EMPLOYMENT EQUITY AND
BROAD-BASED BLACK ECONOMIC
EMPOWERMENT

DURATION

Two days

COURSE CONTENT

An overview of B-BBEE Legislation and draft regulations

- What is B-BBEE?
- How does BEE differ from B-BBEE?
- What does B-BEE Act 2003/2004 and legislation say about companies?
- How does B-BBEE Strategy impacts on organizational transformation
- Why do companies need to implement the B-BBEE legislation?
- What constitute legislative compliance?
- Why is it important for you company to introduce B-BBEE committee?

B-BBEE Advisory Council and implications to companies and legislation

- What is the role of this council?
- What are the functions of this council?
- What are the implications of this council to your business?
- The roles and responsibilities of the members of the advisory council
- The role of the president in managing the process
- Discussion of how your company relates to the council

Framework for the measurement of BBBEE standards in your organization

- Elements to consider
- Fronting practices and other forms of misrepresentation of BEE status
- Specific verification issues
- Roles and responsibilities of accreditation agencies

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How to measure your company’s B-BBEE Score

- Owner scorecard
- The flow through principles
- Key measurements principles
- Control principles
- The exclusion principles
- Measurement of voting rights
- Measurement of economic interest

How to measure management control

- Management control scorecard
- Key measurement principles
- Measurement of top management participation
- Measurement of bonus points

What to consider when measuring employment equity in your organization

- Explain what is employment equity scorecard
- Discuss key measurement principles
- Explain the employment equity criteria that should be used

Linking B-BBEE to Skills Development as a way to measure compliance

- Ways to measure your company’s skills development scorecard
- An explanation of quantifiable skills development spend
- What are the key measurement principles to consider
- Key performance skills development indicators to put in place

Discussion of the preferential procurement strategy

- An examination of what constitute preferential procurement scorecard
- Explain the key measurement principles that are required
- Discuss the implication of total measurement procurement spend for your company
- How to calculate preferential procurement contributions to BEE

The role of your organization in Enterprise Development

- Explain the enterprise development scorecard that is required
- Discuss key measurement principles that your company needs to include in its policies
- What are the implications of monetary and non-monetary contributions to your scorecard?
- Measurement of Qualifying Enterprise Development Contributions
- How are Bonus Points measured?
The implication of residual elements on your B-BBEE scorecard

- What constitute residual contribution Scorecard?
- What can your company do to comply with residual elements key Measurement Principles
- Measurement of the Residual Element

Recognition for qualifying small Enterprises

- Measurement of Bonus Points
- Ownership Scorecard
- Key measurement principles
- Equity elements
- Skills development elements
- Preferential procurement elements
- Enterprise development elements

Your company B-BBEE quick fixed strategy in perspective

- B-BBEE structure and organization
- Roles and responsibilities of BEE officials
- KPAs of the BEE position
- Effective policies and procedures
- How to set B-BBEE objectives and develop action plans
- B-BBEE performance review plan
- Risk management
- Monitoring and Evaluation plan

An Overview of EE Legislation, Trends, Developments & Impact on SA Companies

- What is Employment Equity and how does it affect/impact company policies and procedures?
- Explain the Myths and Perceptions surrounding Employment Equity
- Discuss EE Legislation & Act and compliance issues
- Discuss the Department of Labour
- Speeches pertaining to Employment Equity
- Explain Proclamations and Regulations pertaining to Employment Equity
- Employment Equity Act and Extracts from Related Legislations
- Discuss the Code of Good Practice pertaining to Employment Equity
- Examine the guidelines and information documents
- Problems encountered implementing EE legislation
- An examination of recent Case Laws pertaining to Employment Equity in SA
- The role of EE stakeholders and implications to your company
Discuss the Structure and the Role and Responsibilities of EE committee members

- The Role and Responsibilities of Employment Equity Manager
- How to Conduct EE Consultations
- Management of EE

How to undertake Workforce attitude/salaries surveys

- What to include in the survey questionnaire
- Objectives of undertaking the surveys
- How to collect EE and related data
- How to analyse data and make use of findings
- How to use data collected to make decisions on EE
- Making use of conclusions and recommendations
- Practical exercise/case study

Why conduct Workforce Profiles?

- Definition of workplace profile
- Why are workplace profiles necessary for the EE Commission?
- What are the consequences of not conducting workforce profiles in your organization?
- How to conduct workforce profiles
- Workforce profiles best practices
- How workforce profiles are linked to the business strategy or objectives

Linking EE legislation to recruitment and retention of employees

- Recruitment approaches
- Application process
- Type of questions that might lead to discrimination
- Targeted selection interviews process retention strategies
- Transitional retirement options
- The nature of disability management policy and procedure
- What the policy and procedure should include
- Program objective
- Action plans
- How to deal with disability issues
- Disability rights and privacy legislation
- Integrating non-occupational illness and injuries into corporate disability management
- How to deal with supervisor and management attitudes
- How to increase the quality of relationship with disable employees
- Disability best practices
- How to institute direct contact with medical care providers
- Getting disabled or injured employees back to work
Why EE legislation does lays emphasis on sexual Harassment in the workplace

- Developing a sexual harassment policy and procedure
- What is harassment?
- Categories and forms of sexual harassment
- Procedure to follow when dealing with victims of sexual harassment
- Sexual harassment and reporting procedure
- How to design self care measures and plans of actions
- When to conduct medical testing
- HIV testing in the workplace
- Psychological testing: is it legal

The logic of EE and the principle of Non-discrimination

- Discuss what constitutes fair and unfair discrimination
- What factors to look out for against discrimination
- How to deal with people with disability in the workplace
- Recruitment procedures, advertising and selection
- Appointment process
- Job classification and grading
- Remuneration and compensation
- Job assignments
- Working environment
- Training and development
- Performance evaluation systems
- Promotion, transfer, demotion
- Disciplinary measures and dismissals

Implementation of affirmative action

- What are the barriers that need to be identified and dealt with?
- Manage diversity
- Emotional intelligence
- Equitable workforce representation
- Employee retention strategies

How to compile Employment Equity Plans

- How to set objectives in line with legislation removal of barriers
- What affirmative action measures will be put in place
- What are logic of numerical goals
- The importance of timetable
- Monitoring procedures and systems
- Internal disputes and responsibilities
Confidentiality, performance and maintenance of EE information

- State contracts and performance agreements
- Codes of good practice
- Temporary employment
- Breach of confidentiality
- Liabilities of employers
- Obstruction, undue influence and fraud
- Fines that can be imposed
- Designated employers turnover threshold by sector

Dealing with disputes in an organization

- Composition of internal dispute resolution mechanism
- What is required in an internal dispute resolution policy?
- What is the procedure?
- What is the role of the CCMA in internal disputes?
- What is the role of the Labour courts?
- What internal dispute issues can be referred to the CCMA and the Labour Court?
- What dispute can be referred to the CCMA?
- What is the procedure to be followed in referring matters to the CCMA?

How to communicate Employment Equity plans and strategies

- Employment Systems Reviews
- Defining what needs to be communicated?
- Who communicates what to who and when?
- What channels are good for internal and external communication functions?

How to Manage Diversity and Intercultural Communication

- Explain the concept and benefits of diversity management
- Describe specific diversity issues that apply to colleagues in the relevant industry.
- Describe specific diversity issues that apply to customers in the organisation.
- Explain how leaders can encourage cross cultural communication.
- Use own behaviour as a role model for others to demonstrate respect for diversity.
- Assist and coach colleagues in ways of accepting diversity.
- Recognise and use the skills of a diverse workforce to enhance performance.
- Promote the benefits of a diverse workforce to colleagues.
- Recognise workplace problems that arise from diversity issues.
- Coach and mentor to assist colleagues to work successfully in a diverse environment.
- Develop planning and work practices in a respectful manner for workplace diversity.
- Facilitate study of various cultures within the organisation.
Completing the Employment Equity Annual Report

- Discussion of the structure and table of content
- What does the Employment Conditions Commission says in relation to reporting
- Report submission deadlines
- Qualitative measures and highlights of the year
- Income differential statement per occupational category
- Collective bargaining assessment disclosures
- Analysis of the business climate
- What to include in Women representation
- People with disability, HIV/AIDS and minorities
- Results
- Data representation in graphs
- Statistical analysis and presentation of employment data
- Publication of employment equity report
- Role of parliament
- Record keeping

Monitoring and Evaluation of EE Standards

- Roles of trade unions and employees
- What they can and cannot do?
- Powers of labour inspectors
- Undertakings to comply
- Compliance order
- What are the limitations
- When and why can objections be raised against compliance orders?
- Appeals procedures to be followed compliance orders
- Register of designated employers
- Assessment compliance and the assessment criteria that will be looked at
- How assessments are reviewed?
- What is considered?
- Outcomes of director general review findings and recommendations thereafter
- Legal proceedings
- Employees rights and protection
Linking sexual harassment in the workplace to EE

- What are the changing demographics of the workforce?
- How widespread is sexual harassment in the workplace?
- What is the cost of sexual harassment to business and industry?
- What constitutes quid pro quo sexual harassment?
- What is a “hostile and offensive work environment?”
- What behaviours--both subtle and overt--constitute sexual harassment?
- What are the latest and most significant legal precedents?
- What are the current challenges and issues before the courts?
- Do men and women view behaviours differently?
- Is there a simple litmus test for judging what’s acceptable and what’s not?
- What policies, practices, and procedures need to be initiated?
- How can top management communicate and support the message?
- What does every employee need to know?
- What special skills do managers need?
- Which educational programs work best?

Integrating EE legislation into company vision and goals

- The EE framework
- The business units approach
- The EE functional approaches
- The EE corporate strategy approach

A tactical approach to implementing EE legislation in your organization

- What to consider and do before commencement of employment?
- What activities to engage in or initiate during employment?
- What to consider when ending employment?

EE implementation performance evaluation

- What is EE performance audit?
- What to consider when planning a performance audit
- Evaluating the EE risks management plans
- How to manage the DOL and queries