

## Chapter 2

# **AFFIRMATIVE ACTION: A THEORETICAL PERSPECTIVE**

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## **2.1 INTRODUCTION**

When the term "affirmative action" or "black advancement", is used in South Africa, it evokes numerous reactions from various quarters. Fears are expressed such as the lowering of standards, new kinds of discrimination, and the general misconception that able whites will have to make way for less able blacks. These, in turn (it is feared), will lead to the dwindling of the bottom line, the loss of work ethic, and the ultimate decline of the economy. Although AA is a frightening concept and resembles reverse discrimination for some people, for others, it has positive connotations.

The term "affirmative action" (AA) is used in many different ways and it is not readily apparent what a person means when employing the term. It may indeed be that the context in which and the words chosen to describe whatever the speaker may mean, tell us more about his or her personal view than the actual meaning of the term. To add to the confusion, many alternative terms are used such as "black advancement", "transformation", or "restructuring".

In this chapter the meaning of AA, as intended by legislation, will be briefly discussed. An overview of the origin and development of AA will be provided and the main objectives thereof explained. South Africa faces many challenges in the successful implementation of AA — hence the need to outline the key issues and obstacles facing organisations. In order to justify AA and clarify the need for it, the discussion will indicate how principles of equality and justice are related to the fairness of AA programmes.

## **2.2 THE ORIGIN AND DEVELOPMENT OF AFFIRMATIVE ACTION**

The USA is generally regarded as the country of origin of AA. The concept of AA was first used in the context of race discrimination and became part of legislation in 1961. The Civil Rights Act of 1964 followed and, as amended in the following year, provided that discrimination on the basis of race, sex, colour, religion or national origin was illegal (Viljoen, 1997).

In South Africa, AA was a response to identified inadequacies in antidiscrimination legislation. The question of discrimination was originally addressed in the definition of an Unfair Labour Practice and later discussed in greater detail with the promulgation of the Employment Equity Act 55 of 1998 which has both an antidiscrimination leg and an AA leg. Chapter 3 of the Employment Equity Act deals with AA. It obliges every designated employer to put measures in place to ensure that suitably qualified persons from designated groups are afforded equal employment opportunities and are equitably represented in all

occupational categories and levels of the workforce. These measures include the elimination of barriers, the furthering of diversity, making reasonable accommodation for persons from designated groups, training and the establishment of numerical targets, but do not include the establishment of an absolute barrier to the prospective or continued employment of persons who are not from designated groups. The designated groups include the disabled, women and blacks, with “blacks” being used as a generic term to include all coloureds, Asians and Africans (Bendix, 2001).

Table 2.1 provides a schematic representation of the legal and statutory regulation of the employment relationship. As indicated in the table, various Acts regulate the different issues of the employment relationship since the government wishes to regulate labour issues in an integrated and holistic manner.

**TABLE 2.1**  
**LEGAL AND STATUTORY REGULATION OF THE EMPLOYMENT RELATIONSHIP**

<b>CONDITIONS OF EMPLOYMENT</b>	<b>EMPLOYEE WELFARE</b>	<b>EMPLOYMENT RELATIONSHIP</b>	<b>DISCRIMINATION/ AFFIRMATIVE ACTION</b>	<b>TRAINING &amp; DEVELOPMENT</b>
Common law contract	Occupational Health and Safety Act	Labour Relations Act	Employment Equity Act	Skills Development Act
Basic Conditions of Employment Act	Unemployment Insurance Act		Promotion of Equality and the Prevention of Unfair Discrimination Act	Skills Development Levies Act
	Compensation for Occupational Injuries and Diseases Act		Preferential Procurement Policy Framework Act	South African Qualification Authority (SAQA)
				National Qualifications Framework (NQF)

**Source:** Adapted from Bendix (2001)

Since the early 1990s, employers have attempted through programmes of AA to include people from historically disadvantaged backgrounds in management structures. While some progress has been made in this area, management structures are still the domain of white males. According to reports submitted to the Department of Labour, blacks comprise 13 percent of senior management positions in South African companies, of which 1,2 percent comprise black women (Employment Equity Report, 2001). An analysis of the workforce profile according to sector indicates that Blacks are best represented in the government

sector (86%) and least represented in the academic sector (47%). According to the Department of Labour, various forms of discrimination, such as the following, still occur in the South African labour market:

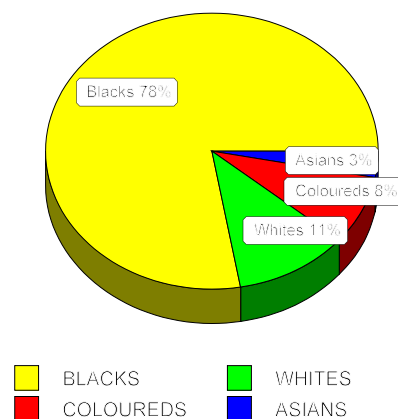
- Whites earn a 104 percent wage premium over blacks.
- Men earn wages 43 percent higher than similarly qualified women.
- Black women in the lower educational categories earn a 10 percent lower salary than their white male counterparts.

From the above statistics it is clear that South Africa still has a long way to go before it can honestly state that it has redressed the legacies of apartheid in the South African workplace.

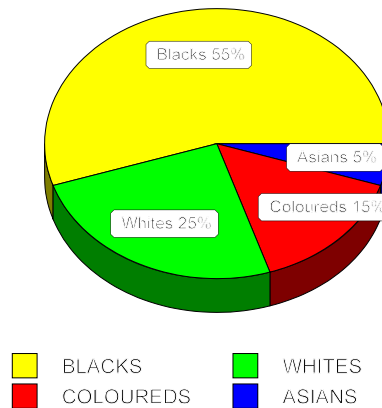
### 2.3 DEFINING CONCEPTS

Organisations in South Africa are increasingly under legislative pressure to overcome past discrimination in the workplace by providing more employment opportunities for previously disadvantaged group members, such as blacks, women and minorities. Diversifying the workforce is a key organisational goal as governments continue to mandate equity in the workplace to ensure that the workforce is representative of the population. According to the population estimates released for 2002 by the Bureau of Market Research at Unisa, the total population of South Africa increased by an average 657 532 annually between 1996 and 2002. Population censuses worldwide are prone to undercount, and the 1996 population census in South Africa was no exception. Figure 2.1 provides a schematic representation of the composition of South Africa's population according to ethnicity, while figure 2.2 illustrates South Africa's total employment profile according to ethnicity. It is clear from the latter figure that South African organisations still have a long way to go to ensure that the workforce is representative of the population. For example, the employment of blacks needs to increase by 23 percent in order to be representative of the population.

**FIGURE 2.1**  
**SOUTH AFRICAN POPULATION ACCORDING TO ETHNICITY**



**FIGURE 2.2**  
**TOTAL EMPLOYMENT PROFILE ACCORDING TO ETHNICITY**



**Sources:** Bureau of Market Research: Population estimates (2002)  
Employment Equity Report (2001)

Many organisations have adopted AA programmes to achieve a diversified workforce. But what exactly are AA and employment equity? In his address to the ANC conference on AA in October 1991, Nelson Mandela explained AA as follows (Charlton & Van Niekerk, 1994:xix):

*The primary aims of affirmative action must be to redress the imbalances created by apartheid ... We are not ... asking for hand-outs for anyone. Nor are we saying that just as a white skin was a passport to privilege in the past, so a black skin should be the basis of privilege in the future. Nor ... is it our aim to do away with qualifications. What we are against is not the upholding of standards as such but the sustaining of barriers to the attainment of standards; the special measures that we envisage to overcome the legacy of past discrimination are not intended to ensure the advancement of unqualified persons, but to see to it that those who have been denied access to qualifications in the past can become qualified now, and that those who have been qualified all along but overlooked because of past discrimination, are at last given their due ... The first point to be made is that affirmative action must be rooted in principles of justice and equity.*

Leck, Saunders and Charbonneau (1996), state that the purpose of an AA programme is to create a workforce that reflects the organisation's external labour market, to increase opportunities for people of designated groups and to accommodate diversity in the workplace.

According to a policy statement of the Black Management Forum, as quoted by Viljoen (1997), AA is a planned and positive process and strategy aimed at transforming socioeconomic environments which have

excluded individuals from disadvantaged groups to enable them to gain access to opportunities, including opportunities for development, based on their suitability.

Human (1996) defines AA as the process of creating employment equity. Affirmative action, moreover, is not merely a process of recruiting greater numbers of historically disadvantaged employees: it is part and parcel of a holistic system of human resource management and development and impacts on all of the processes, policies and procedures relating to the selection, recruitment, induction, development, promotion and severance of people.

Bendix (2001:435) provides a detailed definition of AA. According to her, the term "affirmative action" refers to "the *purposeful and planned placement or development of competent or potentially competent persons in or to positions from which they were debarred in the past, in an attempt to redress past disadvantages and to render the workforce more representative of the population.*" The keywords can be summarised as follows:

- *Purposeful.* The purpose of AA should be, firstly, to create a diverse workforce and, secondly, to redress past disadvantages.
- *Planned placement.* The appointment of people should be according to a workforce diversity plan.
- *Development.* Affirmative action should not be a once-off action, but organisations should create a working environment conducive to learning and growth.
- *Competent or potentially competent.* Owing to the inequalities of the past, many people were denied equal opportunities to acquire competencies or formal qualifications. Organisations should therefore consider the potential of people to acquire the necessary competencies within a reasonable time when they make appointments. Nevertheless, organisations are not expected to appoint incompetent people merely for the sake of AA.
- *Positions.* Organisations are required to appoint AA employees to all positions, especially senior positions from which they were excluded in the past.

This brings us to the question: "How is AA related to employment equity?" Wingrove (1993) defines employment equity as the point reached where AA has eliminated all the disparities between diverse employees and all employees have been brought to a level at which they can compete equally and are afforded an equal opportunity to do so. Wright (1994) describes the relationship between employment equity and AA as the assumption that one lives in a fair world, a world in which the playing field is not

slanted. In contrast, when speaking of AA, the assumption is that decades or centuries of discrimination have created a slanted playing field and that measures need to be taken to level this playing field.

According to Luhabe (1993), employment equity provides equal access for all people to participate in the empowerment process and advance on the basis of merit, ability and potential. Furthermore, it assumes that people come from a homogeneous background and can therefore compete on an equal basis.

The relationship between AA and employment equity can thus be summarised as follows: Affirmative action forms part of an employment equity programme and, according to Bendix (2001), is the last step towards achieving true employment equity. Employment equity will exist when all discrimination barriers and past imbalances have been eliminated and everyone is able to compete on an equal footing. Hence the need to make use of fair discriminatory interventions (affirmative action) to achieve employment equity would no longer exist. Table 2.2 outlines the main elements which differentiate affirmative action and employment equity from each other.

**TABLE 2.2**  
**DIFFERENCES BETWEEN AFFIRMATIVE ACTION AND EMPLOYMENT EQUITY**

AFFIRMATIVE ACTION	EMPLOYMENT EQUITY
<ul style="list-style-type: none"> <li>● Preferential treatment when appointing or promoting</li> </ul>	<ul style="list-style-type: none"> <li>● Merit as a criterion when appointing or promoting</li> </ul>
<ul style="list-style-type: none"> <li>● Preferential treatment</li> </ul>	<ul style="list-style-type: none"> <li>● Makes no distinction</li> </ul>
<ul style="list-style-type: none"> <li>● Ensures access into an organisation</li> </ul>	<ul style="list-style-type: none"> <li>● Promotes equal access to an organisation</li> </ul>
<ul style="list-style-type: none"> <li>● Has a limited lifespan</li> </ul>	<ul style="list-style-type: none"> <li>● Does not have a limited lifespan since it forms part of an organisation's culture</li> </ul>
<ul style="list-style-type: none"> <li>● Refers to equality and needs when making decisions</li> </ul>	<ul style="list-style-type: none"> <li>● Refers to equity when making decisions</li> </ul>

**Source:** Adapted from Viljoen (1997)

It should be clear that the intent of AA programmes is not to further the interests of a particular group but to eliminate discrimination. Consequently an AA programme is seen as a temporary intervention designed to achieve equal employment without lowering standards and without unfairly hindering the career aspirations or expectations of current organisation members who are competent in their jobs.

Although people have different interpretations of affirmative action, a number of common objectives have been identified.

## 2.4 OBJECTIVES OF AFFIRMATIVE ACTION

South Africa is a land of contrast: First World prosperity rubbing shoulders with Third World poverty; picturesque landscapes blemished by overcrowded squatter camps; peace and violence; immense wealth in natural resources contrasting with impoverishment in terms of the development and utilisation of the potential of people. All of this is characteristic of a society in the throes of change, and can be resolved through the process of AA. Through AA programmes, inequalities between individuals and groups are bridged and a win situation develops for individuals, organisations and the country as a whole (Hicks-Clarke & Iles, 2000).

The mission statements of South African organisations often refer to employment equity and statements such as “*equal employment employer*” and “*our human resources are our greatest asset*” are common. However, one of the most difficult challenges facing any person in a leadership position is the ability to translate intention into action. Before an organisation can take any action to implement AA, it has to know what it wishes to achieve and therefore clear objectives need to be set. In South Africa, the Black Management Forum plays a prominent role in the implementation of AA and it regards the following as the primary objectives of AA:

### 2.4.1 Black Management Forum’s viewpoints

According to the Black Management Forum, as quoted by Viljoen (1997), AA should:

- reverse the prevailing situation of disadvantage of the majority
- represent an affirmation of all the human rights which were historically violated by institutionalised discrimination
- create opportunities for education, training and development in the workplace which should result in the demonstrable economic empowerment of those who will benefit from them
- bring about complete transformation of the racist and sexist attitudes and practices that have been at the core of organisations in the past — it must help to develop a new organisational ethos and an innovative set of policies and procedures for the empowerment of all staff
- reach certain targets in order to reflect the demographic profile of the South African population at a given time

It is interesting to note that although the Black Management Forum regards the organisation as the primary beneficiary of AA, this is not reflected as such in its list of objectives. According to the objectives listed above, it is the AA candidate who mainly benefits from AA. However, even though they may be indirect, the benefits of AA do also help the organisation.

#### 2.4.2 Benefits of affirmative action

According to Charlton and Van Niekerk (1994), AA will benefit the beneficiaries of AA in the following ways:

- economic empowerment (improved education and the creation of employment opportunities)
- access to resources (transport and social welfare)
- the meeting of basic needs (security, food and housing)
- political rights
- psychological growth (improving quality of life, restoring human dignity, boosting confidence and promoting a sense of coresponsibility for the country's prosperity)

It cannot be denied that, in the past, the vast majority of the population of South Africa was denied access to all resources - economic, political, social and psychological. Consequently, proactive change which constructively redresses the inhumanity of the past in all these spheres of human activity is needed. However, while this change has a moral perspective, it has also become an economic necessity. The critical ingredient for success is human competence. The better people are equipped to unleash their potential and the people around them, the sooner everybody will be able to contribute to the success of organisations and the country as a whole. Affirmative action, however, serves no purpose if it is based on handouts such as money, material resources and glamorous jobs instead of empowerment, the restoration of human dignity and the development and utilisation of people's skills and abilities. To ignore the human spirit as part of AA is economic suicide. Indeed, action without the correct attitude will simply result in short-term change, without long-term growth.

Charlton and Van Niekerk (1994:xxiv) summarise the importance of implementing AA from a psychological point of view as follows:

*What we are saying is that the solution to South Africa's problems is as much psychological and attitudinal as it is economic, that the growth of the economy and effectiveness of redistribution is dependent on long-term affirming action and not short-term affirmative action.*

Put differently: if organisations appoint people from disadvantaged groups merely for the sake of meeting employment equity targets without capitalising on the value they bring to the organisation, such appointments could, in the long term, lead to increased labour costs, lower profits, retrenchments or even the closure of businesses.



## 2.5 OBSTACLES TO AFFIRMATIVE ACTION SUCCESS

Affirmative action strategies are challenged by the fact that these initiatives occur against the background of South Africa's long history of entrenched racism. Changing the way things are done and re-examining concepts internalised over many years can be a difficult process, strongly resistant to change.

People hold strong views on AA: at the one extreme is a positive view which questions the right white people had to exclude blacks and women from leadership positions, power and opportunities in the past. This view stresses the need to remove obstacles to advancement as well as the need for extra support and resources for people traditionally excluded.

The negative arguments are equally persuasive. Critics of AA ask how anyone who believes in equality can agree to a policy of special treatment for specific categories of people (reverse discrimination). Another position questions the economic sense of AA, claiming that it undermines the basic principles of free enterprise which state that rewards follow from merit and that decisions should be made by applying the equity rule.

In order to meet the arguments of AA critics, exponents of AA need to show how the methods they choose could ultimately increase excellence - as opposed to those forms of AA which look good but are destructive and wasteful in the long run. Similarly, those who are concerned with productivity and organisational effectiveness should be convinced that social equality brings out the best, and most sustainable development of a society.

One of the main obstacles in the successful implementation of AA programmes is the underlying sincerity or fundamental commitment to meaningful change through AA. Accusations of window-dressing are being flung around in organisations that provide token positions as part of cosmetic change and offer new appointees shiny offices and impressive titles without concomitant responsibility and accountability. The implementation of AA at all costs to achieve employment equity may cause a loss in efficiency and reduce the advantages of AA — hence employers are not expected to appoint or promote people who do not possess the required qualifications or abilities. However, they are expected to implement programmes which develop employees' potential and enable them to look for better opportunities. At present, most AA policies are deemed to be based on a trail by error basis (Van Jaarsveld, 2000).

According to the Employment Equity Report (2001) issued by the Department of Labour, organisations reported the following as barriers to employment equity:

- recruitment and selection processes
- training and development
- succession and experience planning

- performance and evaluation systems
- job classification and grading

### **2.5.1 Implementation problems**

Van Jaarsveld (2000) contends that the problems with AA do arise not from the principle as such but from the manner in which it is implemented. AA is implemented incorrectly when an organisation views employment equity as a political imperative that has to be complied with, and not as a business objective - to have as effective and competent a workforce as possible. In such instances, AA leads to the following:

- People are appointed in AA positions to fill quotas or to window-dress without taking into account their ability or suitability for the position.
- Reverse discrimination occurs.
- An elite group of AA candidates is advanced while the rest of the population stays where they are.
- The “revolving door” syndrome develops. Organisations often appoint a few black faces at the right levels in the organisation to make the organisation appear politically correct. The AA appointees, on the other hand, enter the organisation with high expectations and the need to develop and achieve success. Unfortunately nothing is done about the organisation’s culture and related systems and the needs of AA appointees are therefore overlooked. This makes the appointees feel excluded, frustrated and disillusioned and ultimately compels them to seek employment elsewhere. This situation reinforces management’s belief that blacks and women do not have the ability to cope with the demands of the corporate world and that AA initiatives have no benefit to offer organisations. When this happens, the organisation does nothing further to address any inequalities until another crisis in the form of pressure from trade unions or government compels it to make AA appointments — and the whole cycle starts again.

### **2.5.2 Strategic concerns**

According to Thomas (2002), the legislation of AA in South Africa has led to the following strategic concerns:

- The overregulation of the labour market results in a decrease in overseas investments and entrepreneurial initiatives.
- Heavy administrative costs relating to compliance with the legislation impact on organisational growth.
- The shortage of skills in some sectors makes black skills more expensive and unfordable to smaller organisations, thus providing disincentives for investment and expansion.
- The shifting of employees from some employers to others hinders the creation of new jobs for new entrants to the labour market.
- The African National Congress sees the future of employment equity in special investments in rural infrastructures such as roads, schools and water. The government’s Redistribution and

2.11

Development Programme should address these issues, and employment equity in this context should rather be used with reference to the employment needed on rural construction sites (Van Jaarsveld, 2000).

In addition to the aforementioned problems, the South African workplace is characterised by adversarial relationships, a lack of trust and communication between individuals and groups, poor teamwork, the apparent absence of employee commitment to and motivation to achieve organisational goals, high staff turnover (especially amongst those from designated groups), industrial conflict and low levels of productivity, profitability, quality and customer service (Thomas, 2002). A recent South African study has highlighted that, while black managers may leave organisations for higher salaries and related perks, issues relating to not fitting into historically established corporate cultures also seem to impact on what has become derogatorily known as “job hopping” (Thomas, 2000).

### **2.5.3 Organisational concerns**

Thomas (2002:237-239) regards the following as problems at organisational level with the introduction of AA strategies in South Africa:

- In an attempt to appear acceptable in terms of race and gender, token appointments of people lacking the necessary skills have been made. This has led to a decline in service levels and people being given meaningless jobs.
- There is a prevalence of negative expectations about candidates from designated groups, heightened scrutiny of them, fears and resentments on the part of those who stand to lose promotional opportunities and the resultant sabotage of the process, by, say, the withholding of information and the exclusion of members of designated groups from formal and informal networks and systems that foster job progress.
- The increase in indirect and opportunity costs as a result of, say, poor hiring decisions (to achieve employee targets), and the declining morale of white employees.
- The heightening of race classification and “reverse discrimination” will lead to a decrease in employee loyalty and the lack of retention of skilled employees.
- People from designated groups who still require training and development will have unrealistic short-term expectations and may expect secured positions and adopt a culture of entitlement.
- Employment equity measures have not been regarded as strategic business issues and accordingly, there has been a lack of management commitment to this process.
- No business imperative has been identified by management with regard to the competitive advantage that a diverse workforce can afford.
- Performance management as a means of training and developing people from designated groups into fully productive employees, has been poor.

Needless to say, the incorrect implementation of AA programmes can be extremely costly. The highest cost results from not fully utilising all employees in organisations.

#### **2.5.4 The costs of affirmative action**

Cox (1993) and Morrison (1992) have noted the economic costs of not fully utilising all employees in organisations, as evidenced by absenteeism, employee turnover, poor morale, underperformance and poor customer service. According to Charlton and Van Niekerk (1994), costs incurred in poor implementation of AA programmes include the following:

- high recruitment costs due to the high turnover of AA candidates
- high salaries paid in order to prevent AA candidates from being head-hunted by other organisations
- indirect costs associated with the dissatisfaction of the current workforce with AA programmes
- legal costs resulting from the need to terminate employment contracts of AA candidates who cannot cope with the demands of the position
- additional compensation paid for overtime and contract work due to AA employees not being developed or optimally utilised

#### **2.5.5 Implementation issues**

In order to capitalise on the benefits offered by an AA programme, the following aspects of implementation warrant ongoing attention:

- The long-term successful redistribution of resources relies on *economic growth* which, in turn, is dependent upon AA in order to develop and utilise a country's human resources and to ensure *political stability* (Charlton & Van Niekerk, 1994). The uncompetitive nature of South Africa, its low growth rate and high level of unemployment are all factors that mitigate against the effective implementation of AA. The regular strike actions evident in South Africa have also contributed to a lack of economic growth and high crime rates. In an organisational context, the financial position of the organisation plays an equally vital role in the success of an AA plan. From a financial point of view, organisations cannot afford to appoint incompetent people for window-dressing purposes. Not only will this affect the productivity of the organisation negatively, but will also contribute to unnecessarily high labour costs.
- To a certain extent, South Africa appears to have learned that a *multiplicity of legislation* dealing with employment equity is confusing and unlikely to be adhered to, because of the gaps and loopholes that tend to exist when separate Acts govern different beneficiaries or areas of practice. In an organisational context the AA policy should consist of well-defined goals and be simple to understand.

- The South African government did apparently realise the importance of engaging in an *active and consultative process* with organised business and labour in formulating legislation and policy governing such legislation. While consensus has not prevailed in all aspects of the legislation, this consultative process did achieve greater support for the implementation of the legislation than would otherwise have occurred. In an organisational context attempts are made to involve the representatives of all interested parties in the implementation of an employment equity plan.
- A cause for concern has arisen in South Africa where jobs are subtly reserved, in some instances, by African managers for “friends in the struggle against apartheid” and where business has capitalised upon the recruitment of blacks who were trained abroad during the apartheid era. It is common practice in South African organisations to recruit blacks into senior positions in order to secure government or parastatal contracts. Structures need to be set up that will ensure that AA does not simply benefit an elite group or result in the practice of *tokenism*. Organisations have to ensure that policies and structures are in place to prevent the occurrence of tokenism and favouritism.
- *Numerical target setting* is essential because it is the single best predictor of the subsequent employment of members from designated groups. The South African Department of Labour has legislated that negotiated targets between management and employees are set between one and five years. With regard to numerical target setting, the employment equity plan has to achieve the equitable representation of suitably qualified persons from designated groups within each occupational category and level in the work force.
- Studies have shown that AA must necessarily be embarked upon as a *holistic process*. There must be a focus beyond numbers to issues relating to training and development, mentoring and coaching. One of the challenges facing South African organisations is the retention of AA candidates. In order to retain their services, organisations should make special provision for career advancement, accelerated training and development, flexible compensation structures and sound labour relations. With regard to training and development, the aim of the Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999 is to coordinate industrial training in a more structured and purposeful manner.
- It is evident that the success of AA depends on the *commitment of top management*. While legislation can provide a foundation to prevent the occurrence of overt discrimination, the law, per se, without enforced compliance, is not sufficient to remove discrimination. However, compliance is one thing; actual effective utilisation of those appointed through AA strategies is quite another. It is surprising how few committed efforts to managing diversity and AA have been made. Many organisations pay lip-service to the need for employment equity and managing diversity, yet few appear to have incorporated these kinds of objectives into either their strategic planning process or reward systems (Human, 1996).

## **2.5.6 Critical success factors**

According to Human (1996), the implementation of AA will be successful if the following critical success factors are in place:

### *2.5.6.1 Employee development as a strategic issue*

Employee development as a strategic issue refers to the extent to which people development and particularly people from designated groups are regarded as key strategic issues for the organisation. In this regard, AA should be seen as increasing the pool of talent available for development. Development must not be viewed simply in terms of providing education and training for the disadvantaged en masse. Managers should be trained in people management skills, identifying training and development needs and managing employees' careers. As such managers will be evaluated and rewarded in terms of their ability to develop subordinates. The development of employees, however, is not only management's responsibility, but employees should realise that they are also responsible for their own development.

### *2.5.6.2 Staffing*

This refers to the way in which people are matched to jobs. It involves a critical analysis of current selection and recruitment procedures, criteria for entry into jobs, selection instruments and organisational culture. Such an analysis should lead to attempts to overcome unfairness and obstacles, to remove glass ceilings and to eradicate both tokenism and resistance.

### *2.5.6.3 The role of organisational culture in the development of people*

Organisational culture refers to the importance attached to the development of people and the norms, values and beliefs that reinforce or discourage people development in general and the advancement of the historically disadvantaged in particular. According to Ivancevich and Matteson (2002), an organisational culture that supports people development is characterised by the following:

- positive expectations of individuals and their competence
- open, honest and constructive feedback on performance
- evaluation of performance based on results achieved in terms of short- and long-term objectives

### *2.5.6.4 The role of the human resource function*

The role of the human resource function is to support line management in the appointment and retention of employees. In order to provide effective support, an audit of the organisation in terms of workforce composition, policies and procedures and the perceptions of all levels of employees needs to be conducted regularly. The development of a workforce profile is crucial before any appointment, promotion or development decisions can be made.

### *2.5.6.5 Management commitment and support*

Organisations should develop strategies for dealing with AA and diversity issues. These strategies should be developed in consultation with trade unions and nonunionised employees. A committee composed of

employer, employee and trade union representatives should continuously monitor, evaluate and refine the AA strategy. In order to gain support for AA interventions, management need to communicate their AA policies clearly and honestly indicating how diversity factors are factored into staffing and employee development decisions.

South African organisations are compelled to comply with the provisions of the Employment Equity Act. According to Thomas (2002), the three key issues on which organisations should focus in its attempt to comply with Employment Equity targets are: (1) sound monitoring of progress towards employment equity; (2) proactive measures to ensure that the majority of previously disadvantaged groups benefit from the legislation, and (3) the introduction of holistic human resource practices that complement target setting.

## **2.6 JUSTIFICATION FOR AFFIRMATIVE ACTION**

Justifying AA without reference to justice and equality is impossible. As mentioned earlier, justice consists of distributive and procedural components. *Distributive justice* refers to the perceived fairness of the outcomes or allocations that an individual receives. In an organisational setting, a job offer or a promotion will resemble the outcome or decision. *Procedural justice* refers to fairness issues concerning the methods, mechanisms, and processes used to determine outcomes (Cropanzano, 1993). In an organisational context it refers to the methods or processes used to make a selection decision or to decide who should be promoted. *Equality* refers to the principle of similar treatment irrespective of background or ethnicity. But this in itself poses a problem because people are not the same, and treating them as the same actually promotes inequality. True equality will exist only if it is not seen as a removal of social barriers but a process of balancing in which differences in all social, cultural and ethnic surroundings are taken into account.

In order to understand why AA can be viewed as fair, it is essential to determine how AA is related to justice and equality. Inevitably, a certain amount of tension will prevail between the antidiscriminatory and AA legs of employment equity. Anti-discrimination measures protect and promote equality by stating clearly that no discrimination may take place with regard to ethnicity, gender, and disability, whereas the AA measures allow for unequal treatment that is deemed to be fair discrimination (Van Wyk, 2002).

Affirmative action is intended to restore diversity in society and the workplace where previous discrimination practices excluded it — hence its association with social justice and fair balances. In South Africa, AA is described as a “tool of justice” which could rectify past discrimination practices whilst contributing to the demand for equality. One should accept that, even if the discrimination created by AA may not be entirely justifiable, it should in some ways be morally excusable, if one takes past discrimination into consideration. In order to justify AA, it is necessary to elaborate on the concepts of social justice and equality.

According to the utilitarian perspective on justice, justice distinguishes between the rights of the individual and of society. Utilitarian justice recognises an individual's right to equal treatment by what should be the best for society, while so-called "common-sense" justice demands from society a correction of previous discrimination practices (Rosenfeld, 1991). Affirmative action does not intentionally exclude a certain group of people, and the unintended exclusion (discrimination) should therefore be perceived as an undesirable side-effect. To obtain justifiable AA programmes, preference should be given to deserving individuals, thus balancing the gains of the individual with those of society. Affirmative action, however, can only equal justice if it is applied in favour of people who have actually been deprived of opportunities. This means that the application of AA programmes can result in the discrimination of impoverished white workers because of the denial of employment in favour of people from designated groups. A society which agrees that past discrimination needs to be addressed should acknowledge that AA based on fairness may be the best solution available. The fairness of AA has a moral conception which is embodied in the human character and social life. The acceptance of this kind of fairness would demand a society which accepts a new conception of justice necessary to regulate the structures of life. The justification for AA should thus be seen in this new way of thinking (Van Jaarsveld, 2000).

As mentioned earlier, a goal of AA programmes is to put individuals on an equal footing in order to make employment competition fair and just. This can only be achieved if similar treatment is translated into equal treatment and takes diversity into account. It should be accepted that all AA programmes cannot result in absolute fair equality. Individual differences in talents and skills will have an influence. Affirmative action does not proclaim to bring forth absolute equality. What it does profess is to address the effects of discrimination through remedial policies. The question regarding how AA can have equality as its goal when in practice it is discriminating against white workers, is thus largely answered by the above explanation of social justice. Although future inequalities may be inevitable, the notion of fairness, reciprocity and justice should be accepted as being part of social reality.

Society has been adamant that inequality should be addressed and the victims of discrimination afforded an opportunity to catch up with the rest of society. But how long will it take previously disadvantaged people to catch up? In order to keep the justification for AA fair, it is believed that the practice should not exist indefinitely. One of the purposes of AA programmes is to provide members of previously disadvantaged groups with opportunities for advancement, even if this entails elements of discrimination. Neither organisations nor a country, however, can afford to engage in social and community upliftment programmes for an indefinite period of time. At some stage the beneficiaries of AA programmes should be held accountable for their own development and advancement. When this stage is reached, preferential treatment should become something of the past since everybody will then have been placed on an equal footing. The primary problem with AA interventions in the USA is its duration of more than 30 years. Let us hope that South Africa does not make the same mistake. By combining training with appointments, AA programmes may achieve equality within a reasonable period of time (Van Jaarsveld, 2000). Blacks who are already denouncing AA as favouritism and white workers who are rejecting it as reverse discrimination have shown that time may not be on the policy's side.



## 2.7 SUMMARY

It may be fair to suggest that AA has yet to make its mark in South Africa. Various opinions exist on the desirability, fairness and future of AA. In South Africa the main beneficiaries of AA are perceived to be black middle class and professional women of all ages. Affirmative action programmes should, however, have advantages for all concerned if clear goals are set. Whether goals, timetables or quotas should be used to create employment equity is a matter of opinion. Because quotas may result in the hiring of unqualified people and timetables may be designed without proper consideration, it is suggested that goals should be used to establish employment equity. According to Van Jaarsveld (2000), progress towards the implementation of AA programmes has been made but there is still a discrepancy between the representation of black people at management levels. In the middle-management positions, the number of blacks being employed in South Africa has increased from 32 to 45 percent.

South African organisations are compelled to comply with the provisions of the Employment Equity Act. Perhaps lessons from other countries could help South Africa to overcome the major obstacles in the implementation of AA. The macroeconomic issues are more complex and need government's attention to ensure that employment equity and the diversity that it creates in organisations work towards the competitiveness of the country and that racial and ethnic divisiveness is not created. At operational level, the challenge is to identify sound business reasons for the diversity created by strategies to achieve employment equity. This demands creative vision and the will on the part of management to fully tap into the potential of all employees in the workforce.

Although employment equity is still a relatively new policy in South Africa, the government does seem to be looking at the negative comments directed at its programmes. Because there are more than enough grounds to question the skills of appointed black workers, the government has recognised the importance of training programmes and passed legislation such as the Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999.

In this chapter the meaning of AA, as intended by legislation, was discussed. The origin of AA and employment equity, the primary objectives of AA and the obstacles to achieving employment equity were briefly outlined. This was followed by a discussion of the purposes of AA and the obstacles hindering the effective implementation of AA programmes and the justification for AA in terms of justice and equality. In an attempt to understand how AA is related to organisational justice and fairness perceptions, the next chapter will briefly refer to the management of AA and focus in particular on how it should be implemented at organisational level if employees are to perceive it as fair.