



DEPARTMENT OF LABOUR
(Confidential)



Declaration by employee

Employment Equity Act
55 of 1998, Regulation 2(2)

PLEASE READ THIS FIRST



WHAT IS THE PURPOSE
OF THIS FORM?

This form can be used to obtain information from employees, on a voluntary basis only; for the purpose of assisting employers with conducting an analysis on the workforce profile; and to ascertain which of the existing employees are from designated groups in terms of the Employment Equity Act, 55 of 1998.

WHO FILLS IN THIS FORM?

Employees.

INSTRUCTIONS

The contents of the form shall remain confidential, and shall only be used by employers in order to ensure compliance with the Act.

'People with disabilities' are defined in the Act as people who have long-term or recurring physical or mental impairment which substantially limits their prospects of entering into, or advancement in, employment.

1. Name: _____
2. Employee No: _____
3. Please indicate to which categories you belong:

Male	<input type="checkbox"/>	Female	<input type="checkbox"/>				
African	<input type="checkbox"/>	Coloured	<input type="checkbox"/>	Indian	<input type="checkbox"/>	White	<input type="checkbox"/>
Person with a disability: Yes		<input type="checkbox"/>	No		<input type="checkbox"/>		
If yes, specify nature of disability: _____							

4. I verify that the above information is true and correct.

Signed: _____
(Employee)

Date: _____

ANNEXURE 1: Demographic Data

Employment Equity Act,
55 of 1998

PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS ANNEXURE?

The data contained in this annexure were taken from the Census 96, published in 1998 by Statistics South Africa.

INSTRUCTIONS

Employers may use this data, when conducting an analysis of the workforce profile, to make a comparison with the relevant national and provincial demographics. Please note that the columns and rows do not always total exactly. This is because Statistics SA rounds off the numbers in their publications.

Should more demographic information be required, these may be obtained from Statistics SA.

1. ECONOMICALLY ACTIVE POPULATION BY PROVINCE

	Eastern Cape	Free State	Gauteng	Kwazulu Natal	Mpumalanga	Northern Cape	Northern Province	North West	Western Cape	Total
Employed	786818	701175	2564243	1570573	605925	215523	570129	725287	1374174	9113847
Unemployed	742427	299948	1007766	1008944	297290	86060	486554	443546	299114	4671647
Total	1529245	1001123	3572009	2579517	903215	301583	1056683	1168833	1673288	13785493

Employed (%)	8.63%	7.69%	28.14%	17.23%	6.65%	2.36%	6.26%	7.96%	15.08%
Unemployed (%)	15.89%	6.42%	21.57%	21.60%	6.36%	1.84%	10.42%	9.49%	6.40%
Total (%)	11.09%	7.26%	25.91%	18.71%	6.55%	2.19%	7.67%	8.48%	12.14%

2. ECONOMICALLY ACTIVE POPULATION BY RACE AND GENDER

	African	Coloured	Asian	White	Other	Male	Female
Employed	5682476	1129515	363486	1856452	81917	5481903	3631944
Unemployed	4205992	299231	50379	89066	26980	2039917	2631730
Total	9888468	1428746	413865	1945518	108897	7521820	6263673

Employed (%)	62.35%	12.39%	3.99%	20.37%	0.90%	60.15%	39.85%
Unemployed (%)	90.03%	6.41%	1.08%	1.91%	0.58%	43.67%	56.33%
Total (%)	71.73%	10.36%	3.00%	14.11%	0.79%	54.56%	45.44%

3. OCCUPATION BY PROVINCE

	Eastern Cape	Free State	Gauteng	Kwazulu Natal	Mpumalanga	Northern Cape	Northern Province	North West	Western Cape	Total
Legislators, senior officials and managers	29805	18068	128722	49079	22133	5551	12647	21720	75302	363028
Professionals	96195	49539	250676	144273	42114	14382	73320	57539	124540	852578
Technicians and associate professionals	47329	26188	192410	89794	22108	9152	20135	29277	97776	534169
Clerks	52655	40005	256633	109067	33235	13974	25260	42478	133725	707032
Service workers, shop and market sales workers	66686	54491	258104	126425	52669	16844	50008	64105	121471	810804
Skilled agricultural and fishery workers	34422	39906	52972	51696	40916	17365	45455	33428	39466	355626
Craft and related trades workers	88833	92949	410630	186319	96941	23136	79517	143011	156551	1277888
Plant and machine operators and assemblers	42547	65161	175937	118776	56150	8946	26835	57015	88668	640033
Elementary occupations	217469	251245	498279	377072	179233	82686	164692	200910	403862	2375449
Unspecified/Other	110876	63622	339879	318073	60426	23488	72259	75805	132812	1197239
Total	786818	701175	2564243	1570573	605925	215523	570129	725287	1374174	9113847

4. OCCUPATION BY RACE AND GENDER									
	African	Coloured	Asian	White	Other	Total	Male	Female	Total
Legislators, senior officials and managers	26.66%	8.32%	7.50%	56.37%	1.15%	363028	72.55%	27.45%	363028
Professionals	48.98%	8.62%	4.83%	36.40%	1.17%	852578	44.69%	55.31%	852578
Technicians and associate professionals	32.60%	10.26%	6.71%	49.32%	1.12%	534169	52.06%	47.94%	534169
Clerks	34.91%	14.81%	7.58%	41.49%	1.21%	707032	31.20%	68.80%	707032
Service workers, shop and market sales workers	62.47%	11.39%	4.34%	20.92%	0.88%	810803	65.35%	34.65%	810803
Skilled agricultural and fishery workers	75.15%	9.98%	0.05%	14.24%	0.57%	355626	80.11%	20.34%	355626
Craft and related trades workers	68.83%	11.97%	3.29%	15.10%	0.81%	1277888	87.14%	12.86%	1277888
Plant and machine operators and assemblers	73.25%	13.99%	4.97%	6.98%	0.81%	640033	84.50%	15.50%	640033
Elementary occupations	80.61%	15.65%	0.79%	2.26%	0.68%	2375449	43.02%	56.98%	2375449
Unspecified/Other	59.41%	10.37%	6.35%	22.83%	1.04%	1197239	70.93%	29.07%	1197239
Total	62.36%	12.40%	3.97%	20.37%	0.90%	9113847	60.16%	39.86%	9113847

ANNEXURE 2: Occupational Levels

Equivalent occupational levels

Semantic Scale	Paterson	Peromnes	Hay	Castellion		
Top management	F	1++ 1+		14		
Senior management	E	E UPPER	1	1	13	
		E LOWER	2	2		
Professionally qualified, experienced specialists and mid-management	D	D UPPER	3	3	12	
		D LOWER	4	4	11	
Skilled technical and academically qualified workers, junior management, supervisors, foremen, superintendents	C	C UPPER	5	5	9	
		C LOWER	6	6A		8
			7	7		
		8	8			
Semi-skilled and discretionary decision making	B	B UPPER	9	9	7	
		B LOWER	10	10	6	
			11	11	5	
Unskilled and defined decision making	A	A	12	12	3	
			13	13	2	
			14		1	

Employment Equity Act 55,
1998

PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS ANNEXURE?

Job evaluation or grading systems are used by many organisations to measure jobs according to their content and establish comparative worth between jobs.

This annexure provides a table of equivalent occupational levels which may be used by employers when completing forms EEA 2 and EEA 4.

INSTRUCTIONS

The table indicates the occupational levels within organisations as determined through the use of different job evaluation or grading systems. The table provides equivalent levels from each of these job evaluation systems.

Organisations that make use of neither one of the job evaluation systems in this table, nor a customised system linked to one of these, should use the Semantic Scale for guidance in determining occupational levels within that organisation.



Employment Equity Act
55 of 1998, Section 21

PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form contains the format for employment equity reporting to the Department of Labour. The form incorporates the reporting requirements for designated employers, both smaller (less than 150 employees) and larger (150 or more employees). The form also contains the progress report to be completed after the first round of reporting.

WHO COMPLETES THIS FORM?

All designated employers that have to submit a report in terms of the Employment Equity Act, 55 of 1998. Any employer completing the Employment Equity Report voluntarily.

INSTRUCTIONS

A designated employer that employs 150 or more employees must:

- Submit the first report by 1 June 2000, and thereafter annually on the first working day of October, starting in 2001.
- Complete all sections of this form, except for section G (progress) in the first report.
- Complete all sections of this form, including section G, in subsequent reports.

A designated employer that employs less than 150 employees must:

- Submit its first report by 1 December 2000, and thereafter every second year on the first working day of October, starting in 2002.
- Complete sections A, B, F and H in the first report.
- Complete sections A, B, F, G and H in subsequent reports.
- Complete question 8.2 (termination categories) in all reports.
- Optionally complete sections C, D and E in all reports.

SEND TO:

Employment Equity Registry
The Department of Labour
Private Bag X117
Pretoria 0001
Telephone: 012 3094000
Facsimile: 012 3202059 / 3220413
e-mail: ee@labour.gov.za

Section A: Employer Details

Employer:	
Registration No:	
SARS Registration No:	
UIF Number:	
Industry Sector:	
Contact Person:	
Address:	
Town/City	
Postal Code	
Telephone No:	
Fax No:	
E-Mail Address:	
Date of Submission:	

Organ of state:

Yes	No
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Are you voluntarily complying with this Act as specified in section 14:

Yes	No
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Section C: Workforce movement

Reporting period for workforce movement (past 12 months): From: _____ To: _____

6. Recruitment (report the total number of new recruits during the twelve months preceding this report):

Occupational Levels	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management									
Senior management									
Professionally qualified and experienced specialists and mid-management									
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents									
Semi-skilled and discretionary decision making									
Unskilled and defined decision making									
TOTAL PERMANENT									

People with disabilities									
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7. Promotion: (report the total number of promotions into each occupational level during the twelve months preceding this report)

Occupational Levels	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management									
Senior management									
Professionally qualified and experienced specialists and mid-management									
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents									
Semi-skilled and discretionary decision making									
Unskilled and defined decision making									
TOTAL PERMANENT									

People with disabilities									
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Section E: Skills Development

10. Training: (report the total number of people who received training in each occupational category during the twelve months preceding this report)

Occupational Categories	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers									
Professionals									
Technicians and associate professionals									
Clerks									
Service and sales workers									
Skilled agricultural and fishery workers									
Craft and related trades workers									
Plant and machine operators and assemblers									
Elementary occupations									
TOTAL PERMANENT									
Non – permanent employees									
TOTAL									

Workplace forum:
 1. Regulatory body:
 2. Associated trade union:
 3. Employees:
 (List if applicable):

12.2 What was the level of agreement reached in the formulation of the plan?

Total Sufficient Some None

12.3 How frequently do you meet with the stakeholders mentioned in 12.2?

Weekly Monthly Quarterly Yearly Other

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Section F: Qualitative Assessment

11. Awareness of Employment Equity

11.1 Please indicate which of the following awareness measures were implemented by your organisation:

	Yes	No
Formal written communication		
Policy statement includes reference to employment equity		
Summary of the Act displayed		
Employment Equity training		
Diversity management programmes		
Discrimination awareness programmes		
Other (please specify):		

11.2 Please indicate how many employees received employment equity/non-discrimination training during the past year:

Number of employees trained	
-----------------------------	--

12. Consultation

12.1 Please indicate which stakeholders were involved in the consultation process prior to the development of your employment equity plan:

	Yes	No
Workplace forum		
Consultative body or forum		
Registered trade union (s)		
Employees		
Other (Please specify):		

12.2 What was the level of agreement reached in the formulation of the plan:

Total	Sufficient	Some	None
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12.3 How regularly do you meet with the stakeholders mentioned in 12.1:

Weekly	Monthly	Quarterly	Yearly	Other
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DEPARTMENT OF LABOUR



Section F: Qualitative Assessment – continued

15. Numerical goals:

15.1 Please use the table below to indicate the numerical goals you have set for your current employment equity plan:

Occupational Categories	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers									
Professionals									
Technicians and associate professionals									
Clerks									
Service and sales workers									
Skilled agricultural and fishery workers									
Craft and related trades workers									
Plant and machine operators and assemblers									
Elementary occupations									
TOTAL PERMANENT									
Non – permanent employees									
TOTAL									

15.2 By which year do you plan to achieve the above numerical goals:

16. Resources:

Please indicate what resources have been allocated to the implementation of employment equity during the past year:

Allocation of Resources	Yes	No
Appointed a designated officer to manage the implementation		
Allocated a budget to support the implementation goals of employment equity		
Time off for employment equity consultative committee (or equivalent) to meet on a regular basis		
Other (Please specify)		

17. Monitoring and evaluation of implementation:

How regularly do you monitor progress on the implementation of the employment equity plan:

Weekly Monthly Quarterly Yearly Other



Section G: Progress Report

(Section G to be completed from the second cycle of reporting onwards)

18. Reporting period: From _____ to _____

19. Did you achieve the numerical goals as set out in your employment equity plan for this period:

Yes	No
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20. Did you achieve the affirmative action objectives as set out in your employment equity plan for this period:

Yes	No
-----	----

20.1 If not, what were the obstacles you experienced:

Obstacles to the employment equity goals and objectives during the past year

20.2 If yes, what factors promoted the accomplishment of your goals and objectives:

Factors contributing to the accomplishment of the employment equity goals and objectives during the past year

Section H: Signature of Chief Executive Officer

Signed on this _____ day of _____ year _____ at place: _____

Signature Full Name

GUIDELINES FOR EARLY RETIREMENT

Voluntary early retirement figures as one of the selection criteria for staff reduction (par. 17.4.2). Early retirement could be considered by Centurion Metropolitan Local Council, on the request of an employee, in accordance with the stipulations of the relevant pension and medical aid funds (par. 17.4.2.2(a)). The retirement benefits (according to Assenmacher 1999: 6) to which employees are entitled to, if their services are terminated due to early retirement as part of staff reduction are set out in par. 17.4.8. It could be summarised as follows:

- Clause 17.4.8.1: Notice period

Three months written notice is required alternatively the payment of three months in lieu of notice.

- Clause 17.4.8.2: Annual Bonus and leave payment

The employee is entitled to pro-rata annual bonus as well as the payment for the accrued leave.

- Clause 17.4.8.3: Pension

The employee shall receive the pension benefits applicable within the rules of the pension fund.

- Clause 17.4.8.4: Outstanding loans

Debt concerning outstanding study loans and furniture removal costs should be written off.

- Clause 17.4.8.5 Outstanding vehicle loans

The employee, dealing in the Council approved motor loan scheme is entitled to an amount equal to nine months of the amount received as vehicle allowance subject to the detailed stipulations of the scheme and clause 17.4.8.5.

- Clause 17.4.8.6 Housing guarantee

Suitable arrangements should be made by the employee in order to release Council of the obligation for the housing guarantee.

- Clause 17.4.8.8 Severance pay

Differentiated benefits are applicable for employees with less than ten years service and employees with more than ten years service, namely:

- Ten years and longer service - three weeks salary for every completed year of service, up to nine years, with a maximum of twenty seven weeks; and
- Less than ten years service - one weeks' salary for every completed year of service to a maximum of twelve weeks.

ANNEXURE G

(a) Establishments of learnerships

The provisions in the *Skills Development Act, 1998* (Act No. 97 of 1998) for the establishment of learnerships can be summarised as follows:

A municipality through the relevant Sectoral Education and Training Authority (SETA) may establish a learnership if:

- the learnership consists of a structured learning component;
- the learnership includes practical work experience of a specified nature and duration;
- the learnership would lead to a qualification registered by the South African Qualifications Authority (SAQA) and is related to an occupation; and
- the intended learnership is registered with the relevant Director General (DG) in the prescribed manner.

(b) Learnership Agreements

A learnership agreement, according to the *Skills Development Act, 1998* (Act No. 97 of 1998) means:

an agreement entered into for a specified period between:

- a learner;
- an employer or a group of employers; and

- if a learner was in the employment of the employer party to the learnership agreement concerned when the agreement was concluded, the learner's contract of employment is not affected by the agreement;
- if the learner was not in the employment of the employer party to the learnership agreement concerned when the agreement was concluded, the employer and learner must enter into a contract of employment; and
- the contract of employment with a learner is subject to *the Basic Conditions of Employment Act, 1997* (Act No. 55 of 1997).

(e) Rights of the learner

The act establish the rights of the learner as follows:

- to be educated and trained adequately in terms of the agreement;
- to negotiate, in conjunction with the employer, with the provider on:
 - selection, content and sequencing of specific outcomes,
 - timing, location and mode of delivery, and
 - who conducts the assessment.
- to use necessary resources to enable the learner to receive quality training;
- to complain or express dissatisfaction about the training presented where it falls short of the quality or set standards;
- to be assigned to an alternative registered training provider where the current training provider is dissolved, insolvent or de-registered;
- is entitled to proper/professional assessment of his performance in training;

- to continue training until the period specified lapses, or whenever he meets the required outcomes;
- to certification;
- to be available for all learning and work experience as outlined in the learning contract; and
- to a fair hearing in disciplinary matters.

In relation to the employer the learner furthermore has the right to:

- enter into a contract of employment with the employer;
- be provided with relevant structured work experience;
- access to the relevant resources of the employer to further the learnership as contemplated in the agreement;
- proper supervision, monitoring and assessment of his work which include access to information regarding his progress;
- remuneration;
- legislative protection such as:
 - leave (sick and annual leave);
 - normal working hours;
 - healthy and safe environment;
 - fair disciplinary hearing access to grievance and dispute procedures;and
- have the employer substituted under certain strict conditions as laid down in the *Skills Development Act, 1998* (Act No. 97 of 1998).

(f) **Rights of the Registered Training Provider** determined in the learning contract;

According to the *Skills Development Act, 1998* (Act No. 97 of 1998) the provider is entitled to:

- negotiate the release of the learner from the learnership from the employer when the time is due for the learner to attend training as reflected in the learning contract;
- co-operative relationships with the employer;
- record, monitor and retain details of training provided to the learner;
- evaluate or assess the performance of the learner in terms of the relevant criteria which includes access to the learner's books and learning material;
- report the learner to the relevant authorities in cases of misconduct or incapacity;
- ensure compliance with rules governing his business;
- to discipline the learner;
- terminate the agreement, provided that the Sectoral Education and Training Authority (SETA) approves; and
- inherent protection according to applicable legislation.

(g) **Rights of the Employer**

The employer according to the *Skills Development Act, 1998* (Act No. 97 of 1998) has the right to:

- a co-operative relationship with the provider;
- enter into a contract of employment with the learner;

- use the services of the learner as shall be determined in the learning contract;
- to negotiate, in conjunction with the learner, with the registered training provider on:
 - selection content and sequencing of specific outcomes;
 - timing, location and mode of delivery; and
 - who conducts the assessment.
- the release of the learner from the provider from the learner to gain structured work experience as laid down in the learning contract;
- ensure that the learner adheres to the rules and regulations governing his business concern; and
- report poor learner work performance to the relevant Sectoral Education and Training Authority (SETA) for appropriate action.

(h) Rights of the Sectoral Education and Training Authority (SETA)

The Sectoral Education and Training Authority according to the *Skills Development Act, 1998* (Act No. 97 of 1998) has the right to:

- withhold registration of the learnership agreement;
- de-register an existing learnership Agreement;
- terminate or withhold approval to terminate a learnership agreement as recommended to it by either the provider or the employer;
- grant or refuse requests for withholding a learner from attending training;
- grant or refuse requests for financial assistance from institutions; and
- enforce the rights and obligations of any party to the agreement in accordance with the Standards Development Authority.

(i) - Learner Obligations

The Learner according to the *Skills Development Act, 1998* (Act No. 97 of 1998) has the following obligations:

- to avail himself to the services of the employer as part of the learning process;
- to comply with workplace policies and procedures such as arriving at work timeously and wearing the correct apparel;
- to complete timesheets or any written assessment tools supplied by the employer in the employers endeavour to provide relevant work experience; and
- to attend all study periods and theoretical learning sessions with the specific training provider and to apply himself to all learning material.

(j) Entry requirements for learners

According to the *Skills Development Act, 1998* (Act No. 97 of 1998) the following entry requirements are required:

- age
 - (i) - An age of at least 16 years;
- educational, physical and mental requirements
 - Learners shall have acquired a minimum of grade 8 or equivalent; or
 - An Adult Basic Education and Training (ABET) Level 3 qualification;
 - Learners who do not have these qualifications but who have acquired the relevant skills and knowledge, may apply for recognition of prior learning (PL);

- if sufficient credits are obtained, such learners may qualify for entry;
- physical and mental requirements shall be stipulated by the Sectoral Education and Training Authority (SETA) according to the nature of the occupational area.

(k) Period of Agreement

The period of agreement, as stipulated by the *Skills Development Act, 1998* (Act No. 97 of 1998) is:

- ultimately determined according to the rate at which the unit standard (competencies) are achieved, as stipulated in the learning contract, but not exceeding twelve months;
- the registrar of learnerships under exceptional circumstances may grant an extension of this period;
- previous learning achievements (competencies) gained during the learner's educational or working life may be recognised and therefore reduce the learning period; and
- this should be discussed with both the employer and the registered training provider.

(l) Termination of a learnership agreement

The *Skills Development Act, 1998* (Act No. 97 of 1998) stipulates that a learnership agreement may not be terminated before the expiry of the period of duration specified in the agreement unless:

- the learner meets the requirements for successful completion of the

learnership;

- the Sectoral Education and Training Authority (SETA) which registered the agreement approves of such termination; and
- the learner is fairly dismissed for a reason related to the learner's conduct or capacity as an employee.

(m) Learnership Benefits

The *Skills Development Act, 1998* (Act No. 97 of 1998) makes provision for the following learnership benefits:

- empowerment of designated employees;
- provide institutions with a more effective recruitment screening device;
- allow institutions to align new skills to precise company specifications;
- allow institutions to provide comprehensive induction programmes;
- reduce recruitment costs;
- reduce the premium to be paid for skills in the open market; and
- produce high profile "social spin-offs" for the institution.