Implementation; Equality; Compliance; Inclusivity and Diversity; Discrimination; Affirmative Action; Employment Equity Plan; Designated and Non-Designated Groups; Representation

NAGANWAGO

Thuto ye e lekotše dikgopolo ka ga phethagatšo ya tekatekano ya mešomo ka gare ga Kgoro ya Mešomo le Bašomi ka Afrika Borwa, yeo e tšewago bjalo ka sebakadi se segolo sa setheo ka go lesolo la go ya go toka le tekatekano ya mafelong a mošomo. Mmušo wa Afrika Borwa, ka morago ga go hlongwa ga mmušo wo o kgethilwego ka temokrasi, o ile wa dira molao wa Tekatekano ya Mešomo, 1998 (Molao wa 55 wa 1998), wo o ikemišeditšego go lokiša go se lekalekane ga nako ye e fetilego le go fa badudi ba wona ka moka dibaka tša go lekana tša mešomo. Thuto e latela tlhamo ya nyakišišo ya mohlala, mola e amogela mekgwa ya boleng le ya boleng ya kgoboketšo ya datha ka nepo ya go hwetša kwešišo ye e tseneletšego ya taba ya nyakišišo yeo e lego ka seatleng. Sampole ya go se kgethe ye e arotšwego ka maemo ya bašomi ba 50 e ile ya nepišwa go tšwa go baagi ba bantši go tšwa go Kgoro ya Mešomo le Bašomi. Didirišwa tše di šomišitšwego di be di akaretša dipotšišo tšeo di bego di akaretša dipotšišo tše di tswaletšwego tšeo di nago le motheo go tšwa go sekaleng sa Likert, gammogo le dipotšišo tše di bulegilego tšeo di sa rulaganywago ka botlalo. Dikutollo di laetša gore, le ge go na le maitapišo ao a retegago a go obamela Molao wa Tekatekano ya Mešomo, 1998 (Molao wa 55 wa 1998), kobamelo ka botlalo ga se ya phethagatšwa. Go bolela nnete, batšwasehlabele ba tiišeditše mokgwa wo mokaone wa go akaretša bohle le go fapafapana, eupša ba šupa ditlhohlo tše dingwe tšeo di lekanyetšago phethagatšo ka botlalo.

Thuto e šišinya gore go godiša khuetšo ya tekatekano ya mešomo, Kgoro e swanetše go etiša pele mananeo a thuto go tšwetša pele go fapafapana, go netefatša kabo ya methopo ye e lekanego, go hloma dikelo tše di kwagalago tša go hlatlošetšwa maamong, le go sekaseka ka mehla go šoma gabotse ga maitapišo a yona. Ditšhišinyo tše di ikemišeditše go kaonafatša lebelo le go šoma gabotse ga mekgwa ya tekatekano ya mešomo, go tsenya letsogo tikologong ya lefelo la mošomo ye e lekalekanego kudu le ye e akaretšago bohle. Thuto e fa tshekatsheko ye bohlokwa ka ga bobedi dikatlego le mafelo ao a swanetšego go kaonafatšwa ka phethagatšong ya tekatekano ya mešomo ka lefapheng la mmušo la Afrika Borwa.

ISIFINGQO

Lolu cwaningo lucubungule imibono mayelana nokuqaliswa kokulingana kwezemisebenzi eMnyangweni Wezokuqashwa Nezabasebenzi eNingizimu Afrika, othathwa njengenhlangano ebambe iqhaza elibalulekile emkhankasweni wokubheka ubulungisa nokulingana emsebenzini.. Uhulumeni waseNingizimu Afrika, kulandela ukusungulwa kukahulumeni okhethwe ngentando yeningi labantu, washaya uMthetho Wokulingana Kwezokuqashwa, we-1998 (uMthetho wama-55 we-1998), okuhloswe ngawo ukulungisa ukungalingani kwesikhathi esedlule kanye nokuhlinzeka ngamathuba omsebenzi alinganayo kuzo zonke izakhamuzi zawo. Ucwaningo lulandela umklamo wocwaningo, kuyilapho kusetshenziswa izindlela zokuqoqa idatha zenani nekhwalithi ukuze kuqondwe kabanzi udaba locwaningo oludingidwayo. Isampula ehleliwe engahleliwe yabasebenzi abangama-50 yayiqondiswe kubantu abaningi abavela eMnyangweni Wezokuqashwa Nezabasebenzi. Amathuluzi asetshenzisiwe afaka phakathi uhlu lwemibuzo oluhlanganisa imibuzo evaliwe enesisekelo esikalini se-Likert, kanye nemibuzo evulekile enesakhiwo esakhiwe kancane. Okutholakele kukhomba ukuthi, nakuba kunemizamo encomekayo yokuthobela uMthetho Wokulingana Kwezokuqashwa, 1998 (uMthetho wama-55 ka-1998), ukuthotshelwa kwemithetho ngokugcwele akukenziwa. Eqinisweni, ababambiqhaza baqinisekise indlela engcono yokuhlanganisa nokuhlukahluka, kodwa bakhomba izinselele ezithile ezikhawulela ukuqaliswa okuphelele.

Ucwaningo luphakamisa ukuthi ukuze kuthuthukiswe umthelela wokulingana kwezemisebenzi, uMnyango kufanele ubeke eqhulwini izinhlelo zemfundo ukuze kuthuthukiswe ukwehlukahlukana, uqinisekise ukwabiwa kwezinsiza ezanele, umise indlela ecacile yokukhushulwa, futhi uhlole njalo ukusebenza ngempumelelo kwezinhlelo zawo. Lezi zincomo zihlose ukuthuthukisa ijubane nokusebenza ngempumelelo kwezinqubo zokuqasha ngokulingana, okunomthelela endaweni yokusebenza enokulingana nefaka wonke umuntu. Lolu cwaningo luhlinzeka ngesithombe esibucayi kukho kokubili okuzuziwe kanye nezindawo okufanele zenziwe ngcono ekuqalisweni kokusebenza ngokulingana emkhakheni kahulumeni waseNingizimu Afrika.

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LIST OF ACRONYMS AND ABBREVIATIONS

AA	Affirmative Action
BBBEE	Broad-Based Black Economic Empowerment
BLLR	Business Law Library Report
CCMA	Commission for Conciliation, Mediation, and Arbitration
CEE	Commission for Employment Equity
DEL	Department of Employment and Labour
DPSA	Department of Public Service and Administration
DTIC	Department of Trade, Industry, and Competition
EAP	Economically Active Population
EE	Employment Equity
EEA	Employment Equity Act
EEOC	Equal Employment Opportunity Commission
EEP	Employment Equity Plan
EU	European Union
GDPR	General Data Protection Regulation
ILO	International Labour Organisation
LRA	Labour Relations Act
RSA	Republic of South Africa
SMS	Senior Management Service
WPAAPS	White Paper on Affirmative Action in the Public Service
WPTPS	White Paper on the Transformation of the Public Service

CHAPTER ONE

ORIENTATION OF THE STUDY

1.1 INTRODUCTION

The objective of the Employment Equity Act, 1998 (Act 55 of 1998) (hereafter referred to as EEA) according to Oosthuizen, Tonelli and Mayer (2019:3), is to encourage employers to make reasonable advancement towards employment equity and to execute affirmative action measures to ensure equitable representation of employees from designated groups. Similarly, according to Steenkamp (2023:6), the EEA's aim is to ensure equitable treatment in the workplace through the implementation of affirmative action policies and the removal of unjust discrimination to achieve a diverse and inclusive workforce. This study presents a mixed-method study conducted among the Department of Employment and Labour's employees regarding their experiences with the implementation of employment equity in the workplace in accordance with the EEA.

According to Nunoo (2020:3), the EEA requires employers advance equity, eliminate workplace discrimination, and unjust treatment. Matotoka and Odeku (2021:2) emphasise that correct implementation of the EEA should promote equitable representation in terms of public and private service representation and fair treatment by including historically disadvantaged people such as women, blacks and people with disabilities. In the context of this study, black people refer to Coloureds, Indians and Africans. Section 16 (1) and (2) of the EEA states that to implement employment equity in the workplace, employers should establish employment equity committees or forums for consultations on all matters pertaining to the EEA and develop an Employment Equity Plan (hereafter referred to as EEP) that outlines the organisation's commitment and plans to actively address and promote employment equity in the workplace.

Many organisations, particularly government departments, have witnessed substantial shifts in the field of employment relations in the two decades since the onset of democracy (April and Govender 2022:92). Despite the enactment of various legislation aimed at

achieving more social justice, progress in addressing unfair treatment and discrimination in the workplace has been gradual and unequal (Matotoka and Odeku 2021:5).

Previous research on the subject reveals that little progress has been made towards establishing employment fairness since the EEA was implemented in 1998 (Oosthuizen, Tonelli and Mayer 2019). This study demonstrates that although laws are important in addressing workplace equality, it is not sufficient because aspects such as organisational culture and transformation must be taken into consideration. This means that EEA implementation must be accompanied by logical employment procedures and strategies that emphasise the development of human capital, inclusive practises, and organisational culture change (Phaduli 2020:8).

The Department of Employment and Labour, through the Commission of Employment Equity (hereafter referred to as CEE), is the custodian of employment equity legislation, and a study of this nature is required to provide an in-depth exploration of the extent to which the department complies with the EEA. This was done through determining the degree to which employees believe the Department of Employment and Labour complies with the EEA; analysing the challenges pertaining to the implementation of employment equity; examining whether the current employment equity programmes at the Department of Employment and Labour improve the overarching objectives of the EEA; and exploring the mechanisms that the Department of Employment and Labour has in place to achieve the overall objectives of the EEA. Using the mixed method approach, this study attempted to reveal if the Department of Employment and Labour complies with the statutes of the EEA. Having introduced the study, the next section provides a comprehensive inspection of the background of the study regarding employment equity in South Africa.

1.2 BACKGROUND OF THE EMPLOYMENT EQUITY ACT

South Africa, recognised for its significant cultural, racial, and economic diversity enacted the Employment Equity Act, 1998 (Act 55 of 1998) to ensure equal and fair employment opportunities for all citizens (Pillay and Teleki 2018:42). The EEA addresses historical

disparities caused by apartheid and other discriminatory practices, which led to inequalities in employment, occupation and income. Historical discrepancies were not remedied solely by repealing discriminatory laws, hence the need for the EEA, which protects individuals from workplace discrimination and promotes equal rights in the job market (Louw 2022:4-5).

Historically, inequality and discrimination were prevalent in the South African office environment, creating a demand for reform and greater equality (Mpeta, Fourie and Inwood 2018:1). The EEA promotes fair representation, which is crucial for equitable access to employment opportunities, thereby reducing unemployment and ensuring merit-based hiring (Steenkamp 2023:5). The merit-based approach improves workforce quality and enhances confidence in South African businesses both internationally and locally (Thokoa, Naidoo and Herbst 2022:2).

Before 1994, the work environment in South Africa was characterised by unfair treatment, inequality, and discrimination, leading to widespread industrial action (Tenza 2018:4). The International Monetary Fund emphasises the South African government's responsibility to help destitute groups advance to compete fairly in the labour market. While the past cannot be undone, affirmative measures can compensate and improve the lives of those affected by historical injustices (Jegede and Shikwambane 2021).

Affirmative Action under the EEA mandates both private and public employers to promote workplace equity, including the preferential treatment and advancement of qualified individuals from designated groups to ensure representation across all Occupational levels (Geldenhuys 2020:11). As a result, all businesses, including the Department of Employment and Labour, must provide equal employment opportunities to all employees, particularly those from designated groups. The next section, section 1.3 discusses the problem statement of the study.

1.3 MOTIVATION FOR THE STUDY

The Department of Employment and Labour is required by law to implement the EEA as a public institution to provide equal representation across all occupational categories for suitably qualified members of the designated groups of the organisation to ensure equal access to employment opportunities. The current study is motivated by several results and observations in the employment sector. For example, according to Ntsikelelo (2019:3), organisations are today confronted with the major difficulty of diversifying workplaces due to internal and external environmental concerns. As a result, employers must address issues such as Affirmative Action, gender, and racial discrimination, all of which have an effect on employees' attitudes and organisational culture.

The demonstration of the public sector in terms of employment equity is critical for a variety of reasons. Drawing on the insights from Statistics South Africa report (Statistics South Africa 2024:2), more than one million people are employed in the public sector and thus accounts for a sizable share of the labour market in South Africa. The public sector should lead the way in implementing the EEA. Equal representation in employment may assist to ensure equitable service delivery, and according to Reddy and Mncwango (2021:18-21), the implementation of the EEA assists to achieve the results of the Bill of Rights by protecting human rights and maintaining South African society's dignity and ideals. In the next section, the significance of the study is delved into.

1.4 SIGNIFICANCE OF THE STUDY

The Employment Equity Act, 1998 (Act 55 of 1998) requires equal representation of previously disadvantaged groups. The implementation of the Employment Equity Act, 1998 (Act 55 of 1998) is required to promote democracy and equitable representation through the inclusion of previously disadvantaged groups. The employment equity implementation study in the Department of Employment and Labour aimed to achieve the following:

- The study sheds light in terms of formulating strategies that will assist the

- department to comply with Employment Equity Act, 1998 (Act 55 of 1998).
- The study contributes to the existing body of knowledge within the field of Public Management.
- The findings of this study have implications on research, policy, and practice in terms of foregrounding the implementation of the Employment Equity Act (Act 55 of 1998).

The study provides a depiction of the impact that the EEA had in its pursuit to ensure equity in the workplace and attempts to provide insight on the efficiency of the EEA. The study also determines whether the Department of Employment and Labour has accomplished the desired effects of the EEA. The limitations of the study are discussed in the next section, section 1.5.

1.5 LIMITATIONS

This study aims to comprehend the implementation of employment equity within the Department of Employment and Labour. It is vital to acknowledge that the findings may have limitations in terms of generalisability of the study. The study was limited to employees who are within salary levels 9 to 15 because these employees are primarily responsible for the implementation and management of employment equity policies within the Department of Employment and Labour. Although the focus on Salary Levels 9 to 15 provided in-depth insights into managerial perspectives, it is crucial to acknowledge that the findings may have limitations in terms of generalisability to lower organisational levels.

The data was gathered all at once, which may not capture changes or developments in employment equity practices and perceptions over time within the Department of Employment and Labour. The study was also specific to the Department of Employment and Labour in a particular region, which may limit the applicability of the findings to other regions or sectors.

1.6 PROBLEM STATEMENT

Since the promulgation of the Employment Equity Act, 1998 (Act 55 of 1998), many organisations in South Africa continue to struggle with the efficient implementation of employment equity measures (Oosthuizen, Tonelli and Mayer 2019:3). The enduring impact of apartheid policies has led to ongoing difficulties in eliminating workplace inequalities and achieving employment equity, particularly for designated groups such as individuals with disabilities and women (Ranchhod and Daniels 2021:2). While some organisations have made progress in meeting compliance standards, others are falling behind in achieving workplace equity and fully implementing EEA measures (Geldenhuys 2020:66).

According to the provisions of the Constitution of the Republic of South Africa (1996), disparities in employment and occupations need to be alleviated to achieve employment equity in South Africa. Since the Employment Equity Act, 1998 (Act 55 of 1998) was passed into law, positive strides have been made in some organisations, such as establishing consultative structures and reporting on compliance.

Some of the obstacles experienced in implementing the EEA, are implementing affirmative action measures for designated groups and achieving equity in the workplace. The designated groups were not equally treated and were halted from being appointed and promoted authoritative roles, in both the private and public sectors (Mabunda 2016: 6).

An overview of the obstacles experienced in the implementation of employment equity led the following problem statement for this study to be formulated:

There is a lack of achievement of the requirements of the Employment Equity Act, 1998 (Act 55 of 1998) which relate to the inclusion of the previously disadvantaged groups in the workplace.

This study is critical in evaluating the effectiveness of the Department of Employment and Labour's implementation of EEA. The problem statement raised a number of questions,

and the research attempts to answer these questions to offer potential solutions to the research statement. The following research questions are to be addressed:

- To what extent do employees believe that the Department of Employment and Labour complies with the Employment Equity Act, 1998 (Act 55 of 1998)?
- What are the challenges associated with the implementation of employment equity within the Department of Employment and Labour?
- Do the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998)?
- What mechanisms has the Department of Employment and Labour put in place to achieve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998)?

The research questions were employed to provide guidance and direct the focus to the study. The research objectives, which reveal knowledge in the field being investigated, are explained in the next section. The problem statement was articulated and used to guide and provide focus to the study. The study's objectives are covered in the following section, section 1.7.

1.7 RESEARCH OBJECTIVES

The main aim of this study is to provide the Department of Employment and Labour with awareness into its implementation of employment equity and to provide guidance on the areas the department should concentrate on to improve the execution of its employment equity programmes. In order to respond to the research questions that were raised in the foregoing discussion, the objectives of the study are as follows:

- To determine to what extent do employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (Act 55 of 1998).
- To analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour.

- To examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998).
- To explore the mechanisms that the Department of Employment and Labour has put in place to achieve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998).

To achieve the purpose of the study, the research was directed by the research objectives. In the next section to follow, the research methodology undertaken for the study is discussed.

1.8 RESEARCH METHODOLOGY

In this section, aspects of the research methodology that were undertaken for the study are discussed.

1.8.1 Research Design

The study adopted a mixed methods approach, selected based on the acknowledgment that the implementation of employment equity in the Department of Employment and Labour is a complex phenomenon. The decision to utilise the mixed-methods approach in the study was made with the understanding that quantitative methods provide numerical insights into trends and patterns, while the qualitative methods delve into the rich context and individual perspectives, resulting in a more complete understanding (Wasti et al. 2022:27).

Qualitative research is gathering and examining non-numerical data in order to investigate underlying meanings, patterns, and occurrences (Borgstede and Scholz 2021:7). In this study, qualitative methods, such as semi-structured questionnaires, were employed to fully convey the richness and depth of the experiences of the participants with employment equity. According to Creswell and Creswell (2017:45), qualitative research provides an in-depth exploration of complex phenomena, providing a contextual

understanding that is beyond numerical data. For this study, the mixed methods approach was relevant when exploring topics such as employment equity, where individual experiences and perceptions had a significant impact in shaping the overall landscape.

Quantitative research, in contrast, includes the gathering and examining of numerical data to identify correlations, patterns, and statistical trends (Aspers and Corte 2019:17). In this study, quantitative methods, including closed-ended questionnaires with Likert scales, were utilised to quantify views and attitudes of employees toward the Department of Employment and Labour's implementation of employment equity. The mixed methods design afforded flexibility and adaptability during the research process. The mixed methods ensured that the research design remained responsive to the evolving nature of the research questions (Creswell and Creswell 2017:45). Expertise in both quantitative and qualitative analysis was required, and the integration of findings demanded careful consideration to ensure coherence of the study.

1.8.2 Data Collection Method

According to Wessels (2018:241) a variety of techniques, such as focus groups, interviews, or electronically distributed questionnaires, could be employed to gather data. The research findings can be stated, corroborated, or reinforced by combining different data collection techniques (Heilbron 2019:19). The study used questionnaires (see Annexure B), which included close ended questionnaires on a Likert Scale of 1 to 5 (1-Strongly Disagree; 2-Disagree; 3-Neither Agree nor Disagree; 4-Agree; 5-Strongly Agree), as well as semi-structured questions which were open-ended.

As Yaddanapudi and Yaddanapudi (2019:12) stated, a questionnaire is a methodical approach with a series of questions intended to collect data from respondents in an organised manner. Kmetty and Stefkovics (2021:5) state that questionnaires serve as a data collection tool, allowing researchers to efficiently analyse data on participants' attitudes, opinions and experiences in a consistent and replicable manner.

In this study, questionnaires played a key role in efficiently gathering quantitative data. The use of closed-ended questions with measurement scales was designed to capture

structured responses, enabling a systematic and standardised approach to collecting information on employees' perceptions of employment equity implementation. The structured format of questionnaires aligned with the need to quantify and analyse employees' attitudes, opinions, and experiences related to employment equity. The data collection method through questionnaires allowed for the detection of patterns and trends within the data, contributing to a rigorous and systematic analysis of quantitative insights (Melnikovas 2018:29).

1.8.3 Data Analysis

According to Popenoe et al. (2021:13), data analysis is the process of examining and analysing gathered information to find patterns, make inferences, and get valuable insights for study. In this study, the data analysis phase was a crucial component of the research process, aiming to extract significant discoveries from the gathered data. A combination of quantitative and qualitative data analysis methods was employed, aligning with the mixed methods approach. The quantitative data analysis was essential for quantifying and summarising employees' attitudes towards employment equity implementation.

The quantitative data analysis allowed for the determining dominant trends, variations, and statistical relationships within the numerical data, contributing to a thorough comprehension of the quantitative aspects of the research questions (Kuehn and Rohlfing 2022:12). Qualitative data acquired from semi-structured questionnaires underwent thematic analysis as a technique for finding, analysing, and summarising patterns in data and offers a thorough, intricate, yet complex explanation of the data. The process of utilising thematic analysis involves creating or conceiving themes that are relevant to the respondents' situation (Wessels 2018:29).

Combining quantitative and qualitative data analysis techniques allows for a thorough and multidisciplinary evaluation of the study's findings (Creswell and Creswell 2017:17). By examining both quantitative trends and qualitative patterns, the study was designed to provide an overall comprehension of the multifaceted dimensions of employment equity

implementation within the Department of Employment and Labour. The target population and sampling selected for this study is discussed in the next section, section 1.8.4.

1.8.4 Population and Sampling

Nunoo (2020:63) defines population as all the components or objects that the research aims to comprehend. In research, the collective group of individuals or circumstances that meet the criteria to be included in research is referred to as the population from which a sample is drawn to make inferences about the broader group (Snyder 2019:22). The chosen population comprised of employees at Salary Level 9 to Salary Level 15, which presumed that individuals occupying these salary levels play critical roles in influencing and making decisions within the organisation. Although the study had hoped for a target sample of 50 employees for inclusion in the study, only 23 employees responded to questionnaires distributed.

The strategic selection of the target population provided a comprehensive view of the organisational structure of the Department of Employment and Labour, ensuring that the experiences and viewpoints of employees in decision-making positions were considered. Employees within salary levels 9 to 15 were more likely to have first-hand experiences with the practical aspects of employment equity strategies, making their insights relevant.

According to Fidahic et al. (2020:22), a portion of the population or items selected from a broader population to serve as a study's representative sample is known as a sample in research. In this study, the procedure of selecting a representative sample was a critical aspect of achieving the generalisability of the study's findings. For the purpose of this study, the stratified random sampling technique was chosen. A stratified random sampling technique was employed to derive a sample of 50 employees from the larger population within the Department of Employment and Labour. The stratified random sampling technique ensured a deliberate and systematic selection process, promoting diversity and comprehensive representation across various salary levels (Ahmed 2024:12).

A sample of the population was selected to offer the necessary details in order to generate trustworthy data that may be examined. The sampling approach ensured that the study

captured a broad range of perspectives. By stratifying the sample, the purpose of the study was to improve the findings' accuracy and precision. Stratifying the sample allowed for targeted insights into specific organisational tiers, enabling the study to discern patterns and variations in employment equity perceptions and practices.

1.8.5 Ethical Considerations

Ethical considerations are paramount in research, particularly when employing mixed methods and utilising multiple channels for questionnaire distribution (Wexler and Largent 2023:27). In this study, several ethical principles were adhered to, assuring the safety of research participants' rights and the process's general integrity. Prior to participation, participants were provided with clear information about the study's purpose, procedures, benefits and potential risks. Informed consent forms were distributed, explaining their willing involvement and the right to withdraw at any stage without consequences.

According to Wu et al. (2019:18-19), permission from the intended organisation to conduct research implies obtaining official authorisation from the organisational leadership to conduct the research. In this study, permission to carry out the study was obtained from the Head of the Department of Employment and Labour, underscoring the importance of institutional approval (see Annexure C).

In this study, participants' privacy was safeguarded through the use of pseudonyms instead of personal information from the data collection process. Safeguarding participant information is a component of confidentiality which aims to prevent unauthorised access, while anonymity ensures that participants' identities remain undisclosed (Dougherty 2021:11). The collected data was safely guarded and only the researcher had access to it. Any information that could potentially identify individual participants was treated with confidentiality with due regard to the importance of protecting privacy of the participants. The various elements of the research methodology that formed the basis of this study were discussed in section 1.8. In section 1.9, the key concepts and terms that are used throughout the study are clarified.

1.9 DEFINITION OF KEY CONCEPTS

Words have different meanings (Zhang et al. 2020:1), and to provide clarity, the essential terminology and key concepts used in the study's context are explained. Applicable concepts are provided for the purpose of ensuring that the objectives of this study are clear. The following key terms and concepts are defined below: Employment Equity, Affirmative Action, Designated and Non-Designated Groups, Unfair Discrimination versus fair Discrimination, Diversity Management and Economically Active Population.

1.9.1 Employment Equity

Employment equity refers to fair treatment in the workplace by ensuring that everyone has equal opportunities for employment, promotions and job benefits, irrespective of gender, race, disability, or other attributes. It aims to eliminate discrimination and promote diversity (Omar and Kiley 2022:2). According to Dima (2009:1), employment equity involves fairness through the elimination of prejudice based on attitudes and structures, attempts taken to achieve equity, as well as the preservation of a work environment that encourages diversity management. Utete (2022:142) outlined the objectives of employment equity as to eliminate unjust discrimination, encourage fairness and equal opportunity in the workplace, and implement affirmative action policies in order to attain equality in the workplace to redress injustices in the workplace experienced by designated groups. Employment equity is meant to establish a supportive atmosphere where employees receive equitable and fair treatment, irrespective of their culture, race, color and creed (Maclean, Geiger and Ned 2024:2).

Nunoo (2020:11) adds that EE is a transformative process that aims to provide all employees with fair and equal chances. This prejudice was applicable to prospects for professional advancement as well as to entering the workplace. This description suggests that an ideal workplace would support each employee in realising their full potential and refrain from unfair labour practices or discriminatory activities that have a detrimental impact. For the purpose of this study, employment equity in this study refers to a concept that provides preference to qualified individuals who experienced discrimination in the workplace in terms of job possibilities.

1.9.2 Affirmative Action

The White Paper on the Transformation of the Public Service (Department of Public Service and Administration 1995) defines Affirmative Action (AA) as a policy, initiative, or programme created to correct historical injustices and improve the lives of groups and individuals that have suffered because of their race, gender, colour, or disability. On the other hand, the White Paper on Affirmative Action in the Public Service (Department of Public Service and Administration 1998) defines AA as further remedial actions to combat unjust discrimination and guarantee historically underrepresented groups fully benefit from an inclusive work environment. Dibobo, Ngonyama-Ndou and Mncwabe (2022:173) defines AA as an approach to dealing with the unjust discrimination and inequality experienced by a designated group.

Burger, Jafta and von Fintel (2022:3) adds that affirmative action is a strategy for achieving employment fairness by correcting disparities and an approach of enabling the previously disadvantaged to be able to compete for employment opportunities. Pieterse (2023:6) defines affirmative action as the additional corrective measures needed to ensure that those who have historically suffered from unjust discrimination may fully benefit from an environment that is fair to employment. Contained in the above definitions and in light of this study, affirmative action is defined as a purposeful action taken to establish fair access to employment opportunities to create a conducive workforce in the workplace.

1.9.3 Designated and Non-Designated Groups

According to the Employment Equity Act, 1998 (Act 55 of 1998) Section 1, defines the designated groups as black people (including African, Coloured and Indians), women and people with disabilities who are citizens of the Republic of South Africa by birth or descent; or became citizens of the Republic of South Africa by naturalisation. The non-designated group would presumably be regarded as the white male in South Africa. In the context of this study, designated groups in this study refers to black people, women and whilst non-designated groups refer to the white male.

1.9.4 Discrimination

Discrimination is defined as any deliberate or inadvertent behaviour that negatively impacts employment prospects because of race, gender, colour, religion, disability, national origin and other factors (Gulliford 2019:173). Banaji, Fiske and Massey (2021:3) describes discrimination as:

- a) any discriminatory practice, opportunity limitation, or treatment that exacerbates, maintains, or does not address the disparities brought about by previous discriminatory policies,
- b) any unique rules or restrictions in employment eligibility or service conditions that don't stem from legal work requirements or the core values of equal opportunity and corrective action, and
- c) any behavior which may implicitly or explicitly display bias or stereotype toward any individual or group of individuals.

For the purpose of this study, discrimination is defined as the unfair prejudice toward different groups of people, particularly based on race, gender, age, sex, or disability.

1.9.5 Diversity Management

According to Yadav and Lenka (2020:903), diversity management fosters a supportive workplace where tolerance for individual differences may strengthen bonds and foster collaboration. In the context of this study, diversity management has been identified as one of the key strategies for ensuring the workforce's fair representation and achieving employment equity initiatives, which is necessary to provide the diverse population of South Africa with effective services. Maelane (2014:12) highlights the significance of diversity management in facilitating the smooth running of transformative processes within the context of Employment Equity Programmes. Diversity Management requires a supportive and conducive environment to both designated and non-designated groups.

One of the aims of the EEA is the formation of a diverse workforce within South African organisations. Inegbedion et al. (2020:2) define diversity management as a wide range of physical and cultural variations that make up the diversity of humankind. Mputa

(2016:23) defines diversity management as a planned, thorough, and methodical managerial procedure with the goal of creating an atmosphere in the workplace where each person may contribute to the organisation's strategic and competitive advantage. In the context of this study, diversity management is a planned and systematic approach that fosters a positive work environment by embracing physical and cultural differences, ensuring equitable representation, and supporting both designated and non-designated groups to contribute to the strategic goals of the organisation, particularly within the context of EE Programmes.

1.9.6 Economically Active Population (EAP)

The EAP involves the statistical data that Statistics South Africa releases in the Quarterly Labour Force Survey on the national and regional demographics of the population that is economically active (Dunn and Maharaj 2024:5). This includes individuals seeking work who are either employed or jobless. Report by Commission for Gender Equality (2024:5) mentions that the workforce distribution provides data on the overall population as well as the EAP of the four largest racial and gender groups in the nation. The EAP is pivotal for the setting of employment equity numerical goals.

The purpose of the EAP is to offer employers guidance to assist them in determining how to allocate resources and carry out any necessary follow-up actions to ensure a representative and equitable workforce. Employers use the EAP as a benchmark to assist them analyse their workforce and assess how underrepresented the designated groups are in the workforce. In accordance with this study, the EAP refers to a guide an employer may utilise while setting numerical goals and targets to attain a representative and equal workforce (Lundall and Bhorat 2018:22-25). In the next section 1.10, the chapter outline is discussed.

1.10 CHAPTER OUTLINE

This study is divided into five chapters which create a coherent unit to convey the dissertation's scope and the ways in which the different points of discussion advance. The chapters are summarised below:

Chapter One: Orientation of the Study

The first chapter provides a comprehensive orientation of the study and sets the context from which the subject matter is derived. It includes the research problem, offering an overview of the areas of concern that require further investigation. The motivation and relevance of the study are also discussed, emphasising its contribution and significance. The chapter concludes by outlining the study's purpose, research questions, and objectives.

Chapter Two: Literature Review

This chapter presents a detailed review of the literature relevant to the study, providing a foundation for understanding the current research landscape and supporting the present study.

Chapter Three: Research Design and Methodology

This chapter describes in detail the techniques and procedures utilised to carry out the study. It covers the research design and approach, sampling methods, study setting, and data analysis techniques.

Chapter Four: Data Analysis, Presentation, and Interpretation

In this chapter, the findings of the study are presented through a thorough analysis and discussion of the results. It provides a comprehensive explanation of the data obtained from open and close-ended questionnaires, along with analysis and interpretation in the context of existing literature.

Chapter Five: Conclusion and Recommendations

This chapter summarises the main findings of the study. Based on these findings, the study provides recommendations and draws conclusions to address the identified research problem.

1.11 CONCLUSION

The aim of the study was to uncover perceptions regarding the implementation of employment equity in the Department of Employment and Labour. The first chapter identified the purpose and motivation for the study regarding the implementation of the Employment Equity Act, 1998 (Act 55 of 1998) in the Department of Employment and Labour. The study's first chapter covered a variety of background information and introductory topics, the motivation and significance of the study, the limitations of the study, the problem statement and the research questions and objectives. The research methodology was explored after which terms and key concepts used in the study were clarified and a synopsis of the chapters was provided. The literature review is the main topic of the next chapter as it pertains to the Employment Equity Act, 1998 (Act 55 of 1998) and its broad implementation.

CHAPTER TWO

LITERATURE REVIEW ON EMPLOYMENT EQUITY IN SOUTH AFRICA

2.1 INTRODUCTION

A literature review is a strategy for locating, assessing, and interpreting previously recorded material that is transparent, systematic, and verifiable. The literature review's objective is to discover what proposals for further study are made and what kinds of research techniques have been applied in similar previous studies (Kumar 2014:51). In the first chapter, the problem statement was described, which is to determine the degree to which employment equity is established in the Department of Employment and Labour. The study design and methodology to be utilised were also discussed, as well as key concepts and terminology used throughout the study.

This chapter offers a background to the Employment Equity Act, 1998 (Act 55 of 1998) (hereafter referred to as the EEA) as well as the current state of the EEA's implementation in the South African setting. The literature review presents a background on employment equity in South Africa, which has evolved as a vital component of the nation's post-apartheid transformation agenda. The objective of the EEA is to correct historical inequalities and advance inclusivity in the workforce, particularly for historically disadvantaged individuals from designated groups (Mncwabe 2022:22). Although scholars suggest that progress has been made in the implementation of employment equity, it has been discovered that challenges remain in achieving a balanced workforce and this comprises of, but not restricted to, resistance, lack of awareness, socio-economic disparities, and limited enforcement mechanisms (Commission for Employment Equity 2022:12).

The legislative framework governing employment equity in South Africa is provided in this chapter as part of the mechanisms required that can administer the implementation of employment equity in South Africa's workplaces. In addition, the status quo on the implementation of employment equity is also be considered, which elucidates how

organisations have embraced principles of employment equity. Strategies towards the successful implementation of employment equity is also be explored.

The literature review proceeds to highlight perceptions towards employment equity as they can have a significant part in creating awareness on employment equity and promoting inclusive practices in the workplace. Various employment-related challenges are be discussed as crucial elements that might prevent the implementation of employment equity. The chapter concludes with examples of existing case reports which offer insight into challenges and proposed interventions of implementing employment equity in the workplace.

2.2 BACKGROUND TO EMPLOYMENT EQUITY IN SOUTH AFRICA

Before 1994, the place of employment was marked by instances of inequality, unjust treatment, and discrimination, resulting in industrial unrest (Horwitz and Jain 2011:17). The post-democracy era, beginning in 1994, saw the enactment of numerous labour regulations aimed at addressing issues of discrimination and fostering a manageable and conducive work environment for optimal performance (Mekwa 2012:1). According to the Western Cape Education Department's Employment Equity Plan for 2022 to 2023, the EEA has emerged as a key legislation driving transformative change within workplaces (Western Cape Education Department 2023:8).

The fundamental intention of the EEA is to advance equal opportunities and fair treatment by eradicating unjust discrimination and instituting provisions for ongoing positive transformation in the workplace (Thomas and Jain 2014:8). The EEA champions workplace equity, ensuring all individuals are granted equal prospects, necessitating organisations to treat their employees uniformly. Under the EEA, employees are shielded from mistreatment and all forms of discrimination. Employers are legally prohibited from discriminating against employees in light of elements such as gender, race, marital status, sexual orientation, disability, age, spirituality, HIV status, moral beliefs, political stance,

language, cultural heritage, or place of birth (Western Cape Education Department 2023:8).

The EEA endeavours to rectify historical injustices through the application of Affirmative Action (hereafter referred to as AA). Section 6 of the Employment Equity Act, 1998 (Act 55 of 1998), state that supporting AA within compliance or favouring or excluding individuals based on job requirements does not qualify as unfair discrimination. Makgoba (2014:14) asserts the importance of maintaining diversity management to foster a positive work environment where embracing differences contributes to enhanced teamwork and unity.

Diversity management encompasses acknowledging human variations and similarities to cultivate harmonious working relationships aligned with a shared objective (Yadav and Lenka 2020:1). According to Darby (2020:13) and Mekwa (2012:16), effective diversity management involves collaborating with people from diverse backgrounds in a manner that maximises their potential while pursuing organisational goals, free from disadvantages unrelated to their competence. As noted by a press release from the International Labour Organisation (2022:15), effective diversity management empowers women, disabled individuals and minorities to realise their full potential. Workplace diversity refers to the array of distinctions among individuals constituting an organisation's workforce. Distinctions stem from various attributes including, but not limited to, demographic factors, educational history, work experience, and cultural background. Embracing workplace diversity transcends quota fulfilment as this entails cultivating an environment of inclusivity where employees are valued and empowered (Chaya 2021:1).

Dikane (2016:6) observes that numerous legislations have undergone transformation post the first democratic elections in 1994, leading to the creation and modification of new laws aimed at rectifying historical imbalances and fostering equality and unity among all citizens. Matotoka and Odeku (2021:17) also underscore that achieving workplace equality is a challenge due to disparities in education and skills among South Africans. The apartheid era resulted in marginalised groups receiving sub-standard education and skills due to discriminatory practices like exclusion from the education system. To address

disparities experienced in employment and encourage fair competition in the employment sector, substantive equality is imperative. Albertyn (2018:1) defines substantive equality as an essential principle of human rights law advocating fair results and opportunities for progress for disadvantaged and marginalised segments of society. Substantive equality recognises that to achieve equal results for fundamental human rights, opportunities, and access to services and resources, the law needs to consider factors such as marginalisation, discrimination, and unequal distribution to services and resources.

Following the enactment of the Employment Equity Act, 1998 (Act 55 of 1998), organisations were expected to eradicate injustices of the past caused by the apartheid era and to advance fairness and equal opportunity in the workplace. Consequently, the long history of apartheid, the workplace in South Africa is characterised as comprising of racial, gender and occupational discrimination. A significant piece of legislation that brings about transformation in workplace, is the Employment Equity Act 1998, (Act 55 of 1998). In section 2.3, the historical background of employment equity in South Africa is dealt with.

2.3 HISTORICAL BACKGROUND OF EMPLOYMENT EQUITY IN SOUTH AFRICA

South Africa's historical narrative remains rife with indications of deep-seated challenges such as inequality, segregation, discrimination, and marginalisation. The realities of marginalisation took root following the apartheid state's formation in 1948, a regime that, as noted by Maphumulo and Bhengu (2019:2), advanced the interests of the White population while adversely affecting other racial groups. Strauss (2019:2) further elucidates that for years, the apartheid system excluded individuals, especially people with disabilities and women, from political, social, and economic participation. As elaborated by Bantjes, Swartz and Niewoudt (2017:2), apartheid, enforced in South Africa from 1948 to the early 1990s, was an institutionalised framework of racial segregation and discrimination, particularly oppressive towards the black community. This manifested in the classification of the population into categories such as White, Black, Coloured, and Indian, dictating separation across various spheres of life such as residence, education,

employment, healthcare, and public facilities, including beaches, parks, and transportation.

The early 1990s marked a turning point, prompted by internal and external pressures as well as negotiations between the apartheid government and the African National Congress (hereafter referred to as ANC), leading to the dismantling of apartheid (Bantjes, Swartz and Niewoudt 2017:2). South Africa held its inaugural democratic, non-racial elections in 1994. The elections symbolised the abolition of apartheid the commencement of a new era characterised by inclusivity, reconciliation, and nation-building.

The end of the apartheid era also saw transformation within the South African labour market, as efforts were directed towards rectifying labour disparities and enhancing overall working conditions, signifying a fundamental human rights issue for every South African (Gradín 2018:3).

Campbell (2019:5) emphasises that South Africa is still grappling with a legacy in which government and the private sector were structured to economically, socially, geographically, and racially segregate citizens, privileging a minority, primarily Whites, in resource access and development. Within this context, previously marginalised groups were believed to benefit from employment equality to counter historical injustices caused by apartheid laws, which systematically excluded the marginalised groups from full citizenship rights. Consequently, the marginalised populations were left behind in terms of educational levels as compared to their non-marginalised counterparts (Strauss 2019:3). Apartheid legally classified people into racial groups, spatially and rigidly dividing Blacks, Indians, and Coloureds from each other. This meant that even if residing in South Africa, marginalised groups were denied voting rights and any governance influence (Pillay 2021:3). Post-1994, South Africa underwent a series of transformative processes, transitioning from an apartheid government system to a democratic one (Wasserman 2020:5).

The Employment Equity Act, 1998 (Act 55 of 1998), which calls for the prohibition of unfair discrimination against employees and requires all employers to implement affirmative action programmes to ensure that appropriately qualified individuals from specified

groups have equal chances for employment, was the most visible response to achieving equality and representation in the public service. According to Geldenhuys (2020:8), affirmative action is required to offset the consequences of many years of prejudice against specific populations. In response to the imperative of achieving equality and representation, the EEA emerged as a cornerstone. The Act mandates the eradication of unfair discrimination against employees and mandates all employers to implement AA programmes to ensure equitable job opportunities for those who meet the qualifications from specific groups. Pinyane (2020:5) underscores that AA is crucial in counteracting the repercussions of long-standing prejudices.

One of the most prominent challenges of the government that took power after 1994 has been to convert the public sector into an efficient and effective tool capable of providing equal services to all citizens while driving the country's economic and social progress. The ability to transform the public sector was severely hampered by the history of inequitable prejudice, ineffectiveness, and division based on race and gender, as well as the exclusion of people with disabilities (Ebrahim 2018:3). According to Jahn (2022:19), the post-apartheid administration has been striving to correct the injustices of the past, though many obstacles have stood in the way, including opposition from some of the white populace who gained from apartheid.

The South African employment equity's historical context was presented in section 2.3 to provide an understanding of the study's basis with indications of deep-rooted challenges such as inequality, segregation, discrimination, and marginalisation that need to be eradicated by the promulgation of the Employment Equity Act, 1998 (Act 55 of 1998). In the next section, section 2.4, the focus is on the body of laws governing employment equity in the South African context. The 1990s saw the introduction of several new laws, which altered South Africa's legislative and regulatory structures, and these applicable laws are dealt with.

2.4 LEGISLATIVE FRAMEWORK ON EMPLOYMENT EQUITY IN SOUTH AFRICA

Certain regulations are provided by legislation that must be upheld in the daily functioning of organisations. A number of laws have been passed to significantly transform the face of employment equity in South Africa, influencing and affecting the manner in which organisations have to transform the place of work. Employment equity in South Africa pertains to a collection of legislative framework and policies aimed at promoting equal opportunities and fair treatment for all citizens in the workplace, with a specific focus on addressing historical imbalances related to gender, race, and disability. Legislative framework has been promulgated to redress the inequalities established by apartheid and to build a more inclusive and diverse workforce in the country.

The various legislative prescripts that influence the implementation of employment equity are explained throughout this section, section 2.4. The legislation applicable to this study are considered individually to indicate the roles and functions within employment equity, in particular Republic of South Africa's Constitution, (1996), the Employment Equity Act, 1998 (Act 55 of 1998), the White Paper on the Transformation of Public Service (WPTPS 1995), the White Paper on Affirmative Action in the Public Service, (WPAAPS 1998) and the Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003).

2.4.1 The Constitution of the Republic of South Africa, (1996)

The Constitution of the Republic of South Africa, 1996, is the supreme law of the country, serving as the foundation for its democratic and constitutional order. The South African Constitution was ratified and came into effect on February 4, 1997, marking a noteworthy milestone in South Africa's history as the constitution and replaced the previous apartheid-era constitution. The Constitution of the Republic of South Africa promotes employment equity through several key provisions and principles that preserve the principles of non-discrimination, equality and social justice. While the Constitution does not directly mandate specific employment equity measures, the Constitution lays the groundwork and provides the constitutional framework for legislation and policies aimed at promoting employment equity (Geldenhuys 2020:2). Below is a description of how the Constitution supports employment equity:

2.4.1.1 Non-Discrimination and Equality

The Constitution's Bill of Rights protects the right to justice and outlaws' discrimination based on a number of factors, including race, religion, gender, and social origin. The Constitutional commitment to equality lays the foundation for laws such as the EEA, which aims to address historical disadvantages and promotes equitable representation in the workplace (Kok 2017:1).

2.4.1.2 Affirmative Action

While the Constitution does not explicitly mandate AA, the requirement for transformative measures to address historical imbalances and promote equality are acknowledged. The Constitution recognises that promoting equal opportunities may require taking proactive steps to attain substantive equality, which aligns with the principles of AA in employment (Akala 2019:3).

2.4.1.3 Rights of Workers

The rights of workers are protected through the Constitution, including the right to fair labour practices, reasonable and beneficial working conditions, and the ability to sign up for trade unions. The provisions of the Constitution contribute to the understanding of the significance of inclusive and equitable employment practices (Geldenhuys 2020:2).

2.4.1.4 Social Justice and Transformation

The Constitution emphasises the promotion of social justice and transformation in different spheres of society, including the economy. Employment equity is an essential component of transformative efforts to address historical disparities and to make sure that everyone has equitable access to employment opportunities and career advancement (Ntombela and Setlhodi 2021:1).

2.4.1.5 Access to Courts

The Constitution provides for the right to access courts to seek redress for infringement of rights. Individuals who experience prejudice in the workplace can turn to the courts for remedies and challenge discriminatory practices (Geldenhuys 2020:3).

The Constitution of the Republic of South Africa provides the legal and constitutional foundation for promoting employment equity through its tenets of non-discrimination and equality, social justice, and transformation. While the Constitution does not impose specific employment equity measures, the Constitution sets the stage for the enactment of legislation such as the Employment Equity Act, 1998 (Act 55 of 1998), which seeks to build a workforce that is more representative and inclusive. and address historical imbalances in the employment sector.

2.4.2 The Employment Equity Act, 1998 (Act 55 of 1998)

According to Kekana (2019:9), the EEA, is an important piece of legislation in South Africa that seeks to advance fairness and equal opportunity in employment and address historical discrimination in the workplace. The Act was enacted to achieve greater workplace diversity and develop a society that is more equal by addressing the historical inequities of the past. Kekana (2019:10) cites the following key provisions and principles of the EEA:

2.4.2.1 Prohibition of Unfair Discrimination

Chapter 2, Section 6(1) of the Employment Equity Act, 1998 (Act 55 of 1998) prohibits unfair discrimination on various elements, including sex, race, gender, pregnancy, marital status, family responsibility, disability, and others. It also prohibits discrimination in job advertisements and application forms.

2.4.2.2 Affirmative Action Measures

Chapter 3, Section 15 of the Employment Equity Act, 1998 (Act 55 of 1998) requires designated employers (employers who meet certain criteria based on workforce size or

turnover) to implement AA measures. AA measures aim to address underrepresentation of designated groups (Women, Blacks and persons with disabilities) in the workplace.

2.4.2.3 Employment Equity Plans

Chapter 3, Section 20 of the Employment Equity Act, 1998 (Act 55 of 1998) indicates that designated employers must develop and implement employment equity plans that set out objectives, targets, and strategies to achieve fair representation of designated groups across all occupational levels.

2.4.2.4 Reporting Requirements

Chapter 3, Section 21 of the Employment Equity Act, 1998 (Act 55 of 1998) highlights that designated employers must provide the Department of Employment and Labor with yearly employment equity reports. The reports include specifics on the steps taken to carry out their strategies for employment equity.

2.4.2.5 Code of Good Practice on Employment Equity

The EEA is supported by a Code of Good Practice in Chapter 6, Section 54 of the Employment Equity Act, 1998 (Act 55 of 1998) that provides practical guidelines and principles to assist employers in implementing employment equity effectively and in accordance with the law.

2.4.2.6 Prohibition of Retaliation

Chapter 5, Section 51 of the Employment Equity Act, 1998 (Act 55 of 1998) prohibits retaliation or victimization against employees who exercise their rights or participate in employment equity processes.

2.4.2.7 Equal Pay for Equal Work

Section 6(4) of the Employment Equity Act, 1998 (Act 55 of 1998) requires employers to ensure equal pay for employees who perform similar or almost identical tasks, or tasks of comparable value, regardless of their race or gender.

2.4.2.8 Remedies and Penalties

Section 50 of the Employment Equity Act, 1998 (Act 55 of 1998) empowers the Labour Court to grant various remedies, such as compensation or reinstatement, to victims of unfair discrimination. Employers who do not adhere to the EEA's requirements may face penalties and fines.

Nonoo (2020:9) suggests that EEA is applicable to both the private and public sectors and is suitable to employers and employees in South Africa. Compliance with the EEA's requirements is mandatory for designated employers, and failure to adhere to its provisions can result in severe consequences, including fines and reputational damage. In relation to this study, the EEA displays South Africa's commitment to promoting equal opportunities and redressing historical imbalances in the workplace. Employment practices are significantly shaped by the EEA, fostering diversity and inclusion, and creating a more equitable society.

2.4.3 The White Paper on the Transformation of Public Service (WPTPS 1995)

According to Jarbandhan (2022:6), the White Paper on the Transformation of the Public Service (hereafter referred to as WPTPS) was a policy document published in 1995 by the government of South Africa. It outlined the vision and strategic direction for changing the public service post the apartheid era. The WPTPS aimed to create a public service that is efficient and effective, and representative of the diverse South African population. Jarbandhan (2022:7) cites the following key objectives and principles of the White Paper on the Transformation of the Public Service (WPTPS):

2.4.3.1 Non-Racial and Non-Sexist Public Service (Chapter 10, Section 10.1)

WPTPS emphasise the requirement to develop a public sector that is free from racial and gender discrimination. The WPTPS sought to build a non-racial and non-sexist public service that is inclusive and representative of South Africa's diverse demographics.

2.4.3.2 Equitable Access to Public Services (Chapter 10, Section 10.1)

The WPTPS attempts to warrant that all citizens, regardless of race or socio-economic background, have equitable access to public services and resources.

2.4.3.3 Service Delivery Orientation (Chapter 2, Section 2.1)

The WPTPS emphasises a shift towards a service delivery orientation within the public service. The WPTPS intended to improve service delivery effectiveness and efficiency.

2.4.3.4 Developmental Role of Public Service (Chapter 1, Section 1.4)

The White Paper recognises the public service's role in supporting the socioeconomic development of the country. The WPTPS is meant to align the public service with the goals of national development and transformation.

2.4.3.5 Professionalism and Accountability (Chapter 2, Section 2.1)

The WPTPS highlights the significance of professionalism and accountability within the public service. The WPTPS aims to encourage an accountable culture, transparency, and ethical conduct among public servants.

2.4.3.6 Skills Development and Capacity Building (Chapter 13, Section 13.3)

The WPTPS emphasises the need for skills development and capacity building within the public service. The WPTTPS seeks to enhance the competencies and capabilities of public servants to improve service delivery.

2.4.3.7 Decentralisation and Devolution of Authority (Chapter 9, Section 2.1)

According to Chapter 9, Section b, the WPTPS advocates for the decentralisation and delegation of power to lower governmental levels. The WPTPS intends to empower frontline public servants and promote responsive decision-making.

2.4.3.8 Transformation of Management and Human Resource Practices

According to Chapter 9, Section (b), the White Paper called for the transformation of human resource practices and management within the public service. The WPTPS seeks to address imbalances in employment and promote representation throughout the public service hierarchy.

2.4.3.9 Public Participation and Consultation (Chapter 1, Section 1.5)

The WPTPS highlighted the prominence of public participation and consultation in shaping public service policies and programmes. The WPTPS aims to involve citizens in the decision-making processes.

The WPTPS provides a comprehensive framework for the transformation of the public service in South Africa. It lays the foundation for subsequent policy initiatives and legislative reforms to ensure an inclusive, efficient, and service-oriented public service following the end of apartheid (Sebolo 2019:5). The WPTPS focuses on creating a non-racial and non-sexist public service, ensuring fair service delivery to all citizens.

The WPTPS emphasises efficient and effective service delivery, aligning with national development goals. The WPTPS promotes professionalism, skills development, and accountability among public servants. Additionally, the WPTPS advocates for decentralisation to empower frontline workers and encourages public participation in decision-making for a more responsive government.

2.4.4 The White Paper on Affirmative Action in the Public Service (WPAAPS 1998)

According to Naidoo (2017:7), April and Govender (2022:8-9), and Dibobo, Ngonyama-Ndou and Mncwabe (2022:3-4), the White Paper on Affirmative Action in the Public Service (hereafter referred to as WPAAPS) addresses employment equity within the public service by providing strategic direction and guidelines for implementing AA measures. The WPAAPS focuses on promoting representativity, equal opportunities, and fairness, according to the broader employment equity objectives of the South African

government. Below are key approaches regarding how the WPAAPS addresses employment equity:

2.4.4.1 Promotion of Representativity

According to Chapter 2, Section (i), WPAAPS emphasises the need for representativity of designated groups (African, Coloured, Indian, and disabled individuals) at all levels of the public sector. The WPAAPS sets the objective of creating a public service that is diverse and reflects the demographic composition of South Africa (Naidoo 2017:7).

2.4.4.2 Equitable Recruitment and Promotion (Chapter 2, Section 2.5):

The WPAAPS calls for equitable appointment and promotion practices within the public service. According to April and Govender (2022:8-9), the WPAAPS discourages any discriminatory practices and encourages selection and advancement focused more on skill and merit than on elements such as gender, race or disability.

2.4.4.3 Affirmative Action Plans

Government departments and public service entities must develop and implement AA plans in accordance with WPAAPS, Chapter 3, Section (i). Specific measures and strategies to achieve employment equity goals are outlined in AA plans, including targets for the representation of designated groups in various occupational levels and functions (Naidoo 2017:8).

2.4.4.4 Skills Development and Training (Chapter 1, Section 1.4)

The WPAAPS emphasises the significance of skills development and training initiatives to augment the capabilities of designated groups. In the public service, the WPAAPS encourages equitable access to training opportunities and career development initiatives (April and Govender 2022:9).

2.4.4.5 Career Advancement and Leadership (Chapter 3, Section 3.32)

The significance of providing opportunities for designated groups to advance in their careers and participate in leadership positions is acknowledged by the WPAAPS. According to Dibobo, Ngonyama-Ndou, and Mncwabe (2022:3), the WPAAPS promotes the public service to offer mentorship, empowerment, and a conducive environment for professional development.

2.4.4.6 Monitoring and Reporting

Regular monitoring and reporting on the application of AA measures is crucial, as highlighted by the WPAAPS. Departments and entities are required to assess their performance, identify areas of improvement, and submit reports to higher authorities (April and Govender 2022:9).

2.4.4.7 Commitment to Non-Discrimination

According to Chapter 1, Section (v), the WPAAPS reiterates the commitment of the public service to be non-sexist, non-racial, and free from all forms of discrimination. According to Dibobo, Ngonyama-Ndou and Mncwabe (2022:4), the WPAAPS emphasises the value of fostering an inclusive and respectful workplace culture.

The White Paper on AA in the Public Service aligns with the broader employment equity objectives in South Africa by focusing on AA measures specifically within the public service. The WPAAPS strives to establish a public service that is representative of the country's diversity, provides equitable opportunities to all employees, and addresses historical imbalances to cultivate a workforce that is more inclusive and impartial.

2.4.5 Broad-Based Black Economic Empowerment Act (B-BBEEA)

The Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003) (hereafter referred to as B-BBEEA) is a significant piece of legislation in South Africa aimed at encouraging economic change and empowering individuals that have been disadvantageous historically, particularly Black people, in the country's economic activities (Shai, Molefinyana and Quinot 2019:3); Dreyer, Viviers and Mans-Kemp

(2021:10); Van De Rhee (2022:86). According to these scholars, key objectives and principles of the Broad-Based Black Economic Empowerment Act include:

2.4.5.1 Broad-Based Approach

According to Section 11(2), paragraph b, the Act adopts a broad-based approach to empowerment, aimed at benefiting a wide spectrum of Black individuals, including Africans, Coloureds, Indians, and disabled individuals (Dreyer, Viviers and Mans-Kemp 2021:10-11).

2.4.5.2 Promoting Economic Transformation

Objective (a) of the B-BBEE Act aims to promote economic transformation and increase the involvement of Black people in many economic sectors to overcome the historical inequalities created by policies from the apartheid period. (Shai, Molefinyana and Quinot 2019:3).

2.4.5.3 B-BBEE Scorecard

Issued under Section 9, the Act introduced a B-BBEE scorecard system, which measures the level of empowerment of businesses and entities. The scorecard evaluates various components, including ownership, skills development, management control, socio-economic development and enterprise and supplier development (Dreyer, Viviers and Mans-Kemp 2021:10-11).

2.4.5.4 B-BBEE Codes of Good Practice

Issued under Section 9(1) Schedule (1), the Department of Trade, Industry, and Competition (DTIC) developed B-BBEE Codes of Good Practice that provide guidelines for implementing empowerment programmes in accordance with the objectives of the Act (Dreyer, Viviers and Mans-Kemp 2021:11).

2.4.5.5 Black Ownership and Participation

According to Section 11(2) paragraph (b), the Act encourages and incentivises businesses to increase black ownership and participation in the management and ownership of companies (Dreyer, Viviers and Mans-Kemp 2021:11).

2.4.5.6 Skills Development

In terms of Section 5 (5.1.1), businesses are encouraged to invest in skills development initiatives to improve the skills and capabilities of black employees and unemployed individuals (Dreyer, Viviers and Mans-Kemp 2021:12).

2.4.5.7 Socio-Economic Development

According to Section 9, Schedule (1), the Act promotes corporate social responsibility by encouraging entities to contribute to socio-economic development projects and initiatives that benefit disadvantaged communities (Van De Rhee 2022:86).

2.4.5.8 Enterprise and Supplier Development

In terms of Section 9 (9.1.12), entities are encouraged to support and develop black-owned enterprises and suppliers, contributing to their growth and sustainability (Dreyer, Viviers and Mans-Kemp 2021:12).

The B-BBEE plays a crucial role in advancing economic transformation in South Africa, empowering those who have been historically disadvantaged, and promoting inclusivity and equality in the business landscape. Compliance with the Act and achieving a favourable B-BBEE score is often an essential consideration for businesses operating in South Africa, particularly when placing bids for government contracts or conducting business with other entities.

Legislative frameworks collectively aim to transform South Africa's workplace landscape, ensuring that historically marginalised minorities are given equal opportunities for employment and career advancement. Compliance with legislation is essential for organisations operating in South Africa, as the lack of compliance can result in penalties

and legal consequences. Legislative frameworks present an imperative role in advancing social and economic justice in the country by resolving historical injustices and promoting inclusion and diversity in the workforce. In the next section, section 2.5 the current state of employment equity implementation in the labour sector is explored with a view to understand how organisations are implementing employment equity.

2.5 STATUS QUO OF THE IMPLEMENTATION OF EMPLOYMENT EQUITY ACT

The implementation of the EEA within the labour sector stands as a pivotal yet complex undertaking pursuing the goal of fostering inclusivity and equal opportunities. Enacted to address historical workplace inequalities, the EEA reflects society's commitment to rectify systemic disparities. As organisations navigate the multifaceted landscape of diversity, challenges have emerged alongside progress.

Understanding the status quo of the EEA's implementation necessitates a comprehensive examination of how organisations have embraced principles of the EEA, the obstacles organisations encounter, and the overall impact of creating a just and representative work environment. According to published reports in the sphere of employment equity, the status quo of the implementation of EEA reflects the following:

2.5.1 Reports and coverage by province, business type and sector

The data received from the Commission for Employment Equity (hereafter referred to as CEE) (Commission for Employment Equity 2023:34-35) concerning reports of designated employers present insightful patterns across provinces, business type, and sectors. An employer whose annual total turnover is as specified in Schedule 4 of the Act, or who employs fifty or more individuals is considered a designated employer. Gauteng, Kwa-Zulu Natal and Western Cape emerge as the foremost contributors to this reporting, aligning with their roles as South Africa's primary economic centres. Gauteng, boasting the highest number of reporting employers at 43.7%, also encompasses the largest workforce coverage at 48.4%. In contrast, the Northern Cape represents the lower end with 1.5% of reports and a correspondingly 1.2% coverage of employees. The analysis

underscores the Private Sector's predominant position, employing 73.3% of the nation's workforce, followed by Government entities at 16.3%, reinforcing the Private Sector's role in driving labour market transformation (Commission for Employment Equity 2023:34-35).

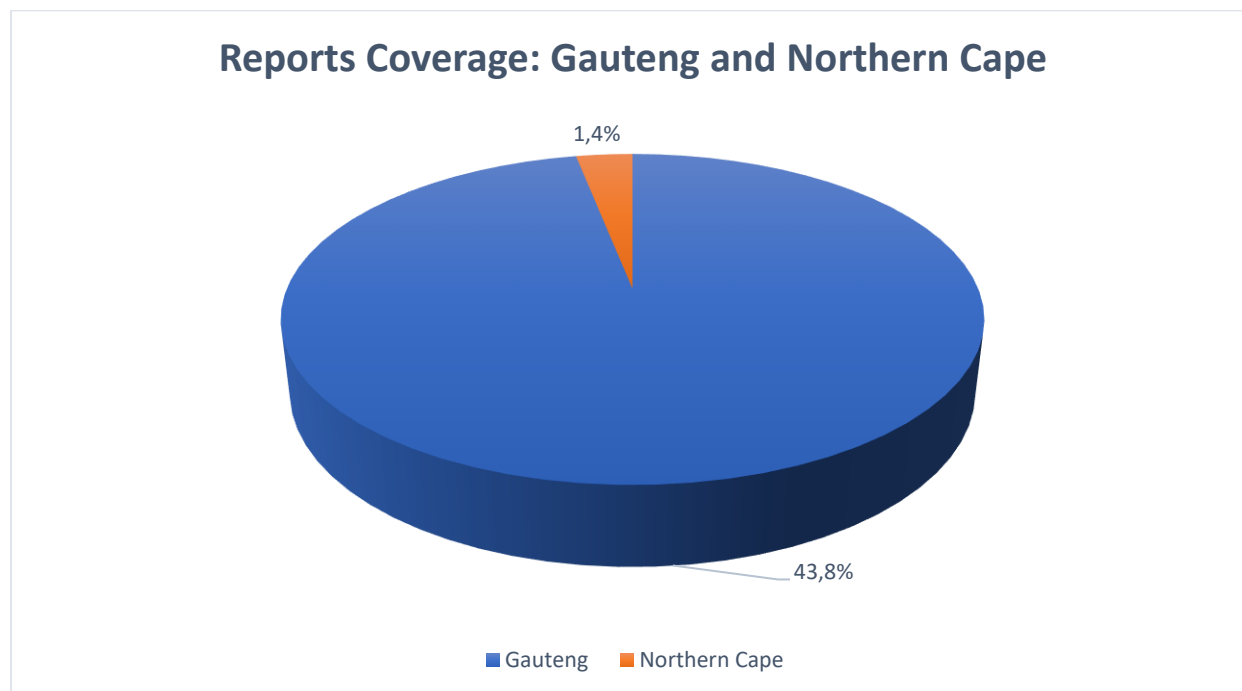
In comparison with the Commission for Employment Equity report (Commission for Employment Equity 2022:40-45) for 2022 and 2023, the report revealed that, Western Cape, Gauteng and KwaZulu-Natal stand out as the top three provinces in relation to both the highest number of reports submitted and the number of employees covered. Gauteng, Western Cape, and KwaZulu-Natal are widely recognised as South Africa's major economic centres. Gauteng, in particular, boasts the highest percentage of reporting employers at 43.8%. On the contrary, the Northern Cape exhibits the lowest number of reports, indicating that Northern Cape has the smallest proportion of designated employers at 1.4%.

The report indicates KwaZulu-Natal, Western Cape, Northern Cape, and Gauteng are the compliant provinces in terms of implementation and reporting in line with the EEA. In comparing the previous 2021/2022 previous report and the current 2022/2023 report, the current report demonstrates an improvement among Gauteng, Western Cape, and KwaZulu-Natal in terms of EEA requirements (Commission for Employment Equity 2022:40-45). Now also compare what the 2 reports say. The 2021/2022 report indicates that with 43.8% of reporting employers, Gauteng has by far the greatest percentage. The Northern Cape has the least number of reporting employers, suggesting that it has the least number of designated employers (1.4%) (Commission for Employment Equity 2022:20).

The 2022/2023 report signals that the Northern Cape has the smallest number of reports (1.5 %) covering the lowest number of employees (1.2%). Gauteng has the highest number of reporting employers (43.7%) covering the highest number of employees (48.4%) (Commission for Employment Equity 2022:34).

The below figure indicates the analysis of reports for Gauteng and Northern Cape.

Figure 2.1: Analysis of reports and coverage - Gauteng and Northern Cape



Adapted from: Commission of Employment Equity (CEE) 2021/2022 & 2022/2023

As can be seen from the above, the provinces that are most compliant with the EEA requirements for implementation and reporting for the 2023 reporting period are Kwa-Zulu-Natal, Western Cape, and Gauteng. Gauteng has the greatest proportion of workforce reporting, at 43.8%. and the Northern Cape, with 1.4%, has the lowest workforce reporting. In the next section, section 2.5.2, diversity in top management is be discussed.

2.5.2 Diversity in top management: by population group

Examination of workforce demographics at Top Management level unveils noteworthy disparities in terms of population group representation, gender distribution, and inclusion of persons with disabilities. In the CEE annual report for 2022/2023 (Commission for Employment Equity 2023:37), the White population group commands 62.9% of Top Management positions, while the African population group's representation at this level

is 16.9%, reflecting an imbalance in representation. Similarly, gender diversity remains a challenge, with males substantially outnumbering females at Top Management, a divide more pronounced in the private sector. Government displays greater progress in gender diversity, though the government has not reached parity with EAP figures. The report acknowledges a 3% representation of Foreign Nationals at this level (Commission for Employment Equity 2023:37).

According to the Gender Equality Commission Report 2023 annual report (Gender Equality Commission Report 2023: 56), the private and public sector demonstrates a similar scenario to that published by the CEE. Middle, senior and top management levels are dominated by the representation of White persons at over 60% average. Similarly, the representation of African, Coloured and Indian persons is dominant at the lowest position, being the junior management, semi-skilled and unskilled levels (Gender Equality Commission Report 2023: 56). The Commission for Employment Equity (CEE) report, states that White males are disproportionately overrepresented in top management positions across the majority of business categories (Commission for Employment Equity 2020:68-70). The private sector and education institutions, for example, is over-represented by the White population group, both White male and female, at Top Management level (Commission for Employment Equity 2020:68-70).

According to the Department of Public Service and Administration (hereafter referred to as DPSA), the 2021/2022 annual report on employment equity, Senior Management Service (hereafter referred to as SMS) and top management occupational level in the Public Service are still dominated by males. However as opposed to the private sector, Africans are in the majority, followed by Whites, Coloured and Indians.

The majority of Senior Management level members in the public service are between the ages of 40 and 64, with those below the age of 35 in the minority (Annual Report on Employment Equity in the public service 2021/2022:34). According to the International Labour Organisation (2018:3), women are less likely than males to be employed in decision-making positions in addition to having lower rates of participation in the labour market.

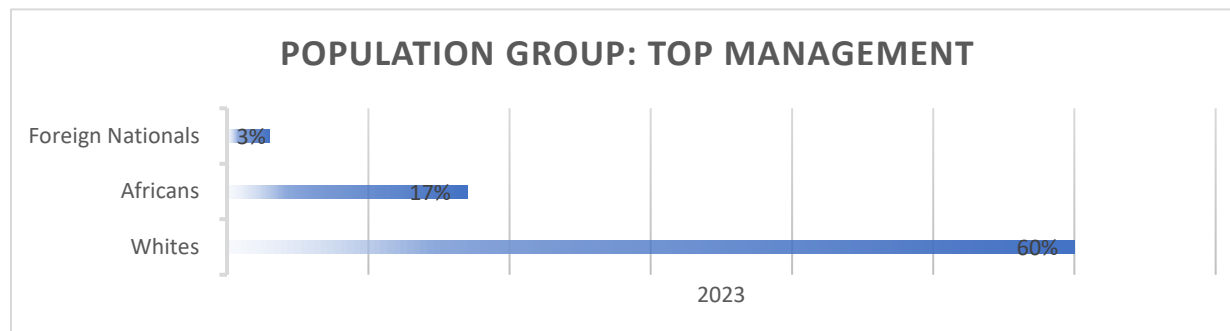
The Commission for Employment Equity report (Commission for Employment Equity 2022:42) indicates that there is still under representation of the African population at Senior Management level in certain employment sectors. The report also shows an under-representation of the African and Coloured population groups at top management occupational level (Commission for Employment Equity 2022:43). Males are dominating at top management level and Whites are in the majority. The report demonstrates that there was a decline in the representation of White people in both genders between end of March 2021 and the end of March 2022 (Annual Report on Employment Equity in the Public Service 2021/2022:37).

The representation of Foreign Nationals appears to remain consistent at around 3.0% at Top Management level (Commission for Employment Equity 2023:30). There is high representation of Foreign Nationals indicated (6.4%) at the Top Management level, especially in Non-Profit Organisations. Government exhibits notable advancement in affirming designated groups, particularly the African population group, which stands at 73.2% representation. The private sector falls behind at 13.8%. The Private Sector employs the majority of Foreign Nationals at this level, accounting for 3% of the workforce (Commission for Employment Equity 2023:38).

The above data indicates that the White population group dominates in top management; however, in contrast with the private sector, African males are perceived as being in the majority in top management within the public sector.

The below figure depicts the analysis of Top Management by Population Group.

Figure 2.2: Analysis of Top Management by Population Group



Adapted from Commission for Employment Equity (CEE) 2019/2020, 2020/2021, 2021/2022, 2022/2023, Gender Equality Commission Report 2022/2023, Annual Report on Employment Equity in the Public 2021/2022

Males in general are substantially more than females at Top Management in both the public and private sector. The representation of African, Indians and Coloureds prevails in the lowest echelons of the workforce. Foreign nationals account for an average of 3% of the workforce from 2019 to 2023.

The work environment provides a setting for deep human interaction across gender, race, skills and education. It is therefore important to ensure the equitable representation of designated and non-designated groups in the workplace. In the next section, 2.5.3, disabilities and gender at top management are discussed.

2.5.3 Representation of disabilities and gender at top management

The analysis of employees with disabilities in Top Management reveals a stark underrepresentation, comprising only 1.7% at Top Management. The Private Sector demonstrates comparatively better inclusion of employees with disabilities than the Government, though the difference, albeit modest (0.3%), highlights the Private Sector's commendable strides in this domain. In terms of gender, the DPSAs annual report for 2021/2022 illustrates that there was a reduction in males in the public service and a rise in females in the SMS band between 2019 and 2022. The number of departments

reaching the 50% mark for female representation at the SMS level fell by two from 41 to 39 at the end of March 2022. Provinces with the highest percentage of departments having met the 50% threshold are Gauteng, Eastern Cape and KwaZulu-Natal followed by Northern Cape, North-West and Western Cape (Annual Report on Employment Equity in the Public Service 2021/2022: 36).

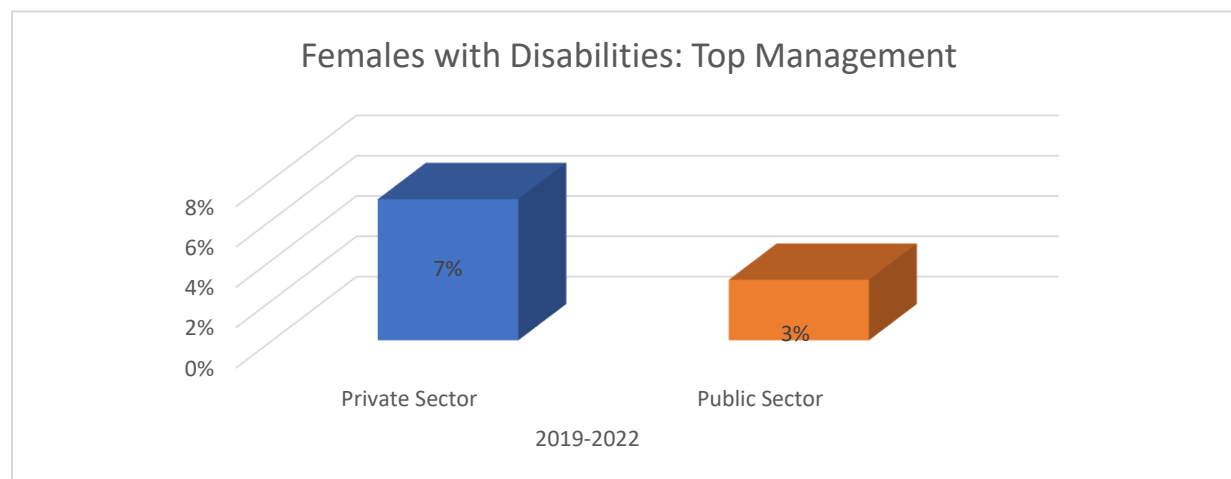
The Commission for Employment Equity (CEE) 2019/2020 report revealed a minor decrease in the proportion of women at top management, translating into a 1.4% decrease from 2019 to 2020. The report also depicts a low representation of female employees with disabilities at the occupational level in Government with 3% as compared to private sector with 7%. The report further illustrates that the representation of persons with disabilities at top management remains consistently low in Government workforce (Commission for Employment Equity 2023:27).

According to the DPSA report, there were 1,053 more male Senior Managers in the public service than female Senior Managers. Between March 2021 and March 2022, the number of women at SMS increased by 11, from 4,108 to 4,119. At SMS, the current proportion of women employees remains below the 50% employment equity target. In order to achieve 50/50 representation of men and women, the public service needs to work toward assigning more women to SMS posts (Annual Report on Employment Equity in the Public Service 2021/2022: 34).

According to the CEE annual report for 2021/2022, there is a gradual rise in the employment of persons with disabilities in the public service. At the end of March 2019 only, 1% of persons with disabilities were employed in the public service. The report indicates increased representation of male employees with disabilities at top management as compared to women. In addition, the Government sector does not have a representation of foreign employees with disabilities as compared to private sector (Commission for Employment Equity 2022:44). According to Utete (2021:4) Persons with disabilities face obstacles in their career advancement. It was uncovered that human resource practices particularly those that are aligned to promotion opportunities discriminate against employees with disabilities.

The below figure illustrates the analysis of Top Management by Females with Disabilities.

Figure 2.3: Analysis of Top Management by Females with Disabilities



(Adapted from Commission for Employment Equity (CEE) 2019/2020, 2021/2022 & 2022/2023, Gender Equality Commission Report 2023, Annual Report on Employment Equity in the Public Service 2021/2022)

As can be observed from the above, the private sector demonstrates relative improvement in the inclusion of persons with disabilities than the public service. There is a considerably low representation of female employees with disabilities at Top Management in the public sector with 3% and the private sector with 7%.

As can be depicted from the aforementioned analysis on representation of disabilities and gender at top management, from 2019 to 2022, the representation of men in top management continued to rise above 63%. The current number of females at Senior Management Service (SMS) is below the 50% employment equity target that is required from designated employers, and this requires a redress in the imbalance.

Concerns about the minimal percentage of employees with disabilities persist across the different sectors of the economy. Employers ought to enhance the number of employees with disabilities in all occupational categories in the work environment, and the CEE urges

employers to prioritise the employment of employees with disabilities when developing and implementing their Employment Equity Plans (EE Plans).

2.5.4 Top Management composition by sector, population group, and gender

The Top Management landscape's diversity by sector, population group, and gender emerges as multifaceted. The overrepresentation of the White population group across sectors and the dominance of White males in various business types stand out as recurring themes. The Indian population group remains underrepresented in the Agriculture, Forestry, and Fishing sector. Government's successful affirmation of Black employees is evident in the Public Administration and Defence sector (Commission for Employment Equity 2023:38).

Noteworthy Foreign National representation is observed in the Manufacturing, Financial and Insurance Activities sectors. High representation of Foreign Nationals surfaces in non-profit organisations, followed by the private sector and educational establishments at the top management level (Commission for Employment Equity 2023:38) Gender-wise, White and Indian males dominate in most sectors, whereas African and Coloured males find prominence in provincial and local government. Indian and White females lead in the private sector, while Coloured and African females achieve nearly proportional representation in national government and non-profit organisations (Commission for Employment Equity 2023:39).

In relation to the current Commission for Employment Equity (CEE) (Commission for Employment Equity 2023: 38), the report depicts that at this occupational level, White people are overrepresented in all sectors of the population. For example, by sector, at the top management level in the agriculture, forestry, and fishing sectors, the Indian population is underrepresented. White men appear to be the preferred population group in the majority of economic sectors. The report also depicts that the representation of Indian and White population groups at the top management level is substantially higher than that of the African demographic group, which is significantly underrepresented in both genders. Although the White population group exhibits a gradual decline in

representation of 1% as compared to the previous years, the White population group still dominate the private sector.

The Commission for Gender Equality report observed that women are under-represented at the top and senior management levels of the entities, contrary to Section 20 of the EEA, which requires the implementation of an Employment Equity Plan to achieve equitable representation at each occupational category (Gender Equality Commission Report 2023: 59). There are polarised over-representations of designated groups of persons at all occupational levels within both the private and public sector entities. It appears that the entities fail to maintain a fair representation of designated groups despite the availability of Constitutional jurisprudence such as the *South African Police Service vs Solidarity obo Barnard* case (2014) ZACC 23. The *Barnard* case vs Correctional Services is of a white female police captain who was not appointed as superintendent, despite being deemed the best candidate; competing African male candidates were not appointed; and the appointment of a White female was sought to be justified by the National Commissioner of Police on the grounds that there was no discrimination since competing candidates were not selected and that the appointment of a White female would negatively impact representation and work against employment equity. The reference to the constitutional decisions highlights the importance for designated employers to ensure, among other things, that suitably qualified employees of the designated groups have equal access to employment opportunities and are fairly represented in all occupational categories. The EEA's goal of bringing about a substantial change in management decision-making and representation has not yet been accomplished.

The Minister of Employment of Labour in South Africa recently updated the EEA of 1998 to regulate both sector-specific Employment Equity (EE) targets and the compliance requirements for the granting of EE Compliance Certificates in line with Section 53 of the EEA. The amendments to the EEA seek to expand opportunities for people who have historically been underprivileged, such as marginalised racial and gender groups, by increasing their workplace representation (Department of Employment and Labour 2023:1).

From the above analysis on top management representation by sector, population group and gender, it can be deduced that there is a noticeable presence of foreign nationals in the manufacturing, financial, and insurance sectors. A high representation of Foreign Nationals surfaces in non-profit organisations, followed by the private sector and educational institutions at the top management level. White and Indian males dominate in most sectors at top management, whereas African and Coloured males find prominence in provincial and local government. Indian and White female representation is high in the private sector, while African and Coloured females achieve nearly proportional representation in non-profit organisations and national government.

In summary, the assessment of the implementation of the EEA within the labour sector illuminates both progress and persistent challenges as demonstrated in section 2.5. The geographical distribution of reports from designated employers highlights the economic importance of provinces like Western Cape, Gauteng and Kwa-Zulu Natal. The dominance of the private sector as the largest employer underscores its critical role in driving transformation efforts. Workforce demographics at the top management level reveal significant disparities across population groups and genders. The overrepresentation of the White population group, particularly in sectors and business types, raises concerns about true inclusivity. Gender imbalances persist, with males holding a considerable majority in positions at top management, especially in the private sector. Government shows progress in this regard, albeit not yet meeting EAP targets. The report's spotlight on representation of employees with disabilities signals both areas for improvement and commendable efforts in the private sector.

Understanding the status quo of the Employment Equity Act, 1998 (Act 55 of 1998) highlighted in 2.5 necessitates a comprehensive examination of how organisations have embraced principles of employment equity, the obstacles that organisations encounter, and the overall impact on establishing a just and representative work environment. In the next section, strategies that may be utilised towards the effective implementation of employment equity is dealt with.

2.6 STRATEGIES TOWARDS THE EFFECTIVE IMPLEMENTATION OF EMPLOYMENT EQUITY

Employers must maximise their workplace strategies to ensure the eradication of unfair discrimination, the removal of employment barriers, and the promotion of AA measures to achieve effective implementation of employment equality. Section 2.6 reveals possible ways to enhance the implementation of employment equity such as employment equity plans, AA, Workplace Consultation Forums, the implementation of the Code of Good Practise on Human Resources, and diversity management that may aid in the successful implementation of employment equity.

2.6.1 Employment Equity Plans

As stipulated in Section 20 of the Employment Equity Act, 1998 (Act 55 of 1998), a designated employer is obliged to formulate and implement an Employment Equity Plan (hereafter referred to as EEP). According to the Employment Equity Act, 1998, (Act 55 of 1998) a designated employer is defined as a municipality, a state agency, or an employer with 50 or more employees whose yearly turnover is reflected in Schedule 4 of the Act. This plan must span a duration of at least one year but no more than five years, encompassing a schedule for accomplishing yearly objectives and targets. A designated employer pertains to an entity with 50 or more workers, or one with less than 50 employees but with an annual turnover equal to or surpassing the values specified in Schedule 4 of the Employment Equity Act, 1998 (Act 55 of 1998). The core attributes of an EE Plan according to section 20 of the same Act encompass the following: a) equity outlining the annual objectives along with AA endeavours to be undertaken; b) attaining reasonable progress towards employment; c) devising a yearly timeline; and d) establishing numeric targets to achieve balanced representation across occupational categories and labour force tiers, complete with a timeframe and strategic approaches for goal attainment.

Mdletshe (2017:20) cites that the EEA mandates that a designated employer develops an EE Programme before implementing AA measures. Prerequisites like conducting EE audits to enhance the representation of underrepresented groups or levels should

precede the application of AA measures. Mabunda (2016:38) adds that Employment Equity Plans strive to achieve numerical benchmarks. The scope of EE Plans extends beyond to encompass the realisation of pragmatic progress and objectives indicated within the EEP. The feasibility of EE plans hinges on the strategic measures in place to actualise the stipulated goals, objectives, and progress markers. EE audits ought to evaluate the workplace as well for discriminatory regulations, practices, processes, and facilities that may impede effective EE implementation (Mdletshe 2017:22-25).

An employment equity plan enhances an organisation's profile as a corporate entity and will contribute to labour market transformation in South Africa, which is one of the key requirements for sustainable economic growth. Having an EE Plan in place will also ensure that organisations a system in place to monitor the levels of race and gender representation as a whole.

2.6.2 Affirmative Action Measures

Mosala, Venter, and Bain (2017:2) emphasise that government departments have undergone numerous reform processes since 1994. The EEA and AA play pivotal roles in upholding racial and gender representation within government organisations. Following South Africa's inaugural democratic elections in April 1994, AA has been implemented in the public sector as a measure to rectify historical inequities. The public sector embraced AA implementation by expediting appointments and promotions of historically marginalised groups (Naicker 2021:43).

Shabalala and Bernard (2018:27) assert that the EEA and AA are intrinsically linked, as AA functions as a strategy to actualise the EEA's requisites within the workplace. In this light, AA can be viewed as a mechanism aimed at addressing the unjust discrimination and inequality that emanated from the apartheid laws. AA demands additional remedial steps to ensure individuals historically disadvantaged by unjust prejudice can benefit from an unbiased employment environment (Ruggunan, Pillay and Dayaram 2022:5).

Akala (2019:2) defines AA as procedures designed to recognise and eliminate barriers, such as unfair discrimination, that impede designated groups from equal opportunities in

employment. AA establishes measures to prevent biased selection of employees for job positions. The EEA functions as a policy advocating workplace equality. When crafting AA measures, April and Govender (2022:2) advise the inclusion of specific objectives to advance designated groups from the consequences of past unjust discrimination. The adopted strategies should safeguard the rights and interests of designated groups. The ultimate goal of the EEA is to ensure the utilisation of AA measures to foster equality. AA measures should be employed with a defined purpose and not applied arbitrarily in terms of preferential treatment (Tomson et al. 2021:2).

April and Govender (2022:4) highlight the priority of AA measures to aid the successful implementation of employment equity. AA measures encompass various aspects such as recruitment procedures, marketing and selection criteria, appointment protocols, promotion guidelines, remuneration practices, workplace conditions and amenities, development and training initiatives, and performance management systems. Joubert (2017:4) adds that the EEA doesn't advocate companies disregarding job requirements when considering candidates from disadvantaged groups but rather suggests specific approaches to address employment requirements. The requirements of the post must still be evaluated impartially, devoid of bias or exclusion based on race, gender, or disability. Affirmative Action and the Employment Equity Act, 1998 (Act 55 of 1998) share a common goal of addressing historical inequalities in South Africa, the key difference lies in the respective scope and focus. Affirmative Action is a broader policy approach that encompasses various aspects of society, while the EEA specifically concentrates on employment equity within the workplace, emphasising non-discrimination and equal opportunities for designated groups. The EEA serves as a key tool within the broader framework of Affirmative Action to bring about change in the labour market.

2.6.3 Workplace Consultation Forums

According to Section 16 of the Employment Equity Act, 1998 (Act 55 of 1998), designated employers are mandated to establish Workplace Consultation Forums to foster employment equity and engage with their workforce (Mayiya, Schachtebeck and Diniso 2019:2). Section 17 of the Employment Equity Act, 1998 (Act 55 of 1998) elaborates that

consultation must encompass all employees across various occupational classes, including those not from designated groups and those from designated groups, and all other pertinent stakeholders. The primary objective of consultative forums is to scrutinise rules, practices, procedures, working conditions, and pinpointing barriers that adversely impact individuals from designated groups within the workplace (Botha 2016:3).

Section 78 of the Labour Relations Act, 1995 (Act 66 of 1995), (hereafter referred to as the LRA), mandates the establishment of Workplace Forums (Raghu 2018:18). The Labour Relations Act, 1995 (Act 66 of 1995) permits the creation of workplace forums in workplaces where the employer employs over 100 individuals. Workplace Forums are designed to advance the interests of all employees in the workplace, regardless of the employees' union membership status. Workplace forums aim to enhance workplace efficiency, facilitate employer consultations to achieve consensus on matters such as job grading, organisational changes, dismissal of employees and education and training as outlined in section 84 of the LRA, and enables joint decision-making (Bischoff, Masondo, and Webster 2018:1-2). The employer must grant Workplace Forums an opportunity during the consultation process to make representations and to advance alternative proposals that may enhance the implementation of employment equity.

According to Oosthuizen, Tonelli, and Mayer (2019:5), workplace forums commonly consist of committees comprising employees nominated by their peers within the workplace. Workplace forums stimulate employee engagement with the aim of strengthening both employee interests and organisational efficiency. The establishment of workplace forums is an essential step toward ensuring the successful realisation of employment equity goals. Bischoff, Masondo and Webster (2018:4) add that workplace forums offer guidance to the employer on measures conducive to fulfilling the objectives of the EE Plan, thereby preserving a diverse workforce composition. Workplace forums also delineate a long-term strategy on behalf of the employer to foster an inclusive working environment.

The Employment Equity Act, 1998 (Act 55 of 1998) mandates designated employers to create Workplace Consultation Forums for promoting employment equity. Workplace

forums involve all employees and aim to address barriers affecting designated groups. Similarly, the Labour Relations Act, 1995 (Act 66 of 1995) requires workplace forums in larger workplaces to advance employee interests, regardless of union membership. Workplace forums enhance efficiency, facilitate consultations, and enable joint decision-making. Comprising of employee-nominated committees, workplace forums foster engagement and support diversity goals.

2.6.4 The Code of Good Practice of Employment Equity

Ensuring adherence to the Code of Good Practice (2005) of Employment Equity holds paramount importance for organisations, as the Code guarantees compliance with employment equity legislation and cultivates an equitable and inclusive workplace. (Phiri 2019:5). As outlined by the Commission for Conciliation, Mediation, and Arbitration (CCMA 2022:4), the Code of Good Practice serves the purpose of providing recommendations to eradicate unfair discrimination and implement AA initiatives in human resource domains, as dictated by the EEA. It is crucial to note that the Code of Good Practice is not intended to be an exhaustive human resources manual; rather, it identifies significant human resource areas essential for employment equity and instrumental in achieving equity objectives (Ndou 2020:1).

Aligned with the perspective of the International Labour Organisation (2022:2), the Code of Good Practice acts as a guiding tool for employers to effectively execute employment equity. The Code of Good Practice lays down principles to be integrated into employment equity plans, policies, guidelines and practices.

The Code of Good Practice offers pragmatic suggestions for customising and implementing appropriate measures in distinct contexts. Basson (2023:231) suggests that the Code of Good Practice underscores the significance of racial, gender, and disability inclusion in the face of challenges posed by a distinctive global economy and constraints like infrastructure, skills, unemployment, poverty, and service delivery. The Code of Good Practice highlights the growing awareness among employers that such inclusion is pivotal for organisational growth and development. A dedication to

overcoming obstacles, including fostering skill development across diverse realms, becomes eminent for maintaining diversity.

Phiri (2019:6) emphasises a significant challenge confronted by employers in the modern workforce: the skilful management, promotion and retention of talent. Managing this challenge is crucial for organisations striving to remain competitive and successful in their respective industries. Effective human resource management is essential in addressing the challenge of skills, retention and talent. Proficiently managing talent entails a comprehensive approach to recruiting, developing, and retaining employees who possess the skills, knowledge, and competencies necessary to drive organisational success.

Managing talent goes beyond just hiring the right individuals as it involves creating an environment where employees are engaged, inspired, and aligned with the organisation's objectives. In contrast, Ndou (2020:1) highlights the potential of employers to add value to their employees by adhering to the Code of Good Practice. The Code establishes a foundation for fair labour practices and ethical employment standards. When employers embrace the Code of Good Practice, they demonstrate a commitment to creating a workplace where employees are treated with dignity and respect. Adhering to the Code of Good Practice can encompass various aspects, such as, reasonable working hours, ensuring reasonable wages, safe working conditions, and equitable treatment. The Code of Good Practice also involves promoting diversity and inclusion, addressing grievances promptly, and fostering open communication channels.

According to Pinyane (2021:71), the Code of Good Practice underscores that effective employment equity plans empower organisations to optimise human resource development by eradicating unjust discrimination, surmounting challenges, and advancing AA. The Code's regulations empower organisations to ensure that human resource practices and policies remain non-discriminatory, echoing employment equity principles from initial employment through tenure and even termination. Conforming to the Code of Good Practice on Employment Equity goes beyond legal compliance as it fosters a diversified and inclusive work environment. Oosthuizen, Tonelli and Mayer

(2019:4-5) also emphasise that organisations that embrace employment equity principles stand to gain an engaged, motivated, and productive workforce. Continual review and adaptation of employment equity policies and practices remain essential to reflect shifting dynamics and to consistently progress towards equity and diversity in the workplace.

2.6.5 Diversity Management

Diversity management, alternatively known as inclusion management, as highlighted by Turi, Khastoori, Sorooshian and Campbell (2022:1), encompasses the process of cultivating and sustaining a workplace environment that treasures and harnesses the array of differences present among employees. Diversity management entails acknowledging and embracing individual and collective distinctions, such as gender, race, age, ethnicity, sexual orientation, disability. According to Dibobo, Ngonyama-Ndou and Mncwabe (2022:7), the overarching aim of diversity management is to nurture an all-encompassing workspace where every employee feels esteemed, appreciated, and equipped with equal prospects to contribute and prosper.

Morris (2023:4) emphasises the necessity for proficient managerial skills and styles to effectively oversee a diverse workforce. Traditional human resource management practices become obsolete in the face of a novel management strategy called diversity management, which seamlessly integrates the variations among workers. As underscored by Mazibuko and Govender (2017:8), diversity stands as a key aspiration of the EEA, thereby mandating workplaces to undertake AA measures to rectify prior inequalities or to confront the repercussions of non-compliance. The work environment must foster meaningful human interactions devoid of considerations like colour, gender, skill level, or educational background. It remains imperative to ensure equitable representation for the designated and non-designated groups within the workplace (Matotoka and Odeku 2018:2).

Another core objective of the EEA, in line with Zhuwao et al. (2019:7), is to establish a diversified workforce within the organisational setup. According to Dibobo, Ngonyama-Ndou and Mncwabe (2022:22), managing diversity encompasses cultivating an environment where all employees can support and contribute to organisational objectives

while experiencing personal growth. Managing diversity entails creating an organisational culture that empowers everyone, particularly underrepresented minorities, women, and persons with disabilities, to reach their utmost potential (Dibobo, Ngonyama-Ndou and Mncwabe 2022:22). Joubert (2017:92) also underscores that, given that employment equity is an integral part of a broader transformative process, managers must consistently receive training regarding their role in change management. This could be achieved by offering managers targeted courses focusing on areas such as strategic management, diversity management, and other responsibilities that emerge in their personal development plans.

According to Kundu and Mor (2017:10), diversity management transcends compliance with anti-discrimination laws. Diversity management embodies a strategic approach aimed at harnessing the wealth of diverse viewpoints and experiences to propel innovation, creativity, and overall organisational triumph. A diverse and inclusive workplace cultivates collaboration, elevates employee engagement, and equips the organisation to better comprehend and cater to the needs of a heterogeneous customer base (Ashikali, Groeneveld, and Kuipers 2020:8).

As South Africa endeavours for a truly equitable labour landscape, it is clear that sustained commitment and targeted strategies referred to in 2.6 are necessary to address historical inequities and establishes a workforce that reflects the diversity and potential of the nation. In the subsequent section, section 2.7, perceptions and attitudes of employees towards employment equity are explored.

2.7 EMPLOYEE PERCEPTIONS AND ATTITUDES TOWARDS EMPLOYMENT EQUITY

Perception, as defined by Qiong (2017:1), pertains to the cognitive process through which individuals interpret and attribute significance to sensory inputs received from their surroundings. The cognitive process encompasses the organisation, identification, and interpretation of sensory stimuli like visual, auditory, tactile, and gustatory cues.

Perception holds a pivotal role in how individuals construct meaning from their environment and react to diverse stimuli. A person's belief or response rooted in prior experiences or encounters becomes their reality, potentially influencing behaviour and contentment (Qiong 2017:2). Any organisation's response to the EEA depends partially on how individuals or employee groups interpret the unfolding process. According to Omar and Kiley (2022:2), managing employee perceptions can enhance morale by fostering their comprehension and sense of involvement in the Employment Equity Programme (EEP) implementation.

According to Adda, Natsir and Rossanty (2019:3), there are factors which may influence perceptions of workplace discrimination. The first factor pertains to the existence of workplace inequality, with employees who experience prejudice or unjust treatment being more prone to perceiving discrimination. The second factor revolves around employees' knowledge of their sensibility and rights to any unfair treatment, which can affect their perception of discrimination. The hope for equity also moulds how individuals perceive instances of discrimination. Zhenjing et al. (2022:3) elaborate that diverse components contribute to the perceptions of both negative and positive, which subsequently shape the conducive conditions of the work environment. Several determinants, ranging from race and gender to working conditions and managerial commitment, play into this complex interplay. Regularly evaluating the efficacy of EE management based on employee perspectives is essential for organisations (Oosthuizen, Tonelli and Mayer 2019:6).

In disputes concerning job equity, as posited by Omar and Kiley (2022:2-3), two opposing ideals often take centre stage: freedom and equality. Proponents of employment equity champion equal opportunities for historically disadvantaged groups, whereas opponents contend that organisations should have the latitude to hire the most qualified candidates for a role. The antagonistic view towards employment equity and the assertion that it undermines merit-based systems is not exclusive to South Africa. Other studies have revealed that a significant portion of respondents in their surveys believed that qualifications and abilities should be the sole basis for hiring or promotion, irrespective of gender or race. Respondents argued that choosing a disadvantaged candidate and less

qualified individual, over a better qualified individual violates the principle of evaluating based on merit (Oosthuizen and Naidoo 2010:3; Quadlin 2018:2; Omar and Kiley 2022:4).

Van Rensburg (2021:2) unearthed that employees, in general, possess negative perceptions regarding employment equity. For example, men tend to be less inclined to perceive gender discrimination, while members of privileged groups are more disposed to attribute their elevated status to merit and competence. Nonoo (2020:38) underscores that there are misconceptions surrounding EE, often associating it with reverse discrimination and misconstruing the intention of employment equity to rectify historical inequities.

Deloitte (2019:17) indicates that during the period 2018 to 2019, employee attitudes and perceptions towards employment equity underwent significant changes and developments. There was a notable shift from meeting diversity quotas to an improved holistic approach centred on inclusion. Employees began to place a stronger emphasis on workplaces where they felt valued, respected (Bersin 2019:12). Organisations increasingly recognised the importance of fostering diversity and inclusion within their workplaces, driven by both social pressures and the realisation that diverse teams often lead to improved innovation and performance (Deloitte 2019:18).

Transparency and reporting saw a notable shift in the workplace. Many organisations began sharing progress, goals, and challenges related to employment equity with both employees and the public. The transparency served to build trust and demonstrated a genuine commitment to fostering a more inclusive workplace culture (Bersin 2019:25). Technology and data analytics also played an important role as organisations leveraged advanced tools and analytics to measure diversity metrics, identify areas in need of improvement and track progress. Data-driven diversity and inclusion strategies became increasingly common as organisations sought to enhance employment equity efforts (Omar and Kiley 2022:12).

Leadership commitment remained a fundamental factor influencing employee perceptions. Organisations with visible and engaged leadership advocating for diversity and inclusion noticed a shift towards positive attitudes among their employees. Leaders

who actively championed these initiatives sent a powerful message that employment equity was not just a policy but a core value of the organisation (Bersin 2019:24). Training and education programmes aimed at raising awareness and addressing unconscious bias similarly became more widespread. Education programmes aimed at equipping employees with the skills and knowledge required an inclusive environment to foster understanding among colleagues from diverse backgrounds (Deloitte 2019:7; Oosthuizen, Tonelli and Mayer 2019:7).

Organisations recognised the importance of addressing diversity and inclusion on a global scale, acknowledging that cultural and regional distinctions impact employment equity efforts. Tailoring strategies to suit the unique characteristics of each region or office became a priority for multinational organisations (Bersin 2019:21).

The commitment by management to change and shift employees' perceptions contributes to a more comprehensive approach to employment equity that is aimed at creating a more inclusive workplaces and fostering positive employee attitudes. The manner in which leadership commit to employment equity in the workplace will affect the perceptions and attitudes that employees hold within the organisation, as discussed in section 2.7. There are various challenges which may affect the implementation of employment equity, which is discussed in the next section, section 2.8.

2.8 CHALLENGES IN THE IMPLEMENTATION OF EMPLOYMENT EQUITY

The Commission for Employment Equity is one of the key institutions responsible for overseeing the implementation of employment equity in South Africa. The Department of Employment and Labour plays a crucial role in enforcing the EEA and ensuring compliance with its provisions (Geldenhuys 2020:4). The EEA and the role of the Commission for Employment Equity (hereafter referred to as CEE) are significant steps towards establishing an inclusive and representative workforce in South Africa, addressing the legacy of apartheid's discriminatory actions and promoting equal opportunities for all citizens. According to Utete (2021:2), the implementation of

employment equity can be a complex and challenging process for organisations. The goal of promoting diversity and inclusivity in the workforce is creditable, although various factors can hinder effective implementation, and this may include the following:

2.8.1 Resistance and opposition

According to Jones, Smith and Brown (2019:21), resistance and opposition to employment equity measures have been notable challenges faced by organisations striving to create more inclusive workplaces. Some individuals or groups may perceive employment equity initiatives as reverse discrimination or as threats to their own opportunities for career advancement. Morris (2023:17) mentions that resistance often stems from a lack of understanding or misconceptions about the goals and intentions behind employment equity efforts. To address challenges of resistance, organisations have found it crucial to employ clear and effective communication strategies.

One of the effective approaches to overcoming resistance is to emphasise the tangible advantages of inclusion and diversity within the workplace. Research has shown that diverse teams are more adaptable, innovative, and better equipped to solve complex problems (Matotoka and Odeku 2021:7). By communicating advantages of diversity, organisations can help individuals understand that employment equity measures are not about exclusion but about tapping into an expanded set of skills, experiences, and perspectives that ultimately benefit everyone within the organisation. The reshaping of the mindset helps shift the perception of employment equity from a threat to an opportunity for growth and success.

Smith (2020:13) cites that addressing historical imbalances is a crucial aspect of combating resistance. Organisations can acknowledge that historical disparities regarding access to opportunities have created a need for corrective measures. Communicating the rationale to address historical imbalances demonstrates a commitment to fairness and social justice, assisting individuals to understand that employment equity initiatives aim to level the playing field rather than favouring one group over another. By highlighting principles and advantages of employment equity, organisations can gradually build support and reduce opposition to employment equity

measures, fostering a harmonious and inclusive work environment (Matotoka and Odeku 2021:7). As part of transformation, targeted initiatives for employees who might feel discriminated against by the EEA due to their designated status (e.g., White males) must be created and put into place to reduce resistance and opposition.

2.8.2 Lack of leadership commitment

Bassett-Jones (2019:13) indicates that leadership commitment extends beyond verbal endorsements. Leadership commitment involves taking concrete actions to advance employment equity goals. Leaders can allocate resources, both financial and human, to support inclusion and diversity efforts. The allocation of resources underscores the organisation's dedication to creating a workplace where all individuals have equal opportunities and are treated equitably. It is important for leaders to actively engage in efforts promoting diversity and inclusion, such as mentorship programmes or diversity training, to demonstrate their personal investment in employment efforts. Leadership involvement not only provides visible support but also assists leaders to comprehend more intensely the challenges and opportunities related to employment equity (Morris 2023:25).

According to Matotoka and Odeku (2018:3), one of the main challenges in the successful implementation of employment equity measures is the absence of strong support from top leadership. Without clear and unwavering commitment from leadership, these initiatives can lack the necessary momentum and resources to drive meaningful change within an organisation. Leadership commitment is not merely symbolic but rather plays an essential role in shaping the organisational culture and ensuring that employment equity remains a priority. When leaders show their commitment to inclusion and diversity, it conveys a strong message throughout the organisation, setting the tone for inclusive behaviour and practices (Mdletshe 2017:35).

Strong leadership commitment is essential for holding individuals throughout the organisation accountable for progress toward employment equity goals. When leaders emphasise the importance of inclusion and diversity, it becomes part of the organisation's culture, and individuals at all levels are more likely to align employees' behaviours and

decisions with principles of employment equity. By setting expectations and regularly reviewing progress, leadership ensures that employment equity is not just a one-time initiative but a continuous and integral aspect of the mission of the organisation and culture (Matotoka and Odeku 2018:4). Senior managers should demonstrate leadership and dedication to the implementation of the Employment Equity Act, 1998 (Act 55 of 1998). A strong leadership commitment may foster a culture in the organisation that supports diversity and the EEA's core values.

2.8.3 Inadequate resources

A significant challenge in the efficient implementation of employment equity plans is the struggle to allocate sufficient resources, including both funding and human resources, to support employment equity initiatives. According to Utete (2022:22), for organisations to be committed to fostering diversity and inclusion, resource allocation is a critical aspect of ensuring that employment equity measures are not just symbolic gestures but translate into meaningful action. The allocation of adequate resources is essential for various aspects of employment equity, including training, monitoring, and reporting efforts.

Oosthuizen, Tonelli and Mayer (2020:4) mention that insufficient funding can significantly hamper the success of employment equity initiatives. Funds are required to establish and implement comprehensive inclusion and diversity programmes. Employment equity programmes are instrumental in educating employees at all levels about the importance of equity, diversity, and inclusion, as well as assisting employees understand unconscious biases and stereotypes. Without adequate financial support, organisations may struggle to provide vital training opportunities which may hinder progress toward a more inclusive workplace.

Nunoo (2020:34) indicates that human resources are an essential component in ensuring the success of employment equity programmes. Organisations need dedicated personnel to monitor and evaluate progress, collect and analyse data, and report on diversity and inclusion metrics. Personnel resources play a vital role in identifying areas that require attention and formulating strategies to deal with any disparities or issues that may arise in the workplace. Without sufficient human resources, organisations may find it

challenging to effectively track their employment equity efforts, limiting their ability to make data-driven decisions and achieve meaningful change (Oosthuizen, Tonelli and Mayer 2020:4).

Adewumi (2022:27) is of the opinion that organisations should prioritise resource allocation for employment equity programmes. Leaders can demonstrate commitment to employment equity efforts by earmarking budgets for diversity and inclusion programmes, dedicating staff to manage and support employment equity initiatives, and regularly reviewing resource allocation to ensure that equity goals are adequately resourced. Leadership commitment not only demonstrates the organisation's dedication to employment equity but also ensures that the necessary resources is in place to drive progress effectively.

2.8.4 Limited access to opportunities

Historically disadvantaged groups often continue to face barriers with regard to accessing quality education, training, and development opportunities. Limited access to opportunities can significantly impede the ability of employees to participate fully in the workforce and achieve meaningful representation.

When certain demographic groups lack equal access to resources and opportunities, this perpetuates systemic inequalities and hampers progress toward the effective implementation of employment equity in the workplace (Matotoka and Odeku 2021:9).

Numerous studies and reports highlight the persistence of limited access to opportunities for historically disadvantaged groups. For example, The Diversity, Equity, and Inclusion Report by Deloitte (2020:32) highlights the importance of addressing educational disparities as an important step toward achieving workplace equity. Similarly, the published report on Equality of Opportunity by the World Bank (2019:13) discusses the contribution of access to education and training in promoting equal opportunities for all. There is a notable link between educational and developmental opportunities and the ultimate attainment of employment equity objectives.

Historically disadvantaged groups might still face barriers to accessing quality education, training, and development opportunities. Without equal access to opportunities and resources, achieving meaningful representation in the workforce may become a challenge (Fujimoto, Ferdous and Wali 2022:3). Addressing obstacles that might impede the effective implementation of employment equity requires a thorough strategy that involves education and awareness, ongoing training, data-driven decision-making, and continuous commitment from leadership. Collaboration with relevant stakeholders, including government agencies and advocacy groups, can also assist overcome some of the barriers to the successful implementation of employment equity (Basson 2017:6-7).

Organisations in South Africa are significant players in economic, structural, political, cultural, and individual transformation (Cloete, Bunting and Maassen 2015:23). Past practises must be corrected for the majority that was disadvantaged to be empowered. Once the imbalance has been resolved, legislation must protect the rights of minorities such as White people, people of colour, people of mixed race, persons with disabilities and women (Oosthuizen, Tonelli and Mayer 2019:3). The Employment Equity Act, 1998, (Act 55 of 1998), among other things, should ensure that suitably qualified employees from the designated groups are equitably represented in all the occupational categories and have equal access to employment opportunities. Organisations risk being viewed as preferring one group's interests over another if they fail to achieve equitable representation in the workplace.

2.8.5 Compliance and monitoring

The challenge of ensuring adherence with employment equity legislation and reporting accurately is a complex and an ongoing issue faced by organisations both in South Africa and globally. To understand the challenge of ensuring compliance, it is essential to explore the global and local dimensions.

In a global context, various regions have encountered compliance and reporting difficulties. In the European Union (hereafter referred to as EU), the General Data Protection Regulation (hereafter referred to as GDPR) introduced stringent data protection requirements. The GDPR added a layer of complexity to data reporting,

creating challenges for businesses operating within the EU (Albrecht 2018:17). The United States continues to experience difficulties with reporting requirements under programmes such as Equal Employment Opportunity (hereafter referred to as EEO). Employers must submit data on their workforce demographics, and the intricacy of reporting, as seen in the case of EEO reporting, has been a recurrent concern for organisations (EEOC 2020:10).

In the South African context, Pillay (2017:27) emphasises the intricate nature of compliance and reporting challenges. The complexity of reporting requirements and administrative burdens can overwhelm designated employers. The Commission for Employment Equity (2020:12) discusses the challenges related to meeting employment equity reporting requirements in South Africa, highlighting that many designated employers face difficulties in collecting and reporting accurate data.

Addressing challenges related to compliance and reporting demands a combination of global best practices and local solutions. Globally, simplified reporting systems and the alignment of reporting processes with broader regulations can ease the burden on employers (European Commission 2020:7). The implementation of data management tools and software can significantly assist in streamlining the reporting process, both globally and locally (Hayes, Chumney Wright and Buckingham 2019:33). Clear and comprehensive regulations with detailed guidelines, as demonstrated by the GDPR in the EU, can alleviate compliance challenges (Baldwin 2019:21).

Locally, authorities like the South African Department of Employment and Labour can provide guidance and support to designated employers to meet reporting requirements (Department of Employment and Labour 2021). Learning from colleagues and benchmarking against best practices in compliance and reporting can be beneficial. Employer networks and associations can facilitate knowledge sharing.

The challenges linked to compliance and reporting are not limited to South Africa but are a global concern. Challenges pertaining to compliance and monitoring can be mitigated through simplified reporting systems, data management tools, regulatory clarity,

government support, and peer learning, both at the global level and within the South African context.

2.8.6 Cultural and organisational barriers

In a global context, countries like the United States have faced persistent challenges associated with cultural and organisational barriers. Discriminatory practices and unconscious biases remain hurdles for achieving diversity and inclusion in some organisations, undermining efforts to create more equitable workplaces (International Labour Organisation 2017:12). Challenges associated with cultural and organisational barriers are deeply rooted in historical contexts, reflecting a legacy of inequality and discrimination. The United Kingdom has grappled with cultural and organisational barriers to diversity. The lack of cultural awareness, unconscious biases, and underrepresentation at leadership levels have been identified as obstacles to creating inclusive workplaces (Kirton and Greene 2017:9).

Cultural and organisational barriers to achieving inclusion and diversity in the workplace continue to be significant challenges, both in the South African context and globally. Cultural and organisational barriers often originate from deeply embedded discriminatory practices and biases within workplace cultures. Within the South Africa context, cultural and diversity challenges are closely tied to the country's historical context marked by apartheid and systemic exclusion. Nkosi (2016:6) highlights the resistance faced by South African employers when attempting to diversify the workplace. The deeply entrenched cultural and organisational barriers reflect the historical context and segregation practices that persisted for many years. Research carried out by Nienaber et al. (2019:17) in South Africa indicates that even when diversity policies are in place, organisational culture can create resistance and hinder implementation.

To address cultural and organisational barriers, a combination of global and local solutions is essential. Diversity training programmes, both globally and locally, have been introduced to confront biases, enhance cultural competence among employees, and increase awareness about the importance of diversity and inclusion (Olzmann 2020:13). Leadership commitment is another key aspect of overcoming cultural and organisational

barriers. The role of Leaders is critical in establishing the tone for organisational culture. Leadership's commitment to fostering diversity and inclusion is instrumental (Chrobot-Mason et al. 2019:7).

At a global level, organisations have adopted policies explicitly promoting inclusion and equity, creating a framework for challenging existing cultural and organisational norms (Norbash and Kadom 2020:6). In South Africa, initiatives such as the formation of employee resource groups can cultivate a feeling of inclusion for employees from diverse backgrounds and challenge existing cultural barriers (Steyn et al. 2018:8).

Addressing cultural and organisational barriers to diversity and inclusion remain an ongoing and complex endeavour, both within South Africa and globally. Challenges of cultural and organisational barriers, rooted in history, demand a comprehensive approach that includes diversity training, leadership commitment, inclusive policies, and local initiatives, operating harmoniously at both global and local levels.

2.8.7 Lack of skills development

A significant challenge in the journey towards employment equity, particularly in South Africa, is the lack of skills development and training. Lack of skills development is prevalent globally, but it holds specific relevance considering the circumstances of South African businesses, where the legacy of apartheid has left a substantial skills gap among certain population groups (Duggan 2019:4). In a global context, the absence of skills development can be seen in various regions. The European Union (EU), for example, has focused on addressing the skills gap through initiatives like the European Skills Agenda (European Commission 2020:21). In the United States, efforts to bridge the skills gap involve partnerships between industries and educational institutions to provide training programmes that align with the needs of employers (National Skills Coalition 2020:32).

In South Africa, the lack of skills development is often intertwined with the historical context of apartheid. Turok, Visagie and Scheba (2021:7) discuss how the apartheid's legacy has created significant disparities in skills development, particularly among designated groups. Disparities in skills development can hinder the effective development

and implementation of employment equity plans, as individuals from designated groups may not have the necessary qualifications and skills to take on key roles within organisations. Research by Magro and Ribeiro (2018:17) in South Africa highlights that skills development programmes can be effective tools for addressing employment equity. The authors also underscore the challenges faced in creating skills development programmes, especially for smaller businesses that may lack the resources to invest in training and skills development. Organisations may struggle to identify or access the right training opportunities, making it difficult to enhance skills in the workforce.

The lack of skills development can be mitigated through various global and local strategies. Internationally, partnerships between governments, industries, and educational institutions can facilitate skill development programmes that are in line with the needs of the job market (World Bank 2019:12). Initiatives such as apprenticeships, which are common in countries like Germany, can also be adapted and implemented on a broader scale (Raj, Mukherjee, Jabbour and Srivastava 2022:12). Organisations can collaborate with educational institutions and industry organisations to create customised training programmes that address specific needs (Duggan 2019:5). Governments and industry associations can also provide financial incentives or grants to encourage skills development, particularly for designated groups (National Skills Coalition 2020:9).

The lack of skills development is a universal challenge with specific implications for South Africa due to its historical context. To deal with the challenge of lack of skills development, a combination of global best practices, such as partnerships and apprenticeships, and local solutions, including customised training programmes and financial incentives, is essential.

2.8.8 Monitoring and enforcement

The effectiveness of monitoring and enforcement mechanisms regarding employment equity is a complex challenge that requires a comprehensive approach. Both globally and in South Africa, ensuring compliance with equity regulations and addressing non-compliance is an ongoing issue (Utete 2022:10). South Africa's historical context, marked by apartheid, has prompted the establishment of rigorous monitoring and enforcement

mechanisms to address past injustices. The EEA established entities like the Employment Equity Commission and labour inspectors to oversee compliance (Department of Employment and Labour 2023:1).

To address monitoring and enforcement challenges, a global and local approach is necessary. Globally, governments and regulatory bodies should invest in strengthening their enforcement agencies and providing the relevant monitoring bodies with the resources needed for effective monitoring and enforcement (Bangani and Vyas-Doorgapersad, 2020:18; Utete, 2022:12). According to Paschke, Dimancesco, Vian, Kohler and Forte (2018) transparency and accountability in monitoring processes are vital for building trust and ensuring the integrity of any system or organisation. Transparency and accountability provide a clear view into the decision-making and operational aspects, fostering a culture of openness that not only deters misconduct but also empowers stakeholders with the information they need to make informed judgments.

In a global context, monitoring and enforcement mechanisms vary widely. In the United States, the Equal Employment Opportunity Commission (hereafter referred to as EEOC) plays a crucial role in overseeing compliance with employment equity laws. However, it faces challenges related to limited resources and the scale of non-compliance (Adler 2017:12). The European Union's approach to enforcement is reflected in the General Data Protection Regulation (hereafter referred to as GDPR), which had a significant impact on data protection and privacy rights. The GDPR's enforcement mechanisms involve substantial fines for non-compliance, but it still faces challenges in monitoring and enforcing compliance across diverse member states (Cate 2019:9). Persistent challenges remain. Some organisations may not be held fully accountable for non-compliance, as highlighted by Fleishman (2014:37). According to Matotoka and Odeku (2021:12), organisations may employ strategies to avoid regulations, such as underreporting or data manipulation. It is imperative to improve compliance by offering targeted support and guidance and streamlining reporting procedures, to make it easier for organisations to navigate and comply with regulatory obligations. Dreyer, Viviers and Mans-Kemp (2021:22) emphasise that offering comprehensive training and educational resources will equip organisations with the knowledge and skills needed for compliance.

Monitoring and enforcement challenges are universal, but they have specific relevance in South Africa due to its historical context. Addressing monitoring and enforcement matters requires a multi-faceted approach that combines global best practices with targeted local solutions.

2.8.9 Inadequate public awareness

One of the significant challenges in South Africa's pursuit of employment equity is the inadequate public awareness regarding employment equity laws and the potential benefits of implementing employment equity. Lack of adequate public awareness is not unique to South Africa but has specific implications in the context of a diverse and historically segregated society.

In South Africa, the historical legacy of apartheid and the subsequent need for employment equity measures causes raising public awareness which is an essential component of the broader equity strategy. The Department of Employment and Labour in South Africa has highlighted the challenge of lack of awareness, indicating that many South Africans are still unaware of employment equity laws and the potential benefits of implementing employment equity (Department of Employment and Labour 2020:15). According to Maimela (2019:5), lack of awareness can have several adverse effects. Employees may not be fully informed about their rights and the avenues available to address discrimination or inequity. Likewise, employers, particularly smaller businesses, may lack the knowledge to establish and implement equitable practices and policies.

Addressing the challenge of inadequate public awareness requires a multi-pronged approach. According to Bonaccio et al. (2019:6) and Dobbin and Kalev (2016:12), organisations can draw from each other's best practices in campaigns for public awareness and diversity and inclusion training programmes. Initiatives such as diversity and inclusion and diversity, training and public awareness campaigns have been implemented to confront issues of awareness and inclusivity (Ainscow 2020:20; Devine and Ash 2021:12). Public awareness, diversity and inclusion initiatives aim to inform the public about the significance of equity and diversity in workplaces. Breakfast and Maart

(2019:21) emphasise that localised solutions can include extensive public awareness campaigns that target both employers and employees.

Public awareness campaigns can describe the benefits of employment equity and provide practical guidance on how to implement equitable policies. Collaboration with industry associations, labour unions, and educational institutions can also facilitate the dissemination of information about employment equity laws and its implications.

Various challenges pertaining to the implementation of employment equity were presented in 2.8 as crucial elements that may impede the implementation of employment equity. Further challenges may be different from one organisation to another depending on the respective employment equity programme. In the next section, section 2.9, examples of South African case reports relating to employment equity is delved into to demonstrate the importance of implementing the statutes of the EEA.

2.9 EXAMPLES OF SOUTH AFRICAN CASE REPORTS RELATING TO EMPLOYMENT EQUITY

The cases listed below serve as examples of South African case reports emphasising the significance of workplace governance and the obligation placed on designated employers to address discrimination and inequality in the workplace.

2.9.1 Solidarity vs Department of Correctional Services (Case No. C368/12) Cape Town Labour Court

The case stems from the Employment Equity Plan of the Department of Correctional Services. Trade union solidarity requested relief on behalf of officers from the Western Cape Correctional Services who were refused advancement of employment even though they served in those positions for a long period and been recommended for promotion following interviews. A claim for unjust discrimination was made by impacted employees of the Department of Correctional Services in relation to the Department's employment equality objectives listed in the EE Plan, which were biased in favour of Africans rather

than Coloureds for those occupations. The Department's EE objectives were developed using the demographics of the national economically active population, rather than both regional and national population demographics, as required by Section 42 (a)(i) of the EEA.

The court found that the Department of Correctional Services must take immediate measures to ensure that the interests of the designated groups, namely Black people, coloured people, Indians, and Whites, are considered when establishing targets at every level of employment of the organisation.

To provide guidelines for the consideration of both regional and national EAP by designated employers, in order to provide the Minister, the authority to create rules that specify how the matter should be implemented, additional provisions have been added to Sections 42(2) and 42(3) of the Act. The draft EE regulations, which include suggested recommendations on the matter of consideration of national and regional EAP, have been released for public comment.

2.9.2 Ekhamanzi Springs (Pty) Ltd v Mnomiya [2014] 8 BLLR 737 (LAC)

(Dismissal dispute. Employee denied access to the workplace by the security guards employed by the employer's landlord).

The appellant (Ekhamanzi) hired the respondent (Mnomiya) to bottle Aquelle spring water. The religious mission owns the land where Ekhamanzi's facility is situated, therefore, for employees to get to work, they had to cross it. The mission's code of conduct forbade "romantic relationships between any two persons outside of marriage," and its security guards were ordered to deny entrance to anybody who disobeyed it. Due to their unmarried status, the respondent and a co-worker were refused entry. As a result, Mnomiya and her coworker were denied entry onto the mission's premises, which prevented them from accessing the workplace. The officials were both dismissed. The appellant maintained that it had just instructed the two employees to "sort the problem out" with the mission and denied having dismissed either of them. The appellant additionally said that she was terminated because she failed to report for duty and that

the other employee was not at the mission gate on the day, she claimed to have been denied admission. The Labour Court dismissed the case of the other employee because she was not present at court. The court determined that the respondent employee's termination was inherently unjust as it was due to her pregnancy. According to the court, everyone has a fundamental right to equality. Unfair dismissals based on discrimination should be addressed with the possibility of increased compensation. Employers are required to refrain from discriminating against employees either directly or indirectly; married women are not exempt from protection against pregnancy-related discrimination.

An agreement that prohibits pregnant employees from entering the workplace is initially unenforceable unless it can be supported by arguments that align with constitutional principles. The appellant's employment relationship with its employees was hampered by the mission's code of conduct, which also created a scenario where infractions may result in termination. What was decisive was that the employee was not a party to the mission's code. The appellant had legal options as the lessee to force the mission to provide him or her complete access to and enjoyment of the leased property. The appellant's faint plea of operational necessity was insufficient since it had not upheld its lessee rights to safeguard its expectant employees. The appellant breached the contract by refusing to accept the employee's offer of services after she had submitted one. The court further held that the appellant's consent to the mission's discriminatory practice of preventing single pregnant women from entering the leased space violated both the appellant's common law obligation to accept the employees into service and its constitutional duty to treat its employees fairly. As a result, the court upheld the employee's dismissal and declared it to be inherently unjust. A twelve-month compensatory remedy was also confirmed by the court.

2.9.3 Mgozeli v Gauteng Department of Finance [2015] 3 BLLR 308 (LC)

This case involved a male candidate who submitted an application to the Gauteng Department of Finance for a senior managerial post. This position was previously occupied by a woman. Following the applicant's shortlisting, interview, and assessment, the interview panel made the recommendation for employment. The application was

rejected because employing the candidate would not further the Gauteng Legislature's goal of having 50% of women in senior management roles. The respondent did not have an Employment Equity Plan in place as required in Section 20 of the EEA but had adopted the target as an internal decision. The applicant contended that the 50% target violated the EEA's requirements, which include, among other things, that Equity Plans provide annual objectives, that they be of a specific duration, and that they include procedures for assessing their implementation. The applicant claimed that he had been the victim of unfair sex-based discrimination. The argument put forth by the respondents was that an employer may take AA actions without being restricted to an EE Plan. The key element is for the employer to ensure that irrespective of the existence of a plan, the workplace is equitably representative.

The court determined that the respondents' alleged AA measures were implemented arbitrarily, haphazardly, and randomly. Apart from not having an EE Plan, the Department of Finance also had no mechanism to monitor the gender representation. This could not be used as a legitimate justification for discriminating against the applicant since it violated both the EEA and the Constitution. The respondents were instructed to appoint the applicant and compensate him for the salary gap between what he was paid and what he should have been paid for the relevant role.

2.9.4 South African Police Service vs Solidarity obo Barnard [2014] ZACC 23

(In accordance with the Employment Equity Plan, a White female police captain was not appointed as Superintendent despite being assessed as the best candidate; competing African male candidates were not appointed; and the appointment of a White female was meant to be justified by the National Commissioner of Police on the grounds that there was no discrimination since competing candidates were not selected and that the appointment of a White female would negatively impact representation and work against employment equity).

Ms Barnard worked for the South African Police Service (hereafter referred to as SAPS) since 1989. The National Commissioner advertised a Superintendent post within the National Evaluation Service Division in 2005. Ms Barnard applied for the position twice.

Despite being shortlisted, interviewed, and recommended as the best candidate each time, she was not successful. The National Commissioner indicated that as Ms. Barnard's post was not critical to service delivery, her appointment would not increase racial representation at that occupational level. The Labour Court ruled in Ms Barnard's favour.

The Labour Court determined that SAPS had failed to provide adequate justification for the National Commissioner's decision, failing to discharge its obligation to show that the decision was reasonable and fair. The National Commissioner's judgment was also deemed to be an inappropriate method of implementing the SAPS Employment Equity Plan. The Supreme Court of Appeal reversed the Labour Appeal Court's ruling, finding that Ms. Barnard was the victim of racial discrimination and that the SAPS had neglected to disprove the notion that she was treated unfairly in this respect. The case concluded that Ms. Barnard had experienced unjust treatment, which was against provisions 6(1) of the Act and 9(3) of the Constitution.

Examples from South African case studies on employment equity emphasise the need of workplace governance, pointing out that the government of South Africa has shown its will to address issues of discrimination and inequality in the workplace. The EEA's promulgation highlights how crucial it is for designated employers to develop and implement EE Plans that will, among other things, ensure that suitably qualified members of the designated groups are fairly represented in all occupational categories and have equal access to employment opportunities. The key element is for the employer to ensure that the workplace is equitably representative, irrespective of the existence or implementation of an EE plan.

2.10 CONCLUSION

Chapter two of this study has provided a comprehensive overview and evaluation of the existing literature on employment equity. In doing so, it has shed light on the immense significance of achieving equity at all levels of an organisation. Through a comprehensive exploration of the literature, the study has gained insightful observations into the

multifaceted nature of employment equity, which encompasses a historical context, challenges encountered in implementing legislative frameworks such as the Employment Equity Act, 1998 (Act 55 of 1998), perceptions surrounding its implementation, and strategies aimed at its effective execution.

One of the notable findings from the analysis of the current body of literature is the existence of a substantial gap in the implementation of employment equity. Despite the wealth of information available, there remains a lack of comprehensive insights into the contemporary state of employment equity in the public sector. The perceived gap in the implementation of employment equity presents a significant opportunity for the study to contribute meaningfully to the field. By addressing scarcity of information, the study seeks to provide a solid foundation for understanding the existing challenges and dynamics related to employment equity implementation within the public sector.

Chapter 2 has served as a critical foundation for the study, establishing a strong knowledge base by delving into the employment equity literature. The chapter has illuminated the importance of pursuing employment equity within organisations, identified key contextual factors, and highlighted the need to fill the current gap in knowledge regarding the state of employment equity in the public sector. Contextualising factors surrounding employment equity sets the stage for the study to make a meaningful and informed contribution to the ongoing discourse and practice of employment equity. In chapter 3, the focus is on describing the methodological approach to the study.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 INTRODUCTION

Research methodology is a systematic process of planning, executing, and evaluating the steps undertaken in a study to address specific questions or problems (Sileyew 2019:13). Kekana (2019:30) defines research methodology as a strategy that is employed to gather, examine, and evaluate data in order to address a research problem. The selection of a research topic, a preference for a certain research goal, and the availability of observation units all influence the choice of research method when conducting research. (Wessels 2018:19). The methodology employed in the study was anchored in a detailed approach, recognising the multifaceted nature of the research questions regarding employment equity implementation in the Department of Employment and Labour. A mixed methods design was selected, integrating quantitative and qualitative research paradigms to offer a holistic understanding of the multifaceted dynamics of the study. The basis for the mixed methods approach lies in its capacity to leverage the fortitude of both the quantitative and qualitative methods, thereby enhancing the overall depth of the study.

Through a process of population selection, location determination, and sample stratification, the study was intended to ensure a representative attainment of perspectives from key organisational tiers within the Department of Employment and Labour. The selection of the target population, consisting of employees at Salary Levels 9 to 15, was grounded in the recognition that individuals within these salary levels play an essential role in influencing and making decisions within the organisation. The chosen target population matches with the study's objectives to grasp the intricacies of employment equity implementation, identify challenges, and explore potential solutions. Rahi (2017:3) describes the target population as all aspects that the study desires to comprehend. The emphasis on salary levels 9 to 15 acknowledges the involvement of employees on salary levels 9 to 15 in decision-making responsibilities, policy implementation, and the execution of organisational strategies.

Every aspect of the study was guided by ethical considerations, which were considered throughout the research process (Drolet et al. 2022:273). Ethical considerations placed a strong emphasis on participant rights, confidentiality, and transparency. Permission to carry out the study was acquired from the Head of the Department of Employment and Labour to ensure institutional approval and alignment with ethical guidelines. Consent forms were administered, and information leaflets were distributed to clearly communicate to participants the purpose of the study, procedures, and their rights as participants.

As emphasised by Adu, Owusu, Martin-Yeboah, Pino Gavidia and Gyamfi (2022:27), the mixed methods design ensures a balanced approach, integrating the benefits of both qualitative insights and quantitative precision. The careful planning of data collection methods further enhanced the study's authenticity. The use of both open and closed-ended questionnaires facilitated an inclusive exploration of employees' perspectives on employment equity implementation in the Department of Employment and Labour. The structured format of closed-ended questions, accompanied by the Likert scales, allowed for the quantification of responses, while open-ended questions provided a channel through which participants could elaborate on their experiences.

The concept of triangulation was integral to the study's design. According to Noble and Heale (2019:10), triangulation is the use of several techniques or data sources to augment the credibility of the research outcomes. Triangulation enhances the integrity of research findings by utilising various methods or data sources to cross-verify and corroborate results, which provides a comprehensive comprehension of the phenomenon under investigation (Arias Valencia 2022:2). The combination of quantitative and qualitative data collection methods contributed to triangulation as the approach allowed for a thorough understanding of employment equity practices within the Department of Employment and Labour. In the next section 3.2, the research design employed in the study is discussed.

3.2 RESEARCH DESIGN

The study adopted a mixed-methods approach, selected based on the acknowledgment that the implementation of employment equity in the Department of Employment and Labour is a multifaceted phenomenon. The decision to integrate both qualitative and quantitative research methods was grounded in the intention to harness the complementary strengths of each paradigm, thereby enabling a detailed investigation into the intricacies surrounding employment equity. The decision to utilise the mixed-methods approach in the study was made with the understanding that quantitative methods provide numerical insights into trends and patterns, while qualitative methods delve into the rich context and individual perspectives, resulting in a more complete understanding (Wasti et al. 2022:27).

Qualitative research is gathering and examining non-numerical data in order to investigate underlying meanings, patterns, and occurrences (Borgstede and Scholz 2021:7). In this study, qualitative methods, such as semi-structured questionnaires, were employed to capture the depth and complexity of participants' experiences with employment equity. According to Creswell and Creswell (2017:45), qualitative research allows for an in-depth exploration of complex phenomena, providing a contextual understanding that is beyond numerical data. For this study, the mixed methods approach was relevant when exploring topics such as employment equity, where individual experiences and perceptions had a significant impact in shaping the overall landscape.

Quantitative research, in contrast, includes the gathering and examining of numerical data to identify correlations, patterns, and statistical trends (Aspers and Corte 2019:17). In this study, quantitative methods, including closed-ended questionnaires with Likert scales, were utilised to quantify attitudes and views of employees toward the Department of Employment and Labour's implementation of employment equity. According to Kuehn and Rohlfing (2022:12), the advantage of quantitative research is that it may be used to identify trends over a larger sample size and perform statistical analyses with greater numerical precision. The methodological approach undertaken corresponds with the

study's objectives to quantify and analyse employees' attitudes, opinions, and experiences related to employment equity in the Department of Employment and Labour.

The nature of employment equity, involving organisational policies, individual experiences, and cultural aspects, warranted a wide-ranging exploration. Quantitative methods provided numerical insights into trends and patterns, while qualitative methods delved into the rich context and individual perspectives, resulting in an expanded comprehension of the trends and patterns (Wasti et al. 2022: 27). The utilisation of both qualitative and quantitative data allowed for triangulation, enabling findings from one method to be cross-verified or complemented by the other. The mixed methods approach enhanced the credibility of the study by reducing the potential for bias and providing a varied interpretation of results (Yin 2018:7).

The mixed methods design afforded flexibility and adaptability during the research process. Emerging themes or insights from qualitative data could be further explored quantitatively, and vice versa. The mixed methods ensured that the research design remained responsive to the evolving nature of the research questions (Creswell and Creswell 2017:45). Expertise in both quantitative and qualitative analysis was required, and the integration of findings demanded careful consideration to ensure coherence of the study. In Section 3.3, the data collection method employed for the study is described.

3.3 DATA COLLECTION

According to Wessels (2018:241), a variety of techniques, such as focus groups, interviews, or electronically distributed questionnaires, could be employed to gather data. The research findings can be stated, corroborated, or reinforced by combining different data collection techniques. (Heilbron 2019:19). The study used questionnaires, which included close-ended questionnaires on a Likert Scale of 1 to 5 (1-Strongly Disagree; 2-Disagree; 3-Neither Agree nor Disagree; 4-Agree; 5-Strongly Agree), as well as semi-structured questions that were open-ended. The data collection method was selected to ensure exploration of employees' perspectives on the Department of Employment and

Labour's implementation of employment equity. The data collection method served distinct purposes, merging the efficiency of quantitative data gathering considering the depth of qualitative insights. The data collection technique that was used to obtain information is deliberated upon in the next section, 3.3.1.

3.3.1 Questionnaires

According to Yaddanapudi and Yaddanapudi (2019:12), a questionnaire is a methodical approach with a set of questions intended to collect data from respondents in an organised manner. Kmetty and Stefkovics (2021:5) state that questionnaires serve as a data collection tool, allowing researchers to efficiently analyse data on participants' attitudes, opinions, and experiences in a consistent and replicable manner. In this study, questionnaires played a key role in efficiently gathering quantitative data. The use of closed-ended questions with measurement scales was designed to capture structured responses, enabling a systematic and standardised approach to collecting information on employees' perceptions of employment equity implementation. According to Scholtz, de Klerk and de Beer (2020:8), questionnaires offer a time-efficient means of gathering responses from a relatively large sample, making the questionnaires well-suited for quantitative probes. The closed-ended nature of questions, accompanied by the Likert scale, enabled statistical analysis by simplifying the process of converting responses into numerical data and quantitative comparisons.

The structured format of questionnaires aligned with the need to quantify and analyse employees' attitudes, opinions, and experiences related to employment equity. The data collection method through questionnaires allowed for the detection of patterns and trends within the data, contributing to a rigorous and systematic analysis of quantitative insights (Melnikovas 2018:29). The questionnaire consisted of three sections, namely, the biographic details section, the quantitative questions with closed-ended questions, and the qualitative questions with open-ended questions. The data gathered through the use of the questionnaires was kept confidential. In the next section 3.3.2, the structured and semi-structured questionnaires are examined.

3.3.2 Structured and Semi-structured questionnaires

Semi-structured questions were employed to complement the quantitative data gathered through questionnaires. The questionnaire provided an opportunity for participants to share in-depth qualitative insights and to capture the intricacies and distinctions of participants' experiences with employment equity implementation (Dalati and Marx Gómez 2018:180).

As described by DeJonckheere and Vaughn (2019:12), semi-structured questions allow for open-ended questions, facilitating participants' detailed expression of their ideas and feelings. Knott, Rao, Summers and Teeger (2022:6) also indicate that the semi-structured questionnaire method offers an enhanced comprehension of the context surrounding the perceptions of participants and sheds light on the underlying factors influencing their perspectives. Given the multifaceted nature and context of employment equity, semi-structured questionnaires were essential for uncovering the qualitative aspects of employees' experiences. The flexibility of the exploration of unanticipated discoveries and the understanding of the difficulties and achievements encountered were made possible by the semi-structured approach.

According to Adeoye-Olatunde and Olenik (2021:18), the combination of structured questionnaires and semi-structured questionnaires, in a mixed methods approach, provides a triangulated and holistic assessment on the topic under investigation. Quantitative data from questionnaires offered statistical trends, while qualitative insights from open-ended questionnaires provided depth and context to the findings. The incorporation of the qualitative and quantitative methods enhanced the comprehensiveness of the study's results. The mixed methods approach was carried out in order to gather the participants' varied perspectives, sentiments, and thoughts regarding the implementation of employment equity. in the Department of Employment and Labour. The method undertaken for the distribution of questionnaires is discussed in the next section 3.3.3.

3.3.3 Distribution of questionnaires

Questionnaires were distributed to the selected participants through a dual approach, utilising both hand delivery and email. The dual approach distribution strategy was informed by the principles of the survey methodology, which aims to maximise response rates and ensure accessibility for participants (Ranganathan and Aggarwal 2018:11). Employing both hand delivery and email distribution increased the likelihood of reaching a diverse range of participants, accommodating different preferences and ensuring broader accessibility. An application for ethical clearance (see Annexure D) was obtained from the Ethics Committee of the Economic and Management Sciences at the University of South Africa prior to the questionnaire being distributed to employees of the Department of Employment and Labour. Permission to conduct the study at the Department of Employment and Labour was obtained from the Head of the Department of Employment and Labour. In the next section 3.3.4, the layout of how the questionnaire was designed is discussed.

3.3.4 Questionnaire Layout

The questionnaire was designed to incorporate a blend of open-ended and closed-ended questions. Closed-ended questions utilised the Likert scale, allowing for the quantification of responses and the identification of numerical trends. Open-ended questions were strategically included to elicit detailed insights, enabling respondents to provide their perspectives and experiences (van der Waldt 2020:30). The questionnaire consisted of questions relating to biographical details and closed-ended and open-ended questions that required respondents to reflect on and provide their perceptions. The next section, Section 3.4, discusses the data analysis that was embarked on for the study.

3.4 DATA ANALYSIS

According to Popenoe et al. (2021:13), data analysis is the process of examining and analysing gathered information to find patterns, make inferences, and get valuable

insights for study. In this study, the data analysis phase was a crucial component of the research process, aiming to extract significant discoveries from the gathered data. A combination of both quantitative and qualitative data analysis methods was employed, aligning with the mixed methods approach. A full description of data analysis is presented in the next chapter that deals with the presentation of the findings of the study. The quantitative data analysis undertaken in the study is covered in the next section, 3.4.1.

3.4.1 Quantitative data analysis

The quantitative data analysis was essential for quantifying and summarising employees' perceptions of employment equity implementation. The quantitative data analysis allowed for determining dominant trends, variations, and statistical relationships within the numerical data, contributing to a comprehensive understanding of the quantitative aspects of the research questions (Kuehn and Rohlfing 2022:12).

With the utilisation of statistical tools, mainly descriptive statistics, quantitative data obtained from surveys was analysed. The Statistical Package for the Social Sciences (hereafter referred to as SPSS) software was utilised to process and interpret the numerical data (Abulela and Harwell 2020:27). Descriptive statistics of the main features of the dataset provided, offering numerical precision and facilitating the identification of trends and patterns. SPSS is widely used statistical software that enables the application of various statistical tests to determine the statistical significance of findings and thereby supporting vigorous quantitative analysis (Abulela and Harwell 2020:20). The study applied the following techniques to conduct quantitative analysis using SPSS:

3.4.1.1 Data cleansing

According to Hair et al. (2019:35), the practice of identifying and correcting mistakes and inconsistencies in a dataset to raise the standard and dependability of the research is known as data cleansing. To maintain the integrity and correctness of the study findings, data cleansing is a crucial stage in the data analysis process. The study applied data cleansing by reviewing the responses from the 23 participants to identify any errors, inconsistencies, or missing values. The data cleansing process involved analysing

duplicate entries, resolving any discrepancies in participants' responses, and addressing any missing or incomplete data points.

3.4.1.2 Descriptive analysis

Descriptive analysis is a technique that involves summarising and describing the main features of a dataset, presenting the data in an understandable and concise manner, and making it easier to identify trends and patterns (Hair et al. 2019:18). In terms of descriptive analysis, the study calculated percentages to summarise the data from the 23 participants. The descriptive analysis approach provided a clear indication of the distribution of responses and the varying perspectives among participants regarding the Department of Employment and Labour's compliance with the Employment Equity Act, 1998 (Act 55 of 1998). The descriptive analysis technique provided valuable insight for understanding the overall perception and identifying any trends or patterns in the data.

3.4.1.3 Integration with existing literature

According to Creswell (2014:32), integrating existing literature involves incorporating relevant research findings, theories, and concepts from previous studies into the analysis. The step helps in providing context for the study's findings and understanding the broader implications of the research. In this study, the integration of research findings and existing literature was achieved by comparing what existing literature suggested about employment equity with what the analysis of the participants' responses unveiled.

3.4.1.4 Providing Recommendations

Creswell (2014:28) discusses the importance of providing recommendations based on the study's findings. Recommendations are suggestions for future actions or strategies aimed at addressing the issues identified in the analysis and guiding decision-making and actions for improvement. In integrating with existing literature, the study reviewed previous sources to gain insights into the dynamics surrounding compliance with employment equity legislation. The study then compared the findings with the data from the participants to understand how their perceptions align with the broader literature.

3.4.2 Qualitative data analysis

Qualitative data acquired from semi-structured questionnaires underwent thematic analysis as a technique for finding, analysing, and summarising patterns (themes) in data and offers a thorough, intricate, yet complex explanation of the data. The process of doing a thematic analysis involves creating or conceiving themes that are relevant to the respondents' situation. (Wessels 2018:29). Influenced by Braun and Clarke (2006:3-7), thematic analysis was applied in six systematic steps to analyse qualitative data obtained from semi-structured questionnaires in this study. The process began with familiarisation of the data, obtaining a thorough comprehension of the subject matter. As a second step, initial codes were generated by identifying meaningful patterns and themes across the dataset. Codes were then arranged into potential themes, forming the third step. The fourth step involved reviewing and processing the themes to ensure coherence and relevance. Following this, themes were named and defined in a clear and concise manner, contributing to the fifth step of theme development.

Finally, a comprehensive report was generated, presenting the identified themes alongside illustrative quotations from participants, providing a rich and intricate depiction of the qualitative findings. The systematic application of thematic analysis allowed for a rigorous and structured examination of the complexities inherent in participants' experiences, aligning with the study's objective of uncovering the qualitative dimensions of employment equity implementation within the Department of Employment and Labour.

Given the exploratory nature of the study and the need to understand the complexities of employment equity implementation, thematic analysis was well-suited for recognising recurrent themes, trends, and variances in the qualitative responses of participants. The thematic analysis allowed for the emergence of key insights and the exploration of unexpected findings (Kiger and Varpio 2020:8).

Combining quantitative and qualitative data analysis techniques allows for a thorough and multidisciplinary evaluation of the study's findings. (Creswell and Creswell 2017:17). By examining both quantitative trends and qualitative patterns, the study was designed to provide an overall comprehension of the multifaceted dimensions of employment equity

implementation within the Department of Employment and Labour. The target population selected for this study is discussed in the next section, Section 3.5.

3.5 POPULATION

In research, the term population describes the whole set of people or situations that satisfy the requirements to be included in a study. from which a sample is drawn to make inferences about the broader group (Snyder 2019:22). Nunoo (2020:63) defines population as all the components or objects that the research aims to comprehend. The target population for this study was selected through a consideration of the organisational structure and levels of responsibility within the Department of Employment and Labour. The chosen population comprised of employees at Salary Level 9 to Salary Level 15, which assumed that individuals occupying these salary levels play critical roles in influencing and making decisions within the organisation. Although the study had hoped for a target sample of 50 employees for inclusion in the study, only 23 employees responded to questionnaires distributed.

Salary levels 9 to 15 represented the strata of junior management, middle management, and senior management within the organisational hierarchy of the Department of Employment and Labour. Employees at salary levels 9 to 15 are often tasked with decision-making responsibilities, policy implementation, and the execution of organisational strategies. Perspectives of employees between salary levels 9 to 15 were deemed vital for evaluating the effectiveness of employment equity implementation. Focusing on salary levels 9 to 15 also aimed to capture the perspectives of individuals directly contributing to the development, execution, and oversight of employment equity initiatives. The strategic selection of the target population provided a comprehensive view of the organisational structure of the Department of Employment and Labour, ensuring that the experiences and viewpoints of employees in decision-making positions were considered.

The decision to focus on Salary Levels 9 to 15 aligned with the objectives of the study, which aim to comprehend the difficulties in implementing employment equity, identify challenges, and explore possible solutions. Employees within salary levels 9 to 15 were more likely to have first-hand experiences with the practical aspects of employment equity strategies, making their insights relevant. Although the focus on Salary Levels 9 to 15 provided in-depth insights into managerial perspectives, it is crucial to acknowledge that the findings may have limitations in terms of generalisability to lower organisational levels. The study's conclusions should be interpreted within the context of the selected population. In the next section 3.5.1, the demographic profile of the Department of Employment and Labour is considered.

3.5.1 Demographic profile of the Department of Employment and Labour workforce

The Department of Employment and Labour comprises of an estimated 469 employees across the various salary levels, functional roles and geographical locations. During the period of this study, the department underwent structural changes, including the creation of new posts and the appointment of new employees (Department of Employment and Labour Annual Report 2021:39). However, this research is based on the demographic profiling of the core workforce as per the HR records available during the study period.

3.5.1.1 Salary level distribution

The Department of Employment and Labour's organisational structure is designed in a hierarchical pyramid, starting from Salary Level 5 (Entry to Level and Operational Support) up to Salary Level 15 (Executive Management). This distribution mirrors the functional needs of a large public service institution, where the majority of employees are concentrated in the lower levels, supporting a leaner strategic and managerial upper structure (Annual Report on Employment Equity in the Public Service 2021/2022: 35).

Operational and Support Staff (Salary Levels 5 to 8): This group forms the broadest base of the department's workforce with a total of 258, estimated at approximately 55% to 60% of the total staff complement. Employees at these levels are primarily responsible

for clerical, technical, administrative and frontline service delivery roles. Their substantial presence is critical to the daily operations of the department, ensuring that service delivery mandates are fulfilled (Human Resource Department: 2021).

Junior Management (Salary Levels 9 and 10): Representing the next significant tier, Junior Management accounts for 98 employees which is approximately 20% of the department's workforce. Employees within these levels typically oversee operational teams, ensure task execution and provide first-level supervisory functions. This level serves as a bridge between operational staff and middle management (Human Resource Department: 2021).

Middle Management (Salary Levels 11 and 12): Middle Management constitutes 73 employees which accounts for 15% of the workforce. These employees are tasked with broader supervisory responsibilities, including policy implementation, programme coordination, and resource management. Their role is pivotal in translating strategic directives from senior management into actionable plans (Human Resource Department: 2021).

Senior Management (Salary Levels 13, 14 and 15): Senior Management represents the smallest segment with 47 senior managers, making up the remaining 10% of the department's staff. These employees occupy leadership roles involving high-level strategic oversight, policy formulation and executive decision-making. Within this tier, Salary Level 13 shows a noticeable drop in representation, potentially signalling a bottleneck for upward mobility, as fewer positions exist at this level compared to operational tiers. Salary Levels 14 and 15 house the department's top executives and chief directors, with the smallest number of officials due to the specialised nature of these roles (Human Resource Department: 2021).

The hierarchical structure of the department is therefore bottom-heavy, with a strong focus on operational and service delivery functions, supported by a leaner managerial and executive tier that provides strategic oversight and governance (Department of Employment and Labour Annual Report 2021/2022:23).

3.5.1.2 Gender representation

The department demonstrates a relatively balanced gender composition. Approximately (238) 51% of employees are female, while (227) 48% are male, with a minimal representation (1) 1% identifying as non-binary or gender diverse. This gender balance aligns with national employment equity goals, particularly in promoting women's representation in leadership positions. However, a notable gender gap remains at Senior Management levels (Levels 13 to 15), where male representation continues to surpass that of female employees, indicating a persistent challenge in achieving gender parity at executive tiers (Commission for Employment Equity 2021:27).

3.5.1.3 Race/ethnicity representation

The racial composition of the department reflects South Africa's broader employment equity objectives, with 350 African employees constituting the majority at approximately 75% representation, followed by 57 Coloured employees accounting for 12% representation, with 28 Indian employees constituting 7% of the workforce, and 27 White employees accounting for 6% of the workforce. Notably, African employees hold the majority of senior management positions (Levels 13 to 15), demonstrating that ongoing efforts are needed to ensure equitable representation and opportunities for all designated groups throughout the organisational hierarchy (Commission for Employment Equity 2021:37).

3.5.1.4 Age groups

The department's workforce spans various age categories. The 30 to 39 years age group forms the largest cohort at 40%, followed by 40 to 49 years (35%), and 50 years and above (20%). The 20 to 29 years age group makes up a smaller segment (5%), indicating limited representation of younger professionals entering the department (Human Resource Department: 2021). This age distribution suggests a mature workforce with substantial institutional experience, though it raises considerations for future succession planning and leadership development initiatives.

3.5.1.5 Functional roles

The department's functional composition includes a balance of 191 employees performing administrative roles which constitutes 40%, Managerial roles accounts for 35% of the workforce which translate to 166 roles, and 120 employees perform Specialist/Technical roles which accounts for 25% of the workforce. Administrative roles predominantly cover operational support functions, while managerial roles span supervisory, policy implementation, and operational oversight responsibilities. Specialist roles, although fewer in number, are pivotal in providing technical expertise in areas such as labour relations, inspections, and compliance monitoring (Commission for Employment Equity 2021:26).

3.5.1.6 Educational background

The educational qualifications across the department indicate a workforce with a substantial level of academic attainment. Approximately 235 employees possess National Diplomas or equivalent qualifications which amounts to 50% representation, 139 employees hold Bachelor's Degrees which constitutes 30% of the workforce, and 69 employees account for 15% of total employees that have attained Postgraduate qualifications (Honours and Master's Degrees). A smaller fraction of 24 employees accounts for 5% of employees who holds certificates or NQF Level 4 qualifications, primarily in administrative support roles (Human Resource Department: 2021). This educational profile reflects a workforce well-aligned with the department's technical and managerial demands. The sampling method utilised in the study is deliberated upon in the next section, Section 3.6.

3.6 SAMPLE

According to Fidahic et al. (2020:22), a subset of people or items selected from a broader population to serve as a study's representative sample is known as a sample in research. In this study, the process of selecting a representative sample was a critical aspect of

ensuring the generalisability of the study's findings. For this study, the stratified random sampling technique was chosen. By utilising stratified random sampling, the population was split into discrete subgroups or strata according to a pertinent attribute as influenced by Jelcic et al. (2020:12). A research study's sample population is sufficiently represented across all subgroups of the target population with the utilisation of stratified random sampling. (Trochim 2020:88-90). A stratified random sampling technique was employed to derive a sample of 50 employees from a larger population within the Department of Employment and Labour and included only Salary Levels 9 to 15, which comprised of Junior, Middle and Senior Management Levels. The stratified random sampling technique ensured a deliberate and systematic selection process, promoting diversity and comprehensive representation across various salary levels.

In this study, the strata were defined by different salary levels, specifically, salary levels 9 to 15. Each stratum represented a tier of organisational responsibility, from junior to middle to senior management. Within each stratum, a random selection process was employed to choose a proportionate number of participants. The random selection process ensured that the sample was not biased towards any salary level, allowing for a balanced representation of perspectives across the entire managerial spectrum.

The criteria for selection were explicitly defined to include individuals at salary levels 9 to 15. The intentional inclusivity, defined as the deliberate effort to encompass a broad range of participants (Prince and Francis 2023:15), ensured that the sample covered junior, middle, and senior management levels, offering an extensive comprehension of the employment equity perspectives and experiences across different organisational tiers. Stratification by salary level acknowledged the hierarchical structure within the organisation, recognising that individuals at different levels may have distinct roles, responsibilities, and experiences related to employment equity.

The sampling approach ensured that the study captured a broad range of perspectives. By stratifying the sample, the purpose of the study was to improve the findings' accuracy and precision. Stratifying the sample allowed for targeted insights into specific organisational tiers, enabling the study to discern patterns and variations in employment

equity perceptions and practices. A sample of the population was selected to offer the necessary details in order to generate trustworthy data that may be examined. In the next section 3.7, the locus and focus selected for the study is discussed.

3.7 LOCUS AND FOCUS

According to Sileyew (2019: 28), the location of the study in research refers to the specific physical, organisational, or social context where the investigation takes place. This study was conducted at the Department of Employment and Labour, the National Office in Pretoria. The decision to conduct the study in this setting was strategic and grounded in the understanding that the location is essential in forming the context and dynamics of the research. Focusing on a specific and centralised location, such as the national office, allowed for a concentrated investigation into the core operations and policies of the Department of Employment and Labour.

The national office of the Department of Employment and Labour is the epicentre of policy formulation and strategic decision-making. Policies related to employment equity are developed and disseminated from the central office, making it an ideal location to investigate the genesis and dissemination of employment equity practices. Conducting the study at a central location allowed the study to gain insights into the prevailing organisational values, norms, and practices related to employment equity. The organisational culture at the national office often sets the tone for the entire department.

The concentration of decision-makers and key stakeholders at the national office provided an opportunity to engage directly with individuals who influenced the development and implementation of policies regarding employment equity. The access to key decision-makers enhanced the depth of the information gathered, allowing for more understanding of the organisational dynamics. It is important to recognise any potential limitations even though the national office focus yielded insightful information. The findings may not be entirely representative of regional variations within the Department of Employment and Labour.

The focus of this study was on understanding the complexities inherent while carrying out programmes for employment equity within the Department of Employment and Labour. The focus was guided by the need to delve deeply into the specific challenges and successes of the organisation's employment equity practices, with the aim of providing valuable insights for improvement. Employment equity is a critical aspect of ensuring fairness and equality in the workplace, particularly in diverse societies like South Africa. The goal of employment equity is to advance equal opportunities for all employees, regardless of their background, and address historical imbalances in the workforce (Bagraim 2020:30). Implementing employment equity can be difficult and complex, requiring a thorough comprehension of the dynamics and organisational context (Sabelo 2018:50).

The focus on understanding the complexities and challenges experienced in the Department of Employment and Labour is vital for various reasons. Understanding the complexities assists in identifying the barriers and obstacles that may hinder the effective implementation of employment equity initiatives. By understanding employment equity challenges, organisations can develop more targeted and efficient methods for resolving the issues identified in the implementation of employment equity (Utete 2022:144-145). Understanding the complexities of employment equity implementation may provide an opportunity to cultivate an inclusive and diverse culture within the organisation.

By acknowledging and addressing the challenges faced in implementing policies pertaining to employment equity, organisations can foster a workplace that is equal and inclusive for all employees (Ciuk, Śliwad and Harzing 2022:870). According to Wexler and Largent (2023:24), the ethical considerations section in research is essential to ensure responsible, ethical and integral research conduct. The purpose of ethical considerations is to uphold the rights of participants, dignity and well-being during the research process. In the next section 3.8, the ethical considerations for the study are delved into.

3.8 ETHICAL CONSIDERATIONS

Ethical considerations are paramount in research, particularly when employing mixed methods and utilising multiple channels for questionnaire distribution (Wexler and Largent, 2023:27). Various ethical principles were upheld, safeguarding the rights of participants and the general objectivity of the research process, which is discussed below:

3.8.1 Informed consent

The voluntary agreement of an individual to take part in a study is known as informed consent (see Annexure A) after being provided with thorough details regarding the techniques, potential risks, rewards, and purpose of the research (Grant 2021:7). Participants have the right to withdraw from the study at any stage without facing adverse consequences. Prior to participation, participants received detailed information that was clear and concise regarding the study's purpose, methods, possible risks, and advantages of the study. Forms for informed consent were distributed, describing their right to withdraw at any stage without penalty and that participation is optional. The distribution of consent forms respected participants' autonomy and ensured that when it came to their participation in the study, individuals made informed decisions.

3.8.2 Permission from Department Head

According to Wu, Howarth, Zhou, Hu and Cong (2019:18), permission from the intended organisation to conduct research implies obtaining official authorisation from the organisational leadership to conduct the research. In this study, the study was granted permission to be conducted from the Head of the Department of Employment and Labour, underscoring the importance of institutional approval. Obtaining permission to conduct the study at the Department of Employment and Labour ensured that the research was aligned with the department's policies and did not pose any conflicts of interest.

3.8.3 Confidentiality and anonymity

Safeguarding participant information is a component of confidentiality that aims to prevent unauthorised access, while anonymity ensures that the identities of participants are not

disclosed. Both measures are crucial ethical considerations to protect participants' privacy and maintain the integrity of the research (Dougherty 2021:11). Participants' privacy was safeguarded through the use of unique identifiers instead of personal information in the data collection process. A unique identifier is the usage of a false name or assumed name that differs from the real name of a person (Creswell and Creswell 2017:13). The collected data was securely stored and accessible only for study purposes. Any information that would allow participants to be uniquely identified was treated with confidentiality with due regard to the importance of protecting the privacy of the participants.

3.8.4 Dual-channel questionnaire distribution

Dual-channel questionnaire distribution involves the application of several communication methods, such as both email and hand delivery, to provide participants with flexibility and accommodate diverse communication preferences. The dual-channel questionnaire distribution approach maintains participants' privacy and confidentiality while gathering data (Creswell and Hirose 2019:9). In this study, the use of both email and hand delivery for questionnaire distribution was informed by ethical considerations. The dual-channel approach was utilised to accommodate participants' diverse communication preferences while respecting their privacy. Email correspondence was conducted securely, and hand delivery involved sealed envelopes to maintain confidentiality.

3.8.5 Ethical handling of sensitive information

According to Kisselburgh and Beever (2022:19), ethical handling of sensitive information involves a conscientious approach to collecting, storing, and utilising data that may have personal or emotional implications for participants. Ethical handling of sensitive information includes careful consideration of language and tone to minimise potential distress. Given the nature of the study, which delved into employment equity practices, the study was sensitive to potential emotional or professional implications for participants. Consideration was taken to the wording of questions and the overall tone of communication to minimise any unintended distress. Participants were assured that their responses would not impact their employment status.

3.8.6 Information leaflet

According to Dwyer, Joyce, Rogers and Hynes (2022:8), an information leaflet is a concise document distributed to participants, providing essential details about the research objectives, potential benefits, and contact information for the study and supervisor. An information leaflet serves to enhance participants' understanding of the study and reinforces transparency. In this study, an information leaflet was distributed to provide participants with a brief synopsis of the research. The leaflet included key details about the research objectives, potential benefits, and contact information for the study and the supervisor.

3.8.7 Minimisation of coercion and undue Influence

Minimisation of coercion and undue influence involve taking measures to ensure that participants engage in the study voluntarily, without external pressures or manipulative influences. Participants are provided with clear notification of their withdrawal right without consequences (Largent and Lynch 2017:3). In the pursuit of ethical integrity, a paramount consideration was the minimisation of coercion and undue influence. Participants were clearly informed of their ability to withdraw at any stage of the research process without facing adverse consequences, ensuring their engagement remained voluntary. The ethical safeguard not only fosters genuine participation but also upholds the principle of respecting participants' autonomy.

3.8.8 Minimisation of harm to participants

According to Bos (2020:10), participant well-being and emotional impact consideration involves attentiveness to the potential emotional or professional implications of the study on the participants. The purpose of the research is to minimise any unintended distress and prioritise the welfare of the participants. Given the study's exploration of topics related to employment equity practices, the ethical consideration of participant well-being and potential emotional impact was paramount. The study was attuned to the potential emotional or professional implications for participants, underscoring the need for a respectful and empathetic approach to dealing with the participants' experiences.

3.9 CONCLUSION

In conclusion, the research methodology chapter has delineated the systematic framework that underpins this investigation into the implementation of employment equity at the Department of Employment and Labour. The mixed methods design, coupled with a strategic choice of population, location, and sample, positions the study to offer perceptions about the obstacles and achievements of employment equity within the Department of Employment and Labour. The ethical considerations integrated into every stage of the study underscore the commitment to participant welfare and data integrity. The dual-channel distribution of questionnaires and the application of thematic analysis in qualitative data interpretation add layers of depth to the study's approach (Babbie and Mouton 2016:27).

As the study transitions from the methodological groundwork to the empirical exploration, the selected methodology serves as the foundation that ensures the ethical soundness of the study, allowing for a meaningful and thorough analysis of employment equity practices within the Department of Employment and Labour. To achieve the objectives of the study, the best suitable research methodology was chosen. The research methodology was selected to effectively solicit the necessary responses to fulfil the purpose of the research. In the various sections of the chapter, the research design, data collection and data analysis techniques, target population and sampling method, the locus and focus of the study and ethical considerations were described.

The next chapter presents the research findings and interpretation of the results. The empirical findings, a culmination of participant responses, is be unveiled, shedding light on the multifaceted dimensions of employment equity implementation within the Department of Employment and Labour. In the next chapter, the reader will uncover a detailed analysis that explains the study's findings and connects with existing literature. Chapter 4 encounters a well-presented analysis that not only explains the empirical evidence but also synthesises the study with existing literature for an enhanced understanding of the difficulties involved in carrying out employment equity programmes.

CHAPTER 4

DATA ANALYSIS

4.1 INTRODUCTION

Chapter 4 presents the analysis of data gathered from both qualitative and quantitative sources to examine employment equity implementation at the Department of Employment and Labour. In this chapter, the reader will uncover a detailed analysis that explains the study's findings and interpretation of the research results. The chapter starts with an overview of the demographic information of participants, providing details such as salary level, gender disparities and years of experience.

The analysis conducted in this study is structured around key themes identified in the qualitative data and descriptive analysis in the quantitative data. The chapter includes a discussion on the triangulation of findings, which involves comparing and contrasting the qualitative and quantitative data. The discussion on the triangulation of findings highlights areas of convergence and divergence between the two types of data, offering insights into the effectiveness of employment equity implementation from multiple perspectives. Finally, the chapter concludes with an integration of findings, methodological reflections, and implications. In the next section, section 4.2, the demographic information of participants in the study is illustrated and described.

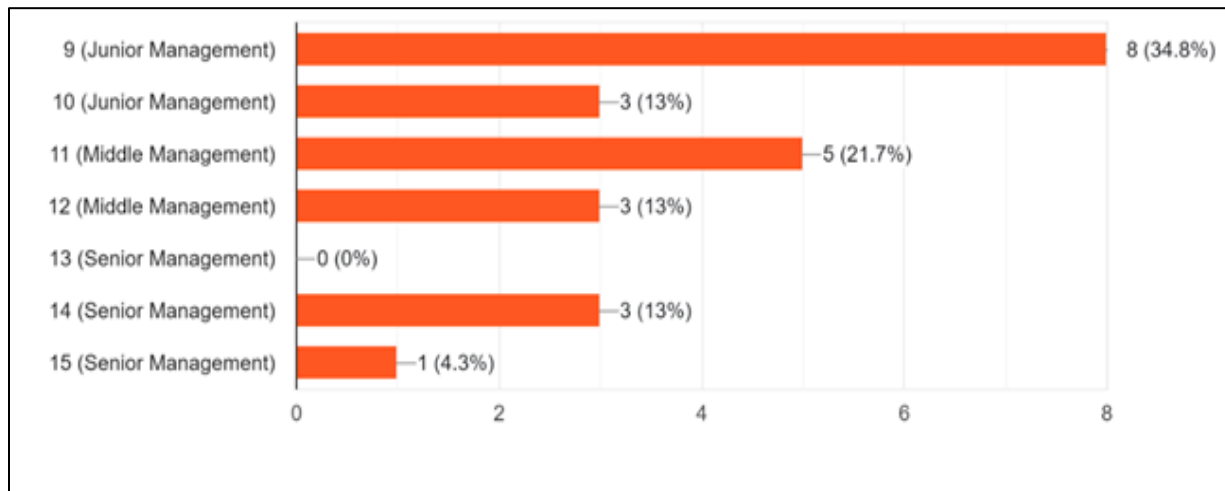
4.2 DEMOGRAPHIC INFORMATION OF PARTICIPANTS

The demographic section of the questionnaire was included in the study to obtain information on the profile of participants in the study. The below sections provide the salary level scales of participants, years of experience and the presentation of data.

4.2.1 Salary level scales

The below figure indicates the analysis of salary level scales of the participants in the study.

Figure 4.1: Analysis of salary level scales



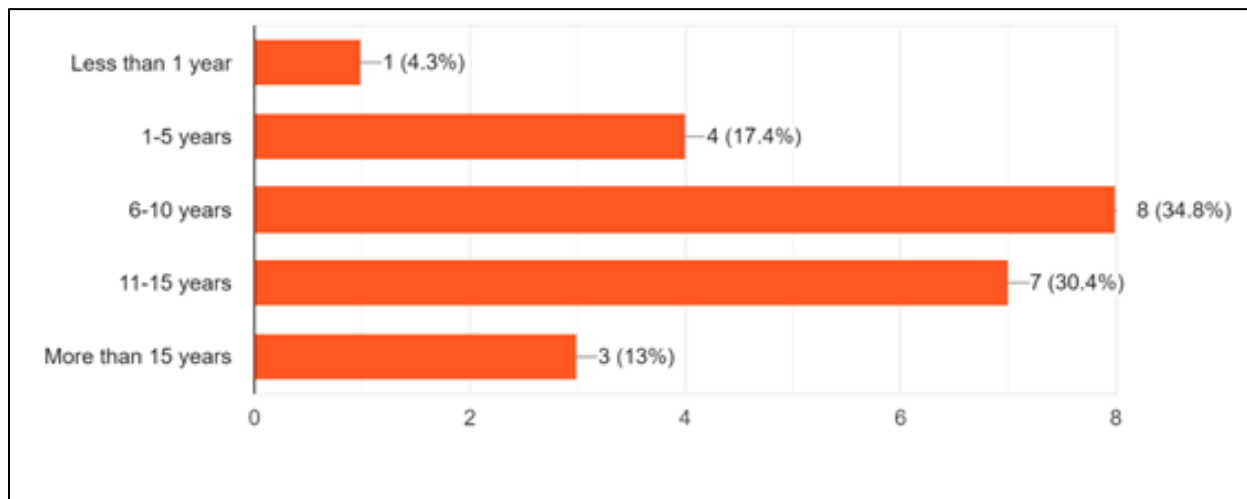
From the salary level scales provided in 4.2.1, it is indicative that the participants represented a range of salary levels within the Department of Employment and Labour. The majority of participants in the study were at salary level 9 (Junior Management), comprising of 8 (34.8%) participants. At salary level 10 (Junior Management), the study consisted of 3 (13%) participants, while level 11 (Middle Management), the study had 5 (21.7%) participants. At salary level 12 (Middle Management), the study had 3 (13%) participants. There were no participants from levels 13 (Senior Management), indicating either a lack of representation at this level. Salary level 14 (Senior Management) had 3 (13%) participants, while salary level 15 (Senior Management) had 1 (4.3%) participant.

The demographic breakdown suggests a relatively diverse representation of salary levels within the Department of Employment and Labour, with a slightly higher representation of Junior and Middle Management compared to Senior Management. The gender distribution across salary levels appears relatively balanced, with no significant skew towards either male (11) or females (12) in most categories. However, the lack of representation at levels 13 (0%) and may indicate a potential area for further investigation regarding the distribution of senior roles within the department. In the next section, section 4.2.2, the overall years of experience of the participants is discussed.

4.2.2 Analysis of years of service

The figure below provides an analysis of participants' years of service in the Department of Employment and Labour.

Figure 4.2: Analysis of years of experience



The figure above indicates varying years of service among 23 participants who were involved in the study. The majority of participants (34.8%) fell into the 6 to 10 years' experience category. The majority of participants between 6 to 10 years' experience may suggest a substantial portion of mid-career professionals within the department, likely with a solid foundation of experience but still actively engaged in their careers. The 11 to 15 years' experience category represented (30.4%) of the sample, indicating a significant presence of professionals with a decade or more of experience. The participants within the 11 to 15 years' experience are likely to be more knowledgeable about the department's procedures and guidelines, potentially providing insightful advice on how to implement employment equity initiatives.

The 1 to 5 years' experience category accounted for (17.4%) of the sample, indicating a smaller proportion of participants in the early stages of their careers within the department. The category for more than 15 years' experience comprised only (13%) of the sample, suggesting a smaller representation of long-tenured professionals. While this group may offer insights based on their extensive experience, their smaller numbers may

limit the generalisability of their perspectives across the department. The smallest category was participants with less than 1 year of experience, representing (4.3%) of the sample. In the next section, section 4.3, the presentation of data from the study is explored.

4.3 PRESENTATION OF DATA

The presentation of data is divided in two sections. Section A commences by presenting the qualitative data analysis, which has been analysed thematically and is aligned with the following research objectives:

- To analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour.
- To examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998).
- To explore the mechanisms that the Department of Employment and Labour has put in place to achieve the overall objectives of the Employment Equity Act, 1998 (55 of 1998).

The section to follow is Section B, which is quantitative data analysis generated through questionnaires. The quantitative data was analysed using SPSS data analysis software and involves descriptive interpretation of the data portrayed through graphs. The research objectives addressed in the quantitative data analysis are as follows:

- To determine to what extent employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998).
- To analyse the challenges associated with the implementation of employment equity at the Department of Employment and Labour.

- To explore the mechanisms that the Department of Employment and Labour can put in place to achieve the overall objectives of Employment Equity Act, 1998 (55 of 1998).

4.3.1 SECTION A: Qualitative data analysis

The following section presents qualitative data analysis of the study. For ease of reference, the study presents the research objectives addressed and the research questions asked.

Objective 1: To analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour.

Under the objective: to analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour, the following five themes were generated:

- Theme 1: Lack of clear communication
- Theme 2: Resistance to change
- Theme 3: Limited opportunities for advancement
- Theme 4: Inadequate resources and support
- Theme 5: Lack of transparency

Question asked: *In your experience, what specific challenges have you encountered in the implementation of employment equity? Please provide details.*

Theme 1: Lack of clear communication - In the research question indicated above, participants were asked to identify specific challenges that they have encountered in the implementation of employment equity within the department. In their responses, the lack of clear communication theme was generated, focusing on communication challenges related to employment equity policies and procedures. Participants highlighted issues such as the lack of clarity regarding promotion criteria and the overall goals and benefits of employment equity, indicating potential gaps in communication within the organisation. The following quotations support the theme of the lack of clear communication.

Participant 1: *"One challenge has been a lack of clear communication regarding the criteria for promotions."*

Participant 16: *"The lack of clear communication about the goals and benefits of employment equity has been a challenge."*

Participant 23: *"One of the main challenges has been the lack of clear communication and understanding of employment equity goals and objectives among staff."*

According to Jones and Joslin (2019:56), effective communication is essential for employees to understand the goals and benefits of equity initiatives. Lack of clarity can lead to misunderstandings and perceptions of unfairness (Smith and Thompson 2020:17).

Clear communication plays a crucial role in ensuring that employment equity policies are understood and supported by all stakeholders, contributing to their successful implementation (Chun 2021:47). Strategies such as regular updates, training programmes and transparent policies are recommended to address communication challenges and enhance understanding among employees.

Theme 2: Resistance to change - The theme on resistance to change addresses the challenges faced by the Department of Employment and Labour in implementing the Employment Equity Act, 1998 (Act 55 of 1998). Participants were asked to identify specific challenges that they have encountered in the implementation of employment equity within the department, and the participants indicated that the department encounters resistance from certain employees who perceive employment equity initiatives as preferential treatment or unfairness in the promotion process. The following quotations support the theme of resistance to change:

Participant 9: *"The main challenge is the resistance from some employees to change. Overcoming deep-rooted biases and fostering a culture of inclusivity remains an ongoing process."*

Participant 10: *"While challenges exist, the main one is overcoming resistance from certain departments. Convincing staff of the benefits of diversity and equity remains an ongoing effort."*

Participant 22: *"One of the main challenges has been resistance to change from some employees who perceive employment equity initiatives as preferential treatment."*

Resistance to change is a common challenge in implementing equity initiatives (Ryan 2019:328). Jackson (2020:99) adds that some employees may resist the implementation of employment equity initiatives due to perceptions of unfairness or fear of losing opportunities. To address resistance, organisations can use strategies such as providing clear rationale for equity initiatives, involving employees in the process, and emphasising the benefits of diversity and inclusivity (Smith and Johnson 2021:220). It is important to note that not all resistance is negative, as constructive resistance can lead to improvements in equity programmes (Jones and Davis 2020:51). Overcoming resistance to change is essential for successful implementation of employment equity policies. This is line with the Compliance Theory's perspective on organisational dynamics, which indicates that leadership must actively work to create an environment conducive to change, promoting equity as a core value. The Compliance Theory is discussed in detail in Section 4.4.3.

Theme 3: Limited opportunities for advancement - The theme on limited opportunities for advancement addresses the research question concerning the challenges associated with the implementation of employment equity within the Department of Employment and Labour, particularly in terms of improving the overall objectives of the EEA. Participants highlighted challenges related to limited opportunities for career advancement, especially for junior staff and certain groups, indicating potential gaps in the implementation of equity measures within the organisation. The following quotations support the theme of limited opportunities for advancement:

Participant 2: *"As a junior employee, I often feel overlooked in decision-making processes. There's a lack of mentorship opportunities, and it's challenging to understand how to advance within the organisation."*

Participant 7: *"The main challenge is the lack of opportunities for junior staff. Promotions seem biased, and it's demotivating not to see a clear pathway for career growth."*

Participant 14: *"The main challenge here is the lack of opportunities for career advancement. It feels like certain groups have more access to growth opportunities than others."*

Limited opportunities for advancement can hinder the effectiveness of employment equity programmes (Smith and Johnson 2019:70). According to Brown and Jackson (2020:209) inclusive practices such as mentorship programmes and career development initiatives can help address challenges of limited opportunities. Ryan and Patel (2018:350) suggest that organisations need to ensure that advancement opportunities are fair and accessible to all employees, regardless of their background. Providing clear pathways for career growth and development can improve employee morale and engagement (Jones 2021:60). Addressing limited opportunities for advancement is crucial for achieving the objectives of the EEA and promoting a diverse and inclusive workplace.

Theme 4: Inadequate resources and support - The theme on inadequate resources and support addresses the research objective regarding the challenges associated with the implementation of employment equity at the Department of Employment and Labour. When asked to identify specific challenges that participants have encountered in the implementation of employment equity within the department, participants identified inadequate resources and support as key challenges, indicating a lack of sufficient resources and assistance to effectively implement employment equity initiatives within the organisation. Below quotations support the theme of inadequate resources and support:

Participant 21: *"Inadequate resources and support for implementing equity initiatives, resistance to change and lack of buy-in from senior management, and limited awareness and understanding of employment equity among staff."*

Participant 19: *"The lack of clear communication about the goals of employment equity and limited training opportunities have been challenging."*

Participant 22: *"One of the main challenges has been resistance to change from some employees who perceive employment equity initiatives as preferential treatment."*

Inadequate resources and support can significantly impede the successful implementation of employment equity initiatives (Dixon 2020:206). Smith and Johnson (2019:89) argue that organisations need sufficient resources, such as funding, staffing, and time, to effectively implement equity programmes. Support from senior management is crucial for creating a culture of inclusivity and diversity (Ryan and Patel 2020:328). Lack of resources and support can lead to challenges such as resistance to change and limited awareness among staff. Jones and Davis (2018:34) cite that it is essential for organisations to allocate adequate resources and provide support to ensure the successful implementation of employment equity initiatives.

Theme 5: Lack of transparency - The theme of lack of transparency in promotion processes aligns with the research objective regarding the Department of Employment and Labour's compliance with the EEA. Participants' experiences suggest that there is a need for clearer communication and openness in decision-making to ensure transparency and equity in promotions within the organisation. Below quotations support the theme of lack of transparency:

Participant 1: *"One challenge has been a lack of clear communication regarding the criteria for promotions. It sometimes feels like decisions are made behind closed doors, making it difficult for employees to understand the equity in the process."*

Participant 5: *"There's a lack of clarity on how decisions about promotions are made. It's frustrating not to know the criteria and see colleagues being promoted without understanding the process."*

Participant 11: *"The main challenge is the lack of transparency in the promotion process. It's discouraging not to understand how decisions are made and how to progress in the organisation."*

According to Zhang and Morris (2020:591), lack of transparency in promotion processes can lead to perceptions of unfairness and lower morale among employees. Organisations should strive for transparency by clearly communicating promotion criteria and processes to all employees (Gupta and Sharma 2019:771). Choi and Rainey (2021:220-222) emphasise that transparent decision-making not only enhances trust and confidence among employees but also aligns with the principles of fairness and equity. Organisations that prioritise transparency in their promotion processes are more likely to create a positive work environment and promote inclusivity (Albrecht and Sackmann 2019:591).

Objective 2: To examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998).

Under the objective: to examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998), the following five themes were generated:

- Theme 1: Progress and positive outlook
- Theme 2: Mentorship programmes
- Theme 3: Diversity training
- Theme 4: Targeted recruitment programmes
- Theme 5: Inclusive approach and communication

Question asked: *Can you share an example of a successful employment equity initiative within the Department of Employment and Labour? What made it successful?*

Theme 1: Progress and positive outlook - The theme on progress and positive outlook addresses the research objective of examining the current employment equity programmes and initiatives at the Department of Employment and Labour and their impact on the overall objectives of the EEA. Participants were asked to share examples of a successful employment equity initiatives within the Department of Employment and Labour and in their responses, participants expressed a sense of progress and optimism regarding the implementation of employment equity, noting improvements in some of the key areas such as mentorship, career development, recruitment and inclusivity. Below quotations support the progress and positive outlook theme.

Participant 6: *"While challenges exist, there's been significant progress. However, resistance from certain departments and a lack of understanding of the importance of diversity can hinder implementation."*

Participant 12: *"There's been considerable progress even though there's a need for more targeted awareness programmes to address unconscious biases and foster a culture of diversity."*

Participant 15: *"The main focus now is on continuous improvement, especially in fostering a more inclusive and diverse leadership team."*

The theme on progress and positive outlook suggests that efforts to promote employment equity are yielding results within the Department of Employment and Labour. The outcome aligns with research indicating that organisations with a positive approach to diversity and inclusion are more likely to succeed in implementing equity initiatives (Mor Barak 2020:25). Dobbin and Kalev (2016:56) state that challenges such as resistance from certain departments and the need for continuous improvement indicate that there is still work to be done. Maintaining a positive outlook and focusing on continuous improvement are essential for sustaining progress in employment equity initiatives (Ryan and Briscoe 2019:51).

Theme 2: Mentorship programmes - Mentorship programmes emerged as a successful employment equity initiative within the Department of Employment and Labour, according

to participant responses. Mentorship programmes, which paired senior employees with junior ones, were seen as effective in creating a knowledge-sharing environment, facilitating career development, and fostering cross-departmental collaboration. The mentorship programme theme is directly relevant to the research objective of examining whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act. Below quotations support the theme on mentorship programmes.

Participant 1: *"The existing mentorship programme has been a success. It paired senior employees with junior ones, creating a knowledge-sharing environment. Regular check-ins and goal-setting sessions ensured its success."*

Participant 3: *"The mentorship programmes has been remarkably successful. It facilitated cross-departmental collaboration and contributed to the professional growth of many employees. Regular feedback sessions ensured its success."*

Participant 10: *"The mentorship programme has been highly successful in my observation. It provided a structured framework for career development and helped build a supportive network within the organisation."*

Mentorship programmes have been recognised as a valuable tool for career development and advancement, particularly for employees from underrepresented groups (Brizuela, Chebet and Thorson 2023:26). According to Mcilongo and Strydom (2021:17), mentorship programmes provide mentees with access to valuable guidance, support, and networking opportunities, which are essential for navigating organisational structures and advancing their careers. The success of mentorship programmes within the Department of Employment and Labour highlights the importance of such initiatives in promoting employment equity and creating a more inclusive workplace culture. Jamison-McClung (2021:34) mentions that by providing structured guidance and regular feedback, mentorship programmes can assist to addressing the challenges faced by employees from designated groups and contribute to employees' professional growth and advancement.

Theme 3: Diversity training - Diversity training emerged as a significant theme in the participants' responses, highlighting the importance of promoting inclusivity and understanding within the Department of Employment and Labour. Participants noted that diversity training has been impactful in increasing awareness, fostering open discussions, and promoting a more inclusive work environment. The diversity training theme directly relates to the research objective of examining whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998). Below quotations support the theme of diversity training:

Participant 6: *"The diversity training programme has been highly successful. It was mandatory for all staff and included discussions on the benefits of diversity. The engagement level was high, contributing to its success."*

Participant 13: *"The introduction of diversity training has been positive. It increased awareness and promoted a more inclusive workplace, fostering better collaboration among teams."*

According to Hernandez (2020:481), diversity training plays a crucial role in raising awareness about the importance of diversity and inclusion, which can lead to a more inclusive work environment. The success of diversity training programmes, as highlighted by participants, underscores the importance of ongoing education and awareness-building to create a more equitable workplace. Hernandez (2020:483) supports the notion that diversity training can lead to increased awareness and understanding of diversity and inclusion issues. Mbatha (2023:60) also adds that it is essential to note that the effectiveness of diversity training programmes can vary depending on various factors, such as the content, delivery method, and organisational culture. Organisations should ensure that diversity training programmes are comprehensive, engaging, and tailored to the specific needs of their employees to maximise their impact in promoting inclusivity and understanding.

Theme 4: Targeted recruitment programmes - The theme of targeted recruitment programmes emerged as a significant factor in promoting employment equity within the Department of Employment and Labour, directly addressing the research objective of examining whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998). Participants highlighted the success of targeted recruitment programmes in providing underrepresented groups with access to employment opportunities. Below quotations support the theme of targeted recruitment programmes:

Participant 20: *"One successful initiative was the introduction of targeted recruitment programmes for underrepresented groups. It was successful because it involved collaboration between HR and various departments, had clear goals and metrics for success, and received strong support from senior management."*

Participant 21: *"A successful initiative was the implementation of mentorship programmes for employees from underrepresented groups. It was successful because it provided valuable support and guidance for career advancement, leading to increased representation in senior positions."*

The theme of targeted recruitment programmes emerged from participant responses, indicating the effectiveness of promoting employment equity within the Department of Employment and Labour. Participants highlighted the success of such programmes in providing underrepresented groups with access to employment opportunities. This aligns with the study by Roberson, King and Hebl (2020:28), which suggests that targeted recruitment programmes can help address inequities in the workplace by increasing the representation of underrepresented groups. Hernandez (2020:480) also agrees by emphasising that targeted recruitment within an organisation promotes diversity and inclusivity among employees.

The effectiveness of targeted recruitment programmes lies in their ability to address specific gaps in representation and provide opportunities to underrepresented groups. By focusing on recruiting individuals from targeted groups, organisations can create a more

diverse and inclusive workforce. This not only aligns with the principles of employment equity but also has been shown to have positive effects on organisational performance and innovation (Hernandez 2020:481). Implementing targeted recruitment programmes can be an effective strategy for promoting employment equity and fostering a more inclusive workplace environment.

Theme 5: Inclusive approach and communication - The theme of inclusive approach and communication emerged as a key factor in the implementation of employment equity within the Department of Employment and Labour. This theme directly addresses the research objective of examining whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the EEA. Participants highlighted the importance of inclusivity in decision-making processes and the need for clear and transparent communication regarding equity initiatives. Below quotations support the theme of inclusive approach and communication:

Participant 5: *"A more inclusive approach and communication about these initiatives could make them more successful, especially at the junior management level."*

Participant 11: *"More efforts are needed, especially at the junior management level, to ensure everyone benefits from employment equity."*

Van Jaarsveld (2019:27) supports the importance of inclusivity in organisational decision-making, suggesting that inclusive processes lead to better outcomes and increased employee satisfaction. Shore (2019:95) states that effective communication has been shown to be a key driver of successful diversity and inclusion initiatives. By involving employees in decision-making processes and communicating clearly about equity initiatives, organisations can create a more inclusive work environment where all employees feel valued and supported. This not only promotes employment equity but also contributes to a more engaged and motivated workforce (Shore 2019:98). Adopting an inclusive approach and improving communication practices can be effective strategies for promoting employment equity within organisations.

Objective 3: To explore the mechanisms that the Department of Employment and Labour can put in place to improve the overall achievement of the objectives of the Employment Equity Act, 1998 (55 of 1998).

Under the objective: to explore the mechanisms that the Department of Employment and Labour can put in place to improve the overall achievement of the objectives of the Employment Equity Act, 1998 (55 of 1998), the following three themes were generated:

- Theme 1: Recognition and rewards
- Theme 2: Involvement in decision-making
- Theme 3: Regular updates and feedback

Question asked: *What mechanisms can the Department of Employment and Labour put in place to improve the overall objectives of Employment Equity Act, 1998 (55 of 1998).*

Theme 1: Recognition and rewards - The theme of recognition and rewards is critical in understanding how employees perceive the effectiveness of employment equity implementation at the Department of Employment and Labour. Recognition and rewards can serve as motivational factors for employees to actively contribute to the promotion of equity within the organisation. This theme aligns with the research objective on exploring the mechanisms that the Department of Employment and Labour can put in place to improve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998) and sheds light on the importance of acknowledging and incentivising behaviours that contribute to the goals of employment equity, ultimately enhancing its effectiveness. Below quotations support the theme of recognition and rewards:

Participant 1: *"Recognition system for employees who actively contribute to the promotion of equity."*

Participant 3: *"Recognise and reward departments that actively contribute to employment equity goals."*

The theme of recognition and rewards highlights the need for acknowledging and incentivising behaviours that support employment equity goals. Jones and Smith (2020:60) suggest that recognition and rewards can enhance employee motivation and engagement, leading to improved organisational performance. Brown and Smith (2019:206) also highlight that it is essential to ensure that recognition and rewards are equitable and inclusive, avoiding biases in their distribution. Strategies such as establishing clear criteria for recognition and rewards and involving employees in the process can assist in creating a more inclusive and effective recognition system.

Theme 2: Involvement in decision-making - The theme of involvement in decision-making is central to understanding the effectiveness of employment equity implementation at the Department of Employment and Labour. This aligns with the research objective, which seeks to understand how to improve the implementation of employment equity. Participants highlighted the importance of including employees in decision-making processes to ensure diverse perspectives are considered. Below quotations support the theme of involvement in decision-making:

Participant 4: *"Involve middle management more actively in the planning and execution of employment equity initiatives."*

Participant 9: *"Involve employees in decision-making processes to ensure a more inclusive approach."*

Participant 19: *"Involve employees at all levels in decision-making processes to ensure diverse perspectives."*

Involvement in decision-making is a key aspect in fostering a sense of ownership and commitment among employees towards employment equity initiatives. Participants emphasised the need for more inclusive processes where employees at all levels are actively engaged in decision-making. According to Cotton et al. (2018:10), employee participation can take diverse forms, including involvement in decision-making processes, which can lead to positive outcomes such as increased commitment and job satisfaction. Amabile (2018:21) also argues that empowering employees by involving them in decision-

making can ignite positivity, engagement, and creativity at work, ultimately enhancing the effectiveness of equity initiatives. Fostering an inclusive approach to decision-making is key to promoting a culture of equity and inclusion within the Department of Employment and Labour.

Theme 3: Regular updates and feedback - Regular updates and feedback are essential components of effective employment equity implementation at the Department of Employment and Labour. Regular updates and feedback are integral to maintaining transparency, ensuring that employees are informed, engaged, and aware of the progress and goals of equity initiatives. This theme aligns with the research objective of exploring the mechanisms that the Department of Employment and Labour can put in place to improve the overall objectives of the Employment Equity Act, 1998 (55 of 1998). Below quotations support the theme on regular updates and feedback:

Participant 17: *“Management should ensure that during implantation process of employment equity initiatives, we receive feedback on progress.”*

Participant 18: *“We should receive updates on the effectiveness of our approaches. This is the only way we can improve as a department.”*

Participant 22: *“I would suggest improving on providing feedback and consultation processes with employees to ensure that they understand the progress of all measure put in place to enhance equity.”*

Regular updates and feedback mechanisms play a vital role in ensuring that employment equity initiatives remain relevant and effective. Regular updates provide employees with a sense of involvement and ownership in the process, which can lead to increased motivation and commitment. According to Rousseau (2018:76), a sense of involvement is central for building trust and fostering positive employee attitudes towards equity initiatives. Wang and Hsieh (2020:37) concur that regular communication and feedback can help identify and address any challenges or issues that may arise during the implementation process, leading to more successful outcomes. Implementing regular updates and feedback mechanisms can enhance the overall effectiveness of employment

equity initiatives and contribute to a more inclusive and equitable workplace. The summary of findings relating to the qualitative data analysis is discussed in the next section, section 4.3.1.1.

4.3.1.1 Summary of the findings (Qualitative)

Qualitative data from the study on employment equity implementation at the Department of Employment and Labour has revealed several key themes. One significant theme is the lack of clear communication regarding promotion criteria and the overall goals of employment equity. Lack of clear communication can lead to misunderstandings and perceptions of unfairness among employees. Jones and Joslin (2019:58) emphasises that effective communication is essential for employees to understand the goals and benefits of equity initiatives, aligning with the findings of this study. This finding is also in line with the study's theoretical framework as discussed in chapter 2 of the literature review.

According to the Compliance Theory's deterrence perspective, the lack of clear communication and transparency can diminish the perceived consequences of non-compliance, leading to lower motivation to adhere to equity initiatives.

Another important theme is resistance to change, particularly from certain departments or employees who may perceive employment equity initiatives as preferential treatment. The resistance to change highlights the need for more education and awareness about the benefits of diversity and equity. According to Ryan (2019:85), resistance to change is a common challenge in implementing equity initiatives, and strategies such as providing clear rationale for equity initiatives and involving employees in the process can help overcome resistance.

Limited opportunities for advancement, especially for junior staff and certain groups, emerged as another prominent theme. Participants expressed a desire for more targeted training and awareness programmes to address unconscious biases and promote diversity within the organisation. Brown and Jackson (2020:43) argue that inclusive practices such as mentorship programmes and career development initiatives can help

address these challenges, aligning with the recommendations from participants in this study.

Inadequate resources and support were also identified as key challenges, indicating a need for more resources and assistance to effectively implement employment equity initiatives. Dixon (2020:210-211) suggests that organisations need sufficient resources, such as funding, staffing and time to effectively implement equity programmes. Transparency in promotion processes was highlighted as an area for improvement, with participants calling for clearer communication and openness in decision-making. Gupta and Sharma (2019:800-801) mention that transparent decision-making enhances trust and confidence among employees, aligning with the recommendations from participants in this study.

The qualitative data largely focused on internal organisational factors; however, external drivers such as economic shifts, legal reforms, and societal changes also play a critical role in shaping how employment equity is implemented internally. For instance, economic downturns can lead to budget constraints that limit recruitment and training efforts aimed at equity (Kraak 2018:72). Ongoing legal reforms and amendments to the Employment Equity Act require continual adaptation of policies and procedures within the department, affecting both strategy and implementation (Smit and Cronje 2020:89).

Societal attitudes and cultural norms regarding diversity and inclusion influence employee perceptions and acceptance of equity initiatives, which can either facilitate or hinder internal efforts (Bosak and Sczesny 2018:410). Political priorities and shifts in governance can impact resource allocation and the emphasis placed on equity within public institutions, thereby affecting implementation outcomes (Hassim 2019:67). These external forces intersect with internal dynamics, often intensifying challenges such as resistance to change or resource limitations.

Despite some of the key challenges, participants expressed a sense of progress and optimism regarding the implementation of employment equity, noting improvements in inclusivity and diversity within the organisation. Positive outlook is supported by research

indicating that organisations with a positive approach to diversity and inclusion are more likely to succeed in implementing equity initiatives (Mor Barak 2020:8). The qualitative findings provide valuable insights into the challenges and recommendations for improving the implementation of employment equity at the Department of Employment and Labour, aligning with existing research in the field.

In reviewing the qualitative findings, it appears that while many aspects of employment equity implementation were explored, there are some gaps where other aspects of employment equity may not have been fully addressed. There is a gap in addressing the impact of external factors on employment equity implementation. The findings focused primarily on internal initiatives within the Department of Employment and Labour, such as targeted recruitment. However, external factors, such as broader societal attitudes towards diversity and inclusion, can also impact the effectiveness of internal initiatives within the department.

Research indicates that external factors, such as cultural norms and legislative frameworks, can influence the success of equity initiatives (Mor Barak 2017:52). There is also a gap in the discussion of long-term sustainability and scalability of employment equity initiatives. Although the findings highlight the success of various programmes, there is limited discussion on how employment equity initiatives can be sustained over time and scaled up to reach a wider number of employees. Research suggests that long-term sustainability requires ongoing evaluation and adaptation of employment equity initiatives to meet changing needs (Katz et al. 2019:48).

Addressing the identified gaps would provide a more comprehensive understanding of employment equity implementation at the Department of Employment and Labour and could inform future research and policy development on the implementation of EEA. In the next section, section 4.3.2, the quantitative data analysis is examined.

4.3.2 SECTION B: Quantitative data analysis

Section B presents quantitative data analysis of the study. The section addresses the following research objectives:

- To determine the extent which employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998).
- To analyse the challenges associated with the implementation of employment equity at the Department of Employment and Labour.
- To determine the extent which employees believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives.

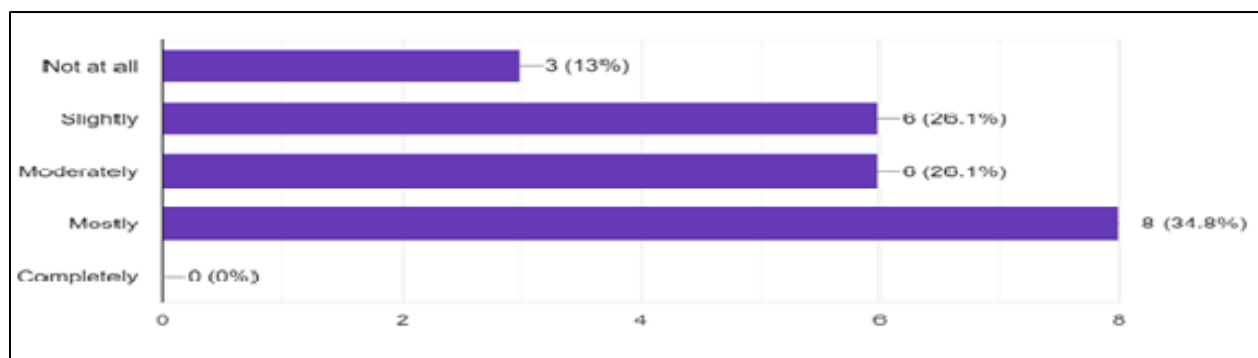
Objective 1: To determine the extent to which employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998).

Question asked: *To what extent do you believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998).*

Under the research objective as highlighted above, participants were asked to rate the extent to which they believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998). Participants used a Likert scale questionnaire to rate the Department using five options that include: Not at all, Slightly, Moderately, Mostly and Completely. The below figure depicts participants' responses.

The figure below provides an analysis of participants' responses to question 1.

Figure 4.3: Extent to which participants believe that the Department of Employment and Labour complies with the Employment Equity Act, 1998 (Act 55 of 1998)



The data from the above figure reveals different perspectives among participants regarding the Department of Employment and Labour's compliance with the Employment Equity Act, 1998 (55 of 1998). A notable 8 (34.8%) participants expressed a belief that the department mostly complies with the Act, indicating a moderate level of confidence in its efforts. This suggests that, overall, there is a belief that the department may not be making enough effort towards meeting the requirements set out in the legislation.

Despite a considerable number of participants believing that the department is making an effort to improve their compliance, it is also noted that another portion of 6 participants, accounting for (26.1%), feel that the department's compliance is only slight or moderate. This indicates that other participants believe that there are areas where the department may be falling short or where improvements could be made. In light of the above, this suggests that there are areas which the department may still need to look into in terms of their efforts to effectively implement and comply with the Employment Equity Act, 1998 (55 of 1998).

Of particular interest is the fact that none of the participants indicated that the department complies completely with the Employment Equity Act, 1998 (55 of 1998). This finding underscores the notion that there is room for enhancement in the department's compliance practices. The finding also suggests that while progress is being made, there are still gaps or deficiencies that need to be addressed to achieve full compliance with the Act.

Available literature, as indicated in chapter 2 on literature review, provides valuable insights into the challenges and dynamics surrounding compliance with employment equity legislation, shedding light on the relevance of the study's findings. Jones and Smith (2020:62) highlight the complexities associated with achieving full compliance, pointing to factors such as resource constraints, limited awareness and resistance to change as key barriers. According to Oosthuizen, Tonelli and Mayer (2020:4), resource constraints, such as the availability of funds may hamper the success of employment equity initiatives. As argued by Utete (2022:22), availability of adequate funding is necessary to fund

trainings and programmes that are aimed at educating employees about the importance of employment equity.

Jones, Smith and Brown (2019:21) believe that most often, resistance may be caused by a lack of understanding or misconceptions about the goals of employment equity, which makes it necessary to invest in educating employees about the importance of employment equity. Matotoka and Odeku (2018:3) add that a strong leadership commitment is necessary to drive meaningful employment equity initiatives within the organisation. This aligns with the data in Chapter 2, Section 2.7 of the literature review, which reveals a varied perception of compliance levels, indicating that challenges pertaining to compliance are indeed prevalent in the context of the Department of Employment and Labour.

Smith and Johnson (2019:34) emphasise the importance of organisations to prioritise diversity and inclusion efforts, suggesting that diversity and inclusion initiatives can positively impact compliance outcomes. This aligns with the finding that a significant portion of participants believe the Department of Employment and Labour mostly complies with the Employment Equity Act, 1998 (55 of 1998), potentially indicating that the department's diversity and inclusion efforts have contributed to its perceived compliance levels.

Ryan and Briscoe (2019:23) provide additional support, suggesting that organisations that actively promote diversity and inclusion are more likely to achieve better compliance outcomes. This highlights the importance of ongoing efforts to foster a culture of diversity and inclusion within the Department of Employment and Labour, which could potentially lead to further improvements in compliance levels over time.

In essence, the results suggest that while the Department of Employment and Labour is making efforts to comply with the Employment Equity Act, 1998 (55 of 1998), there are areas where improvement is needed. The lack of compliance indicates that there are still challenges to overcome. To improve compliance, the Department of Employment and Labour may need to focus on increasing awareness, providing more resources and

addressing areas where compliance is lacking. Overall, the results highlight the importance of continuous improvement in compliance efforts to ensure a fair and inclusive workplace for all employees.

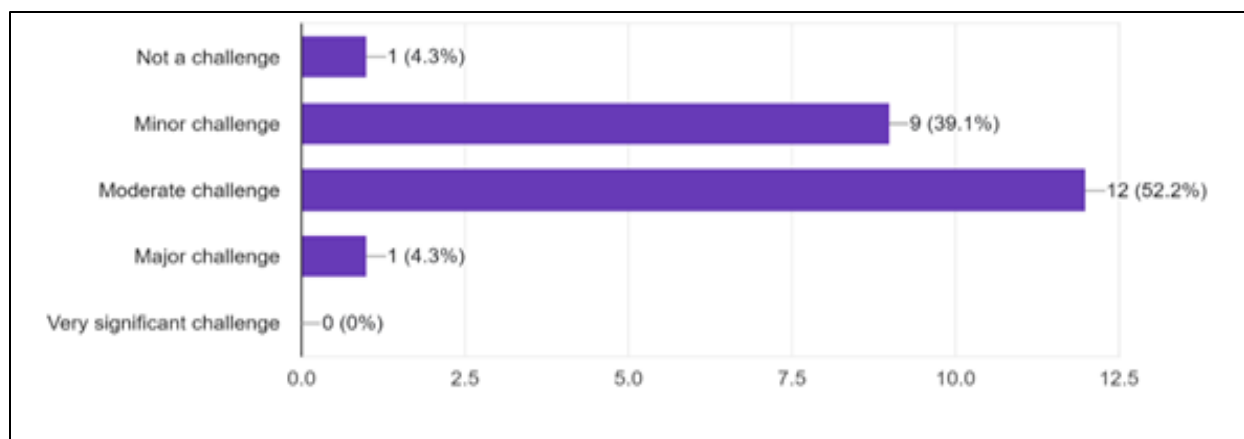
Objective 2: To analyse the challenges associated with the implementation of employment equity at the Department of Employment and Labour.

Question asked: *Rate the challenges associated with the implementation of employment equity at the Department of Employment and Labour.*

Under the research objective: to analyse the challenges associated with the implementation of employment equity at the Department of Employment and Labour, participants were asked to rate the challenges associated with the implementation of employment equity at the Department of Employment and Labour. Participants used a Likert scale questionnaire to rate the department using five options that include: Not a challenge, Minor challenge, Moderate challenge, Major challenge, Major challenge and Very significant challenge. Below diagram depicts participants' responses.

The figure below provides an analysis of participants' responses to question 2:

Figure 4.4: Challenges associated with the implementation of employment equity at the Department of Employment and Labour



The data reveals different perspectives among participants regarding the challenges associated with the implementation of employment equity at the Department of Employment and Labour. The majority of participants (12) who accounted for (52.2%) perceive the challenges associated with the implementation of employment equity at the Department of Employment and Labour to be moderate, indicating that while there are obstacles to overcome, they are viewed as manageable within the current framework. The analysis suggests that participants may believe that with the right strategies and resources, the department can address these challenges effectively.

A total of 9 participants (39.1%) consider the challenges to be minor. This view suggests that participants may feel that the department is on the right track with its implementation of employment equity initiatives and that any challenges encountered are relatively minor in nature. The positive outlook could be attributed to the department's efforts to prioritise diversity and inclusion, which may have resulted in a smoother implementation process overall. It is interesting to note that only 1 participant (4.3%) views the challenges as major. This view from 1 participant may suggest that while the majority of participants are optimistic about the implementation of employment equity, there are still individuals who perceive the challenges to be more significant. This minority perspective highlights the importance of addressing challenges effectively to ensure that all stakeholders are on board with the department's equity goals.

The fact that no participants rated the challenges as a very significant challenge indicates an overall positive outlook among participants. This suggests that while there are areas for improvement, the department is generally perceived to be managing the implementation of employment equity well. Overall, the data suggests that while there are challenges associated with the implementation of employment equity at the Department of Employment and Labour, they are largely viewed as manageable. This indicates a generally positive perception among participants regarding the department's efforts in this area, highlighting the importance of continued focus and investment in employment equity initiatives.

The findings from the data align with existing literature on the challenges of implementing employment equity initiatives. Jones and Smith (2018:22) argue that while challenges exist, they are often manageable with the right strategies in place. This perspective resonates with the data, which shows that the majority of participants perceive the challenges as moderate or minor, suggesting that they may be addressed through appropriate interventions.

Ryan and Briscoe (2020:61) highlight the importance of organisational commitment to diversity and inclusion, suggesting that a strong commitment can help mitigate challenges associated with equity implementation. This perspective aligns with the data, as a significant portion of participants view the challenges as minor, indicating a potential positive organisational culture towards equity initiatives. Smith and Johnson (2019:31) underscore that challenges related to the implementation of employment equity can be more significant, potentially leading to compliance issues. While this perspective is not strongly reflected in the data, as only one participant rated the challenges as major, it underscores the need for organisations to be vigilant in addressing potential barriers to employment equity implementation.

Green and Brown (2021:47) emphasise the role of leadership in driving equity initiatives, suggesting that strong leadership can help overcome implementation challenges. This perspective aligns with the data, as a majority of participants perceive the challenges as moderate, indicating a potential need for stronger leadership support in addressing challenges. Thompson and Garcia (2017:325) mention that effective communication and stakeholder engagement are crucial for successful equity implementation. This aligns with the data, as clear communication and engagement with employees can help address challenges and garner support for equity initiatives.

The data indicates that while challenges exist, they are largely perceived as manageable by participants. This suggests that there may be opportunities for the Department of Employment and Labour to address the challenges identified from the analysis effectively through targeted interventions and strategies. By doing so, the department may be able

to improve the implementation of employment equity initiatives and enhance overall compliance with relevant legislation.

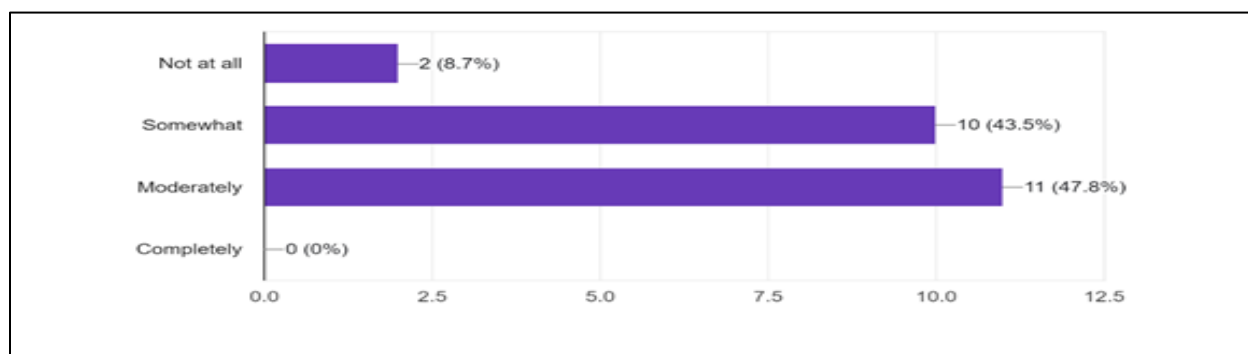
Objective 3: To explore the mechanisms that the Department of Employment and Labour has put in place to improve the overall achievement of the objectives of the Employment Equity Act, 1998 (55 of 1998).

***Question asked:** To what extent do you believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives?*

Under this research objective: to explore the mechanisms that the Department of Employment and Labour has put in place to improve the overall achievement of the objectives of the Employment Equity Act, 1998 (55 of 1998), participants were supposed to rate the extent to which they believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives. Participants used a Likert scale questionnaire to rate the department using four options that include: Not at all, Somewhat, Moderately, Completely. Below diagrams depicts participants' responses.

The figure below provides an analysis of participants' responses to question 3:

Figure 4.5: Extent to which participants believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity



The data indicates that the majority of participants (47.8%) believe that the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives to a moderate extent. This suggests that while there are mechanisms in place, they may not be fully effective or comprehensive. A significant portion of participants (43.5%) view these mechanisms as somewhat effective, indicating a moderate level of confidence in the department's efforts.

It is noted that no participants rated the department's mechanisms as completely effective, suggesting that there is room for improvement in the existing mechanisms. This aligns with the literature under Chapter 2, Section 2.6 which suggests that achieving employment equity objectives requires ongoing efforts and continuous improvement of mechanisms (Jones and Brown 2019:24). The data also indicates that a small percentage of participants (8.7%) believe that the department's mechanisms are not effective at all. This highlights the need for the department to address any shortcomings in its mechanisms and explore ways to enhance the effectiveness of the department's mechanisms.

The findings from the data align with existing literature in Chapter 2, Section 2.8 on the challenges and strategies related to implementing mechanisms to improve employment equity. Jones and Brown (2019:25) argue that achieving employment equity objectives requires ongoing efforts and continuous improvement of mechanisms. This perspective resonates with the data, which suggests that while the Department of Employment and Labour has mechanisms in place, the mechanisms may not be fully effective or comprehensive. Continuous improvement and evaluation of mechanisms in place are essential to ensure that they align with the evolving needs of the organisation and the broader equity landscape.

Smith and Garcia (2020:29) suggest that effective mechanisms are crucial for achieving employment equity objectives. This perspective is not strongly reflected in the data, as no participants rated the department's mechanisms as completely effective. This underscores the need for the department to evaluate and enhance its mechanisms to ensure they are effective in achieving equity objectives. According to Tims (2019:52),

strategies such as regular reviews, feedback mechanisms and benchmarking against best practices may assist in improving the department's mechanisms. Ryan and Thompson (2018:77) emphasise the importance of stakeholder engagement in the development and implementation of mechanisms. This aligns with the data, as involving stakeholders in the process can help ensure that the mechanisms are relevant and effective. Engaging with stakeholders, including employees, unions, and community groups, can provide valuable insights and perspectives that can inform the design and implementation of equity initiatives (Ryan and Thompson 2018:71).

Hernandez and Kim (2021:61) highlight the role of leadership in driving the success of equity initiatives. Strong leadership commitment and support are crucial for creating a culture of equity and inclusion within an organisation. Leaders should actively champion equity efforts, allocate resources, and hold themselves and others accountable for progress. Tims (2019:27) suggests that a comprehensive approach to equity, including policies, practices and organisational culture, is key to achieving sustainable equity outcomes. Organisations should not only focus on compliance but also strive to create a culture where equity is embedded in every aspect of the organisation's operations.

While the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives, the data suggests that there is room for improvement. By addressing the concerns raised by participants and continuously evaluating and enhancing its mechanisms, the department can work towards achieving greater equity in the workplace. A summary of the findings of the quantitative data analysis is discussed in the next section, section 4.3.2.1.

4.3.2.1 Summary of the findings (Quantitative)

The quantitative data analysis focused on three key aspects related to the Department of Employment and Labour's compliance with the Employment Equity Act, 1998 (55 of 1998), the efficiency of the employment equality initiatives currently in place, and the systems in place to enhance the achievement of employment equity objectives. In terms of compliance, Section 20(1) of the Employment Equity Act, 1998 (55 of 1998) mandates the employer to implement employment equity plans in order to comply with the Act's

requirements. In terms of effectiveness of the current employment equity programmes in the department, Section 19(3)(c) of the Employment Equity Act, 1998 (55 of 1998) mandates the employer to analyse their employment policies, practices and procedures in order to assess their effectiveness as this will evaluate whether the existing programmes meet the objectives of the Act. According to Section 20(1) of the Employment Equity Act, 1998 (55 of 1998), the designated employer is required to develop and implement an employment equity plan that will achieve a reasonable advancement toward workplace equality.

Regarding compliance with the Employment Equity Act, 1998 (55 of 1998) , the data revealed that while (34.8%) of participants believed that the Department of Employment and Labour mostly complies with the Act, none of the participants indicated complete compliance. This suggests that while progress has been made, there are still areas where the department may be falling short or where improvements could be made. This finding is consistent with the Chapter 2 of literature review under Section 2.8, which highlights the complexities and challenges associated with achieving full compliance.

External economic shifts play a pivotal role in shaping how employment equity is implemented within organisations, particularly in the public sector. Economic downturns often lead to constrained budgets, forcing departments to reduce investments in training, mentorship, and recruitment programmes designed to promote equity (Mahlangu and Kanyane 2021:77). Such budgetary limitations can stall progress on transformation objectives. Conversely, periods of economic growth tend to increase fiscal flexibility, allowing organisations to allocate more resources to employment equity initiatives, thereby accelerating implementation (Ngwakwe 2020:250).

Legal reforms such as the EEA impose new compliance demands that require continuous adaptation of internal equity policies and practices (Department of Employment and Labour 2023:4). Legislative updates necessitate enhanced reporting mechanisms and policy alignment to meet new requirements. Societal shifts, such as heightened public advocacy for inclusion and diversity, further influence the organisational climate. As societal expectations evolve, employee and management attitudes may become more

supportive of equity initiatives, reducing resistance and fostering a culture of inclusion (Moraka and Van Rensburg 2021:19). These external drivers interact with internal dynamics and significantly affect the design, resourcing, and success of employment equity programmes.

The data also showed that the majority of participants viewed the challenges associated with the implementation of employment equity programmes as moderate (52.2%) and minor (39.1%), indicating a generally positive perception of the department's efforts in this area. However, there is still room for improvement, as some participants perceived the challenges to be more significant. This aligns with Chapter 2 of the literature review under Section 2.8 which suggests that challenges related to equity implementation can be significant and may require targeted interventions (Utete 2021:21).

Regarding mechanisms in place to improve the achievement of employment equity objectives, the data showed that the majority of participants (47.8%) believed that the department has mechanisms in place to a moderate extent. However, none of the participants rated the mechanisms as completely effective, indicating that there is room for improvement in the existing mechanisms. This finding underscores the importance of continuous improvement and evaluation of mechanisms to ensure they are effective in achieving equity objectives (Jones and Brown 2019:28), as referred to in Chapter 2 of the literature review under Section 2.6.

Political and societal pressures serve as powerful external drivers that can either accelerate or impede internal employment equity mechanisms. Shifts in political priorities can play a critical role, a recent study notes that a decline in political commitment and accountability significantly reduced public sector service delivery including equity initiatives, highlighting how waning political will can derail implementation processes (Nkoana, Selelo and Mashamaite 2024:140). Conversely, when political leadership prioritises equity such as the rollout of the 2025 Employment Equity Amendment Act, compliance and internal enforcement mechanisms are bolstered. These external pressures either act as catalysts, stimulating internal review, innovation and resource alignment, or exacerbate stagnation, particularly where political backing and public

scrutiny are weak. They can profoundly shape the scope and success of internal equity programmes.

Societal movements and public scrutiny have heightened external accountability. Reuters reports that increased public demands for corporate diversity and amendments to the Black Economic Empowerment framework have placed government entities under pressure to improve transparency and adapt internal policies accordingly (Reuters 2024:1). This influence compels organisations like the Department of Employment and Labour to enhance internal mechanisms, update communication strategies, and allocate resources more proactively toward equity implementation.

The findings from the quantitative data analysis provide valuable insights into the Department of Employment and Labour's compliance with the Employment Equity Act, 1998 (Act 55 of 1998) and the effectiveness of its equity programmes and mechanisms. While there have been positive strides, there are still areas where improvements can be made. Addressing these areas of improvement will be crucial for the department to achieve greater equity in the workplace. The following section, section 4.4 discusses the triangulation of findings.

4.4 TRIANGULATION OF FINDINGS

This section provides triangulation of the above findings based on the data analysed qualitatively and quantitatively. The section starts with a discussion of convergence and divergence of the findings, followed by integration of findings; afterward, the application of the compliance theory to both the qualitative and quantitative data are also covered.

4.4.1 Convergence and divergence

According to Pluya and Hong (2023:463), convergence in research is the consistency of the findings across different sources, which in the context of this study, refers to the consistency of qualitative and quantitative findings. Conversely, divergence refers to inconsistency of the results which highlights the potential limitations (Dawadi, Shrestha

and Giri 2021:28). In this study, divergence refers to inconsistencies between the qualitative and quantitative findings.

Qualitative data highlights the importance of providing equal training opportunities for all employees, while quantitative data indicates that employees perceive the department's mechanisms for improving employment equity objectives to be somewhat or moderately effective. This suggests that while training and awareness initiatives are important, there may be room for improvement in their effectiveness.

Both data sources converge on the importance of mentorship programs. Qualitative data suggests establishing mentorship programmes for junior staff, while quantitative data indicates that employees believe the department has mechanisms in place to improve the achievement of employment equity objectives, albeit to a moderate extent. This indicates recognition of the value of mentorship in advancing equity goals, though there may be opportunities to enhance these programmes further.

The other convergence relates to the finding on recognition and rewards. Qualitative data suggests that implementing a recognition system for employees who actively contribute to equity goals is essential. This sentiment is supported by quantitative data, which indicates that a significant portion of participants perceive the department's compliance with the Employment Equity Act, 1998 (Act 55 of 1998) to be moderate. This convergence suggests that recognition and rewards can serve as motivational factors for employees, contributing to the effectiveness of equity initiatives.

Qualitative data emphasises the importance of involving employees, especially middle management, in decision-making processes as well as regular updates and feedback. This is echoed in the quantitative data, which indicates that employees perceive the department's mechanisms for improving employment equity objectives to be somewhat or moderately effective. This convergence suggests that involving employees in decision-making and providing regular updates and feedback can lead to a more inclusive approach, enhancing the effectiveness of equity initiatives. Van Jaarsveld (2019:27) supports the importance of inclusivity in organisational decision-making, suggesting that

inclusive processes lead to better outcomes and increased employee satisfaction. The findings of the study did not indicate any divergence among participants' responses. The integration of findings is covered in the next section, section 4.4.2.

4.4.2 Integration of findings

The qualitative data highlights several key findings regarding the effectiveness of employment equity implementation at the Department of Employment and Labour. Participants expressed concerns about a lack of clear communication, resistance to change, and limited opportunities for advancement. There was a consensus on the need for more awareness and training, as well as concerns about inadequate resources and support. Transparency was also identified as an issue, suggesting that employees may not fully understand the processes and criteria for equity-related decisions. Despite these challenges, progress and a positive outlook were noted as one of the themes, suggesting that some participants see improvements in equity implementation. Participants emphasised the importance of mentorship programmes, diversity training and a structured framework for career development. Participants also highlighted the need for targeted recruitment programmes, an inclusive approach to communication, and regular updates and feedback.

In contrast, the quantitative data provides a different perspective on the effectiveness of employment equity implementation at the Department of Employment and Labour. While a significant portion of participants believe that the department mostly complies with the Employment Equity Act, 1998 (Act 55 of 1998), there are other participants who believe that there is slight or moderate compliance by the department. The data also suggests that the challenges associated with the implementation of employment equity are viewed as manageable, with the majority of participants perceiving them as moderate or minor. Participants generally believe that the department has mechanisms in place to improve the achievement of employment equity objectives, but they may not be fully effective or comprehensive. The quantitative data indicates a more positive outlook on the department's equity initiatives compared to the qualitative data, highlighting the complexity of assessing the effectiveness of such initiatives.

While there are areas of progress and positive outlook, such as compliance with the Employment Equity Act, 1998 (Act 55 of 1998) and perceived manageability of challenges, there are also significant concerns that need to be addressed. These include issues related to communication, resistance to change, limited opportunities for advancement, and the need for more awareness, training and support. By addressing these challenges and improving existing mechanisms, the department can enhance its equity initiatives and create a more inclusive workplace for all employees. The next section, Section 4.4.3 discusses the application of theory to the research findings.

4.4.3 Application of the Compliance Theory to the findings

As indicated in Chapter 2, Section 2.1 of this study, a combination of three theoretical perspectives on compliance were utilised. In this section, the study presents the theoretical application to the findings from both qualitative (Section A) and quantitative data (Section B) analysis. This commences with application of the theory to the qualitative findings, followed by quantitative findings. In terms of the layout, the study indicates the objective being addressed, a recap of the findings aligned to the objective, and then the application of the theory to the findings. The same method is also applied in the quantitative findings.

4.4.3.1 Application of Compliance Theory to the findings from Section A: Qualitative findings

The Compliance Theory explores motivations behind adherence to laws and norms, emphasising deterrence, normative beliefs, and organisational dynamics. This framework assists in understanding how qualitative findings reflect perceptions and experiences regarding compliance with the Employment Equity Act, 1998 (Act 55 of 1998). Key aspects of compliance theory include:

- **Deterrence:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance (Abramovaite et al. 2022:1).
- **Normative:** The normative perspective focuses on shared beliefs and values that drive compliance within the organisation (Tyler 1990:4).

- **Organisational:** Compliance influenced by organisational culture, resources, and internal mechanisms (Foster 2019:7).

Objective 1: To analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour.

Recap on the findings aligned to objective 1

Theme 1: Lack of clear communication - Participants highlighted that lack of clear communication about goals and objectives of employment equity is a challenge. Participant 1 mentioned, *"The lack of clear communication about the goals and benefits of employment equity has been a challenge."*

Theme 2: Resistance to change - Resistance to change within the organisation was noted as a barrier. Participant 22 mentioned, *"One of the main challenges has been resistance to change from some employees."*

Theme 3: Limited opportunities for advancement - Participants felt that existing structures do not adequately support advancement for marginalised groups. Participant 14 mentioned, *"The main challenge here is the lack of opportunities for career advancement. It feels like certain groups have more access to growth opportunities than others."*

Theme 4: Inadequate resources and support - Resource constraints were cited as a challenge. Participant 21 mentioned, *"Inadequate resources and support for implementing equity initiatives, resistance to change and lack of buy-in from senior management, and limited awareness and understanding of employment equity among staff."*

Theme 5: Lack of transparency - Participants expressed concerns about unclear processes. Participant 10 stated, *"The main challenge is the lack of transparency in the promotion process. It's discouraging not to understand how decisions are made and how to progress in the organisation."*

a) Application of the Compliance Theory to the findings

Deterrence perspective: The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. The lack of clear communication and transparency can diminish the perceived consequences of non-compliance, leading to lower motivation to adhere to equity initiatives. Strengthening deterrent measures, such as clear accountability structures, could enhance compliance.

According to Smith and Thompson (2020:17), lack of clarity can lead to misunderstandings and perceptions of unfairness. In addition, Jones and Joslin (2019:56) emphasise that effective communication is essential for employees to understand the goals and benefits of equity initiatives, which will improve compliance.

- **Normative perspective:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. Resistance to change indicates a weak normative commitment among employees. Therefore, cultivating a strong organisational culture that emphasises the importance of equity can foster greater acceptance and compliance with initiatives. According to Jackson (2020:99), some employees may resist the implementation of employment equity initiatives due to perceptions of unfairness or fear of losing opportunities. To address resistance, organisations can use strategies such as providing clear rationale for equity initiatives, involving employees in the process, and emphasising the benefits of diversity and inclusivity (Smith and Johnson 2021:220).
- **Organisational dynamics:** Organisational dynamics indicates that compliance is influenced by organisational culture, resources, and internal mechanisms. Inadequate resources highlight the need for supportive organisational dynamics. Therefore, leadership must actively work to create an environment conducive to change, promoting equity as a core value. According to Dixon (2020:206), inadequate resources and support can significantly impede the successful implementation of employment equity initiatives. Smith and Johnson (2019:89) also argue that organisations need sufficient resources, such as funding, staffing,

and time, to effectively implement equity programmes. In addition, support from senior management is crucial for creating a culture of inclusivity and diversity, which leads to the success of employment equity (Ryan and Patel 2020:328).

Objective 2: To examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998).

Recap on the findings aligned to objective 2

Theme 1: Progress and positive outlook - In this theme, participants noted improvements, with Participant 12 mentioning, *“There's been considerable progress even though there's a need for more targeted awareness programmes to address unconscious biases and foster a culture of diversity.”*

Theme 2: Mentorship programmes - Participants recognised the value of mentorship. Participant 6 mentioned, *“The existing mentorship programme has been a success. It paired senior employees with junior ones, creating a knowledge-sharing environment. Regular check-ins and goal-setting sessions ensured its success.”*

Theme 3: Diversity training - Diversity training was highlighted as beneficial. Participant 13 stated, *“The introduction of diversity training has been positive. It increased awareness and promoted a more inclusive workplace, fostering better collaboration among teams.”*

Theme 4: Targeted recruitment programmes - Targeted recruitment was seen as an effective initiative. Participant 21 noted, *“One successful initiative was the introduction of targeted recruitment programmes for underrepresented groups. It was successful because it involved collaboration between HR and various departments, had clear goals and metrics for success, and received strong support from senior management.”*

Theme 5: Inclusive approach and communication - An inclusive approach and communication were emphasised. Participant 5 remarked, *“A more inclusive approach and communication about these initiatives could make them more successful, especially at the junior management level.”*

b) Application of the Compliance Theory to the findings

- **Deterrence perspective:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. Acknowledging progress can enhance motivation to comply. Meaning that when employees perceive tangible benefits from compliance programmes, they are more likely to engage with them. According to Mor Barak (2020:25), organisations with a positive approach to diversity and inclusion are more likely to succeed in implementing equity initiatives. In addition, maintaining a positive outlook and focusing on continuous improvement are essential for sustaining progress in employment equity initiatives (Ryan and Briscoe 2019:51).
- **Normative perspective:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. Positive feedback about programmes fosters normative commitment among employees. This has a potential of strengthening beliefs on the importance of equity, which can further enhance participation and effectiveness.
- **Organisational dynamics:** Organisational dynamics indicates that compliance is influenced by organisational culture, resources, and internal mechanisms. Inadequate resources highlight the need for supportive organisational dynamics. Therefore, the success of mentorship and targeted recruitment initiatives demonstrates how positive organisational dynamics can support compliance. Building on these successes is essential for sustained progress. Brizuela, Chebet and Thorson (2023:26) emphasise that mentorship programmes have been recognised as a valuable tool for career development and advancement, particularly for employees from underrepresented groups. In addition, Jamison-McClung (2021:34) mentions that by providing structured guidance and regular feedback, mentorship programmes can assist in addressing the challenges faced by employees from designated groups and contribute to employees' professional growth and advancement.

Objective 3: To explore the mechanisms that the Department of Employment and Labour can put in place to improve the overall achievement of the objectives of the Employment Equity Act, 1998 (Act 55 of 1998).

Recap on the findings aligned to objective 3

Theme 1: Recognition and rewards - Participants emphasised the importance of recognising efforts. Participant 3 mentioned, *“Recognise and reward departments that actively contribute to employment equity goals.”*

Theme 2: Involvement in decision-making - Involving employees in decision-making processes was seen as essential. Participant 19 mentioned, *“Involve employees at all levels in decision-making processes to ensure diverse perspectives.”*

Theme 3: Regular updates and feedback - Participants called for regular updates on equity initiatives. Participant 17 mentioned, *“Management should ensure that during implantation process of employment equity initiatives, we receive feedback on progress.”*

c) Application of the Compliance Theory to the findings

- **Deterrence perspective:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. Implementing recognition programmes can serve as a deterrent against non-compliance by rewarding those who adhere to equity initiatives. This can enhance motivation across the organisation. Jones and Smith (2020:60) suggest that recognition and rewards can enhance employee motivation and engagement, leading to improved organisational performance. Brown and Smith (2019:206) also highlight that it is essential to ensure that recognition and rewards are equitable and inclusive, avoiding biases in their distribution.
- **Normative perspective:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. Involvement in decision-making fosters a sense of ownership and commitment to equity goals. Therefore, when employees feel their voices matter, it strengthens their normative belief in

the importance of equity. According to Cotton et al. (2018:10), employee participation can take diverse forms, including involvement in decision-making processes, which can lead to positive outcomes such as increased commitment and job satisfaction. Amabile (2018:21) also argues that empowering employees by involving them in decision-making can ignite positivity, engagement, and creativity at work, ultimately enhancing the effectiveness of equity initiatives.

- **Organisational dynamics:** Organisational dynamics indicates that compliance is influenced by organisational culture, resources, and internal mechanisms. Regular updates and feedback mechanisms within an organisation promote transparency and trust, which are essential components of positive organisational dynamics. Doing this can encourage compliance and engagement with equity initiatives.

According to Rousseau (2018:76), a sense of involvement is central for building trust and fostering positive employee attitudes towards equity initiatives. Wang and Hsieh (2020:37) concur that regular communication and feedback can help identify and address any challenges or issues that may arise during the implementation process, leading to more successful outcomes.

The qualitative findings provide insights into the challenges, effectiveness, and potential mechanisms for improving compliance with the Employment Equity Act, 1998 (Act 55 of 1998) within the Department of Employment and Labour. By applying Compliance Theory, it is evident that enhancing deterrence measures, fostering normative beliefs, and improving organisational dynamics are critical for achieving equity objectives. The department should prioritise these areas to create a more supportive environment for compliance and promote equitable practices in the workplace. The next section, section 4.4.3.2, discusses the application of the compliance theory to the quantitative research findings.

4.4.3.2 Application of the Compliance Theory to the findings from Section B: Quantitative findings

Compliance theory explores motivations behind adherence to laws and norms, emphasising deterrence, normative beliefs, and organisational dynamics. This framework

provides a better understanding of how quantitative findings reflect perceptions and experiences regarding compliance with the Employment Equity Act, 1998 (Act 55 of 1998). Key aspects of compliance theory include:

- **Deterrence:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance.
- **Normative:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance.
- **Organisational:** Compliance influenced by organisational culture, resources, and internal mechanisms.

Objective 1: To determine the extent to which employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (55 of 1998).

Summary of quantitative findings

- **Moderate Compliance:** 34.8% of participants believe the Department of Employment and Labour mostly complies with the Act.
- **Varied Perceptions:** 26.1% feel compliance is slight or moderate.
- **No Complete Compliance:** No participants indicated complete compliance.

a) Application of the Compliance Theory to the findings

- **Deterrence perspective:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. The finding that no participants indicated complete compliance might reflect insufficient enforcement or perceived inadequacy of sanctions. Employees might feel that the repercussions for non-compliance are not stringent enough to compel full adherence. According to the South African Government News Agency (2022), over two decades since the Employment Equity Act, 1998 (Act 55 of 1998) was passed with the aim of changing the face of the South African labour market, compliance is still low. One major factor that has been cited by the Department of Employment

and Labour (2023) as having contributed to the poor effectiveness of the Employment Equity Act, 1998 (Act 55 of 1998) is the basic resistance by some employers and employees to implement the objectives of the Act, with fears, animosities, prejudices, and biases that are often masked by political correctness.

- **Normative perspective:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. Moderate levels of perceived compliance suggest that while there is some alignment with the Employment Equity Act, 1998 (Act 55 of 1998), there may be a lack of deep-seated belief in its importance or legitimacy. Employees might comply superficially without fully integrating the principles of the Act into their daily practices.
- **Organisational dynamics:** Organisational dynamics indicates that compliance is influenced by organisational culture, resources, and internal mechanisms. The varied responses indicate that organisational culture, resource allocation, and internal policies play significant roles. The absence of complete compliance suggests that while some mechanisms are in place, they may not be comprehensive or effectively implemented. Resource constraints, as highlighted by Oosthuizen, Tonelli and Mayer (2020), and Utete (2022), may limit the department's capacity to fully comply with the Act.

Objective 2: To analyse the challenges associated with the implementation of employment equity at the Department of Employment and Labour.

Summary on quantitative findings

- **Moderate challenges:** 52.2% of participants perceive challenges as moderate.
- **Minor challenges:** 39.1% consider challenges to be minor.
- **Major challenges:** Only 4.3% view challenges as major.

b) Application of the Compliance Theory to the findings

- **Deterrence perspective:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. The moderate challenges (52.2%) as reflected in the data could indicate that while there is some commitment

towards achieving the goals of Employment Equity Act, 1998 (55 of 1998) , it may not be strong or consistent enough to fully address all barriers to effective implementation. As noted by Thompson and Garcia (2017), strong leadership and effective communication are crucial. Green and Brown (2021:47) also emphasise the role of leadership in driving equity initiatives, suggesting that strong leadership can help overcome implementation challenges.

- **Normative commitment:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. The minor challenges (39.1%) perceived by a significant portion of participants might reflect a normative commitment to employment equity, where employees see the value and legitimacy of these initiatives, resulting in smoother implementation. Ryan and Briscoe (2020:61) highlight the importance of organisational commitment to diversity and inclusion, suggesting that a strong commitment can assist mitigate challenges associated with equity implementation.
- **Organisational dynamics:** Organisational dynamics indicates that compliance is influenced by organisational culture, resources, and internal mechanisms. The perception of challenges as moderate or minor suggests that the organisation has established some effective strategies and resources for compliance. However, the presence of any perceived challenges indicates gaps in implementation, possibly due to organisational resistance, inadequate training, or resource limitations as indicated in the qualitative findings.

Objective 3: To determine the extent to which employees believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment equity objectives.

Summary of quantitative findings

- **Moderate:** 47.8% believe mechanisms are moderately effective.
- **Somewhat:** 43.5% view mechanisms as somewhat effective.
- **Completely:** No participants rated mechanisms as completely effective.

c) Application of the Compliance Theory to the findings

- **Deterrence perspective:** The deterrence perspective emphasises the role of incentives and punishments in motivating compliance. The lack of complete effectiveness of mechanisms might indicate that existing incentives and deterrence measures are insufficient. Employees may not feel fully compelled to adhere to employment equity objectives if they perceive that mechanisms are not effective or consistently enforced.
- **Normative perspective:** The normative perspective focuses on shared beliefs and values within the organisation that drive compliance. The perception that mechanisms are only moderately or somewhat effective indicates a potential gap in shared values and beliefs about the importance of employment equity. Promoting a cultural shift towards valuing equity more deeply within the organisation is essential. This involves leadership actively promoting and demonstrating commitment to equity objectives. Smith and Johnson (2020) argue that fostering a strong normative commitment requires consistent communication and reinforcement of the organisation's equity values.
- **Organisational dynamics:** Organisational dynamics pertain to the internal processes, structures, and interactions that influence compliance. The moderate and somewhat effective ratings reflect the need for ongoing evaluation and refinement of equity mechanisms. This is consistent with Jones and Brown's (2019) assertion that organisations must regularly review and adapt their strategies to ensure effectiveness.

The findings from the quantitative data analysis provide an understanding of compliance within the Department of Employment and Labour. Compliance Theory helps explain the underlying factors influencing perceptions of compliance, challenges, and the effectiveness of mechanisms. To enhance compliance with the Employment Equity Act, 1998 (55 of 1998), the department should focus on strengthening enforcement, fostering a normative commitment to equity, improving resource allocation, and engaging stakeholders in a continuous improvement process. These steps will help bridge the gaps

identified in the analysis and promote a more inclusive and equitable workplace. The methodological reflections for the study are discussed in the next section 4.5.

4.5 METHODOLOGICAL REFLECTIONS

The use of mixed-method approach in this study has its own strengths and limitations. The qualitative data provided rich, in-depth insights into participants' perceptions, allowing for a deeper understanding of the challenges and recommendations related to employment equity implementation. Qualitative data is subjective and can be influenced by participants' biases or interpretations.

Conversely, the quantitative data provided a more objective measurement of participants' perceptions, allowing for statistical analysis and quantification of responses. The quantitative data was valuable in providing a broader view of participants' beliefs about compliance, challenges and mechanisms for improvement. Quantitative data lacks the depth and context provided by qualitative data, potentially missing other important aspects of participants' responses. By using the mixed method approach to collect data, the study was able to overcome some of the limitations of each method. The qualitative data provided rich, detailed insights that were complemented by the quantitative data, which provided a broader, more generalisable perspective. Both the data sources provided a comprehensive understanding of the problem under investigation, allowing for a more in-depth analysis and interpretation of the findings.

The triangulation of qualitative and quantitative data in this study enhanced the depth and breadth of the findings, providing a more comprehensive understanding of the effectiveness of employment equity implementation at the Department of Employment and Labour. The next section, Section 4.6, discusses the implications of triangulation of qualitative and quantitative sources.

4.6 DISCUSSION OF IMPLICATIONS

Triangulating qualitative and quantitative data in this study has several implications for understanding the effectiveness of employment equity implementation at the Department of Employment and Labour. By combining the qualitative and quantitative data sources, the study was able to provide a more holistic and in-depth view of the main research question regarding the effectiveness of the implementation of Employment Equity Act, 1998 (Act 55 of 1998) within the Department of Employment and Labour, enhancing the depth and breadth of understanding.

One key implication is the identification of convergent findings, where both qualitative and quantitative data sources provided similar insights. For example, both data sources highlighted the importance of recognition and rewards, involvement in decision-making, regular updates and feedback, and clear pathways for advancement as key factors influencing the effectiveness of employment equity implementation. This convergence strengthens the validity of these findings and suggests that these factors are critical considerations for the Department of Employment and Labour in improving its employment equity initiatives.

Another implication is the identification of divergent findings, where qualitative and quantitative data sources presented differing perspectives. For instance, while qualitative data emphasised the need for mentorship programmes and diversity training, quantitative data showed a more moderate perception of the department's mechanisms to achieve employment equity objectives. This discrepancy suggests that there may be a gap between the perceived effectiveness of current programmes and the actual experiences of employees, highlighting an area for further investigation and potential improvement.

In light of the above, the triangulation of qualitative and quantitative data has enriched the understanding of the research question that aims to understand the effectiveness of the implementation of Employment Equity Act, 1998 (Act 55 of 1998) within the Department of Employment and Labour by providing a more comprehensive view of the factors influencing the effectiveness of employment equity implementation at the Department of Employment and Labour. By combining the qualitative and quantitative data sources, this

study has been able to identify key areas for improvement and recommended strategies for enhancing equity initiatives in the organisation.

4.7 CONCLUSION

In conclusion, this chapter has provided a comprehensive analysis of the data collected from both qualitative and quantitative sources, focusing on the implementation of employment equity at the Department of Employment and Labour. Through thematic analysis and descriptive statistical software (SPSS), data from 23 participants was analysed to generate the findings.

The next chapter, Chapter 5, provides a comprehensive conclusion based on the findings of this study. It summarises the key findings, discuss their implications for practice and policy, and suggest recommendations for future research. Additionally, the chapter reflects on the research process, highlighting the strengths and limitations of the study and proposing areas for further exploration. Overall, Chapter 5 aims to offer a conclusive and insightful summary of the study's findings, contributing to the broader understanding of employment equity implementation in the Department of Employment and Labour.

CHAPTER 5

CONCLUSION

5.1 INTRODUCTION

The purpose of this study was to investigate the effectiveness of employment equity implementation at the Department of Employment and Labour, with a focus on identifying key factors contributing to the successes and challenges of employment equity implementation at the Department of Employment and Labour. By examining both qualitative and quantitative data, the study's goal was to offer a comprehensive understanding of the challenges and strategies associated with employment equity and set out to examine the effectiveness of employment equity implementation at the Department of Employment and Labour, with a focus on the below research objectives:

- Research Objective 1: To determine to what extent do employees believe the Department of Employment and Labour complies with the Employment Equity Act, 1998 (Act 55 of 1998).
- Research Objective 2: To analyse the challenges associated with the implementation of employment equity within the Department of Employment and Labour.
- Research Objective 3: To examine whether the current employment equity programmes and initiatives at the Department of Employment and Labour improve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998).
- Research Objective 3: To explore the mechanisms that the Department of Employment and Labour has put in place to achieve the overall objectives of the Employment Equity Act, 1998 (Act 55 of 1998).

Qualitative data was collected through interviews with employees at the Department of Employment and Labour, focusing on participants' perceptions of employment equity implementation. Quantitative data was obtained through a survey, which asked participants to rate the Department of Employment and Labor's adherence to the Employment Equity Act of 1998 (Act 55 of 1998), the effectiveness of current equity

programmes, and the mechanisms in place to improve equity objectives. In the upcoming section 5.2, the summary of findings discovered in the study is discussed.

5.2 SUMMARY OF THE FINDINGS OF THE STUDY

Both qualitative and quantitative data sources converged on several key findings, providing insights into the extent to which the employees believe that the Department of Employment and Labour complies with the Employment Equity Act, 1998 (Act 55 of 1998). Challenges associated with the implementation of employment equity were explored, and the department's current employment equity programmes and strategies enhanced the overall objectives of the EEA, as well as the mechanisms that the department has put in place to achieve the overall objectives of the Act.

Qualitative data from the study on employment equity applications at the Department of Employment and Labour revealed key findings. Firstly, there is a lack of clear communication regarding promotion criteria and the goals of employment equity, leading to misunderstandings and perceptions of unfairness among employees. Effective communication is essential to align employees with equity initiatives and encourage compliance, as per the Compliance Theory's deterrence perspective explained in Chapter 4.

Resistance to change is another significant finding, with some employees perceiving equity initiatives as preferential treatment. Addressing this resistance requires education, awareness, and involving employees in the process to understand the benefits of diversity and equity. Limited opportunities for advancement, especially for junior staff and certain groups, were also highlighted. Participants called for targeted training and awareness programmes to address unconscious biases and promote diversity. Inclusive practices like mentorship and career development initiatives can help address the above-mentioned challenges. Inadequate resources and support for equity initiatives were identified as key challenges. Participants emphasised the need for more resources, clearer communication, and transparency in promotion processes to enhance trust and

confidence among employees. Despite these challenges, participants expressed optimism about the department's progress in achieving employment equity.

Conversely, the quantitative data analysis focused on three key aspects: compliance with the Employment Equity Act, 1998 (Act 55 of 1998), the effectiveness of current employment equity programmes, and mechanisms to improve employment equity objectives. Regarding compliance, Section 20(1) mandates employers to implement employment equity plans. The data revealed that 34.8% of participants believed that the Department of Employment and Labour is generally in compliance with the Act, but none of the participants indicated complete compliance, highlighting areas for improvement. The finding aligns with literature highlighting the challenges of achieving full compliance with the Employment Equity Act, 1998 (Act 55 of 1998). In terms of the effectiveness of current programmes, Section 19(3)(c) requires employers to analyse employment policies to assess effectiveness. The majority of the participants viewed the challenges of implementing equity programmes as moderate (52.2%) or minor (39.1%), indicating a positive perception but acknowledging significant challenges as discussed in Chapter 4, Section 4.3.1.

For mechanisms to improve equity objectives, Section 20(1) mandates the preparation and implementation of an employment equity plan by a designated employer. The data revealed that 47.8% of participants believed that the department has mechanisms in place to a moderate extent, but none rated the mechanisms as completely effective. While progress has been made, addressing areas for improvement is crucial for achieving greater workplace equity. In the next section 5.3, the limitations of the study are delved into.

5.3 LIMITATIONS OF THE STUDY

It is essential to acknowledge that the findings may have limitations in terms of generalisability of the study. The study's conclusions should be interpreted within the

context of the selected population. The following limitations were experienced in the study:

1. The study was limited by the number of participants, which may not represent the full spectrum of experiences and perceptions in the Department of Employment and Labour. This may impact the generalisability of the findings.
2. The dependency on self-reported data may be prone to biases, including social desirability bias, where participants may respond in a manner they believe is expected since they are employed within an organisation, which is the custodian of the Employment Equity Act, 1998 (Act 55 of 1998), rather than providing truthful responses.
3. The study may have overlooked the impact of external variables, such as shifting laws and public opinions, on the execution of employment equity because it concentrated mostly on internal departmental elements.
4. The department's employment equity policies and practices may have changed over time, and as the data collection was done at a specific moment in time, it may not have captured these changes.
5. The study's focus on the Department of Employment and Labour in a particular area may restrict how broadly the conclusions may be applied to other regions or sectors.

Limitations were encountered, like with any study, and they must be acknowledged. Section 5.4, which follows, discusses recommendations for future studies.

5.4 RECOMMENDATIONS FOR FUTURE RESEARCH

Conducting research opens opportunities for embarking on further research, and in this section, suggested recommendations for future research are made and are as follows:

1. The inclusion of a more extensive and varied sample size to ensure that the findings are representative of the entire Department of Employment and Labour.

This can be achieved by employing stratified sampling techniques to cover various job levels, departments and demographic groups.

2. Future studies can design and conduct surveys and focus groups that specifically target underrepresented groups within the department.
3. The utilisation of digital tools and platforms to reach a wider audience and encourage participation can also be considered.
4. The utilisation of self-reported data with objective measures and external assessments.
5. Incorporate multiple data sources, such as performance metrics, Human Resource records and third-party audits, to validate self-reported responses.
6. Future studies can carry out long-term research to monitor changes and developments in employment equity practices and perspectives over time. This will provide a deeper understanding of trends and long-term impacts.
7. The incorporation of comparative studies that look at employment equity implementation in different sectors to identify best practices and areas for improvement.
8. Comparable studies can also be carried out in other government departments to determine whether employment equity is implemented differently in other organisation.

The Department of Employment and Labour's contribution to the study is acknowledged in the next section, Section 5.5.

5.5 COMMENDATIONS

The goal of this study was to investigate the effectiveness of employment equity implementation at the Department of Employment and Labour with the focus on identifying key factors contributing to the successes and challenges of employment equity implementation in the Department of Employment and Labour. To achieve this goal, the participation of the officials at the Department of Employment and Labour was necessary. It was discovered that the officials cooperated in providing the necessary data, which

assisted the study process to be completed effectively. Questionnaires were distributed for completion to employees at the Department of Employment and Labour, and because of their willingness to participate, data could be gathered. Out of the population of 50 employees between salary levels 9 to 15, 23 participants completed the questionnaire. Without the participation and commitment of the Department of Employment and Labour employees, the study would not have been possible. The officials' involvement indicates their interest in and desire to support the department's broader efforts to promote employment equity.

Most respondents had positive experiences with employment equity programmes, according to the empirical data gathered during the response analysis. A number of participants believed that the Department of Employment and Labour mostly complied with the Act, but none indicated complete compliance, highlighting areas for improvement. The Department of Employment and Labour can be acclaimed for the current employment equity programmes that have proved to be a success. Participants that were involved in the study obtained the necessary authorisation for the use of documents and provided information when required to do so. In the next section, section 5.6 recommendations on how to enhance the implementation of employment equity in the Department of Employment and Labour are made.

5.6 RECOMMENDATIONS FOR THE DEPARTMENT OF EMPLOYMENT AND LABOUR

In this section (section 5.6), the Department of Employment and Labour is presented with potential suggestions and resolutions concerning the implementation of employment equity. The employment equity programmes of the Department of Employment Labour can benefit from the inclusion of these recommendations. Several recommendations have been highlighted below as crucial for enhancing certain issues related to the execution of employment equity initiatives and should be taken into consideration by the Department of Employment and Labour:

5.6.1 Enhanced communication

The Department of Employment and Labour should improve on the clarity and consistency of communication regarding promotion criteria and the goals of employment equity programmes. This can be achieved through regular workshops, clear documentation, and open forums for discussion to ensure all employees are well-informed and aligned with the department's equity objectives.

Measurable indicators: Number of communication sessions held per quarter.

Timelines: Quarterly communication reviews.

Assigned responsibilities: Human Resources and Transformation Units.

5.6.2 Address resistance to change

Comprehensive training and awareness programmes that emphasise the advantages of diversity and equity in the workplace should be developed and implemented by the Department of Employment and Labour. Employees in the Department of Employment and Labour should be involved in the design and implementation of educational and awareness programmes to cultivate a sense of ownership and reduce perceptions of preferential treatment.

Measurable indicators: Percentage increase in employee participation in awareness programmes.

Timelines: Within the next 6–12 months.

Assigned responsibilities: Employment Equity Committee and Training Department.

5.6.3 Increase training and development opportunities

The Department of Employment and Labour should implement targeted training and mentorship programmes to support the advancement of junior staff and underrepresented

groups. These initiatives should focus on addressing unconscious biases and promoting diversity within the organisation.

Measurable indicators: Number of staff trained annually; number of mentorship pairings established.

Timelines: Implementation by the next financial year.

Assigned responsibilities: HRD (Human Resource Development) Unit.

5.6.4 Allocate sufficient resources

Implementing employment equity measures requires adequate resources, including funding, staffing and time, all of which should be provided by the Department of Employment and Labour. This includes providing the necessary support to those responsible for executing these programmes to enhance their effectiveness.

Measurable indicators: Budget allocation for EE programmes; resource utilisation reports.

Timelines: Annual budget cycle.

Assigned responsibilities: Financial Planning Unit and HR.

5.6.5 Improve transparency in promotion processes

The Department of Employment and Labour should establish clear, transparent and consistent criteria for promotions and other career advancement opportunities. To build trust and confidence among employees, the Department of Employment and Labour should ensure that decision-making processes are fair and well recorded.

Measurable indicators: Employee satisfaction survey results on promotion fairness; number of appeals or grievances related to promotions.

Timelines: Within 6 months.

Assigned responsibilities: HR and Line Managers.

5.6.6 Continuous evaluation and adaptation

Regular evaluation of the efficiency of employment equity initiatives should be conducted by the Department of Employment and Labour. Use the findings from these evaluations to adapt and improve strategies, ensuring they remain relevant and effective in achieving the department's equity objectives.

Measurable indicators: Annual EE progress report submitted and reviewed; success rate of targets met.

Timelines: Annual review cycle.

Assigned responsibilities: Monitoring and Evaluation Unit and EE Forum.

5.7 CONCLUSION

In conclusion, the application of employment equity at the Department of Employment and Labour reveals partial adherence to the Employment Equity Act, 1998 (Act 55 of 1998). Both qualitative and quantitative findings indicate that while there are significant efforts towards achieving equity, complete compliance has not been attained. The qualitative data highlights challenges such as unclear communication, resistance to change, limited advancement opportunities, and inadequate resources. Similarly, the quantitative data shows that while a portion of participants recognise moderate compliance and effectiveness of current programs, none rate the department's efforts as fully compliant or effective. The department needs to improve its strategies, communication, and resource allocation to fully achieve the goals of the Employment Equity Act, 1998 (Act 55 of 1998).

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ANNEXURES

Annexure A: Informed consent

Researcher's information:

Researcher's name: Lerato Makgolane

Researcher's contact information: Lerato Makgolane at 0849817555 or pitsi.lerato@yahoo.com

Researcher's institution: University of South Africa

Title of the study

The Implementation of Employment Equity: The Case of the Department of Employment and Labour

Purpose of the study

This study aims to examine the Department of Employment and Labour's approach to implementing employment equity. It seeks to gain insights into the current programmes and initiatives, challenges faced, and areas for improvement to better achieve the objectives outlined in the Employment Equity Act, 1998 (Act 55 of 1998).

Request for participation

You are hereby invited to participate in this study as a voluntary participant. Your participation will entail answering a series of closed and open-ended questions regarding the implementation of employment equity at the Department of Employment and Labour.

Risks and benefits

Your participation holds minimal risks as the research deals only with general perceptions and experiences concerning work place employment equity. Confidentiality of responses is assured in that information provided shall be used solely for the purposes of research.

Outcomes of the research shall give recommendations on ways of streamlining employment equity in the workplace for the benefit employees and organisations.

Confidentiality

Your identity and response will remain confidential. Any personal information will be anonymised and stored securely. Only the researcher and the supervisor will have access to your responses. Findings will be reported in form of dissertation. No individual response will be attributed.

Voluntary participation and right to withdraw

Participation is entirely voluntary and you can withdraw from this project at any time without penalty. Importantly, there are incentives for participating in this study as it is voluntary.

Contact information

If you have any questions regarding this study or your rights as a participant, you may contact Lerato Makgolane at 0849817555 or pitsi.lerato@yahoo.com

Consent statement

This consent form declares that I have read and understood all given information and that I voluntarily agree to participate in this study.

Researcher's signature: _____

Date: _____

Participant's Signature: _____

Date: _____

Annexure B: Questionnaire

Employee Perception Survey on Employment Equity Implementation

Dear Participant,

Thank you for participating in this survey. Your insights are valuable for understanding the implementation of employment equity within the Department of Labour. Please answer the following questions honestly and to the best of your knowledge.

Section 1: Demographic Information

1.1 Position and Salary Level:

• Position: _____

• Salary Level:

• ☐ 9 (Junior Management)

• ☐ 10 (Junior Management)

• ☐ 11 (Middle Management)

• ☐ 12 (Middle Management)

• ☐ 13 (Senior Management)

• ☐ 14 (Senior Management)

• ☐ 15 (Senior Management)

1.2 Years of Service in the Department of Labour:

• ☐ Less than 1 year

• ☐ 1-5 years

• ☐ 6-10 years
• ☐ 11-15 years
• ☐ More than 15 years

Section 2: Quantitative Questions

Scale: 1 (Strongly Disagree) - 5 (Strongly Agree)

2.1 To what extent do you believe the Department of Employment and Labour complies with the Employment Equity Act, 1998?

• 1
• 2
• 3
• 4
• 5

2.2 Rate the challenges associated with the implementation of employment equity at the Department of Employment and Labour.

• 1
• 2
• 3
• 4
• 5

2.3 To what extend do you believe the Department of Employment and Labour has mechanisms in place to improve the achievement of employment objectives?

• 1
• 2
• 3
• 4
• 5

Section 3: Qualitative Questions
3.1 In your experience, what specific challenges have you encountered in the implementation of employment equity? Please provide details.
3.2 Can you share an example of a successful employment equity initiative within the Department of Employment and Labour? What made it successful?
3.3 What improvements or changes would you suggest to enhance the effectiveness of employment equity implementation at the Department of Employment and Labour?
Section 4: Additional Comments
4.1 Is there anything else you would like to share regarding employment equity within the Department of Employment and Labour?

<i>Thank you for your participation!</i>

Annexure C: Letter of permission to conduct the study



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

Private Bag X117, PRETORIA, 0001. Laboria House, 215 Francis Baard Street, PRETORIA
Tel: (012) 309 4000, Fax: (012) 320 5129, www.labour.gov.za

Enquiries: Mr. TN Dire
Tel Direct: (012) 309 4186
Reference: LA Pitsi

Ms. LA Pitsi
Assistant Director: Policy Research and Monitoring
Department of Labour

REQUEST TO CONDUCT A RESEARCH IN THE DEPARTMENT AS PART OF THE REQUIREMENTS TO COMPLETE A MASTERS DEGREE IN PUBLIC ADMINISTRATION

I acknowledge receipt of your letter requesting permission to conduct a research in the Department of Labour on the topic about Knowledge, Observations and how the Implementation of Employment Equity in the Department of Labour is perceived. As the custodian of the Employment Equity Act, we wish to encourage and congratulate you for undertaking this research. I hereby grant you permission to conduct the research in the Department of Labour on condition that:

- The information gathered through the research should be treated as confidential.
- The information gathered through the research is used for the purpose of your studies only and nothing else.
- The information gathered is not used against the respondents should the methodology involve certain individuals.
- The information gathered is not to be used against the Department; and
- The findings of the research should be shared with the Department through my office.

Yours sincerely,

TM Lamati
Director-General: Labour

Date: 09/02/2017

Annexure D: Turnitin report

Similarity Report	
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Annexure E: Language Editor Certificate

ACADEMICA EDITORS

CERTIFICATE OF EDITING

TO **L MAKGOLANE**

FROM	DR PHUTI MAKWEYA FREELANCE LANGUAGE EDITOR / FREELANCE ASSISTANT RESEARCHER / SPECIALIST WELLNESS COUNSELLOR TEL: 072 760 6715 EMAIL: dr.phutimakweya@gmail.com
QUALIFICATION	
BACHELOR OF ARTS	UNIVERSITY OF LIMPOPO
HONOURS DEGREE (PSYCH)	UNIVERSITY OF VENDA
MASTER OF ARTS (PSYCH)	UNIVERSITY OF LIMPOPO
DOCTOR OF PSYCHOLOGY	UNIVERSITY OF SOUTH AFRICA
COPY-EDITING AND PROOFREADING	SOUTH AFRICAN WRITERS COLLEGE

**RE: Confirmation of services rendered: Copy-editing and proofreading – MA
Dissertation**

The dissertation authored by L Makgolane titled "The Implementation of Employment Equity: The Case of the Department of Employment and Labour," underwent editing process. This included the following:

Grammar and style correction:

- Checked and corrected grammatical issues such as sentence structure, punctuation, and word choice to ensure the phrasing was smooth and professional.

Accuracy check:

- Verified that the information presented was precise and aligned with the context or purpose of the statement.

Clarity and consistency:

- Enhanced the wording for better clarity and coherence, ensuring that the meaning was consistent throughout. Any ambiguous or unclear terms were rephrased.

Fact checking:

- Ensured that any facts or specific details mentioned were accurate.

Citation and References:

- Involved ensuring that any sources cited in the document are properly formatted according to the specified referencing style, and that in-text citations match entries in the reference list, and vice versa.

Formatting compliance:

- Checked that the document followed proper formatting guidelines, ensuring it complied with academic or professional standards in structure and presentation.



16/09/2025

THANK YOU