



When will employees perceive affirmative action as fair?

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Being fair is a central interest among today's managers concerned about providing equal employment opportunities, fair labour practices and paying a fair day's pay for a fair day's work. The differing perspectives, interests and goals of managers and employees, however, make it difficult to determine what employees regard as fair treatment. The multidimensionality of fairness is evident when one considers how people disagree when asked what is fair. The different answers to questions about the fairness of affirmative action depend on whether the focus is on outcomes, procedures or motives. The fairness of affirmative action should thus be determined by taking the distributive, procedural and interactional components of fairness into consideration.

From a distributive point of view, there is not much an organisation can do about the perceived fairness of a decision to appoint or promote people from previously disadvantaged groups, because legislation, such as the Employment Equity Act (No. 55 of 1998) and the Promotion of Equality and the Prevention of Unfair Discrimination Act (No. 4 of 2000) regulate this issue. There are, however, various ways in which affirmative action decisions can be made and implemented. To increase the perceived fairness of affirmative action decisions, organisations need to reconsider the way they implement affirmative action and treat employees. Research has shown that employees are more inclined to accept unfavourable outcomes if they are treated in a fair and respectful manner.

Introduction

The first democratic and multi-ethnic election on 27 April 1994 brought hope to thousands of South Africans. The government's affirmative action policy enabled workers to visualise a more prosperous future. Before the implementation of affirmative action, people from previously disadvantaged groups that attempted to uplift themselves from poverty through higher education were thwarted by discrimination, prejudice and institutional lag. Those seeking improved economic positions through employment were circumvented by a tradition of preferential treatment for whites. Despite being qualified by skill and competencies, blacks and other groups were forced to bargain in the labour market at a severe disadvantage. Caught in the web of prejudice and legal discrimination, they found that their ethnicity was reason enough for those in charge to deny them social and economic opportunities. When they did manage to secure a job offer, they were consigned to menial positions that paid them less than their white counterparts. These injustices not only led to poverty, but destroyed their spirit.

Since the general election in 1994, attempts to make South Africa a more just society have

increased, and topics such as equality and social justice have frequently appeared at the top of all agendas. The government realised that legislation was necessary to guide organisations in promoting justice in the workplace, and the Constitution of the Republic of South Africa (No. 108 of 1996) was therefore used as the primary source of any legislation pertaining to the fundamental right of people to equality.

Some of the most important aims of the Constitution include rectifying injustices of the past and establishing a society based on democratic values, social justice and fundamental human rights (Van Wyk 2002: 42). The need to redress the injustices of the past becomes apparent when one considers the social and economic inequalities that still exist in South Africa, especially those that were generated by apartheid. Any attempts to redress inequalities, however, should be based on upholding the values of human dignity, equality, freedom and social justice in a united, non-racial and non-sexist society

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where all may prosper. If it is not done in this way, reverse discrimination and social and economic inequalities will continue to exist, and any attempts to create a just society, in which all people can live together in peace and harmony, will be doomed to failure.

The purpose of this article is to provide a theoretical overview of what is meant by organisational justice (organisational fairness) and how it relates to the affirmative action domain. It is hoped that managers and human resources practitioners will take note of the fairness principles and reconsider the way they have been implementing affirmative action and treating employees. Doing so may increase employees' perceptions about the fairness of affirmative action and enable the organisation to retain a committed workforce.

Affirmative action

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In order to govern the promotion of social justice and eradicate inequalities in the workplace, the government realised that it had to intervene actively not only to prevent further discrimination, but also to purposefully promote the employment and advancement of persons disadvantaged by previous policies. Two acts have been implemented in this regard, namely the Employment Equity Act (No. 55 of 1998) and the Promotion of Equality and the Prevention of Unfair Discrimination Act (No. 4 of 2000). The underlying principle for the intervention of the state was that mere equality of opportunity would not be equitable, as many workers would start with a handicap, and that true equality and equity would be achieved only by strong measures against discrimination and by the purposeful, planned placement and development of persons that were denied equal opportunities in the past. Affirmative action thus became the vehicle for democracy in the workplace (Innes, Kentridge & Perold 1993: 79).

According to Bendix (2001: 435), '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.

Most of the controversies and problems surrounding affirmative action arise not from the principle, as such, but from the manner in which affirmative action is implemented. Wrong implementation occurs because organisations regard affirmative

action as a political imperative with which they have to comply, rather than as a business objective, which includes having as effective and competent a workforce as possible. Consequently, persons are appointed in 'affirmative action positions' merely to window-dress or to fill quotas, usually without due consideration of their suitability for the position or the possibility of support and development. Such arbitrary appointments leave other employees dissatisfied and are unfair to the appointees themselves, since they are either in meaningless positions or cannot handle their tasks, thus confirming the belief that affirmative action appointees are 'no good' (Bendix 2001: 440).

Another problem with affirmative action is the fact that the available pool of previously disadvantaged persons able to fill high-level jobs is extremely small. The result is that a small, highly sought after group of candidates develops, who are continually 'poached' by one organisation from another. Only this elite group thus advances, while the rest of the black African population remains where it was before. Employers should abandon the practice of looking for 'ready-made products' and instead develop persons for upward movement in the organisation. In such cases, affirmative action should be closely linked to the development of employees' skills, abilities and competencies (Thomas 2002: 239).

The most prevalent accusation directed at affirmative action initiatives is that they constitute reverse discrimination. There is a strongly held belief among the general public that affirmative action regulations force employers to appoint underqualified people from previously disadvantaged groups and women at the expense of qualified white males – a result both unfair in concept and detrimental to the competitiveness of the organisation. Affirmative action will become unfair only if previously disadvantaged people are appointed 'at all costs', without granting other people the opportunity to compete. All candidates have to be granted the opportunity to compete and to be assessed against pre-determined criteria, but an additional weighting can be placed on affirmative action aspects. This means that affirmative action candidates are given a slight, but not unreasonable, advantage over the other candidates (Charlton & Van Niekerk 1994: 91).

The success of affirmative action

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There has been much advice on how to design and implement affirmative action programmes effectively. Generally, effectiveness is defined as the proportion of employees from previously disadvan-

tagged groups that are hired or promoted. Focusing on numbers only is a limited view of effectiveness, however. The perceived fairness of affirmative action practices should also be an important indicator of effectiveness. Social scientists have long recognised the importance of justice as a basic requirement for the effective functioning of organisations and the personal satisfaction of the individuals they employ. One of the most important benefits of organisational justice conceptualisations is that they may be used to explain a wide variety of organisational behaviours. When practices are perceived to be unfair, they cause frustration, threaten employees' self- and social images, and, in some circumstances, produce moral outrage (Greenberg 1996: 8). According to Robinson & Morrison (1995: 291), other adverse effects of violation on employee perceptions of fairness include lowered trust in management and lowered organisational commitment. Hence, just as the injustices associated with selection systems (Gilliland 1993: 711), pay raise decisions (Folger & Konovsky 1989: 123) and other organisational phenomena foster job dissatisfaction and voluntary turnover, the perceived injustices resulting from affirmative action are likely to translate into dislike for a job and to prompt a subordinate to seek alternative employment. Violations of fairness can further result in legal battles, more negative attitudes towards the organisation, decreased job satisfaction, lower self esteem and lower probability that the affirmative action programme will succeed.

South African organisations will continuously be evaluated in terms of how well they meet employment equity targets. This will ensure that the changing nature of society is reflected in the composition of an organisation's workforce. As mentioned earlier, for a programme to be regarded as effective, it should comply with legal requirements, but also satisfy the requirements of fairness. Organisations will thus be under increasing pressure to make use of affirmative action programmes that are technically and morally sound – and can be shown to be so. This is of particular importance if one considers the fact that employees will be more inclined to challenge procedures that they regard as unfair (Cooper & Robertson 1995: 7).

Organisational justice

Being fair is a central interest among today's managers concerned about providing equal employment opportunities and fair labour practices and paying a fair day's pay for a fair day's work. Just as referees should ensure that all participants

have a fair chance to compete, managers are responsible for the fair treatment of employees. The differing perspectives, interests and goals of managers and subordinates, however, make it difficult to determine what employees regard as fair treatment. The multidimensionality of fairness is evident when one considers how people disagree when asked what is fair. The different answers to questions about fairness depend on whether the focus is on outcomes, procedures or motives. A further complicating element is the possible interaction of a concern for justice with other motives in social situations (for example, self-esteem, interpersonal attraction) (Folger & Cropanzano 1998: 84). An attempt to describe and explain the role of fairness in the workplace is known as organisational justice (Greenberg 1996: 24). Organisational justice refers to the decisions organisations make, the procedures they use in making decisions and the interpersonal treatment employees receive.

Distributive justice

For many years, the study of fairness in organisations was dominated by a distributive justice orientation, an approach that focused on the fairness of outcomes and decisions. Folger & Cropanzano (1998: 33) defined distributive justice as the "perceived fairness of the outcomes or allocations that an individual receives". According to Leventhal (1976: 220) decisions or outcomes are determined by making use of three major rules of justice: the equity rule, the needs rule and the equality rule. The equity rule focuses on contributions, the needs rule is applied for reasons of personal welfare, and the equality rule is used to preserve social harmony. From an affirmative action point of view, the equality rule should thus be used to make decisions.

Procedural justice

As the distributive perspective gained dominance, an independent approach to the study of justice began to develop. Soon studies of reactions to the procedures used to reach decisions were conducted. Researchers became interested in expanding the distributive justice orientation to include a consideration of the methods, mechanisms and processes used to determine outcomes (in other words, adopting a procedural justice orientation). According to Skarlicki & Latham (1996: 164, quoted in Ivancevich & Matteson (2002: 36)), procedural justice refers to the extent to which fair procedures and processes are in place and adhered to, as well as the extent to which individuals regard their

leaders as being fair and sincere and believe that they are logical in what they do, and have a rationale for doing so.

Thibaut & Walker conducted research in 1975 to study employees' reactions to the dispute resolution process, and this led their developing a theory of procedural justice. According to these authors, employees judge the fairness of procedures according to two types of control: the amount of control they, as employees, have over the procedures used to make a decision (referred to as process control) and the amount of control they have over influencing the decision (referred to as decision control) (Thibaut & Walker 1978: 592). People want procedures that allow them to feel that they have participated in developing a decision that will affect them. The opportunity to voice their opinion thus gives them the opportunity to influence others' decisions. Further research revealed that procedures that provided employees with opportunities to influence a decision were perceived as fairer than procedures that denied process control.

Related to the study on control over processes and decisions, Lind & Tyler (1988: 76) developed the self-interest and the group-value models of procedural justice. The self-interest model suggests that people seek decision control because they are concerned with maximising their own outcomes. However, when individuals have to cooperate with others in groups to achieve outcomes, the group-value model comes into play, and the focus shifts from decision control to process control. Procedures are then regarded as more important in attaining fair or favourable outcomes. The group-value model explains the value-expressive effects of process control. Group identity and group procedures are two elements that govern the functioning of groups. People consider procedures that allow them to express their opinions (voice) to be fair, in that they can participate in group processes as valued group members. Even if 'voice' does not produce a favourable outcome, it enhances perceived procedural justice because its value-expressive function confirms the values of group participation and group membership status.

During further research, Tyler & Lind (1992: 137) developed a relational model of authority in groups. According to the authors, three relational concerns with the authority affect procedural justice judgments, namely: trust, neutrality and standing. Trustworthiness can be measured by rating the extent to which the manager behaves fairly and ethically. If the manager behaves fairly and considers the needs and views of the individual, then

he/she can be trusted. Trust involves beliefs about the manager's intentions. Neutrality can be judged in terms of the person's unbiased decision-making on the basis of facts. Standing refers to status recognition that is indicated to people by a manager who treats them with dignity, politeness and respect for their rights. By means of the procedures that a manager uses, individuals can judge whether they will be treated fairly on the basis of the manager's relational concerns of trust, neutrality and standing.

Related to Thibaut & Walker's research on the importance of process and decision control in perceptions of fairness perceptions, Leventhal, Karuza & Fry (1980: 86) identify six rules of justice that are used to determine whether procedures are fair. Procedures are regarded as fair to the extent that they:

- Suppress bias
- Create consistent allocations
- Rely on accurate information
- Are correctable
- Represent the concerns of all recipients
- Are based on moral and ethical standards.

The importance of procedural justice is emphasised by the positive impact it has on employees' behaviour. According to Greenberg (1990: 415), the positive consequences of procedural justice include:

- Organisational commitment
- Intent to stay with the organisation
- Organisational citizenship
- Trust in the supervisor
- Satisfaction with decisions made
- Work effort
- Performance.

Interactional justice

As the original conceptualisations of procedural justice have been expanded through research, it has become clear that perceptions of procedural justice are influenced by factors that go beyond the formal procedures used to resolve disputes or allocate rewards. In particular, it has been demonstrated that judgments of procedural justice are influenced by two important factors: the interpersonal treatment people receive from decision-makers and the adequacy with which formal decision-making procedures are explained. Bies & Moag (1986: 44) use the term interactional justice to refer to people's sensitivity to "the quality of interperso-

nal treatment they receive during the enactment of organisational procedures” and identify the following four attributes of interpersonally fair procedures:

- Truthfulness
- Respect
- Propriety of questions
- Justification.

The first three attributes deal with the nature of the communication while it is occurring. The last one (justification) has to do with removing any discontent following an unfair procedure:

- **Truthfulness:** Truthfulness has two components: deception and candidness. Employees do not like being deceived and expect to be treated in a forthright manner. Organisations should therefore provide them with realistic and accurate information.
- **Respect:** Individuals expect to be treated in a polite and respectful manner. This means that insults or discourteous behaviour should be avoided at all cost.
- **Propriety of questions:** The propriety of questions refers to two aspects. Firstly, questions should not be considered improper by their very nature, and secondly, they should not involve prejudicial statements.
- **Justification:** Justification comes into play following negative outcomes or unfair treatment. It may be possible to rectify an injustice with an adequate justification. According to Bies & Shapiro (1988: 682), a sense of anger over injustice can be reduced or eliminated by providing the unfairly treated individual with a social account, such as an explanation or an apology. People expect that events affecting

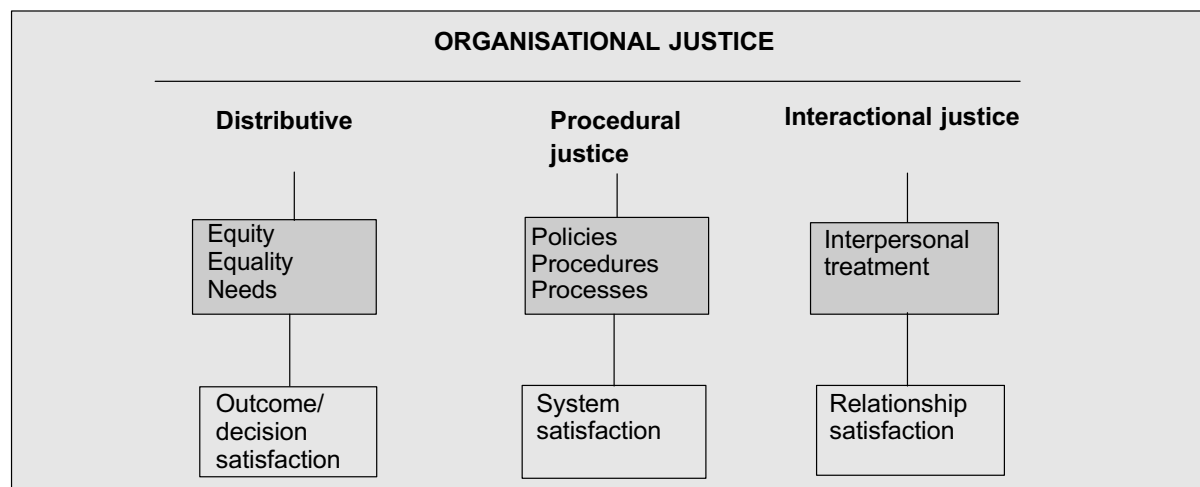
them will be explained. If they do not receive an explanation, they doubt whether they have been treated in accordance with a socially rooted expectation for fair processes in human interaction (Weaver 2001: 3). Respect and concern constitute informal social goods, and failing to receive them is regarded as a violation of expectations of justice.

Studies cited by Folger & Cropanzano (1998: 72) show that conflict, low performance and poor attitudes tend to characterise insensitively treated individuals. Figure 1 illustrates the various types of justice and their interrelatedness.

Given that the distinction between distributive, procedural and interactional justice has now been empirically established, the stage is set for researchers to consider how these varieties of justice relate to various organisational variables, such as turnover, commitment, trust and relationships between supervisors and subordinates. According to Chan (2000: 4), injustice can bring about negative consequences, such as reduced job performance (Greenberg 1988: 609; Pfeffer & Langton 1993: 398), less cooperation with co-workers (Pfeffer & Langton 1993: 403), reduced quality of work (Cowherd & Levine 1992: 314), stress (Zohar 1995: 491) and theft (Greenberg 1990: 215). By understanding how perceptions of organisational justice are related to these variables, organisations should attempt to manage employees’ perceptions of fairness and influence their performance.

The fairness of affirmative action

In South Africa, no issue has raised more concerns about justice than affirmative action. For many



Source: Adapted from Chan (2000: 5)

Figure 1: Organisational justice

years, affirmative action has been a battleground for competing values, especially competing concepts of distributive justice (Van Jaarsveld 2000: 24). In the USA, after twenty or more years of affirmative action, it has now been admitted that the process has failed. Why? Because affirmative action programmes were not implemented in a fair manner; neither were employees' perceptions regarding the fairness of the affirmative action programmes managed. As soon as employees regard something as unfair, they will reject it, and any further interventions will be doomed to failure. If South Africa wishes to make a success of affirmative action, organisations should understand how perceptions of affirmative action influence employees' attitudes and behaviour and consequently impact on the success of the organisation. Although significant progress has been made in restructuring and transforming South African society and its institutions, inequalities and unfair discrimination remain deeply embedded in social structures, practices and attitudes, undermining the good intentions of the country's constitutional democracy (Van Wyk 2002: 43). A special attempt should thus be made to eliminate discrimination and manage employees' resistance to change.

According to Folger & Skarlicki (1999: 35), employees' negative feelings or resistance to change can be overcome by applying principles of fairness. Such principles provide an opportunity to mitigate some of the adverse organisational consequences of individuals' resentment-based resistance to change. An organisation's obligations towards employees entail more than fair treatment with respect to the salaries and benefits given in exchange for labour (distributive justice), however, and more than fair treatment with respect to the implementation of policies and procedures that determine those levels of compensation (procedural justice). In addition, a moral obligation exists to treat an employee with sufficient dignity as a person (interactional justice). As organisations in globally competitive markets are less able to offer traditional rewards (lifelong employment, promotions, long-term compensation), one of the only means they have for inducing employees to stay is an environment that communicates that it values the employees. If this is the case, interactional justice plays a major role in influencing employees' attitudes and the behaviours required for successful performance, even under conditions of adversity and loss, which is often the case with affirmative action.

If a decision to appoint or promote an affirmative action candidate is done in accordance with the provisions of the Employment Equity Act (No. 55 of

1998), there is not much an organisation can do about the perceived fairness of such a decision. There are, however, various ways in which such a decision can be made, and organisations therefore need to ensure that the procedures, policies and processes they use in making appointment or promotion decisions are procedurally fair, and are viewed as such by employees.

Several principles of procedural justice are cited in the literature. The following list summarises the principles of fairness referred to in seven recent articles on procedural justice (De Witt 1998: 11; Gopinatha & Becker 2000: 72; Harris 2000: 153; Konovsky 2000: 504; Saxby, Tat & Johansen 2000: 211; Simerson, L'Heureux, Beckstein, ZiaMian, Dembowski & Freshman 2000: 448; Tang & Sarsfield-Baldwin 1996: 30; Tata 2000: 264):

- Provide advance notice of intent or decision
- Provide accurate information and adequate feedback
- Support two-way communication
- Explain and justify decisions
- Allow employees to influence the decision
- Consider the interests, views and concerns of all recipients
- Permit appeal, review, reconsideration and correction
- Treat employees with dignity, respect and sensitivity
- Apply administrative procedures consistently.

This list demonstrates the importance of interpersonal relationships in fostering perceptions of fairness. This is understandable if one considers the fact that employees define their relationship with the organisation as one of social exchange. The more an organisation is able to treat its employees in a socially acceptable way, the more employees will accept unfavourable outcomes. A corollary of this implication is that perceptions of fairness based on interactional justice may be the easiest perceptions of fairness to manage. Distribution of outcomes may be constrained by forces outside the manager's control. Similarly, the presence or absence of fair procedures may be a function of organisational policy. In comparison, the fairness of the interactions between managers and employees is often a matter of a manager being truthful, treating employees with respect and providing reasons or explanations for perceived injustices.

Summary

There is clear evidence that people care about justice. Organisations thus have to pursue justice, as measured by reality as well as by perceptions. Unfortunately, the conclusion that it is better to be behaviourally just is too simple. In pursuing principles of distributive justice, it is not possible to achieve all criteria simultaneously. The base criteria of equity, equality and need are incompatible. Thus, organisations are left with a superordinate problem: how to achieve balance among the three principles of distributive justice. One possibility is to determine which of the goals is most important in any given situation.

As regards procedural justice, organisations have to ensure that the procedures, processes and policies they use in making decisions are fair. Employees judge the fairness of procedures according to two types of control they have: the amount of control they have over the procedures used to make a decision, and the amount of control they have over influencing the decision. Procedures are regarded as fair to the extent that they suppress bias, create consistent allocations, rely on accurate information, are correctable, represent the concerns of all recipients, and are based on moral and ethical standards.

A third type of justice, namely interactional justice, refers to the interpersonal treatment employees receive during the enactment of organisational procedures. Procedures are seen as interpersonally fair when they make provision for truthfulness, allow for the respectful treatment of employees, and provide reasons or explanations for perceived injustices.

To thus answer the question: 'When will affirmative action be fair?', organisations need to ensure that any affirmative action appointments are based on valid and fair criteria, that the procedures and processes they use in appointing or promoting affirmative action appointees are applied consistently and are based on accurate, unbiased information, and most importantly, that they treat all employees with dignity and respect.

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