

# ACHIEVING A REPRESENTATIVE PUBLIC SERVICE IN SOUTH AFRICA'S WESTERN CAPE

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## INTRODUCTION

These three case studies are based on field research I did while in South Africa during the Fall and Winter of 2006-07. In each case, a provincial department is struggling to comply with the government mandate to achieve a workforce that mirrors the provincial labor force in terms of race and gender. While the overall goals each department is trying to achieve are the same, each faces some unique issues and challenges.

The Employment Equity Act, some of which is excerpted in the Background piece, provides for the use of goals and timetables, affirmative action measures, and annual reporting to the Employment Equity Commission at the Department of Labour. It is a much more aggressive approach than used in the U.S., so can provide a useful comparison in that respect. (One might compare how the legacy of apartheid called for a more forceful method in South Africa than did slavery and Jim Crow in the U.S.) For example, the Employment Equity Act provides that a person is to be considered suitably qualified for a job if he or she "has the *capacity to acquire*, within a reasonable time, the ability to do the job" (emphasis added) rather than having those qualifications at the time the job application is submitted. The Act further proscribes an employer from "unfairly discriminat[ing] against a person solely on the grounds of that person's lack of relevant experience." Why might this provision be necessary?

At the same time, department managers have to take care to balance their drive to achieve employment equity with the need to deliver services effectively. Services delivery can deteriorate if positions are left vacant in prolonged search for, or too hasty selection of, candidates who meet targets. Members of an overrepresented group can't simply be fired to bring the proportions into balance. Moreover, the work climate can be adversely affected by poorly implemented measures as well as by lingering hostility that inevitably permeates the workplace from outside. Working through these cases forces one to find the balance among all these and more dilemmas.