TERMS OF REFERENCE OF EMPLOYMENT EQUITY AND DIVERSITY COMMITTEE (EEDC)

1. Preamble

VUT recognises that, from a business and moral perspective, it is important to entrench Employment Equity and diversity in the workplace and to comply with all requirements of the Employment Equity Act 55 of 1998, as amended.

One such requirement is that all designated employers are required to take reasonable steps to consult and attempt to reach agreement with representatives of its workforce on matters prescribed in section 17 of the Act. To further this end, VUT will establish Employment Equity and Diversity Committee (EEDC). The Committee shall represent the whole University, across all its satellite campuses with a view to effectively address strategic issues of employment equity and diversity.

2. Purpose Statement

The Vaal University of Technology recognizes that inequalities in racial, gender and ability composition interfered with the provision of educational employment opportunities in the past and have created barriers to full and equal participation of the majority of the population in economic life, both outside and within the University. Therefore:

- EEDC shall by consensus, seek to redress this, predictable and fair decision-making related to employment equity and diversity in line with strategic imperatives of the University.
- VUT is a future orientated higher learning institution with a positive attitude, committed to a culture of transparency that embraces diversity and installs dignity and pride in all employees.
- The University will develop, advance and uplift its employees to achieve organizational excellence and address the imbalances of the past.
• The University is also committed to an accessible and transformed workplace; therefore by adoption of measures/initiatives aimed at attracting and retaining diverse workforce.
• The EED Committee shall derive its mandate from constituencies and relevant labour legislations etc.

3. Employment Equity and Diversity Agenda

• 3.1 The Committee will play a strategic role in the employment equity and diversity initiatives in the institution and shall be consulted in respect of employment equity (legislative compliance), skills development (ABET, including literacy; legislative compliance), leadership transformation (talent management, succession planning, promotion, recruitment and mentoring and coaching), HIV/AIDS management and monitoring and evaluation of the implementation of the EE Plan, etc.

4. Responsibilities of the Committee

4.1 Representing respective constituencies in respect of the broad matters which can be identified.
4.2 Reporting back to constituencies on the progress made with matters discussed at the employment equity and diversity committee meetings. Official minutes of meetings will be used as the basis for reporting back to constituencies.
4.3 Monitoring and discussing the actual implementation of the VUT’s EE Plans. If any issues or concerns in relation to the implementation of the EE Plan are raised, these should be addressed during meetings. If necessary, these concerns or issues shall be addressed and/or escalated through the appropriate channels.
4.4 Staying up to date on any internal employment equity and diversity-related development.
4.5 Ensuring that the sub-committees/task teams are performing all responsibilities, tasks, duties, investigations and surveys assigned to them, always acting in good faith and in the interest of VUT to ensure the implementation of the EE Plan.
5. Composition

5.1 The EED Committee is comprised of the following 15 representatives;
- Senior Manager for EE (also Management representative);
- Director: Human Resources;
- Director: Social Justice and Transformation;
- Academic representative;
- Non-academic representative;
- People with disabilities representative;
- Women representative;
- Services workers representative
- Ekurhuleni campus representative;
- Secunda campus representative;
- Non-designated group representative;
- NTEU Representative;
- NEHAWU Representative;
- EE Practitioner (an ex-officio); and
- Skills Development representative

5.2 Nominations/ Co-option

5.2.1 Members of the senior management and trade unions are co-opted.

5.2.2 Members other than the one above are nominated by their constituencies.

5.2.3 In the event that more than one person is nominated by their constituency, an election process will take place in order to get one representative.

5.2.4 Only permanent or staff with fixed contract of more than 3 years will be allowed to stand for the elections;

5.2.5 If a representative ceases to be the representative of the constituency by the constituency which he/she represents, or ceases to be an employee of the university, the employee shall cease to be a member of this EED Committee.

5.2.6 In such instances, the constituency shall nominate an alternative representative in the same manner in which the first representatives were nominated.
5.3 Term of Office

5.3.1 The Employment Equity and Diversity Committee representatives will serve for a period of three (3) years, thereafter a new members of this committee shall be elected.

5.3.2 To ensure continuity, a maximum of 50% current representatives may be re-elected to serve another term in office.

5.4 Meeting Attendance

5.4.1 All work conducted by the EED Committee shall take place during normal working hours and representatives shall attend all the Committee activities.

5.4.2 The Director: SJT shall arrange with line managers of representatives that they are released from their normal duties and are provided with reasonable time during working hours to:

5.4.2.1 Attend Employment Equity and Diversity Committee meetings
5.4.2.2 Consult with their constituencies and employers
5.4.2.3 Prepare for meetings
5.4.2.4 Provide feedback to the constituency
5.4.2.5 Attend Employment Equity Committee related training, workshops and activities.

5.4.3 The time spent on carrying out duties associated with membership on the Equity and Diversity Committee will be incorporated in each member’s KPA’s.

5.5.1 Responsibilities of the chairperson

It shall include, but not limited to:

5.5.1.2 ensuring that Employment Equity and Diversity Committee meetings are arranged and take place at a time and venue which is appropriate.

5.5.1.3 ensuring that records of meetings are kept (by the secretary) and that any actions to be taken by specific members are clearly stated and confirmed at the end of each meeting.

5.5.1.4 ensure that the secretary supplies members of the committee with the agenda and relevant documentation in good time prior to meetings.

5.5.1.5 ensuring that meetings start and end on time and that the Equity and Diversity Committee remains action and solution orientated.
5.5.1.6 understanding the overall structure within which the Equity and Diversity Committee operates.

5.5.1.6 Ensuring that the Equity and Diversity Committee members operate within the confines of the structure.

5.5.1.7 understanding the functions of the Employment Equity and Diversity Committee ensuring that the Committee fulfils its mandate.

5.5.1.8 Ensuring that matters brought to the EED Committee are referred through appropriate platforms

6. **Sub-Committees/ Task Teams**

6.1 If so required certain working groups, task teams or sub-committees shall be established within the ambit and confines of the Employment Equity and Diversity Committee.

6.2 The Terms of reference for the sub-committees, task teams or working groups shall be defined by the Employment Equity and Diversity Committee.

7. **Code of conduct**

7.1 All members of Employment Equity and Diversity Committee are required to, at all times, act in good faith and in a solution and action orientated manner. This involves inter alia:

7.1.1 Acting as a representative of the Employment Equity and Diversity Committee and not in an individual capacity. This may mean putting forward matters raised by their constituencies with which they do not agree.

7.1.2 Attending all relevant training and developmental sessions.

7.1.3 Attending all meetings, unless prior arrangements have been made.

7.1.4 Behaving assertively. Listening to others as well as putting forward Employment Equity and Diversity Committee views;

7.1.5 Treating others with dignity and respect; dealing with issues (rather than attacking or deriding persons); looking for solutions and being willing to compromise. These behaviours are particularly important in times of conflict or disagreements.

7.1.6 Dealing with issues within the confines of the Employment Equity and Diversity Committee and not spreading gossip or rumours.
7.1.7 Acting, at all times, as a professional Employment Equity and Diversity Committee member, and treating as confidential, information or issues as per the request of the EEDC until such time it is appropriate to share with all employees.

7.1.8 Representatives shall not take any decisions without consulting with their respective constituencies.

7.1.9 Representatives shall not use meetings as a platform to raise or address issues not related to the purpose and scope of the Employment Equity and Diversity Committee.

8. Meetings

8.1 The Employment Equity and Diversity Committee shall meet at least once quarterly. The secretary will communicate venues and times to all members of the Committee.

8.2 Fifty one per cent (51%) of the representatives will constitute a quorum.

8.3 In addition to quarterly meetings, special meetings may be called on short notice by the chairperson.

8.4 If any of the members need to call an urgent meeting with the Employment Equity and Diversity Committee, reasons for such a meeting shall be discussed with the chairperson who will communicate the need and detail of such a meeting with the rest of the Employment Equity and Diversity Committee members.

8.5 The chairperson shall also ensure that a meeting agenda is forwarded to all representatives at least 5 working days before the meeting is scheduled to take place.

8.6 Provision for any other urgent matters will be made for on the day of the meeting.

8.7 Any representative, who fails to attend 2 consecutive meetings without providing a written valid and acceptable reason to the chairperson, will be asked to withdraw as a representative of the Employment Equity and Diversity Committee. A new representative will be then be elected.

9. Minutes and Record Keeping

9.1 The chairperson shall take responsibility for ensuring that minutes of all meeting are recorded (by the elected secretary) and forwarded to all
Employment Equity and Diversity Committee members within 7 working days after the meeting has taken place.

10. **Dispute Procedures**

10.1 Where any representative has a dispute regarding any matter under consideration by the Employment Equity and Diversity Committee, such dispute shall be handled in terms of Dispute Resolution procedure.

10.2 The dispute procedures stipulated in the EE plan will be followed in cases where formal disputes regarding any matter pertaining to the implementation of EE and transformation is concerned.

11. **Monitoring and evaluation**

11.1 The Equity and Diversity Committee is also responsible for **monitoring and evaluating of the** EE and Diversity strategies and initiatives within VUT. Such strategies and initiatives shall include, but not limited to the following:

- Recruitment, selection and placement, and promotions
- Training and development of members of the designated groups
- Mentorship programmes
- Bursaries, scholarships, internships
- Retention of people from designated groups
- Diversity management initiatives
- Reasonable accommodation for people with disabilities
- Disputes surrounding EE related issues
- EE related grievances
- EE related communication to all staff
- Special EE related projects
- HIV/Aids initiatives
- Identification of barriers in other policies, processes and practices and working environments
- Amendments to existing EE plans and reports
12. Authority

12.1 The Council acknowledges its responsibility to monitor and review the Employment Equity and Diversity strategy of VUT and the EEDC will assists the Council in fulfilling this responsibility.

12.2 The Employment Equity and Diversity Committee has (unless there are sound legal or reasons for not having such unrestricted access) unrestricted access to all information, including records, property and personnel of Vaal University of Technology, and must be provided with adequate resources in order to fulfil its responsibility.

13. Confidentiality

Confidentiality of company information, trade secrets, etc

- Must be identified as a confidential issue in the committee meeting by the chairperson
- The approved minutes of the meetings are the only outputs from meetings
- Prevention of victimization: the committee agrees on amendments to the minutes.

14. Amendments on Terms of reference

14.1 This terms of reference shall only be amended by a properly constituted Employment Equity and Diversity Committee when it is necessary to amend or vary.