

SOUTH AFRICAN
HISTORY ARCHIVE
(SAHA)

RESPONSE TO THE
QUESTIONS IN ACCORDANCE
WITH THE SECTION 5 OF
EMPLOYMENT EQUITY ACT.
ACT NO. 55 OF 1998

DEPARTMENT
OF
BASIC EDUCATION

QUESTION 1

Description of record or relevant part of the record

Question 1(a)

Any and all records relating to:

Review of employment policies and practices to eliminate unfair discrimination, including harassment, in accordance with section 5 of the Employment Equity Act;

Answer for Question 1(a)

The Department of Basic Education has reviewed the human resources policies in accordance with section 5 of the Employment Equity Act. The Process of the review started on through the Departmental Bargaining Chamber facilitated by the Chairperson from General Public Service Coordinators Bargaining Chamber. In reviewing the policies the task team ensured that issues of equity are addressed including harassment.

Question 1(b)

Any consultation undertaken in respect of the review of the employment policies and practices referred to in paragraph (a);

Answer for Question 1(b)

In reviewing policies the Department of Basic Education consulted with recognised labour organisations, Senior Managers and all staff members from middle management to lower level.

Question 1(c)

Current employment policies and practices to eliminate unfair discrimination, including harassment;

Answer for Question 1(c)

All human resources policies address issues of equity. The Department has developed a Sexual Harassment Policy to address issues of harassment in the workplace.

Question 1(d)

Any complaint or grievance procedure available to employees, including applicants for employment, in respect of allegations of unfair discrimination; and

Answer for Question 1(d)

The Department has Employee Assistance Programme Policy which is aimed at assisting employees with work related and personal problems. In dealing with grievances the Department uses Rules for dealing with grievances for the Public Service.

Question 1(e)

The number of complaints made in the last 5 years which relate to allegations of unfair discrimination on the basis of gender , sex or sexual orientation and the nature of those complaints. Personal information which may be included in such complaints is not requested

Answer for Question 1(e)

In the past five years, the Department has not received complaints relating to unfair discrimination on the basis of gender, sex or sexual orientation.

QUESTION 2

Question 2(a)

Any and all records relating to:

The number and nature of complaints made by employees in the last 5 years which relate to unfair dismissal on the basis of gender, sex or sexual orientation which were referred for conciliation, arbitration of adjudication under the Labour Relations Act; and

Answer for Question 2(a)

In the past five years no employees were unfairly dismissed on the basis of gender, sex or sexual orientation.

Question 2(b)

The number and nature of complaints made by employees, including applicants for employment, in the last 5 years which relate to allegations of unfair discrimination, other than unfair dismissal, on the basis of gender, sex or sexual orientation which were referred for conciliation, arbitration or adjudication under the Employment Equity Act.

Answer for Question 2(b)

In the past five years the Department has not received complaints from employees including applicants for employment which relate to the above allegations stated in question 2(b).

Personal information which may be included in such complaints is not requested

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