Equity and equality in HR-work in South Africa

HR professionals’ perspective

Lisa Andersson & Erik Gardeström

2013
Bachelor thesis in Education, with a specialization in Human Resources and Labour Relations, 15 hp
Human Resource Management, 180 hp
Preface

Our road to South Africa began with the opportunity to apply for a Minor Field Studies (MFS) scholarship in order to conduct a field study in a developing country. The reason why we chose to write our thesis in South Africa is partly because of the intriguing history the country has as well as the good relationship that Umeå University has with the University of Fort Hare in East London, South Africa.

A requirement to receive a MFS scholarship has been to highlight the field studies relevance for our own studies and future within our chosen profession. The MFS scholarship also requires a discussion of how the field study will benefit to the context where the study is being conducted. We will debate this further later on in the thesis. For us to travel to a foreign country and conduct a study have meant a lot of hard work but also an opportunity to widen our own perspective and knowledge within the field of HR and equality and equity. Before we present the result we would like to send a big thanks to those who welcomed us to South Africa and made this study possible.

First of all we would like to thank Ms Ann-Louise Silfver at the Department of Education, Umeå University for all the support and help with our preparations. We also want to thank Swedish International Development Cooperation (SIDA) for making the study possible by granting us a MFS Scholarship. Also, we would like to thank Ms Ntombozuko Duku and Ms Namhla Sotuku at the Faculty of Education at the University of Fort Hare in East London and Ms Nosiphiwo Gcaza at the Department of Industrial Psychology and the Faculty of Management and Commerce, the University of Fort Hare in Alice for the warm welcoming and the help they provided to our study. Further on, we would like to thank our Supervisor Mr Ron Mahieu at the Department of education at Umeå University for all support and help with our thesis. For welcoming us and highlighting our stay in South Africa we also want to thank Ms Hanna Ohlsson and all our new friends in East London.

We thank all our respondents for your time and interest, without you the study would not have been possible. We highly appreciate your participation and have learned a lot from you all and hope that we by writing this thesis also can give something back.
Acknowledgments

In a South African context race is a common used concept. To use racialization as a distinction of groups is problematic because it becomes an expression of stereotypes and prejudices rather than a distinction based on observations. We believe that ethnicity is a broader and more nuanced term which is also the term that is most commonly used in Sweden today. Despite the complexity of the term race we will use it in our thesis. This is because the term race is what is most commonly used in South Africa. Later on in the thesis in the chapter of Definitions and list of acronyms we will present a closer definition of how we have used the term race.

In order not to limit our respondents with given definitions we have chosen not to pre-define equality and equity. In the result analysis and discussion we will use our respondents’ definition of equality and equity but a general definition will also be presented in the chapter of Definitions and list of acronyms.

Abstract

In this thesis we have studied equality and equity from an HR perspective in South Africa. The study is partly made from an inductive approach and an analytical interpretation in line with hermeneutic has been used. The data is mainly contracted from interviews with HR professionals within various South African organizations. A mix of snowball and convenience sample has been used and among our respondents there are a variety and mix of the following variables: gender, position (manager/practitioner), race (blacks/white) and organization sector (public/parastatal/private). Our main findings are that equality and equity are highly debated topics and that the laws regulating them have a major effect on the HR professionals’ daily work. The study gives us various perspectives of employment equity but a majority of our respondents do believe that the regulation of employment equity is needed. We find that there are obstacles for achieving equality in South African workplaces and our respondents have given us examples of different ways of how to tackle them. Many of our respondents are also of the opinion that there is a lack of implementation of the regulations and that it is time to rewrite several Acts.

Key words: South Africa, Equality, Equity, Employment Equity, Broad Based Black Economic Empowerment, Affirmative Action, HR, South Africa.
Definitions and list of acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA</td>
<td>Affirmative action</td>
</tr>
<tr>
<td>BEE</td>
<td>Black Economic Empowerment</td>
</tr>
<tr>
<td>B-BBEE</td>
<td>Broad Based Black Economic Empowerment</td>
</tr>
<tr>
<td>EAP</td>
<td>Economically Active Population</td>
</tr>
<tr>
<td>EE</td>
<td>Employment Equity</td>
</tr>
<tr>
<td>HR</td>
<td>Human Resource</td>
</tr>
<tr>
<td>HRM</td>
<td>Human Resource Management</td>
</tr>
</tbody>
</table>

**Equality & Equity:** In the previous research and in relevant Acts that we have come across when gathered information for our field study we have found both different and unclear definitions of the two terms. Although a general definition of the terms is that equality means that people receives exactly the same opportunity or outcome, it is about quantity and sameness. Equity on the other hand is about justness and fairness, and that everyone receive the same quality of outcome. How we have used the terms in this study is explained further under the Result Analysis chapter.

**Race:** In South Africa race is a central term and therefore we will also use it in our study. We have learned that the term is used in various ways amongst South African citizens but as described further on in the thesis our respondents mostly use the term as it is described in the law. Our understanding of the respondents and previous researchers’ definition is that the term is mainly based on cultural differences.

**Blacks:** In the Employment Equity Act Blacks is a general term for the previously designated groups in South Africa which are the Africans (black Africans), Coloreds (mixed races) and Indians. This is how we will use the term in the thesis. Although, in the vernacular Black can also refer to skin color and be a synonym for Africans. This means that we in some cases have had to trust our own interpretation of the previous research and our field study.

**Africans:** As the Employment Equity Act use the term Africans when referring to Black Africans we will use the same definition in this study. When referring to the South African population in a whole we will use the term South Africans.
**Previously disadvantaged groups:** We have used the term previously disadvantaged groups we refer to the group of people who were designated during the apartheid era, which is the black population, women and people with disabilities. The white population, the non-designated group is referred to as the previously non-disadvantaged group.

**BEE & B-BBEE:** These two terms are referring to the same phenomenon, which is to empower the previously disadvantaged groups. Broad-Based Black Economic Empowerment is the term used in the law and should therefore be percept as a direct link to the law, while Black Economic Empowerment seems to be a more ordinary way to talk about the empowerment.
Innehållsförteckning

Introduction ....................................................................................................................... 7
Research questions .......................................................................................................... 8
Limitations of the study .................................................................................................. 8
Background ..................................................................................................................... 8
   The legacy of Apartheid .............................................................................................. 9
   South Africa today ...................................................................................................... 9
Previous research ........................................................................................................... 10
   Equality and Equity in South Africa ......................................................................... 10
   Perspectives of Equality and Equity ......................................................................... 10
   Attitudes towards the regulations ............................................................................. 12
Methodology ................................................................................................................... 15
   Theoretical Perspective ............................................................................................. 15
   Research approach .................................................................................................... 16
   Sampling .................................................................................................................... 17
   Design and procedure ............................................................................................... 18
   Ethical considerations .............................................................................................. 20
   Credibility .................................................................................................................. 21
Result analysis ................................................................................................................ 21
   The Employment Equity Act 55 of 1998 .................................................................. 22
   The Broad-Based Black Economic Empowerment Act 53 of 2003 ......................... 22
   The field study .......................................................................................................... 23
   Definition of equality and equity .............................................................................. 23
   The impact of apartheid ............................................................................................. 25
   The regulations and their impact on HR work ......................................................... 26
   Legitimacy of the regulations .................................................................................... 28
   Obstacles for equality and equity ............................................................................. 30
   Working with equality and equity ............................................................................. 35
Discussion ....................................................................................................................... 40
   General discussion ..................................................................................................... 40
   Main conclusion ........................................................................................................ 43
   Critical reflection of methodology ........................................................................... 44
Further research ................................................................. 46
Last words ............................................................................. 46
References ............................................................................. 48
Appendix 1 – Interview guide ..................................................
Appendix 2 – Letter of ethical considerations ..............................
Appendix 3 – Certificate from Umeå University ..........................
Introduction

“The legacy of apartheid and the colonial conquest has conferred on South Africans the dubious status of being a society with one of the highest levels of inequality in the world.” (Zulu & Parumasur, 2009: 1). Equality and equity is for us an interesting area within the field of Human Resource Management (HRM). Furthermore, we believe that South Africa with its history of apartheid is a particularly intriguing country for questions regarding equality and equity. The system of apartheid has been abolished, but the socioeconomic legacy of apartheid still remains (MFA, 2010). However, actions have been taken to tackle the inequality problems that have been deeply influenced by racial segregation during the apartheid regime (MFA, 2010). New legislation's have been implemented to facilitate positive discrimination of Africans, Coloreds and Indians (MFA, 2010). Nevertheless, critics have raised concerns about whether the efforts are substantial enough to permeate all subsets of the South African society (MFA, 2010).

“All the new labor legislation in South Africa was basically aimed at correcting the historical injustices perpetuated against black people [African], Indian and Colored people. It was a commitment to move away from a society built on discrimination and inequality towards a nonracial, democratic society based on justice and equality.” (Zulu & Parumasur, 2009: 1).

Employment Equity (EE) in South Africa is highly regulated in Acts such as the EE Act and the Broad-Based Black Economy Empowerment (B-BBEE) Act (MFA, 2010). Even though improvement has been done regarding the laws and regulations within South Africa the laws have not been fully implemented (MFA, 2010). There are many obstacles that have to be over powered in order to achieve equal work places in South Africa (Zulu & Parumasur, 2009). One challenging part of South African HRM work is the cultural differences and diversity within the country (Horwitz, Browning, Jain & Steenkamp, 2002). Another obstacle is that the EE Act is not fully accepted by all employees within the South African labor market which has led to dissatisfaction and a feeling of reverse discrimination from previously non-disadvantaged groups (Zulu & Parumasur, 2009).

In search for previous research regarding equality and equity in South Africa we find several studies within the context of education but less within the context of the workplace, especially when it comes to how organizations and HR professionals work within the field. Therefore this is an interesting field to gain more knowledge about. This thesis aims to study equality and
equity from the perspective of Human Resource (HR) professionals. This includes the HR professionals’ work with these issues both strategically and operatively, as well as the potential obstacles that may occur and how these may be tackled.

**Research questions**

The aim of this thesis is to gain more knowledge about and a deeper understanding for HR professionals in South African organizations and their work in relation to the field of equality and equity.

- What are HR professionals’ perspective of equality and equity work in South African organizations?
- What obstacles do HR professionals experience regarding equality and equity and how do they tackle these obstacles?
- How do HR professionals experience that the laws regarding equality and equity affect their work?

**Limitations of the study**

Because the purpose of our thesis has been to study equality and equity from an HR professionals perspective we have not taken in consideration the perspective of all employees, we have only interviewed HR professionals. Furthermore, we have chosen not to put emphasis on variables as gender, position, race and organizational sector. It is our belief that a comparison between such variables requires a larger and more selective population than our study has provided. To narrow our study further we have chosen not to take any consideration of the Labor Unions in South Africa. Although the Unions are important actors in the South African labor market, we believe that the study have not been affected by this exclusion.

**Background**

_In this chapter we will present information that serves as a background for our study which includes the legacy of Apartheid in South Africa, statistics regarding South Africa’s population as well as the status of the South African labor market today._
The legacy of Apartheid

“Under apartheid race was used to control access to South Africa’s productive resources and access to skills” (B-BBEE Act 53 of 2003, 2004: 2). During the 70s and 80s Black citizens were not allowed to take part in any governmental or economical questions for the country (Jackson, Alessandri & Black, 2005). The authors also explain that after the end of Apartheid in 1993 the social, political and economical culture in South Africa changed drastically. The legacy of apartheid still to this day effects the society and there are inequalities between Whites and Blacks (MFA, 2010). The country still excludes part of its people from assets of ownership and possession of advanced skills (B-BBEE Act 53 of 2003, 2004). The B-BBEE Act 53 of 2003 (2004) claims further that as long as a major part of South African residents is located outside the labor market the country’s economy will perform below its potential.

South Africa today

A recent report from the Department of Labor (2013) states that there are still inequality in the South African labor market. The inequalities comprises areas such as organizational positions, income rates and organizational influence. By the year 2011 South Africa had over 50 million inhabitants (Statistics of South Africa, 2011). According to the Department of Labor (2013) 74,9% of the EAP are African, 11,3% are White, 10,8% are Colored, and 3% are Indian. The Department of Labor (2013) shows that compared to the public sector the private sector has not managed to change the White domination of employees. Further on the same report states that in the past 10 years Whites have possessed 73% of the top manager position despite their 11,3% representation within the EAP. Burger & Jafta, (2006) states that the wage gap between White and Black workers has decreased at the top level by the AA, but acknowledge that this progress is not of the whole population. We also find that the white population earns by far the most, followed by Indian, Colored and at the bottom the Africans (Statistics of South Africa, 2010). The same report also states that the Africans earned about 22% of the white population’s salary by the year of 2010. Burger & Jafta (2006) explain the gap between white and Africans by addressing the fact that the country’s economy shifted towards a more high skilled labor between 1995 and 2004. In Statistics of South Africa (2010) we find that there is a large earning gap between low- and high income citizens, where the bottom 25% earns R1500 a month and the top 25% earns R6500 a month. This is also to be compared with the fact that the bottom 5% earns about R570 a month whilst the top 5% earns R17.000 a month (Statistics of South Africa, 2010). A majority of people with low income rate are women even though this group stands for almost half of South Africa’s workforce (MFA, 2010).
Previous research

In this chapter we will present previous research regarding equality and equity in the context of South Africa.

Equality and Equity in South Africa

Cultural differences and diversity has been and will be subject for South African HRM (Horwitz et al., 2002). According to the authors South African HRM practitioners argue some highly prioritized challenges to be EE, training and development, performance improvement and meeting the trade unions expectations. Zulu & Parumasur (2009) found in their study arguments that organizations have not done enough to give all South Africans equal opportunities. Horwitz et al. (2002) mean that there are findings that indicate a discrepancy between the legal intent and the HRM practices. One example they mention is that even though there are laws that are designed to prevent discriminative payments, it is sometimes hard for the employee to prove that the case has to do with gender or race (Horwitz et al., 2002). Scott, Mathews & Gilson (2011) finds in their study that there are obstacles that slow down the efforts to create a more equal workplace. They have in their study interviewed district health managers and clinic nurses in order to study perspectives on equity policies and find that there are resistance towards policy implementation. The authors argue that because equity is a moral desirable goal therefore the resistance is often not directed towards the actual idea of equity but towards the implementation phase.

For African women gender inequality has also been connected with disadvantages due to race (Albertyn, 2011). “Redistributive strategies in South Africa have primarily had a racial basis, but the intersection of race, class and gender means that (black) women still predominate among the most poor and marginalized.”(Albertyn, 2011: 142). And even though there are laws and policies to provide women with social, human and economical resources many woman, especially those struggling with poverty, find it hard to get access to these rights (Albertyn, 2011).

Perspectives of Equality and Equity

“The results indicate that whilst the South African Transformation (SAT) Agenda has propelled change in the political and economic spheres, similar developments have not been realized in the South African labor market.” (Zulu & Parumasur, 2009: 1). Business transformation should not only be measured by numbers of different races within the organization but also by how
well the organization works with cultural diversity and investments that will make it possible for everyone to perform in a good way (Zulu & Parumasur, 2009). A represent of the Department of Labor stated in the same study that the Department has no effective method to identify those employers that do not comply with EE. The Department of Labor do work with random inspections but are still depending on employees and trade unions to report any non-compliance. In the same article the Department of Labor also acknowledges that the only thing that has been given consideration in reports is figures such as race and gender on different positions (Zulu & Parumasur, 2009). In a study made by Oosthuizen & Naidoo (2010) the authors highlight a complexity with the EE Act and state that the way that the Act is formed leads organizations to chase numbers only, for example a certain amount of Blacks, instead of trying to find people with the right skills. Furthermore the authors debate that companies instead of training and develop their employees chose to meet short-term targets by having the right mixture of race according to EE but without considering the applicants qualifications. According to the authors this leads to a situation where some positions within the organization is being in use by people with insignificant experience and knowledge (Oosthuizen & Naidoo, 2010).

Zulu & Parumasur (2009) argue that their study indicates that employees see little or none action from their management regarding cultural diversity. The authors make the conclusion that the organizations represented in the study do not prioritize cultural diversity, or if they do, the communication with their employees is missing. The same study also shows that some of the organizations did not have HR policies that reflected the cultural diversity among their employees. “Placing previously disadvantaged groups into positions where working conditions do not accommodate the operation of diverse cultural groups is disastrous. Without multicultural change, the principles of the Act are bound to frustrate the same Africans they are intended to benefit.” (Zulu & Parumasur, 2009: 1).

Another dimension of EE issues mentioned by (Zulu & Parumasur, 2009) is that employees are sometimes reluctant to get involved in EE questions within the organization. They state that employees do not always take meetings regarding EE seriously and believe they can deal with the matter themselves. In the study of Mohamed & Roberts (2008) more than one out of two organizations did have some sort of EE-comities or forums designed to implement and evaluate EE plans.
Zulu & Parumasur (2009) have in their study found indications that there are obstacles that make it complicated to achieve EE goals. In an example from their study they find opinions that indicate an overall lack of skilled and experienced African candidates, which makes it hard to meet the organizations EE goals. Another issue found in Mohamed & Roberts (2008) is that organizations often under-invest in work related training of Black employees because many of them end their employment as soon as they have received proper training. The same study displayed a tendency of higher investment in training among White employees then Black employees. Although, they explain, this is in some levels explained by the fact that White employees generally possess higher positions in the organizations. In Mohamed & Roberts (2008) several respondents also explained one of the obstacles for EE to be low staff turnover. However, Burger & Jafta (2006) suggest that a big part of the problem has to do with the educational gap. The authors argue that encouraging African individuals to study at higher level could be effective. Another way according to the authors would be to devote resources to improve the quality of historically Black schools and through this counter the inequality gap. Mohamed & Roberts (2008) also states that training is important in empowering the historically disadvantaged groups.

Zulu & Parumasur (2009) claims that most managerial positions in organizations are possessed by White people and African managers often have a symbolic role rather than a decision making role. “Despite the desire of the legislature for a genuine process of empowerment, at least one of the local firms interviewed openly admitted to using their black female director as a front in securing contracts with government departments.” (Mohamed & Roberts, 2008: 12).

**Attitudes towards the regulations**

The EE Act has been questioned to force the employers to act in a certain way and thereby become a case of (Leonard & Grobler, 2006). The authors claim that the consequence is that the voice of the employees rarely is listened to when it comes to EE. Similar to this view, Oosthuizen & Naidoo (2010) argues that even though the EE Act has changed the demography of the workforce dramatically there is nothing in the literature to find of how the employees experiences EE. In their study they also find that the inequalities that the EE Act was designed to reduce is not all gone.

Both previous and non-previously disadvantaged groups have negative experiences of EE (Oosthuizen & Naidoo, 2010). The study shows that employees at management level feels supervised by the government and the non-management employees are concerned about
Oosthuizen & Naidoo (2010) also state that the affirmation actions (AA) may lead to more heterogeneous demography but brings another problem; the AA are rarely followed by accurate training which leads to dissatisfaction and increases prejudice. Findings in the same spirit were found in a study made by Burger & Jafta (2006) as they found that the AA has had insignificant changes in terms of the racial employment gap between the years 1994 to 2004.

Oosthuizen & Naidoo (2010) claim that EE is seen as a form of reverse discrimination and the authors believes that White men in particular feel ignored. According to the authors, this leads to a despair for White respondents, they feel that it is not possible for them to advance within the organization because of EE. In the same study several respondents talk about a brain drain where White people leave South Africa because they feel disadvantaged do to an experience of not being promoted and/or hired because of the EE Act. "This is evident that White people believe that EE is reverse discrimination, whereas their Black counterparts see it mainly as a corrective measure to undo past wrongs." (Oosthuizen & Naidoo, 2010: 7). In the same study, White people taking part in the study in general believe that organization's above all focuses on making everything look good on paper.

"Considering the attitudes and experience of previously and non-previously disadvantaged groups respectively, it would appear that progress towards achieving EE in South African organizations is not as positive as expected." (Oosthuizen & Naidoo, 2010: 8). Not only White respondents have a negative attitude against EE, Black respondents in the same study also emphasize negative aspects about EE. One African respondent in their study argues that she is very good in her line of work, and do not want people to think that she got her job just because of EE. Another African respondent in their study argues that she has not experienced any advantages, since EE term Black also include Indian and colored.

A more positive approach towards EE is shown by Oosthuizen & Naidoo, (2010) as they states that in order for South Africa to be more equal EE is necessary and it will take time to implement it fully. Some of their respondents also argue that the Whites have been benefited for many years during the apartheid and that it is the Blacks turn now and because of the legacy of apartheid, the EE is in all fairness.

The Black Economic Empowerment (BEE) movement has effected many organizations and has been a united force of social movements, economics and politics (Jackson et al., 2005). During the implementation phase of the Broad-Based Black Economic Empowerment Act the
government promised rewards of various types to organizations that were early movers of BEE (Jackson et al., 2005). The authors continue by sharing their views about what organizations gains by selling stocks to Black empowerment groups. They state that many of the organizations have received positive media attentions, which have later translated in to legitimacy and larger market proportions. The authors also state that organizations depending on governmental contracts have been more effected by the BEE do to the fact that they need to consider this matter to be able to bid on governmental contracts. Although, when asked to state important parts when choosing suppliers only a few organizations mentioned BEE as an important factor (Mohamed & Roberts, 2008). There are also other views of the BEE movement that suggests that the Black empowerment groups consists of a Black elite, or that they are only a dignified front of white corporate (Jackson et al., 2005).

Mohamed & Roberts (2008) have studied BEE in the metal sector and states that while the representation of Black people in the board were higher in BEE organizations than others, the board was still dominated by White men. Furthermore, the authors state that foreign owned companies had the least percents representation of Black board members. In the very same article the authors claim that their study shows no significant improvement in BEE. It is mainly at the unskilled level that the number of Black employees has increased, and more specifically Black women (Mohamed & Roberts, 2008). Another view of BEE is to find in Jackson et al. (2005). They claim that their study of market performance of BEE transactions shows that these transactions have not exploited the Black empowerment in favor of White corporate. Their study shows that the organizations represented in the study that did increase a black ownership received a larger stock return then the average South African index the following year.

Very few of the organizations that supply to government departments have been negatively affected as a result of non-compliance to BEE standards (Mohamed & Roberts, 2008). “Despite having more than 600 employees and being a large supplier to local government, one of the firms interviewed has never submitted an EE report since the legislation was introduced.” (Mohamed & Roberts, 2008: 11). The same authors also criticize the BEE verification;

“In the firms’ own procurement spending, a picture of BEE as a tool for managing perceptions and public relations emerges. Important suppliers identified as being
empowered turn out not to be so, rising questions about the effective measurement and monitoring of performance on BEE criteria.” (Mohamed & Roberts, 2008: 16).

In previous research we have found that EE is highly debated and that there are various opinions of the Act’s presence. The Acts regulating equality and equity are often mentioned and are clearly playing an important role in the South African labor market and those especially mentioned are the EE Act and the B-BBEE Act. Several articles state that even though a majority believes that the regulations are there for a reason there are also many who experience a lack of implementation.

Methodology

In this chapter we will present the theoretical and methodological perspectives of our study. We will also provide information about the design of this study as well as the ethical and structural considerations.

Theoretical Perspective

In order to make our thesis credible it is important to highlight our own preconceptions. These are affected by our previous experiences, possibly contributing to the study’s level of subjectivity as shown in Johansson & Lindfors (1993). There is always a risk that our pre-understanding influences the choices made when conducting a research. However, we have been aware of that risk and have therefore tried to be as transparent as possible regarding our knowledge, pre-understanding and theoretical approach throughout the thesis.

In the context of our research questions our preconceptions concerns three main areas, where the first one is our cultural background. As we are both born and raised in the Swedish society it is obvious that our perspectives and truths differ from South Africans view. This might have helped us to focus on areas that a South African researcher might not have seen. It is also possible that our Swedish perspectives have influenced our interpretations of the respondents’ answers in an incorrect way. The second area that might have affected the study is our academic background within the field of HRM. This background has been vital for our understanding and design of the study. At the same time our university studies have helped us to maintain a critical perspective when conducting the study. Although, we are aware of that due to differences between HR studies in Sweden and South Africa it is hard for us to determine what part of our perspectives in fact are influenced of our academic backgrounds.
and what has to do with our Swedish backgrounds. The third area that we believe have affected our research and result is the fact that we are still students with limited work experience within the field of HRM. We believe that do to the fact that we have not entered the study with preferences towards any approach within the field this have had a positive effect to our study. In the same time, due to our narrow knowledge of the field, this has probably limited the depth of the study. All these preconceptions mentioned above have undoubtedly had an impact on the design of our study and our interpretation of the result. Some in a positive way and other might have limited us.

**Research approach**

The aim of this thesis has been to study how HR professionals’ in South Africa understands and work with the field of equality and equity. Our interests have also been to investigate how HR professionals’ experiences the different perspectives of the field. Apart from the fact that we have had our own experiences and Swedish perspective an inductive approach has been used, which according to Bryman (2002) can be described as drawing general conclusions’ from observations. We began our study with an open mind and tried to minimize our preconceptions impact on the study in accordance to allow the study to lead our way.

Due to the aim of our study the research strategy chosen is of qualitative orientation. A qualitative research focus on how the individuals chose to interpret their social reality (Bryman, 2002). We have used hermeneutics as a theoretical framework for our study. Hermeneutic is a methodological perspective to help understand, interpret and convey one or more peoples experience and view of a phenomenon (Fejes & Thornberg, 2009). Bryman describes that hermeneutics relates to “[...] theory and method in the interpretation of human actions.” (Bryman, 2002: 25).

Within the hermeneutics there are various ways to approach and conduct a study (Fejes & Thornberg 2009). We have used the approach as a base on which our study have been made. We have used semi-structured interviews as a method for data collection which have given our respondents the opportunity to express their perspectives, a case when the hermeneutic approach is well suited (Fejes & Thornberg 2009). In order to be able to talk unhindered about the subjects of matter we first analyzed some of the regulations mentioned in previous research that we believed were of importance to the study. The result from our field study, the interviews, where then analyzed. We have compared our interview data with our previous collected material in a form of a hermeneutic circle, which is believed to create a deeper
understanding of the data (Fejes & Thornberg 2009). We started without any further knowledge of equality and equity in South African organizations and have in an inductive way, using the hermeneutic approach, created an understanding and basis for further research within the field.

In order not to limit our respondents’ answers with given definitions we chose not to pre-define equality and equity. Instead, we gave our respondents the chance to define the terms themselves.

**Sampling**

The aim of this study has been to grasp how various South African organizations, from an HR professional perspective, work with equality and equity. HR professionals have been our main source for the study as we believe that they are in the position where equality and equity work is most frequent in an organization. In order to receive a wider range of perspectives we have focused on finding informants from various types of organizations. To be able to get in contact with our respondents we have used the help from our contact persons at the University of Fort Hare in South Africa. These contacts have led us to candidates for the study, which have referred us further to other candidates. This means that we have used a mix of what Bryman (2002) would call convenience sample and snowball sample. In a convenience sample one uses the respondents that are available at the moment and in snowball sample one lets the first respondent leads to the next one. The fact that we have had only nine weeks in South Africa made it difficult for us to use for example a quota sampling that is more time consuming. Bryman (2002) argues specifically that the time aspect is a relevant aspect to consider when choosing a sampling method. Due to the fact that we used a mixture of convenience and snowball sample our population is not representative for the EAP. Although, we managed to get a wide range of respondents who represents a rather even distribution and mix of the following variables; gender, position (manager/practitioner), race (Africans/Whites) and organization sector (public/parastatal/private). All our respondents have a long experience of working within HR within various positions and in some cases also from more than one sector. Many of our respondents have completed degrees within the field of industrial psychology or management, specialized within or combined with HR or management studies. A majority of the respondents also have more than one degree and some are currently proceeding with their masters or PhD while working in HR positions.
Design and procedure

We began our research by participating in a SIDA financed course that prepared us to travel to a developing country by lectures as well as meetings with people with insight in South Africa in particular. We also searched for previous studies within the field of equality and equity in South Africa and learned about the country and its history. We gathered articles about Equality and Equity in a South African context using databases at the library of Umeå University. Although we found that there were a limited amount of studies about South Africa to be found and we therefore continued our research when located in South Africa, using the library at the University of Fort Hare. Combination of terms such as South Africa-Equality-Labor Market, South Africa-Human Resource-Equality and Apartheid-Labor market was used to find articles.

As mentioned above we then analyzed two Acts, the EE Act and the B-BBEE Act. These Acts were identified as important documents in accordance to previous research and therefore this analyze should be seen as a part of our result. Also, we have conducted semi structured qualitative interviews, which is a common used method in hermeneutic studies. By using this method for the interviews we have been able to create a framework for the interviews while the informants maintained some power to govern the direction of the interview, something that Bryman (2002) states. Our aim was to interview 10 HR professionals, but we were aware of that we might encounter obstacles on the way and did therefore set a minimum of 7 interviews. In the end we managed to conduct 8 interviews. By that time we found that we did not receive any new information, the informants only confirmed what others had already said, and we felt content with our quantity.

Based on our research questions we then designed semi-opened interview questions (Appendix 1). The questions were designed to give answers to the research questions and thereof the purpose of our study. The first questions were background questions designed to give our respondents the chance to warm up and get comfortable with the situation. The questions also served the purpose to gain background information about the respondents’ experiences within the field. Further on, we asked the respondents to define equality and equity in order to be able to understand their perspectives. To ensure the continuity of the interviews in a case a respondent could not define the words we also had our own definitions of EE prepared. Although, we never had to use these predefinitions during any of our interviews. The interviews continued with what Kvale & Brinkman (2009) would have called direct questions about equality and equity in the context of the respondents’ organizations as well as South African organizations in general. We ended the interviews by giving the respondents a chance
to add a final endnote. Throughout the interviews we used specific and profound follow up questions when we considered it necessary. We planned for the interviews to take about an hour to conduct and we got a range between 35-70 minutes. All interviews were conducted at the respondents’ offices except for one interview that was conducted at a café as the respondent requested so. Each interview was recorded as recommended by Kvale & Brinkman (2009). The authors argue that by recording interviews the researcher is given a freedom to fully concentrate on the subject and the dynamic during the interviews. (Kvale & Brinkman 2009) continues by arguing that by recording the interviews the researchers will also be able to listen through the recordings and note aspects such as voice tone, pauses and choice of words. Because we chose Hermeneutic as the studies methodological perspective, recording has also been a useful tool for us when transcribing and analyzing our data. We were both present during all interviews and took turn to be responsible for asking the questions and keeping the structure. In the main time the other person took some notes and asked follow up questions in the end if needed. The transcribing was for the most part made the following day from the interviews, as suggested by (Bryman 2002), to make sure we did not get affected by our own assumptions or misunderstandings. As we were only interested in what our respondents thought about and how they work with equality and equity we did not find it necessary to transcribe the whole interviews verbatim. Instead we used a method described by Kvale & Brinkman (2009) which mean that we in some amount concentrated long statements in to a short sentence only containing the main implications, and excluded some parts that we found irrelevant. The transcribing was made with the assistant from a program called Express Scribe. In total the transcribing took about 44 hours which resulted in about 43 pages of text.

After the interviews had been transcribed we used an approach similar to the hermeneutic circle, which is described in Fejes & Thornberg (2009) as a way where you oscillate between literature (previous research) and the material from your field study. We started by searching for themes and patterns within the texts. When themes were identified we compared the texts in the search for similarities or differences. After writing about the themes we went back to add further perspectives or in some cases revised themes or created new ones. At the same time we also compared our findings with previous research and the document analysis to find confirmation, criticism or new angels. Afterwards we have, as is described by Fejes & Thornberg (2009), set the parts in relation and compared it to the whole in order to find the core. All the transcribed interviews have then been read through again to create opportunity for an even deeper understanding before finalizing the result. In order to avoid repetition and to
make sure the result is easily read and understandable we choose to integrate our analyze with the result. When stating respondents’ opinions in the result analyze and discussion section individual respondents are referred to as Respondent 1-8. In this way it is possible to follow one particular respondents view, but out of anonymity reasons further information about individual respondents have not been used. Our conclusions and personal opinions are to be found in the discussion.

**Ethical considerations**

The Act concerning ethical review of research involving humans (2003:460) states that compromising in ethical codes is only to be allowed if there are no other way to carry on the study but also states that: “The welfare of people should always be given precedence over the needs of society and science.” (The Ministry of Education and Cultural Affairs 2003: 3).

Regarding ethical considerations within qualitative interviews Kvale & Brinkmann (2009) state that interviews will effect the informants in one way or the other and because of that ethical questions are important when using interviews as data collection. Further, Kvale & Brinkman (2009) mentions four ethical areas that they consider can be used as a frame when planning a study. The areas are informed consent, confidentiality, consequences and the researcher's role. We have attempted to consider these ethical areas throughout the whole study. When discussing the concept of ethic we will base our understanding on Kvale & Brinkmann (2009) definition of these four areas.

Informed consent is according to Kvale & Brinkmann (2009) about allowing the respondents to know about the intention and the future use of the study. It is about giving the informants the power to choose if they want to join the study or not (Kvale & Brinkmann 2009). Regarding the design of our research questions this has been an important area for us to consider during our data collection. Before booking an interview we have first contacted our respondents by phone to introduce our selves and then sent an email containing an introduction of our study (Appendix 2) and a certification from Umeå University (Appendix 3) that we have asked our respondents to read through before agreeing to an interview. It is our conviction that the respondents have been able to feel more relaxed and open in our meetings because we have been open towards them. We have provided the informants with information such as the aim, our background and role, the design and future use of the study before asking if they would be willing to be participate in our study. Confidentiality also have been considered in our study. It
is our belief that keeping the informants and organizations anonymous have not affected our study in a negative way.

Kvale & Brinkmann (2009) state that the researcher have a responsibility to consider possible consequences for the informants during and after a study which can be compared to parts in The Act concerning the Ethical Review of Research Involving Humans (2003:460). Due to this ethical consideration we have also been careful and strategic in our design and when carrying through the interviews. Kvale & Brinkmann (2009) explains that the knowledge generated from the study is developed through the researcher and that it is therefore important for every researcher to raise awareness of this area. The authors also mention that as an interviewer the researcher has an important role in assuring that the informants do not feel vulnerable. In our study we have adjusted our role according to our theoretical perspectives. We do not believe that our research questions or method of data collection have effected the informants in such way that our role as interviewers have been significantly distinctive.

Credibility

In our study we have used a form of check list for controlling the validity for a hermeneutic approach that is described in Kvale & Brinkman (2009). Their list contains a number of criteria's that we have worked with. First of all, we have been clear about and described our preconceptions. Furthermore, we have used previous research as a base for our study and we find our study reliable in the South African context. We are aware that our study is narrow in such a way that our respondents are exclusively HR professionals. On the other hand, we did not have the time nor the means to conduct a study with a great variety of respondents from different fields. We have attempted to keep our text stringent, logic and have highlighted all of our respondents’ voices. With the means that were available, we have conducted our study as valid as possible. In other words, we believe that our findings are realistic as well as our interpretation of these.

Result analysis

In this chapter we will first present an analysis of what we from studying previous research and conducting interviews understand are the most important Acts to have knowledge about when studying equality and equity in South Africa. After this, we will present the result of our field study where we also have analyzed and compared all our material together with our previous research.
The Employment Equity Act 55 of 1998

Similar to how the laws created a segregated South Africa during apartheid, several laws of today is used to improve equality and equity in the country (The South African Department of Labor, 2012). As an attempt to increase equity in the South African labor market there is now a statutory responsibility for employers to work with EE, regulated by The EE Act (The South African Department of Labor, 2012). The EE Act was established as recognition of the fact that apartheid and other discriminatory laws had resulted in inequalities within the national labor market (EE Act 55 of 1998, 2004). The Act also states that these were inequalities that had resulted in disadvantages that could not be rectified just by repealing discriminatory laws and practices. In the Act a key concept is the designated groups, which refers to Black people, women and people with disabilities (EE Act 55 of 1998, 2004). Although the obvious need for this Act it is highly debated and also criticizes (Leonard & Grobler, 2006; Oosthuizen & Naidoo, 2010).

The EE Act applies to all employers and employees (including job seekers) except smaller organizations and some national departments such as the National Defense Force (The South African Department of Labor, 2012). It is stated in the Act that if the employer violates the Act an order of compliance can be issued. Would the employer not comply to that order the Labor Court can award the employer with a fine. Although attitudes about that there is a lack of monitoring is to find in Zulu & Parumasur (2009). The purpose of the Act is to achieve workplace equity and is illustrated by the following two quotes: “Promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination” and “Implementing affirmative action [AA] measures to redress the disadvantage in employment experienced by designated groups, in order to ensure their equitable representation all occupational categories and levels in the workforce“ (EE Act 55 of 1998, 2004: 5).

The Broad-Based Black Economic Empowerment Act 53 of 2003

Another Act that concerns the labor market, although in a broader way, is Broad-Based Black Economic Empowerment Act 53 of 2003 (Jackson et al., 2005). The Act was established in order to increase broad-based Black constitutional right to equality, equal rights to governmental services, equitable income, promote a common unity of the nation and thereby protect the common market (B-BBEE Act 53 of 2003, 2004). Black people are in this Act referred to as Africans, Coloreds and Indians. The B-BBEE Act includes the economic
empowerment of all Black people including women, workers, youth, people with disabilities and people living in rural areas. This empowerment is to be achieved by socio-economic strategies such as promoting economic transformation, infrastructure and skills training, empowering rural and local communities, and increasing the number of black and woman management and their access to economic activities (B-BBEE Act 53 of 2003, 2004). To be able to bid on Governmental contracts compliance to this Act is needed, and therefore those organizations are likely to be the ones most affected by the B-BEEE Act (Jackson et al., 2005). The Black Economic Empowerment Advisory Council led by the president is the supervisor of the Act. They advise the government on how to attain B-BBEE and also how to compile and follow up the work made within this area (B-BBEE Act 53 of 2003, 2004).

The field study

Definition of equality and equity

When talking about these two terms all of our respondents refer to the history of apartheid and the previously inequality in the country. They state that in order to understand equality and equity one have to take into account the history of South Africa. Also when defining the two terms almost all of our respondents mention the legislations, especially the EE Act, but the constitution is also mentioned. What is interesting is that while some mention the legislations more in terms of equality others do it mostly in terms on equity. Respondent 1 explains that apartheid did not give the South Africans equal opportunities and therefore:

“A culture must be created that will facilitate for these three groups to have access, to have equal opportunities, to be treated equally with others. Equality has nothing to do with the color of your skin, but you look at three groups, Africans, Indians and colored are clomped together to one group, black. Then there is gender, females, disabilities.” (Respondent 1)

When talking about equity many of our respondents state that the EE is mainly about numbers and balance and they find this problematic. This can be put in contrast with the face that the EE Act regulates the number of previously disadvantages groups (EE Act 55 of 1998, 2004).

Several respondents mention the difficulty of not having one clear definition of the terms. “In the SA context it’s quite a grey topic, there is two distinct streams in my opinion. There is equality as in fair and equal treatment and consideration and credit to all, and then in SA there is equality as in righting the wrongs of the past” states Respondent 2. Although the law would
rather say that equality is equal treatment and fairness and equity is righting the wrongs of the past in order to achieve equality in the future (EE Act 55 of 1998, 2004). Respondent 3 states that equity is interesting because many HR professionals are a bit confused by the term. Respondent 2 says “I would view them [equality and equity] as very similar in a perfect world. But unfortunately for us in practice it becomes something quite different.”

While some respondents struggles a bit to define the two terms one by one, they all appear to come to a consensus when asked to state what they believe are the main difference between equality and equity. Many respondents states, using various examples, that while equality is a broader term which means that everyone should be treated the same, equity is narrower and applies to specific groups to make it proportionally the same. Both the EE Act and the following quote by Respondent 4 gives a similar definition: “The main difference is that equality suggests that everything is the same, equity suggest that everything is not the same.”

The following two examples from our interviews will explain the difference further:

“If you take two athletes that have not trained in the same way and you put them in the beginning of the race, you are disadvantaging the athlete that haven’t practiced in the same way, but you are saying that you are creating equality because both are starting in the same line. Equity however suggest that you may want to give some advantage so that it might be unfair but you want to give advantage to the athlete that not have had the same opportunity for practice, to their starting point is not the same as the starting point for the athlete that has been there before.” (Respondent 4).

“We debated this. They said it’s like if you've got three boys and they must share an apple and you divide the apple in three and then somebody else comes in and they say this boy hasn't eaten for a month, what would you do? So you would take the apple and give it to the boy that has not eaten. So the question is that [...] it is not equal but its equity.” (Respondent 5).

Equality is by the respondents in whole described as a broad term meaning treating everyone the same; everyone is equal and should be given the same opportunity. Fairness is a frequent used synonym by our respondents. Some of our respondents experience more trouble to define equity but the main definition is that it is about making sure everyone gets the same opportunities. Respondent 4 states that “[...]equity is in a sense doing something similar to equality, but equity takes in consideration that things have not been the same before.” Our
respondents have a quite unitary way of understand equality and equity and their opinions are in general very close to what is stated in the EE Act.

The definition of and distinction between the terms equity and equality that we will refer to further on in this thesis is based on this background. Both equality and equity is used in terms of the South African workplace.

**The impact of apartheid**

All of our respondents refer to Apartheid and how the disadvantages towards Blacks under the Apartheid regime has led to the way the labor market in South Africa is today. According to Burger & Jafta (2006) the White population was in 2004 about 11% of the total workforce but earned more than any other group. The apartheid divided people by race and the discrimination of Black people were to be found in most levels which can be viewed to this day as White males have 80% of all management positions (Mohamed & Roberts, 2008). Several respondents are of the opinion that it is time to move on from Apartheid in order to be equal instead of using a similar system was used during the apartheid regime. As Respondent 6 explains: "...racial profiling is no good, especially now when we are 19 years in our democracy". On the other hand Respondent 7 views the matter differently:

"And again, I feel strongly that you cannot compare employment equity with the Apartheid laws, because you know they say that it is a repetition of apartheid, that it is Apartheid reverse. I feel you cannot compare the two because in apartheid law it was only a minority group that was benefiting but in employment equity a variety of groups, in proportion, are benefiting."

Often the answers from our respondents are similar regarding the impact of Apartheid, but almost as often they feel very differently about the regulations, and especially the EE Act seems to dived them. One argument that occurs frequently amongst our respondents is the fact that White children growing up that had nothing to do with Apartheid are being punished for the sins of the past. Other respondents mean that even though people may find positive discrimination unequal it is necessary in order for South Africa to become equal in the future. Oosthuizen & Naidoo (2010) argues that not enough has been done to find out how the EE is experienced. Another issue that many of our respondents highlight is that there are no time limit and no milestones for any of the regulations; no one knows when the positive discrimination will reach its end.
The regulations and their impact on HR work

In our interviews we ask specifically about the laws and regulations, but as mentioned above many of our respondent’s referred to Acts and regulations long before those questions are asked. Many state that compliance of the regulations has a vital role in their daily work. Our respondents’ highlight different regulations, but they all mentions some or all of these four regulations; the Constitution, the EE Act, B-BBEE Act, and labor relation Act. “[--] we got the Constitution of South Africa that protects and uphold equality, we got the Labor Relations Act that ensure that the equality and equity is uphold, how do we treat our employees and all that, and we got the EE Act, it is part of that to insure equity.” (Respondent 1). The ongoing focus of the legislation shows that they have a vital role in our respondents’ daily work and a statement that we hear from two of our respondents is that the regulations and policies have to be your bible. This is also summoned by this quote;

"[--] we are regulated you know in the way we do things as HR practitioners. All our processes, all our procedures are regulated and legislated, so there’s just no way we can wake up and do our own thing. You've got to check the national Government what are the laws regulated, what are the prescripts and apply those things. Anything outside that is not acceptable and you might get disciplined actually. Because the purpose, the whole purpose is about, you know consistency, it's about equal treatment, fairness and people must feel that they are treated equally, and they must feel it, they must see it. So yeah it affects everything in to HR practitioners from attracting people in to the organization, developing people in to the system, paying people you know, progression, everything. Up until the person leaves the organization we apply procedure, we apply policy and must consult as extensive as possible, nationally with provincial governance, with other colleges, to make sure we are doing the correct thing, so it is continuous research." (Respondent 5).

Respondent 1 says that the regulations “[--] becomes a support system to uphold this issue of equity”. According to Respondent 3 the regulations affect every part of her work and gives examples such as how and when to advertise, how and when to source candidates, which candidates who are overlooked and which are putting forward. Respondent 3 continues by giving the following example;

“[--] it's affecting your access to candidates, your talent pool as such. Because if they're saying that your candidates has to be a certain group, it excludes all other
groups, so your talent pool goes from being a 100 candidates to possibly being 5 candidates, that meet that criteria. And then it’s effecting the employers a situation in terms of, instead of being able to look at a hundred potential employees they can now only look at five, on the, on the candidates side, instead of being able to apply for a hundred jobs they’re now only able to apply for five jobs”

It is obvious that the laws have an impact on our respondent’s daily work but they explain the effects differently. Respondent 1 states that they in her organization have policies of non-discrimination based on the Constitution and the EE Act. Respondent 5 says something similar; she overlooks the HR environment to make sure there are policies and procedures that ensure that people comply with the minimum requirements by law or by practice. In terms of the law the same respondent also state that it is important to make sure that there are equity and fairness in the way you conduct job interviews. “In terms of legalization around equity and equality it would mostly be around recruitment and selection.” says Respondent 8. Respondent 7 explains that in EE the EAP is used. He says “basically the law says, the EE says, your environment, your workforce must mirror the demographics of the area in which you operate”.

The impact of B-BBEE and the B-BBEE scorecard is also mentioned in the interviews. The scorecard Respondent 3 explains, is what you use to check your own and other organizations B-BBEE status. Respondent 2 states that although the B-BBEE Act is not mandatory to small business it is still necessary to have a good scorecard if you want to be able to get work opportunities. Respondent 3 agrees and states that “[--] we are affected because we have to make sure to comply with the B-BBEE policy so that we have got at decent level of our scorecard; because we obviously do a lot of business public and then we need it.”

Respondent 4 wants to clarify that the law does not in any way say that you should not employ, or not give opportunities to certain groups, it just say that you should give preference to some. One other way to operate with the regulations which is also so be seen in Zulu & Parumasur (2009) is to seek the purpose of them as stated by Respondent 5:

“For there to be a harmony in the workplace, one doesn’t approach it from the point of view of legislation only, you approach it from a diversity point of view as well. So what tends to happen is that at strategic level you enforce diversity more than really applying the law as it is, because the aim of the law or the intent is really to ensure that there are diverse groups in the workplace [--].”
Legitimacy of the regulations

We found in our study an interesting range of perspectives and experiences of the laws and regulations. In accordance to the study made by Oosthuizen & Naidoo (2010) there are different opinions where some of our respondents believe that the regulations are slack and that there are a lot of loop holes while others believe that the laws regulates too much or in a non sufficient way. Only Respondent 3 believes that the current laws and regulations are well-functioning, which is in line with Oosthuizen & Naidoo (2010) that says that both previously disadvantaged and non-disadvantaged individuals have negative attitudes towards the legalization. Although Respondent 3 is fully aware of that there are other opinion out there which is showed by this quote; “For us they are achievable so it’s fine, if you ask another organization were it wasn’t achievable they’d probably tell you that it is to heavily regulated. If you look at an organization, I don’t know, some managers will say it is not regulated enough.” All our respondents, whatever their opinion might be regarding the current regulations, but especially those who think they regulates to much today are very clear with their belief that the regulations were very well-needed during the country’s first years of democracy.

“Well I think you know to an extent I would say yes because from where we are coming from, you know from the Apartheid regime, or you could say an unequal regime, to where we are today. I think the law, the legislations, and the policies have played you know a vital role, quite a tremendous role, to actually get us here where we are, but obviously there are, you can say sometimes when you look at the policy you can see gaps or weaknesses.” (Respondent 5).

The positive statements are not as frequent as the more critical ones, but they are to be found. When talking about the regulations Respondent 3 says “I think in terms of equality and equity I think it is a has to, we don't have a choice at the moment.” Respondent 6 states that “[--]if it was not there we would have lots of opposition in doing the things that we are supposed to do, it has helped us in that people can’t challenge what we are doing, it’s the law.” Respondent 6 also believes that a positive outcome of the regulations is that it ensures that everyone, even those who does not see the point of them, work with equality and equity. He continues on the same path and mentions the B-BBEE Act which he believes make a good impact on organizations because to comply with that Act also comes with work opportunities. Respondent 4 states that people need guidelines and declared expectations in order to perform. Respondent 5 also states that because the EE Act have been quite flawed and for example only
looks at who was sitting in what seat, and not what decision making power or salary the person had, the B-BBEE Act was introduced. She describes the B-BBEE Act as a more holistic and better way to measure an organization and says that she believes that the current laws are significant, because they are not about punish you, it is about rewarding you.

On the other hand some respondents claim that it is time to renew the legislation. "**I think there's still more to be done with the current laws. At some point, yeah, you have to see the new challenges and revise accordingly.**" (Respondent 5). This quote is supported by Respondent 6 that believes a rewrite of the law is going to happen in the nearest future. This is similar to a quote by Respondent 8: “**Some flexibility would be good, I also believe that 10 years after democracy things are not working and some governmental problems are simply not working, you cannot hide behind that particularly set of legalization, you need to have some sort of flexibility.**” Respondent 6 would if possible also scrap the EE Act and instead only go for the best man for the job. He explains his statement by saying that now, 20 years in to democracy people are treated equal, and therefore it should be equal opportunities to apply for a job. He also blames the EE Act for effecting the performance culture negative because the law makes you appoint people on the base of their race and not their capability.

There are various opinions to be found regarding the implementation of the above mentioned laws. Respondent 5 states that: “**[--] they also provide the frame how to do it, they describe for example that an organization can decide and have an EE plan that say in the next five years how we want to look like.**” He is challenged by the majority of our other respondents as they mainly talked about the lack of implementations. Schott, Mathews & Gilson (2011) argue that resistance towards equity policies is often not directed against the policy's purpose, but the actual implementation. Respondent 6 states: “**[--]19 years into our democracy we still don’t see the differences that we should see, so I don’t think that they have been effective, they have existed but it’s not have been implemented to the extent that they should have.**”. Similar to this quote is the argumentation of Respondent 4 who believes that there should be more descriptive regulations. According to the same respondent the laws now leaves it up to the organizations to interpret and chose how they want to use the law as he explains in the following quote: “**[--] but Government needs to review the legal framework, and not leave the interpretation of success to someone else.**” Respondent 7 also believe that the laws should be renewed for a similar reason: “**[--] so that would be one element I would look at to set real goals for this country to say - there is where we are hoping to get to, and when we get to that point everyone will be treated equally, because that’s not the case currently.**” Respondent 7 also states that she
would like to see a better integration between the EE –and B-BBEE Act. Respondent 5 states that the only limitation of the EE Act she can see is that it does not govern behavior and make it clear that EE should not just be about number. Respondent 7 speaks about what he state is a loophole in the Act. He refers to one section in the EE Act which says that you may not willfully give false information in your EE report and continuous by saying that many organizations do that nevertheless. The difficult thing according to Respondent 7 is that even though the inspectors pick it up they still have to prove that the organizations willfully give away the false information. He finishes this example by explaining that the person who prepares the documents is not always the person who is responsible for it. This makes it very hard and have according to the respondent led to a situation where organizations has not been taken to court in this matter because it makes it unclear who had the main responsibility.

**Obstacles for equality and equity**

There are many obstacles when working with equality and equity in the South African labor market and Horwitz et al. (2002) states that cultural diversity is one of these obstacles. One difficulty mentioned by our respondents is the language barrier as well as the cultural barrier. According to Respondent 4 the Eastern Cape has 3 main languages Xhosa, Afrikaans and English. He continuous by arguing that the languages become an obstacle for especially people speaking only Xhosa. Zulu & Parumasur (2009) debates that managers do very little to counteract cultural differences within organizations. According to Respondent 8 one cultural barrier is that African and White people are in general different and this can be an obstacle: “/-/Have you ever been in a environment where Black [African] people are gathered and having a ceremony? They are very loud and I know that other cultures do not accept that.” Respondent 8 also talks about different values and how the interaction within racial groups differs. According to the same respondent it will create problems if people in South Africa cannot understand other cultures.

The Apartheid divided people by race with discrimination of Blacks and the legacy is shown even today as Black women still are infringed in South Africa (Albertyn, 2011). In South Africa today the EE Act gives an advantage to previously disadvantages groups (Employment Equity Act 55 of 1998, 2004). The positive discrimination towards previously disadvantaged individuals is supported by law in South Africa is profiling on the basis of race and according to Respondent 6 this is discrimination towards White people. This conclusion is also to be found in Oosthuizen & Naidoo (2010). Many respondents debate that the best person for the job should be applied, regardless of race. Oosthuizen & Naidoo (2010) debate in a similar way,
they state that the EE Act is a form of reversed discrimination. An argument that occurs frequently amongst our respondents is the fact that white children growing up that had nothing to do with Apartheid are being punished for the sins of the past. Several other respondents mean that even though people may find positive discrimination unequal it is necessary in order for South Africa to become equal in the future. Several respondents argue that White people needs to take a step back in society in order to correct historical wrong doings to achieve equality in the future. Oosthuizen & Naidoo (2010) found that the opposition towards the EE Act came primarily from White people and the support was primarily from Black people. In our study this patterned have not been the same, we find opposition and support from both White and Black people.

Several respondents debate that the main problem with equity and fair discrimination is that when previously disadvantages groups come forward in organizations, with less education, a gap is created between equity goals and the right competence. Zulu & Parumasur (2009) comes to the same conclusion in their study as they talk about a overall lack of skilled Black candidates. One difficulty according to Respondent 4 and Respondent 5 is that traditionally White schools have better standards of the education and that leads to that White students graduating are better prepared for the labor market than Black students. Similar to this, Burger & Jafta (2006) argue that in order for South Africa to be equal devoting resources to historically black schools is necessary. Several respondents believe that this gap can effect organizations in such a way that people with insignificant competence is placed in positions with assignments that they are under qualified to execute. Respondent 6 states that: "You got to distingue between competence and equality. I got a problem when they apply equity and it is on the expense of the organization." Respondent 6 also argues that the EE Act creates a feeling of entitlement amongst previously disadvantages groups as they feel that they have the right to be promoted. This is according to the respondent a problem because if the person is not promoted it will create dissatisfaction within the organization between individuals as well as it creates racial disagreements. Oosthuizen & Naidoo (2010) find in their study that white employees find it hard to advance in organizations because of the EE Act. Respondent 4 argues that the challenge within South Africa in terms of equality and equity is to find balance between equality, equity and dropping standards. Respondent 4 states that during the process of achieving equity standards in South African organizations people that is not fully qualified will come thru the ranks and there will be dropping goals as an effect. According to the same
respondent, this is a over going phase that must be accepted in order for organizations to reach those equity goals.

Several respondents argue that in order for South Africa to become equal the training and development of previously disadvantages groups must increase. Respondent 5 argues that if there are no time and effort spent on development within companies then equality cannot be achieved. This goes in line with Mohamed & Roberts (2008) and Burger & Jafta (2006) who also believe training and education to be the answer for Black empowerment. Although Mohamed & Roberts (2008) claims that many companies hesitate to train Black employees because the management is afraid to lose the employee to other companies after spending time and money on training the person.

Respondent 6 state that equity is implemented faster in the public sector than in the private sector and that the implementation is being forced into them with incompetent staff as an effect. Leonard & Grobler (2006) state that the EE Act forces employees to Act in a certain way and the respondent clearly experience this dilemma. The respondent also believes that a way to meet this problem would be to have a more business-orientated culture within the company, to be more like the private sector. Respondent 6 states the following:

"In private companies, it’s manly profit. And if you do not meet your profit margents and you're targets you are done. What they do they either close the section and lay off the staff or they fire the staff and appoint new people. You got to do something otherwise the business cease to exist. In local Government community play a part. A lot of money comes in and the big companies like this, there is a lot of money coming in and, so if we are not best performance oriented company in each in every section of the department it is not going to make a difference. We do not have to close that section; we do not have to close that department. This is one big company where we do not have a performance management system, unfortunately."

Several respondents mention that a problem in South African organizations is that race is not discussed. Respondent 2 states that in her organization they arranged a work shop about the Apartheid regime and discuss how they experienced it and what stories they had from the era. According to the same respondent this increased all participants’ knowledge and because of this they could more easily understand each other's point of view. Respondent 7 has a similar view that he explains in this quote:
"[-] because in terms of Employment Equity I must talk race, I have to, it's my job, I must talk gender, I must talk nationality, I must talk disability status and I remember one time, I was with the same [White] professor, he actually said to me one of them 'I'm not prepared to discuss race'. He dismissed the subject and he was the chairperson in the short listing and he said I'm not prepared to discuss race. And I said, unfortunately we have to discuss race, because for us to arrive at a solution where we no longer discuss race we must discuss race today. And if you talk about equity, you must talk those four things. You must talk race, you must talk gender, you must talk nationality, you must talk disability status, because those people must, you know, give them preference proportionally in terms of what the EAP is saying."

A difficulty with the EE Act is according to several respondents that it only regulates how many employees from previously disadvantaged and non-disadvantaged groups the company should have in different positions. Several respondents mean that this causes management to chase numbers. The Acts ability to get organizations to chase numbers is also something that is debated in Zulu & Parumasur (2009). According to a number of respondents this leads organizations to place previously disadvantages groups in positions only to front them, to show that the company is implementing EE. Several respondents continue by explaining that many of these people are placed in a position and given a title but without receiving any decision making. Zulu & Parumasur (2009) and Mohamed & Roberts (2008) support this statement as they argue that black managers’ roles often are symbolic. Respondent 8 mean that this is the problem with EE, that it does not change the attitude of people but only forces management to chase numbers. Respondent 6 claims that no one within a company will trust a manager that has been employed thru the EE Act. According to the same respondent, that person may be considered incompetent and this will sometimes lead to that the person will not be invited to meetings and will not be given any assignments. Respondent 2 argues that employing previously disadvantages people into the organizations HR departments has been seen as a easy way in getting the numbers right thru the organization. In the following quotation Respondent 2 debates the subject:

"HR has been the dumping ground for equity first. What I mean is that a lot of less skilled HR professionals was placed in HR first in order to boost the organizations numbers. Because it was viewed by the businesses as the area that would do the least amount of damage. And so you would have a lot of equity within HR, in fact in my old organization we had a Black HR manager that looked around in our HR meeting, we
where 90 people and there was 3 White people in the room, and he said: 'This is not equity, this is not representative of our country. There is not enough White, Colored and Indian people in this room.' So before we can go any further we have to up skill our HR professionals. We have to think more medium to long term instead of just processing and making the equity numbers right."

Zulu & Parumasur (2009) mean that if an organization does not comply with EE the chances of being fined is low as the inspections are few. Respondent 2 debates similar, as she says that even if companies fail to comply to EE the consequences are slight and the risk of being caught low, so there are organizations that never comply to the regulations. Respondent 5 argues similar in the following quote: "And I mean some companies actually don't even care about those plans if the inspectors come from the department of labor they will just pay the fine, so that is another issue.". Mohamed & Roberts (2008) are attesting this statement as they argues that even though many organizations that supply to Governmental departments do not apply EE very few are negatively effected by that. A reason to why employers chose not to implement EE is according to Leonard & Grobler (2006) that the EE is forced upon organizations and becomes a legal compliance.

Respondent 4 means that a problem with equity in South Africa is that there are no clear goals and milestones for organizations to achieve. The respondent mean that it is necessary with time limits and clear goals for organizations so that they will know what they are working towards. Respondent 4 describes this in the following quote:

"...we are not descriptive. Because everybody decides what equity means to them. So you cannot say that in year 5 the country will be at that point. But everybody is doing their own thing, so you cannot really say that. If it was descriptive, so you would know that our country will be at that point at that time, then most know they are contriving the law. But at the moment you cannot say that, now people will say that they will have 30% blacks in 5 years, other say 20% [--]"

Respondent 2 have similar arguments and mean that in order for White people to see a future in South Africa there must be a time limit for fair discrimination and EE. Otherwise White people will seek their future outside South Africa states the same respondent. Oosthuizen & Naidoo (2010) talk about a brain drain, where competent White individuals are leaving South Africa to find work in other countries. Respondent 2 also argues that fair discrimination creates a despair for White people because they cannot see a future for themselves in South Africa as they are
being overlooked for promotions and vacancies. Because of this White people underachieve in their work and cannot see any reason in working harder, she states. Respondent 2 also states that she has to prepare her son in order for him to be able work abroad when he graduates. This is because she cannot see a future for him as a White male in South Africa as long as fair discrimination remains. At the same time, Respondent 2 is very clear that she understands why the EE Act is necessary, but she states that without a time limit it leaves White people without hope for a future in South Africa.

A number of respondents debate how long the Apartheid regime can be hold accountable for the problems in South Africa today. As Respondent 1 puts it "If you listen to our news now, our old president and some old politicians are saying: Can we still blame Apartheid? If you are poor today, can you blame Apartheid?" And the answer many of our respondents give is no, you cannot blame the Apartheid regime for the problems in South Africa today. Nevertheless, several other respondents mean that the legacy of Apartheid and the inequality the regime brought upon South Africa is still very present today.

According to Respondent 4 there must be a change in the general opinion by the South Africans and especially amongst men. The respondent mean that there is no will to change how things are today because the country does not realize the issues of equity. Respondent 4 mean that in order to achieve equality and to make sure everyone complies with equity there must be a change in culture. According to the same respondent this is hard, especially in South Africa with the country’s history. As the respondent explains: "[/--]This country has a very interesting history. You can hear 3 people talking about the same story but you will hear 3 different stories because all of us were exposed differently."

**Working with equality and equity**

As stated earlier many of our respondents believe that equality and equity is the foundation of their daily HR work. This is showed by how our respondents during the interviews constantly return to discuss policies that are orientated towards previously disadvantaged groups. Respondent 3 mean that the policies are there to guide, to make sure that the organization complies to the regulations. Respondent 5 explains that she works with a project where they look in to reports from the past years to identify weaknesses. The obstacles identified can later be addressed when designing or reformulate current policies, project plans, intervention plans etcetera, as well as when advising managers on how to work with implementation, she explains. One weakness is highlighted by Respondent 8 who says that equality and equity does
not affect her work specifically. Respondent 8 states that she has no say in the strategically planning and just follow the policies and targets that are set by the senior managers and the board. When asking about how they work operatively with equality and equity Respondent 5 begins with saying “I don't know, we have got the policies so [--]”

A majority of our respondents talk about the importance to inventory the own organization. This is to get a picture of the situation that can then be used to identify under or over-represented groups at various levels which becomes the background for designing new targets, they explain. Respondent 4 gives an example of targets towards equality and equity: “[--] what organizations have done is they have gone out and said; this is how we look like this year, and in 5 years time we want to improve, so they will have targets, each and every year.”

Respondent 8 talks about targets such as internal promotion in terms of equity targets that needs to be met. Respondent 3 talks about sick leave and leave management and says that the statistics is important to be able to provide the managers with available and updated facts.

To identify under- or over-represented groups within the organization is also helpful when advertising vacancies. If there is a specific group that you are looking for in order to meet your equity goals your organization can then try to attract that group through the advertisement, explain several respondents. Respondent 4 talks about the importance to first create criteria, and then check whether the candidates respond to that criteria. Otherwise, Respondent 4 states, you will unconsciously lower your minimum requirements to fit the candidates. Respondent 5 explains that recruitment can be very time consuming. She states that when they are looking for AA candidates (previously disadvantaged candidates) they first start within the local area, in this case East London. If they cannot find anyone they will then look at the whole Eastern Cape, then within the whole country. If they do not find anyone they will then go back and look at their next option and widen their group of targets and do the whole process again.

Another way of finding equality weaknesses is to conduct a survey amongst your employees, state several respondents. The unions are also mentioned, although in a small extent. These are both examples of how to give a voice to the employees that is requested by Leonard & Grobler (2006). An EE Committee is also a way to work and is mentioned by Respondent 7 “Here my duty is to first establish an employment equity committee, where we communicate to the employees. We get people from different groups and areas at XX, representing groups, discuss issues.” Respondent 2 also notifies that a member of the committee is represented on job interviews during recruitments. Not all respondents talk about these committees, and we cannot
draw any conclusions about whether the committees appears at our respondents workplaces in
the same amount as in the study made by Mohamed & Robert (2008).

A recurring theme is the importance to think strategically. Respondent 1 states: “We work
strategically because we want to affect the way to think, to influence the thinking and give
advice from an HR perspective.” Respondent 4 states that in order to create a strategic thinking
within the organization he often has to work on an operative level. According to Respondent 2
there are two types of HR professionals, the strategic and the process based. This makes it
important to make sure not putting a process based person in judgment calls regarding the long
term impact of issues, hr explains.

Respondent 5 says that in order to attract and obtain qualified candidates in the future, you
have to invest in training today. This is supported by Respondent 2 who highlights the
importance to identify previous disadvantaged individuals so to give them preference when it
comes to training;

“Operatively on a recruitment side of things, in terms of numbers, I would for
example for all my managers that where responsible for recruitment, I would give
them targets; in the next 3 months you would have to promote one Black female, and if
they were not able to that they would have to come back to me and say these are the
circumstances, so we wouldn’t just for the sake getting a black female in place, they
would have to come back to me with a very good answer in why we couldn’t appoint a
Black female, how couldn’t you in our whole organization promote one Black female?
And if they were not able they would have to come back to me with a plan [--] for
what we are going to do for the development for our top 3 Black females so that the
next time we have a vacancy we will be able to promote.”

The quote above shows that there are some progress and that training of previously
disadvantaged individuals is deliberately prioritized in a way that could not be found in
Mohamed & Roberts (2008). There are opinions about EE and AA amongst several
respondents that claim it to make organizations employ non-qualified people for position just
in order to meet with their EE plan. The same experience is to find in Oosthuizen &
Naidoo (2010) and Burger & Jafta (2006). Respondent 8 explains that it is a balance between
applying AA to address the imbalance and finding qualified candidates. Respondent 1 says that
it is about compromises:
“[--] there are times when we say that in this situation, there is no way we will use this to address equity, it is not possible, we will not have a female engineer for tomorrow, and if you have, they are expensive to buy, so, let's relax, so it’s a give and take, there a compromises, but if we do an EE employment we have to put in place a mentor, for training and development.”

The quote above indicates that there are a lack of trained candidate from the previously designated group which Burger & Jafta (2006) and Zulu & Parumasur (2009) also finds in their studies. Respondent 3 claims that it mostly depends on the circumstances:

“[--] there are a lot of replications, so many different ways, and it just depends of the individual circumstance that you can often find issues with limitations and whether it's to organization or the candidate, on the line. How we deal with it, I don't know that, everything is unique, so each time you look at it in a unique circumstance but you've still got to comply, obviously with those regulations and that's a challenge."

Respondent 2 gives an example of how compromises are dealt with in her organization: “[--] what is reasonable for us, what is possible? And then we make sure that for every 2 black females, our 2 black appointments we did we would appoint 1 person on merit only.” Other ways of dealing with finding the right person and the right qualification mentioned in the interviews are to compromise a bit on the rules and not exclude late applications that meet the targets. If employees within the organization are not qualified for their jobs it becomes important to support them into getting qualified which starts with how and which skills they have to improve, says Respondent 5. Several other respondents talk in similar ways as they state that organizations always should try to educate where it is possible.

Several of our respondents believe that it is easier to address the issue of AA against qualified candidates within the private sector then the parastatal or public sector. Respondent 8 says that within the private sector they can just remake the organizational structure to create opportunities, while in the public sector with its long decision-making process have to rely on retirements and other natural departures to create vacancies. A similar finding is to be viewed in Mohamed & Roberts (2008) where they talk about low staff turnover as an obstacle. Although this is an interesting reflection when held in comparison with the report by the Department of Labor (2013) that states that the public sector have made more progress than the private sector when it comes to equity.
During the interviews many of our respondents, especially those who works within the private sector, talks about the B-BBEE scorecard. Respondent 3 explains that if you are not able to meet with the 25% black ownership, that is the minimum target for an organization to call itself a black empowered, there are other ways to get a good level of the scorecard. According to the respondent, organizations can for example take their social responsibility by making sure to only do business with organizations that have an EE plan in order, work with skills development in terms of previously disadvantaged groups or invest in a goodwill project. To take social responsibility is also stated as a purpose of the Act (B-BBEE Act 53 of 2003 2004). It is a requirement to comply with the B-BBEE Act to get contract work from the Government, but also private organizations are for the very same reason starting to screen their business partners’ scorecard according to Respondent 3. Jackson et al. (2005) argue in their study that many organizations use their B-BBEE compliance in order to increase their legitimacy and media attention. Respondent 3 continues by stating that this makes organizations more attractive which also creates a positive domino effect. In contradiction Mohamed & Roberts (2008) found in their study that the compliance to the B-BBEE Act is not of particular importance when choosing suppliers.

Several of our respondents talks about the importance of being up to scratch, both when it comes to the regulations and when it comes to the internal policies and situations. Respondent 1 talks especially about transparency and state that policies must be visible and accessible for all employees which means that you in some cases can not only use the intranet, some employees may not have access to a computer and therefore there need to be analog versions as well. Respondent 1 also states that it is important to also make sure that everyone within the organization understands the aim of those policies so that they do not become just a piece of paper. Sometimes that can also help when explaining to an employee why that person was overlooked for a promotion. She state that it is also important to have an ongoing dialog with your stakeholders regarding these issues states Respondent 5. Respondent 3 says that some of their clients are not always updated on the legislation and that it sometimes falls on her table to educate their clients and explain what they can and cannot do.

To summon up, the HR professionals have provided a great variety of different point of views on EE. Furthermore, they have presented various examples from their daily work that point out both difficulties and benefits when working with EE. Also, the respondents have explained the effect that the Acts regulating equality and equity have on their daily work as well as obstacles that may be a cause of the regulations.
Discussion

In this chapter we will present our own reflections of the study where we discuss our result and what we can learn from it, and also put the result in to a Swedish context. This will be followed by a critical reflection of our method and then a main conclusion is presented.

General discussion

(Oosthuizen & Naidoo 2010) states that a majority of White people in the South African labor market experience EE as a form of reverse discrimination and most of the people in previously disadvantages groups feel that EE is in all fairness. In our study we cannot find such a significant pattern in our respondents’ statements. One reason can be our relatively small number of respondents but another reason might be that we have interviewed people within the field of HR. We believe that people that work with these questions on a daily basis have in some way a more faceted view of the matter than a person that does not come across this questions as often in their daily life.

The Apartheid regime divided people into different races. The EE Act amongst other laws are designed in a similar way but with a significant difference. The regulations of today are about benefiting the groups that where disadvantaged during apartheid. But when improving the situation for previously disadvantages groups the legislations have to, like the Apartheid, divide people by race. When doing so the current Government legitimate racialization. We believe that when placing etiquettes on groups of people, especially in South Africa with its history and many cultural differences, it makes it even harder for the groups to approach each other. If the groups stay divided we believe that there is less hope for EE to be accepted and as long as it is not accepted it will not be implemented properly in the labor market. Although, we do understand that it is necessary to divide groups by race in order to right the wrongs of the past. The important thing is to remember to talk about it, to discuss the obstacles and the different perspectives. Many of our respondents argue that there should be clear milestones and goals for organizations to achieve. As Respondent 4 states:

[---] We are not descriptive. Because everybody decides what equity means to them. So you cannot say that in year five the country will be at that point because everybody is doing their own thing, so you cannot say really say that. If it was descriptive, so you would know that our country will be at that point at that time, they must know they are contriving the law.”
We believe that when creating milestones for organizations to achieve it would be easier for organizations to work with EE. It would facilitate the employer and the employees in a way that they could monitor the progress of the organization towards equality more easily. Respondent 4 also states that the lack of clear goals give organizations excuses not to work towards an equal workplace, a statement that we support.

Another difficulty with the current legislations is that it is discriminated towards a minority group, Whites. If we would compare this to Sweden a similar legislation would not be possible as it would be considered as direct discrimination. Then again, South Africa have in many ways a more troubled background than Sweden as the minority group, Whites, have earlier discriminated other larger groups. When the discrimination is directed towards a minority for as long as it has been in South Africa it makes the struggle for the minority group harder and harder. We believe that a time limit and clearer goals would be needed in order to achieve a larger accepting for the EE Act and other similar legislations.

As stated above regulations seems to have a significant role in the HR professionals daily work. They tend to answer most of our questions based on the Acts. Although we experience a lack of implementation of policies and regulations; they often seem to become just documents. One explanation to this focus on the Acts might me that it has not been fully accepted yet, but also that they have not yet become a natural part of any workplace. We believe that when equality and also equity and employment equity is seen as something obvious at the workplace, then it can also be implemented properly.

From our point of view one obstacle for South African organizations to overcome in order to become more equal is the confusion in terms of the definition of important key terms. We can for example in this study see that there is no clear definition of the term Blacks. The term is defined in the acts, but is often used differently in the social society. When reading previous research, reports and interview extracts it is quite difficult to know if the statements regarding Black individuals aims toward Black Africans or is a generic term for Africans, Indians and Colored's. According to several respondents there is a fairly clear definition of and distinction between equality and equity. Although some found it hard to define the terms and stress that employees and other actors does not always have a fully understanding of the definitions. This we believe can be seen from two perspectives. Obviously everyone has their own experience and perspective of the past inequalities and the situation today, as Respondent 4 stated earlier: "[--)This country has a very interesting history. You can hear 3 people talking about the same
story but you will hear 3 different story’s because all of us very exposed differently.” The fact that there also seems to be no clear definition of equality and equity is in our opinion problematic. Organizations need a clear definition in order to make sure that all employees within the organizations work towards the same goals. Many respondents claim that previously disadvantages individuals only know their rights and not their obligations. We believe that such misunderstandings create even bigger disagreement as a, according to our respondents, large number of previously disadvantaged individuals believe that they are initialed to a certain promotion or appointment. And if they feel entitled to for example a promotion and they do not receive it, of course a feeling of disadvantaged will occur and with that disagreements. If organizations would be very clear with every employee what the law and EE stand for at the first contact with the employee, by the time of appointment, then the risk for misunderstandings would decrease. Furthermore, we believe that a clear communication throughout the organization is necessary to prevent future misunderstandings. We believe that companies would be more likely to invest in training and developing in the staff if both performance culture and clear goals for EE were to be implemented.

All in all we believe that there have to be a more open dialog and discussion about these key terms, to create a better and more common understanding about the field of equality and equity. If we cannot come to a consensus and talk about the same thing, how can we work with it together? Also, this obstacle also makes it important for researchers to be transparent in their preconceptions, definitions and use of terms.

From what we have learned in this study there are both similarities and differences compared to the Swedish context. When it comes to equality the issue highlighted in South Africa is race whilst in Sweden we talk more about gender equality. This does not mean that there are no cultural differences in Sweden. The Swedish labor market, as well as the whole population demographics, is in our view going towards a more and more multicultural structure which also leads to segregation. Although we believe that in Sweden this matter is seen as taboo and people are afraid to talk about migration and integration, even in a context of the workplace. In our view cultural differences in Sweden are more often debated from a political perspective where problems regarding integration and inequalities are highlighted. Whiles in South Africa we experience that the debate is more on an individual or group perspective where previously wrongs of the White population and current rights for previously disadvantaged groups are the main questions. In our opinion race is a much more debated subject in South Africa then in Sweden, which is understandable with the history of Apartheid. Although we believe that a
more open dialogue about cultural differences and cultural barriers would also benefit the Swedish society.

On the road towards equality in South Africa we believe that instead of denounce certain groups and individuals the subject for discussion should be on a more overall level. Because it is very easy to blame the symptoms but then the underlying cause of the problem remains. Many of our respondents do not believe that apartheid should still be blamed for the problems in South Africa today and our perception is that many people from various groups are becoming weary of the subject. Our view is that apartheid should mainly be used as an explanation for why the country is not equal today. The main focus should be on how different groups can approach and understand each other in order to create a more equal South Africa in the future.

A relevant question to arise is what our respondents have received from participating in our study. First of all we have received a warm welcome from all our respondents and a majority of them have also thanked us for giving them time to talk about this field. Even though our respondents are all working with HR and a majority of them work with equality and equity questions especially, many did find it a bit tricky to answer some of our questions. We hope and believe that our study has given our respondents a chance to reflect over the field of equality and equity. Perhaps they have raise questions to themselves that had not occurred if they had not participated in our study. If they later on decide to read our thesis we also believe that they will be able to pick up other perspectives and examples of how to work within the field.

**Main conclusion**

The aim for this study has been to gain more knowledge about HR professionals in South African organizations and their work with Equality and Equity. During our search for previous research it became clear that EE is a highly debated subject in South Africa. Our study has also indicated that the impact EE has on the South African labor market. We have also found a variety of opinions and different examples of how to work with equality and equity. Our main conclusion after studying this field is that AA is still needed in South Africa but the regulations has to be updated and revised according to the situation today. There also have to be more clear goals in order to achieve a situation where both employer and employees knows what they are aiming towards. We also believe that the different Acts regulating equality and equity should be more linked together and become more about reward instead of punishments.
A better awareness and understanding of the actions made to readdress the inequalities also has to be provided. We believe that this will create a better acceptance which will also make it easier to work together towards a common goal.

**Critical reflection of methodology**

There are a variety of methods we could have used for our study but we found that our hermeneutic approach was well suited. To work with our data material in a way similar to the hermeneutic circle gave us the chance to go back and forth, to look in to important regulations, compare to our result and make an analyze based on our previous research. Not only have this given us a deep understanding, it is our belief that it has given the study a broad foundation and made it easy to follow. Furthermore, by using qualitative interviews as our method for data collection and by interviewing HR professionals from various organizations we have gained a variety of perspectives. We have seen a range of examples, both positive and negative, of how one can work with equality and equity in the workplace.

Due to our lack of contacts within and knowledge about the labor market in South African together with our time limit we chose to use a mix of convenience and snowball sampling. This has resulted in a non representative sample when it comes to EAP. One might also think that because our sample has been largely influenced by the first groups of respondents more of them support the same perspective, than would we have chosen another sample method. Although, due to our situation and the fact that in South Africa it often is an advantage to have a reference person, for example a college, when contacting people this turned out to be an effective method. Also, we believe that our respondents gave us a broad understanding of equality and equity in South African organizations and that our method of sampling did not in any way conflict with the purpose of the study. Also, we believe that our interview guide worked out very well. All of our questions where well answered by our respondents and many of the questions seemed to engage them and gave detailed responses. We experienced in all of our interviews that the respondents understood our questions and that no rephrasing was needed. On several questions the respondents answered more than one question in the same answer. That could be seen as a sign that the questions were all relevant and integrated. In some of the interviews we used follow up questions but we never left our main theme.

Our goal was to conduct ten interviews. Due to one respondent cancelling our meetings and eventually shortness of time we managed to meet with eight respondents in the end. Although, this will not have a significant impact on the thesis because even though every respondent gave
the study a new perspective we also felt that the last interviews did not give us as much new data as the first ones. We started to experience frequency in terms of touched areas, which led us to the conclusion that two more interviews would not make a large difference to the study. In many ways it has been a challenge for us to conduct our thesis in a foreign country with a different language and culture, and even though snowball sampling as a method may seem as easy it is not. By not completely controlling how to get in contact with respondents we had to rely on others which often led to planning difficulties as well as time issues. Cancelled meetings, misunderstandings and long travels are some of the obstacles that we came across as well as hours on the phone trying to get in contact with potential respondents. A lesson learned is to make sure to conduct all interviews within the first three weeks if we in the future is set in front of similar conditions. It was difficult for us to get in contact with respondents and we awaited responses for several days. One action to prevent the time loss would have been to work even harder from the beginning.

In our study we chose not to predefine the terms equality and equity, instead we started every interview by given the respondent the chance to define them. A risk with giving the respondents’ this power is that the result can appear sprawling. Although that can also give us an interesting indication of that people put different values in the same terms, and from that understand the difficulty of working with value-laden terms. In the end we found that the respondents used different examples and references when defining equality and equity, but they were all quite in line when it comes to the main meaning of, and difference between the two terms.

In our study we did not take any consideration of our respondent’s race. The respondent’s racial background goes beyond the purpose of this study. Our aim has been to study the field of equality and equity from an HR professional’s perspective, not from the perspective of people representing various racial groups. Although, one thing that we should highlight is that the focus in this thesis is primarily racial groups Whites and Africans, much less about Coloreds and Indians. This might be because the two last groups were not represented in our study, but it might also have to do with the fact that Whites are the previously non-disadvantaged group and Africans are by far the largest of the previously disadvantaged groups.

In many ways our thesis is critical towards equality and equity and the laws governing them. The reasons for that is most likely a number of causes although a part that may have had an influence is our research questions as well as our interview questions. Our questions are
designed challenging in order to make our respondents think about these issues as well as formulating questions about them. This may have led our respondents towards a more critical position but our main questions are concerned with obstacles. In order for our main research questions to be answered some questions have to be critical, and therefore some answers are critical as well.

A challenge that we have met in the process of this thesis is to maintain a stringency and depth while reducing and compressing a huge amount of data. It has been an ongoing struggle for us to mind our subjectivity in order to uphold the validity in our study. Because, when reducing the material it is our perception of what it is important and interesting that is being presented in the thesis. Although, in the end we believe that our thesis ended up valid, mainly because of our transparency and awareness of potential obstacles.

**Further research**

One suggestion for further research is to conduct a questionnaire study asking about the laws regulating equality and equity in South African organizations. It would be interesting to be acquainted with what people thought about the laws specifically and study any differences between Black and White respondents. Another idea would be to inquire more into the labor unions and their role in South African EE. As stated in the previous research and also in our result there is also a clear need for studies regarding the voice of employees.

**Last words**

Our field study has in many ways been highly informative for us but we have learned at least as much by just staying in the country and having the opportunity to get to know a number of locals. We have experienced much warmth, an openness and solidarity, ubuntu, that one would not find in Sweden. Also, during our stay in East London we have experienced that although the Apartheid is now long gone, there are still social groupings that divide the labor market and the country as a whole. We believe that the group think in South Africa is in many ways beneficial but if these groups think leads to individuals not approaching each other then cultural differences in South Africa will create an ongoing struggle towards an equal country. We have experienced a greater broadmindedness amongst the youths and we believe that the current situation will change to the better as the acceptances towards each other as well as towards equality and equity grows.
We are very grateful for the brief insight we have had the chance to receive in the HR professionals’ work with equality and equity within the South African context. We believe that this experience will be of great benefit for us in our future professions.
References


Republic of South Africa. *Broad-Based Black Economic Empowerment (B-BBEE) Act, No. 53 of 2003.*


South African Government Information [Retreived 2013-04-26]


The South African Department of Labor [Retrieved 2013-01-18]


## Interview Guide

<table>
<thead>
<tr>
<th>Research questions</th>
<th>Interview questions</th>
</tr>
</thead>
</table>
| **Opening questions and background questions**                                    | For how long have you worked within this organization?  
- Have you had any other positions within the organization?  
- Have you worked in other organizations with HR questions?  
What are your main responsibilities and assignments within the organization?  
Do you have a higher academic education?  
- If yes, within what field?  
What are HR professionals’ perspective of equality and equity work in South African organizations?  
How do you define equality?  
How do you define equity?  
What would you say is the main difference between equality and equity?  
Do equality and/or equity affect your organization, if yes how?  
Do equality and/or equity affect your daily work, if yes in what way?  
What obstacles do HR professionals experience regarding equality and equity and how do they tackle these obstacles?  
In what way do you work strategically within the area of equality and equity?  
In what way do you work operatively within the area of equality and equity in your daily work?  
What are the main difficulties when working with equality and equity?  
- How do you tackle these problems?  
How do HR professionals experience that the laws regarding equality and equity affect their work?  
In what way do the laws regulating equality and equity affect your work?  
Do you think that laws are significant?  
- Is there anything you would like to change or add with the current laws?  
- Do you think that the laws regulate too much?  
What are HR professionals’ main concerns when it comes to equality and equity?  
In your organization, are there any areas that you believe should be dealt with in a different way when it comes to equality and equity?  
In general, what main concerns do you see when it comes to equality and equity in South African organizations?  
**Ending question**  
Is there anything you would like to add to this interview? |
Letter of ethical considerations

You have received this letter because you have shoved interest in participate in our Bachelor thesis study at the University of Umeå in northern Sweden. The aim of our thesis is to study the field of equality and equity in South African organizations. More specifically we seek to understand the field from a South African HR-professional view. We will be interviewing HR-managers and HR-practitioners in various organizations.

In our study we are interested in your view and your perspective as an HR-professional. If there is any question that you find uncomfortable to answer, just let us know.

The result of the interviews will be analyzed and used as an anonymous source in our Bachelor thesis. When participating in our study you will be anonyms. We will not use your name or your organization’s name. We will mention the work sector and size of the organization but use fictive names. To help us in our study we would like to record this interview. This is solely to help us analyze our data-collection. The recordings will be deleted as soon as the thesis is finished and no one except us will have access to the recordings.

Thank you for participating in our study!

If you have any further questions’s or want to contact us for any other reasons you are more than welcome to email us.

Kind regards,

Erik Gardeström

Lisa Andersson
To whom it may concern

This is to certify that Lisa Andersson, born on May 8, 1988 and Erik Gardeström born on September 6, 1987 have been granted a Minor Field Study (MFS) scholarship supporting a visit to South Africa and the University of Fort Hare. The MFS-program is a Swedish International Development Cooperation (Sida)-funded scholarship program for field studies in low and middle income countries. It targets university students who have international interests and who wish to gather material for undergraduate or postgraduate course work. The program thus enables students to deepen their understanding of local as well as global issues.

The Department of Education, Umeå University, Sweden and the Faculty of Education, University of Fort Hare, South Africa already have an on-going cooperation through the Linnaeus Palme program, which enables teachers and student exchange between the two universities. We are very happy to extend this cooperation to also include the MFS program. As MFS-coordinator I therefore thank you for your support in welcoming Lisa and Erik to South Africa.

Kind regards

Ann-Louise Silfver