

The Effect of the Employment Equity Act on Academic Staff Recruitment in a South African University

Ryan Bytenski¹ and Olawale Fatoki^{2*}

¹*Department of Business Management, University of Johannesburg, South Africa
Fax: 00927115594058, E-mail: bat-man22@hotmail.com*

²*Department of Business Management, University of Limpopo, South Africa
E-mail: Olawalefatoki@gmail.com*

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ABSTRACT The main objective of this study was to investigate the effect of the Employment Equity Act (EEA) on academic staff recruitment at a South African university. Data was collected through the use of self-administered questionnaire in a survey of 19 respondents. The research findings indicated that the EEA has an adverse effect on the recruitment of academics staff. Recommendations to improve the adverse impact of EEA on staff recruitment are suggested.

INTRODUCTION

According to Boddy-Evans (2012), the South African government implemented a policy called “Apartheid” in 1948. The purpose of this policy was to segregate all the different races in South Africa and favour the White/Afrikaans people who were roughly about 20% of the population compared to Blacks 70%, Coloureds 8% and Asians/Indian 2%. This policy allowed only the White population (especially White males) the main jobs in industry, government establishments and academics. The other races got the lower-end, minimum wage jobs (Marrian 2012). This was the start of unfair discrimination in South Africa (Department of Health 2004).

Booyesen (2007) notes that the first attempt to achieve greater social justice and equality and redress past unfair discrimination in the labour market came about through the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1997 and the Employment Equity (EE) Act of 1999 (amended in 2004). This shifted the focus away from Affirmative Action (AA) introduced by apartheid to the recruitment, succession planning and development and training of persons in the designated groups (Africans, Coloureds and Indians, as well as women and people with disabilities). Oosthuizen and Naidoo (2010) agree that the rationale for introducing Employment Equity Act is to enforce transformation on the basis that organisations would not empower sufficient numbers of Black employees of their own free will.

The Employment Equity Act applies to all employers (universities included) (the exceptions are the National Defence Force; the National Intelligence Agency; and the South African Secret Service) (Employment Equity Act, 1996). According to Brown and Oplatka (2007), universities are characterised by many organisational elements such as functions, management style and product which are different from business organisations. The core business of higher education institutions requires high levels of skills, specialisation and qualifications for a majority of positions, both academic and administrative.

Joseph (2006) points out that the introduction of the Employment Equity Act has been met with varied responses. Some business leaders acknowledge the need for the legislation and believe that it would bring fresh perspectives from different cultural backgrounds into their organisations. Others are of the opinion that the legislation would force organisations to appoint individuals who lack the appropriate knowledge, experience, and skills into critical positions. This would lead to a lowering of performance standards in organisations. In addition, certain positions may remain unfilled because of the need to comply with EEA. This suggests that EEA may have a negative (adverse) effect on the recruitment of academics by universities in South Africa.

Objective of the Study

The objective of the study is to investigate if the Employment Equity Act has an adverse effect on the recruitment of academic staff.

*Address for correspondence

Literature Review

Balshaw and Goldberg (2008) point out that affirmative action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are rightfully represented in all occupational categories and levels in the workforce of a designated employer. Affirmative action measures include: measures to identify and eliminate employment barriers, including unfair discrimination; measures designed to further broaden horizons of the disadvantaged in the workplace based on equal dignity and respect of all people (Department of Labour 2010).

Msimang (2007) notes that affirmative action was born in the United States in the mid-1960s. The policy was introduced by President Johnson of the United States as a policy that would redress racial imbalances that existed in the U.S. in spite of constitutional guarantees and laws banning discrimination. Affirmative action focused specifically on education and employment. The emphasis was on taking active measures to ensure that Blacks and other minorities enjoyed the same opportunities for promotions, salary increases, career advancement, school admissions, scholarships and financial aid that had been the domain of Whites.

In South Africa, the discourse around affirmative action has been similar. In fact, the terms and many of the ideas that eventually found their way into South African law books were borrowed from the U.S. experience. In the South African context, affirmative action policies in education, employment and the political sphere have also been argued for in terms of their ability to level the playing field. The ANC government has insisted that the current competition for jobs is often an unfair one for Blacks, women and people with disabilities, particularly those who were not entitled to the same educational and career advancement opportunities as White men (Msimang 2007). According to Debatewise (2012), affirmative Action such as the EEA was introduced in South Africa to counter the effects of apartheid.

The Employment Equity Act No. 55 of 1998 was put in place by the government of South Africa to facilitate the implementation of fair workplace practices. This would correct the imbalances of the past as well as create a workforce which reflects and includes the demograph-

ics of South Africa (Balshaw and Goldberg 2008). The purpose of the Employment Equity Act is to achieve impartiality in the workplace by promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination. The Act would implement affirmative action measures as well as "Black Economic Empowerment" measures to balance the disadvantages in employment experienced by black designated groups, and to ensure their fair representation in all occupational categories and levels in the workforce (Department of Labour 1998).

According to the Department of Labour (2010) the EEA has increased the representation of designated group (Africans, Indians, Coloured, white females, people with disability) in top management positions in South African companies. Black Africans increased by 9% in 2009, Indian representation increased by 2%, and Coloured representation decreased by almost 10%.

Brown and Oplatka (2007) note that employment equity in the higher education sector centres on the need to broaden access to higher education in order to improve equity and social justice. This is founded on the Government's social and economic policy objective of reducing and eliminating educational disadvantage and increasing participation at higher education by the designated group. According to Brown and Oplatka (2007), higher education and public higher education institutions especially, have huge potential to contribute to the consolidation of democracy and social justice, and the growth and development of the economy which are complementary. Higher levels of employment and work contribute to political and social stability and the capacity of citizens to exercise and enforce democratic rights and participate effectively in decision-making. The overall well-being of nations is vitally dependent on the contribution of higher education to the social, cultural, political, and economic development of its citizens.

Ramphela (2008) and Rasool and Botha (2011) point out that there are many South Africans who are highly educated and qualified that are emigrating abroad. The push factors include crime, employment equity, poor working conditions, poor service delivery, and high living costs, declining education standards, an unfriendly business environment, low-income levels and political events. Van Dyk et al. (2002) and Coetzee

(2005) argue that South Africa has a poor skills profile, largely because of the poor quality of general education available to the majority of South Africans. As a result, the pool of previously disadvantaged persons who are able to fill high-level positions is small. Salgado and Sapa (2007) finds that many organisations in South Africa experience difficulty in recruiting employees because of skills shortages. In addition, many organisations also experience a scarcity of skilled employment equity candidates.

Sartain and Finney (2003) state that even in times of high unemployment, companies need to go the extra mile to hang on to their best employees. By the time good performers decide on their own that it is time to seek out new opportunities, they have already decided that their current job is the limit of their future potential with the company. Particular emphasis with regards to 'good performers' would be placed on skilled and experienced economic empowerment employees, while there may be plentiful employee equity employees available, not many are experienced.

Booyesen (2007) explains that the reasons for the lack of progress in Employment Equity implementation and retention of blacks is due to, slow progress at management level; inconsistent progress across departments in organisations; low commitment to Employment Equity from top management; lack of cultural sensitivity to new recruits and Black staff are not systematically developed and trained and there is a lack of black mentors and role models in organisations.

Habana (2007) finds that the EEA has resulted in a demand for skilled and qualified equity employees. However, because of the shortage of skills among affirmative action candidates and the demand for these candidates, companies have started finding it difficult to hold onto their employment equity candidates. Joseph (2006) in a study of the impact of EEA within Telkom finds no negative effects after the implementing of EEA. The study concludes that business leaders and managers in various industries in South Africa can be encouraged to increase company productivity, profitability and customer satisfaction while having implemented the requirements of the EEA.

Despite all the studies done on EEA in South Africa, none of them has investigated empirically whether the EEA has had an adverse effect on the recruitment of academics by universities in South Africa.

METHODOLOGY

The study was carried out at one of the universities in the Gauteng Province of South Africa. This study used the quantitative research design, which Ghauri and Gronhaug (2005) describe as studies whose findings are mainly the product of statistical summary and analysis. According to Garber-Nel et al. (2005) there are three types of research that can be used in quantitative research. These include exploratory, descriptive and casual. This study used a combination of explorative and descriptive research. Exploratory research was used to discover what has been done by other studies related to the research problem. Descriptive research was used to answer the research question. Survey research encompasses any measurement procedures that involve asking questions to respondents (Cooper and Schindler 2003). This study used the survey method. A questionnaire was developed and given to the respondents in order to provide answer to the research question. The questionnaire consisted of dichotomous and Likert scale questions. The questionnaire was developed after a thorough review of the literature on the EEA. A pilot study was conducted with five staff members of the Department of Human Resources of the university. This led to some amendments to the questionnaire. The participants in this study were the staff of the Human Resources Department involved in the employment process at a university in the Gauteng province of South Africa. The population was 30. Because of the small population, the whole population was used for the study. Data was analysed using descriptive statistics.

RESULTS AND DISCUSSION

Thirty questionnaires were distributed to the respondents and nineteen questionnaires were returned. This indicates a response rate of 63%. The results (26% male and 74% female) indicate that the respondents were mainly females. The results indicate that on the average respondents have post matric qualifications and honours degrees (47% and 37% respectively). The results indicate that on average the respondents have worked at the Human Resources Department of the university for between 1 and 10 years.

Compliance with EEA

The results as shown by Table 1 indicate that the respondents agree (4.79) that the university

has a formal EE plan. In addition, the results (4.82) show that the EE plan contains numerical target for academics and race and gender (4.76). The results (4.00) furthermore indicate that the recruitment and selection policies of the university are geared toward the attainment of EEA target. The results indicate that the university is complying with the EEA.

Table 1: The implementation of EEA

Variable	Mean	Standard deviation
The university has a formal EE plan	4.79	0.99
The EE plan contains numerical targets for each category of academics	4.82	0.97
The EE plan contains numerical targets by race and gender groups	4.76	1.01
The recruitment and selection policies and processes are geared toward the attainment of EEA target	4.00	1.03

The Adverse Effect of EEA

Four questions were used to measure the adverse effect of the EEA. Table 2 presents the results of the adverse effect of the EEA

Table 2: The mean scores of the perception of the adverse effect of the EEA

Variable	Mean	Standard deviation
Time to fill academic positions	3.84	1.04
Inability to fill academic positions	3.53	0.93
Reduction of standard in academic positions	2.03	0.97
Academic skill shortage	3.30	0.9

The University Takes Time to Fill Academic Positions Because of EEA: The results (mean: 3.84) provide a clear indication that the respondents agreed with this statement. This implies that the university takes time to find suitable candidates because of the need to comply with the EEA.

The University Has Not Been Able to Fill Certain Positions Because of EEA: The results (mean: 3.53) provide a clear indication that the respondents agreed with this statement. This implies that the university is not able to recruit the most qualified and experienced lecturers to fill certain positions because of the need to comply with the EEA.

Compliance with EEA Has Led to the Reduction of Standards in Academic Positions: The results (mean: 2.03) provide a clear indication that the respondents did not completely agree with this statement. The university still maintains its high standard in filling academic positions.

The EEA has Led to an Academic Skills Shortage: The results (mean: 3.30) provide a clear indication that the respondents agreed with this statement. This implies that compliance with the EEA has led to academic skill shortage in the university.

CONCLUSION

The objective of the study was to investigate if the Employment Equity Act has an adverse effect on the recruitment of academic staff. The findings of this study show that the EEA has an adverse effect on the recruitment of academic staff by the university. The respondents agree with 3 out of the four questions. In addition, the mean of the four questions used to measure the adverse effect of EEA is 3.175. The findings suggest however that the implementation of EEA can negatively affect the quality of education in South Africa as universities find it difficult to employ new staff because of the need to comply with EEA.

RECOMMENDATIONS

In order to counter the adverse effect of the EEA, the following recommendations are suggested:

- **Allowing a Degree of Leniency With Regard to the Level of EEA Implementation at the University Level**

Government should provide a degree of leniency with regard to EEA policies at University level in order to allow the most suitably qualified personal to educate students. This can only be achieved by relaxing the EEA conditions for the universities. This will allow the universities to scan a variety of suitable applicants and make decisions based on the best applicant rather than an applicant forced by the governments EEA policies. This will improve the quality of education provided to all students in South Africa, as the best educator for the job will be selected.

- **Retention Suitably Qualified Personnel By Universities**

Universities must ensure that they retain their most suitably qualified personal in all fields of

study, to ensure they are able to provide the best education possible to all students. They can retain their staff's expertise by providing them with a monetary (raise/bonus) or non-monetary (promotion) reward that will be valuable enough to them and therefore will prevent them from leaving the institution. Salaries of university academics should be reviewed to ensure that they compare favourably with industry and government departments.

LIMITATIONS AND AREAS FOR FURTHER STUDY

This study was conducted only in one university and care should be exercised in generalising the results. Further studies can be extended to other universities and educational establishments in South Africa

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