



St Joseph's Theological Institute NPC

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Registered with the Department of Higher Education and Training as a Private Higher Education Institution under the Higher Education Act, 1997 (Registration Certificate number 2003/HE08/003).

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Employment Equity Policy

Title	Employment Equity Policy
Compiled by	President's Office
Approved by	Board of Directors Executive
Approval date	31 May 2017

Acronyms

SJTI St Joseph's Theological Institute ('the Institute')

EEA Employment Equity Act No. 55 of 1998 as amended ('the Equity Act')

EEAA Employment Equity Amendment Act No. 47 of 2013.

Definitions

In this policy, unless the context otherwise indicates:

'academic staff' at SJTI means people with appropriate qualifications contracted to deliver lectures either on a full time or part time basis. Some part time lecturers are called 'visiting' if lecture load is 4 hours or less per week. Some full time academic staff have administrative responsibilities;

'designated employer' means an employer who employs 50 or more employees, or has a total annual turnover as reflected in Schedule 4 of the EEA, municipalities and organs of state;

'designated group' means black people (i.e. Africans, Coloureds and Indians), women and people with disabilities who are natural persons and are citizens of the Republic of South Africa by birth or descent; or are citizens of the Republic of South Africa by naturalization before the commencement date (i.e. 27 April 1994) of the Constitution of the Republic of South Africa Act of 1993; or became citizens of the Republic of South Africa from the commencement date of the Constitution of the Republic of South Africa Act of 1993, but who, not for Apartheid policy that had been in place prior to that date, would have been entitled to acquire citizenship by naturalization prior to that date;

'operational necessity' refers to those factors which are consistent with the goals and vision of the Institute and which are required to meet the academic, governance or similar needs of the Institute;

'organisational culture' refers to the underlying values, beliefs and principles which comprise the foundation of the Institute's management system which is drawn from the Catholic ethos that guides, its constitution, its vision and its stakeholder organisations. The organisational culture includes the

management practices and behaviours which exhibit and reinforce these underlying values, beliefs and principles;

'religious order' means those ecclesiastically approved orders or societies of consecrated life in the Catholic Church;

'SJTI management' mean the Board of Directors together with the President, Academic Dean, Registrar and Financial Administrator, if these are not already directors. These individuals are appointed by the Board of Members or the Board of Directors. The management is normally drawn from members of religious orders that collaborate in the running of the Institute;

'staff development' includes any activity which contributes to the enhancement of the knowledge, skills, competence or working practices of an individual or group. It includes onsite training, courses, mentoring; training, attendance at meetings, conferences and symposia, development of educational materials, curriculum enhancement and active involvement in professional bodies;

'stakeholders' has a broad meaning and a narrow meaning. The narrow meaning refers to ecclesiastical units (religious orders and dioceses) that commit to enrolling their candidates in the academic programmes of the Institute. The broad meaning includes various groupings within SJTI or of stakeholders in the narrow meaning that make representation or are consulted in the management of the Institute, e.g. the student forum, the staff and the Formators forum of stakeholder religious orders and dioceses;

'suitably-qualified person' refers to a person who is qualified for a job as a result of a combination of the following:

- formal qualifications;
- prior learning;
- relevant experience;

'support staff' means non-academic staff and comprises administrative staff and service staff;

'minimum requirements' for a particular job refer to the factors, which are related to the inherent requirements of the job and which are consistent with operational necessity.

Preamble

St Joseph's Theological Institute is a registered private higher education institute with the mission to empower people through philosophical, theological and social enquiry and learning rooted in the Catholic tradition, and in living and creative dialogue with other religious and cultural traditions. The Institute is committed to preparing men and women for ordained and non-ordained ministries in church and society.

SJTI has a particular disciplinary niche in Catholic Theology and subscribes to the discipline of the Catholic Church and to norms governing the training and formation of Catholic priests. Its doors are open to male and female students from all countries

in Africa and from all continents of the world. The trend in the last few years is that the student population comprises 20% South Africans and 77.5% African Foreign Nationals. The trend is also that the student population is predominately male.

The Institute commits itself in its Mission to becoming demographically representative in its staff and students, in terms of race, gender and disability and redressing the inequities and imbalances of the past in keeping with the process of transformation in South Africa. Throughout its history, both before and after apartheid, the Institute had overtly non-discriminatory policies and not only did not practice discrimination in any form but it actively resisted it.

This document locates employment equity as an essential component within the larger commitment to transformation and the commitment to an appropriate level of relevancy of education relative to its student base.

SJTI is a relatively small Institute averaging 230 students. Its staffing needs are divided into two broad categories: Academic and Support Staff. Academic Staff are either Full Time or Part Time (the full time equivalent in 2017 is calculated to be 22.14); the Support Staff – Administrative and Service staff – are all permanent employees (with a head count of 10). Given the number of employees and its low turnover, SJTI is not a 'designated employer'. (Note that Schedule 4 of the EEAA does not list (Higher) Education as a sector of Industrial Classification.)

SJTI recognises its obligations in terms of Chapter II of EEA and its responsibilities in terms of the spirit of Chapter III which is specifically applicable to designated employers. This document situates SJTI's commitment to employment equity within the two categories of its employees and within its operational necessity of remaining faithful to its Catholic tradition and norms for Catholic education.

General Policy and Legislation

The Employment Equity Act No. 55 of 1998, as amended by the Employment Equity Amendment Act, No. 47 of 2013, applies to this policy.

Any expression used in this document that is defined in the Employment Equity Act has that meaning unless the context indicates otherwise. In this policy the ethnic use of the term 'Africans' does not imply the exclusion of other South Africans in the political sense of citizenship. Furthermore, the use of racial terms in this document is not intended to uncritically reiterate legal classifications ascribed under apartheid, but is made necessary by the historical legacy of inequality among racial groups.

The EEA has two main objectives:

- to ensure that our workplaces are free of discrimination; and
- to ensure affirmative action measures are implemented to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of a designated employer.

Equity and Equality

The Institute is committed to the values that underlie an open and democratic society based on human dignity, equality and freedom. It endorses the principle of equal opportunity which requires that all individuals should be treated fairly, equally and with dignity in the workplace, in recruitment processes, in training, promotion and advancement, regardless of race, gender or disability status.

However, the Institute accepts that a policy based exclusively on equal opportunity will simply perpetuate the disadvantages of apartheid policies. The Institute therefore acknowledges affirmative action as a means of overcoming barriers to equal opportunity and of redressing the disadvantages, inequities and imbalances of the past.

Discrimination

The Institute is committed to creating an enabling environment for work and study, which promotes the social, religious and personal wellbeing of staff and students and fosters the formation and realization of their full human potential.

The Institute's history shows that racial discrimination in particular, even during the years of apartheid, has never been part of its policy and practice. In fact ignoring apartheid policy was a dangerous choice to navigate at times; thankfully it did not lead to severe repercussions. However the Institute acknowledges the possibility of discriminatory attitudes and behaviour and specifically forbids this.

In this context, unfair discrimination and harassment are important issues for the Institute because of the negative impact they may have on the physical and psychological wellbeing of staff and students.

The Institute is, accordingly, committed to the elimination of any form of direct or indirect unfair discrimination or harassment in any policy or practice. This includes any acts or threats that interfere with the performance at work or in the study of any individual or group on account of race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, HIV/Aids status, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language, birth or on any other arbitrary ground.

The Institute is further committed to the elimination of differences in terms and conditions of work between employees performing the same or substantially the same work or work of equal value that is directly or indirectly based on any of the grounds mentioned in the previous paragraph.

Affirmative Action

The Institute accepts that affirmative action is necessary in order to create a platform from which equal opportunity can be practiced and is not a goal on its own.

Accordingly affirmative action should not result in the creation of new forms of disadvantage and unfair discrimination or in the marginalization of any group on the basis of race, gender or disability.

The Institute further accepts that affirmative action is a dynamic tool and that it will evolve in order to meet the developmental needs of the Institute.

The Institute undertakes to be guided by the spirit of affirmative action directives in its recruitment for both academic and support staff in its specific circumstances, organisational culture and operational necessity.

Staff Development

The Institute acknowledges that disadvantages of the past had created lack of opportunity both for study and for skills development. Accordingly the Institute is committed to creating an enabling environment in which the skills development of its staff empowers them to reach their full potential personally and as fulfilled employees of the Institute.

For support staff this development includes:

- opportunities for skills transfer promotions, from service positions to office-orientated positions with training needed to meet the minimum requirements for the position
- on-site training for position-related competency
- computer literacy

For academic staff this development includes:

- ongoing teaching and learning skills development
- assessment competency development
- sabbaticals for research
- encouragement to achieve higher qualifications
- funding where possible for attendance of conferences

Succession Planning for Academic Staff

The operational necessity of the Institute's academic programmes requires suitably qualified personnel in highly specific disciplines. The Institute recognises the country-wide challenges to achieve this in the light of the EEA and its own budgetary challenges to secure the employment from the small pool of naturalized South Africans from the designated groups who have suitable qualifications.

With the cooperation of its stakeholders, the Institute is committed to identifying suitable candidates in its student body from previously disadvantaged groups and suggesting them for further studies in the disciplines which fall within the scope of its academic programmes. Such identification is made periodically at the level of the Board of Directors with a 5-10 year plan in mind and communicated to stakeholders.

Since the student body reflects the racial demographics of the continent of Africa, it is also expedient for the promotion of contextual teaching and learning that the academic staff complements this distribution.

The Institute recognises that one group in particular is not sufficiently represented in its staff and student profiles, namely black women in the disciplines of philosophy and Catholic Theology. Accordingly the Institute endeavours to implement long-term strategies, beginning with promotion of access to first level tertiary studies in these areas and to canvass stakeholders and sponsors to commit suitable candidates to the long-term project. These strategies are therefore also intended to promote gender equity in its student body.

Recruitment of Support Staff

Recruitment of suitably qualified personnel for non-academic positions will be advertised on the Institute's website and other suitable media as determined by the Board of Directors. Such adverts shall carry the minimum requirements for the vacancy advertised. Procedures of selecting a candidate will follow standard steps of shortlisting candidates and interviews, with the norms for equal opportunity and affirmative action as guides.

The Institute is also committed to development of employees who have the potential to fill vacancies in higher positions when they arise.

Resolution of Employment Equity Disputes

The Institute acknowledges that despite its own efforts to eliminate and practise non-discrimination; its intentions and actions may be viewed differently by employees or potential employees.

The Institute understands that if unfair discrimination is alleged against it on the grounds laid down in EEA, it carries the burden to prove on a balance of probabilities that either the alleged act did not take place or that the act was rational, not unfair or was otherwise justifiable.

The Institute understands that if unfair discrimination is alleged on 'an arbitrary ground' it has the responsibility to inform the complainant that he/she has the burden to prove, on a balance of probability, that the conduct was not rational, amounted to discrimination and that such discrimination was unfair.

The Institute is committed to following proper grievance procedures, whether its own or seeking external adjudication as the nature of a case may demand and as legislation requires.

