Cape Peninsula
University of Technology

A CRITICAL ANALYSIS OF THE ROLE AND STATUS OF WOMEN EMPLOYEES IN THE WESTERN CAPE PROVINCIAL ADMINISTRATION SINCE 1994 WITH SPECIFIC REFERENCE TO THE DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING

By

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DECLARATION

I Mandlenkosi Clifford Sitonga declare that the contents of this Mini-dissertation represent my own unaided work, and that the thesis has not previously been submitted for academic examination towards any qualification. Furthermore, it represents my own opinions and not necessarily those of the Cape Peninsula University of Technology.

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       Signed   Date

ACKNOWLEDGEMENTS

ABSTRACT

One of the post 1994 Government foremost tasks has been to transform the Public Service into an efficient and effective instrument capable of delivering equitable service to all citizens and driving the country's economic and social development.

Towards this end a number of legislative and policy changes were made which saw the emergence of a new public administration paradigm, both in terms of how Public service are to be managed and how they are to be delivered to the public.

This was particularly relevant to the equality status of women on all levels of the public service in South Africa and the Western in particular.

Transformation in the Western Cape Administration and in the two departments in particular will not advance enough to benefit the majority of the Populace adequately, unless individuals from the designated groups are largely employed in positions with authority and with real decision-making powers. Males will continue to dominate in the middle to upper levels as long as the leadership is caught up with the vicious cycle of continuing to employ people with mainly the same race and gender profile in the two departments in the Provincial government of the Western Cape.

Therefore, it is critical for the Western Cape government to align their employment equity interventions, including skills and succession planning, with its employment equity objectives. Commitment by the leadership of the Western Cape Province to effectively implement the Act in substance and spirit is likely to assist transformation by creating workplaces that are equitable in nature and free from discrimination.

This Mini- dissertation provides insight into the historical and current situations of women in the Western Cape and the departments of local government and human settlement in particular and ventures to make a number of recommendations to improve the status of women in the administration of the Western Cape government.

DEDICATION

To the many people with whom I have had the privilege to share my leadership over the years and to all those wanting to become an advocate and a defender of the rights of women.

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CHAPTER 1: BACKGROUND TO THE STUDY

1.1   Introduction

Nineteen years of democratic governance in South Africa has seen the integration of human rights values into the government's development agenda. After recognising the need to prioritise the development needs of vulnerable people; rights for women and enabling factors that promote their realisation are being scrutinised not only in this country but throughout the African continent as well. The democratic government has, since 1994, established the necessary institutional and legislative support for the achievement of gender equality, and for the eradication of discrimination against women.

The subjective experience of most women is testimony to the fact that legislation on its own is no safeguard against discrimination. Bam (2004:5) observes that "statutes alone cannot and do not necessarily change the quality of life of many women; they do, however, provide the legislative environment in which the values of equity and dignity can take hold and grow. In addition, the progressive laws that have been put in place provide the framework for the kind of implementation that is geared to giving substantive effect to the rights envisaged in our constitution".

It is in the implementation of this country's laws that the primary challenge lies. South Africa should increasingly narrow the gap between ambitious legislative measures that have been enacted and practical delivery on the ground. Based on the above analysis, enabling legislation is a precondition, and not a panacea for a holistic development programme in which rights can be realised through effective delivery.

The impact of good-rights based legislation is also dependent on the degree to which the underlying values of those laws have been internalised by officials who implement them, and by intended beneficiaries of the new legal order, namely South African women.

This chapter provides background information; the thesis statement; a statement of the research problem, objectives of the study; significance of the study and a chapter summary.

1.2   Mini-dissertation Statement

This dissertation statement is: "A critical analysis of the role and status of women employees in the Western Cape Provincial Administration since 1994, with specific reference to the Department of Local Government and Housing".

Despite the increasing popularity of the concept and practice of democracy, engendered democratic governance is yet to be achieved. A reason is that democracy still falls almost exclusively within the domain of politics. Inequality between men and women is evident in government institutions with the balance heavily tilted towards greater participation by men than women in key decision making positions (Shepherd: 1998:180).

According to Kabeberi (2004:96),"sites of governance are situated in the family; community and national level being where people interact, and there is interplay of gendered power relations. Furthermore, family and community power sited exist interdependently with local, national and international levels of government, and the state of gender relations between these two spheres of family and government must be recognised".The above sites of struggle for women emancipation must all play their part for engendered democracy to be achieved.

1.3   Problem Statement

This research aims to highlight the plight of women of all race groups who are subjected to traditionalist, conservative and primitive restraints, which are imposed on them by male-dominated structures and practices within the Western Cape Department of Local Government and Housing.

To deal effectively with the situation where women are marginalised by poverty, ignorance and a long history of racial and gender – based discrimination, some of the root causes should be addressed. South Africa is a society, which has for generations stood under the burden of patriarchy and male dominance. Within a South African context, gender-focused education

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should break down the prevalent stereotypes that reinforce dominating behaviour patterns, while it should also elicit changed behaviour, especially amongst men.

According to Ngema (1992:7),"prior to 1994, parallel and equivalent to racial exclusivity, 91.50% were White males and 4.45% White females were making up a total of 95.5% of the racial and gender breakdown of senior positions in public service. A minority of 3.76% of this number were Black males and 0, 32% Black females. In the top echelons "whiteness" went hand-in-hand with maleness which meant that 91% at this level were White males".

Since 1994 South Africa has undergone significant Constitutional changes. Chapter 2 of the constitution of the Republic of South Africa which was adopted in 1996 prohibits direct or indirect discrimination in any public service institution such as the Department of Local Government and housing (South Africa, 1996:7).

1.4   Objectives of the study

The objective of this research is to examine the role and status of women employees in the Western Cape Provincial Administration, since 1994, with specific reference to the Department of Local Government and Housing. The main issues that have been researched include the programmes, policies, interventions and strategies that have been established to achieve access to equal employment and representativeness.

In the performance of its duties the Department of Local Government and Housing is expected, by law, to carry out a range of support and related activities, one of which is the introduction of gender – sensitive indicators, which serve as a tool to mainstream gender (Jordan, 2003:21).

According to Kettel (2001:90), "gender –sensitive indicators demonstrate changes in gender relations (i.e. relations between women and men) in a given society over a period of time. They are used to assess progress in achieving gender equality by measuring changes in the status of women and men over a period of time". In its conclusion the study recommends how the role and status of women within the Department of Local Government and Housing should be addressed.

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1.5   Significance of the study

This study contributes towards the enhancement of women being represented and advanced in the Western Cape Department of Local Government and Housing.

The Department of Local Government and Housing has an oversight role over municipalities, which are close to service delivery, hence the Department is better placed to address the needs of local communities. The reality is that unless a balance from a pure service provision approach (addressing practical needs for water, electricity, sanitation, health services and so on) and a gender –responsive approach is applied to service provision, developmental plans will not necessarily have a positive transformative and redistributive impact on women.

1.6   Summary

The needs of communities are addressed through a variety of approaches and mechanisms by the different spheres and government departments. Service provision in any sphere is about meeting basic and strategic needs of individuals, groups and communities.

It is imperative to understand who makes decisions (men and / or women). Do these decisions make a difference to gender power relations and who benefits from services that are offered by the state and institutions in civil society? It is within this department that close and trusting relationships should be built between municipalities, individuals, interest groups and entire communities.

The next chapter provides a literature review, and includes introduction, definition of gender, a historical background to the status of women, their social status, economic status and a summary of the chapter.

CHAPTER 2: A THEORETICAL FRAMEWORK OF THE OPPRESSION AND EXPLOITATION OF WOMEN IN SOUTH AFRICA

2.1   Introduction

The dawn of democracy in 1994 saw South African women emerge from centuries of gender bondage to reclaim their rights as free citizens of this land. Chapter 2 of the Constitution deals with human rights and guarantees women equal rights, including protection from violence and abuse. To provide the organisational form to this Constitutional intent, the gender and human rights commissions were created to ensure that women's rights would receive the necessary attention. Over the past ten years, the government in partnership with several civil society organisations have engaged the public by using the 16 days of Activism for Violence Against Woman Campaign, which deals with challenges that women still face in our country (South Africa; 1996:7).

The National Progressive Women's Movement has observed that through different stages where patriarchy has triumphed, there has been close parallels between gender, class and racial oppression. The continued oppression of women can also be worsened by other women who oppress women to climb the social ladder. They use gender sensitive legislation to gain material benefits, which have no direct bearing on the course of women emancipation. South African women need more than quantitative quotes; they need leaders, both men and women, who prove their commitment to gender equality both in their utterances and their actions. In other words, when women have been elected to positions of responsibility; they should use those positions to empower, change and advance the struggle of women emancipation, and not be satisfied with material gain that accrue to them by virtue of the positions that they hold (New agenda 1st quarter 2010:17).

2.2   Definition of gender

The Western Cape Department of Housing's document on Gender Mainstreaming defines gender as the economic; social and cultural attributes and opportunities associated with being male and female. The Western Cape Department of Housing's gender strategy cites a set of qualities and behavioural patterns, which is required by society of a female or a male. A gender perspective distinguishes between what is biologically given and culturally constructed. Men and women are raised in specific ways by their societies to adopt particular male and female identities that are different from each other. Class, race, religious beliefs, sexual orientation and family roles, among others, influence these identities. The term "gender" is used to describe these social cultural and historical differences. Gender not only differs from culture to culture but also varies over time. All cultures and societies have certain traditions, which vary over time. Gender relationships are generally structured hierarchically, where women are subordinate to men, and have less power, opportunity and access to resources (Western Cape (South Africa) Department of Housing; 2008:7).

2.3   Historical and political background of gender inequality in South Africa

The first chairperson of the National Gender Commission and the current South African ambassador to Cuba, Thenjiwe Mthintso, states that "gender equality would not simply be a by-product of democracy. A deliberate struggle was going to be needed to ensure that gender transformation became an integral part of democratic transformation. We needed to have better monitored and supported the struggles to mainstream gender in the organs of the state and in its policies, in the wider society, and in our own organisations challenging patriarchal ideology and practices there" (Mthintso, 2005:22).

She also states that the Freedom Charter, progressive as it is, never really said much about the struggle for women emancipation and struggles for gender equality. A reason for this is largely because of the patriarchal nature of South African society, which organisations inherited, and not owing to an absence of women's struggles in the liberation struggle, as a whole. This reality led to a later development of comprehensive gender perspectives within liberation movements,

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namely accepting women rights as human rights and of women taking an active role in the development of the country, as well as their own development.

A proper history of women's struggles in Africa's liberation struggle has to be correctly written and recorded. Women's struggles are as old as the national liberation struggle itself, since 1910. But it is a struggle that, for a long time tended to take a back seat in key strategic considerations of the liberation movement. For instance, women were only admitted as full members of the ANC in 1943, some 31 years after the formation of the ANC (African communist 1st Quarter 2007:55).

According to Bernstein (2005:20), women became actively involved in 1913 in a campaign against the carrying of passes in Bloemfontein, though Frene Ginwala (the first speaker of a democratically- elected parliament) points to earlier forms of women's organisation prior to the establishment of the Union of South Africa in 1910. During the same year Charlotte Maxeke led the formation of the earliest political organisation of African women, namely the Bantu Women's League, which is regarded as the forerunner to the ANC Women's League. These women's struggles deepened in the Free State and led to co-operation amongst Coloured and African women, and led to the formation of the Native and Coloured Women's Association in 1913 (Mthintso; 2005:35).

The discussion document of the South African Communist Party on the class, National and Gender Struggle in South Africa further provides evidence that, with the huge influx into Black townships in the 1940's also saw the intensification of struggles which led to a revival of the ANC women's section in 1941. This laid a basis for the admission of women as full members into the ANC in 1943. It was in the 1940's that women like Dora Tamane from Cape Town were involved in building co-operatives, the squatter movements and crèches to take care of the children of working women. Other heroic struggles include those against beer halls, while most intense was in Carto Manor in Durban (Nzimande; 2007:18). The launch of the ANC Defiance Campaign in 1952 also gave further impetus to women's struggle, which culminated in the historic 9 August 1956 women's march to Pretoria (Nzimande; 2007:21).

A discussion paper, which was presented to the South African Communist Party Policy Dialogue by Dr Blade Nzimande, on the 22nd of February 2007, pronounced that throughout these struggles the gender perspective was less articulated, and that these struggles were largely seen in terms of supporting working men and husbands. The 1980's began to advance clear gender sensitive content to women's struggles, which were primarily led by the democratic movement inside the country, and culminated in the important Malibongwe Women's Conference in Paris, which consolidated gender perspectives that would inform much of post-1994 gender struggles, policies and legislation by the democratic government (Nzimande: 2007:23).

2.3.1 Patriarchy and slavery in the Cape

It is important that we trace the exploitation and oppression of women from the time of colonisation and apartheid and link that with what is happening today. The role played by religion as well as culture and traditions to exacerbate the oppression of women need to be highlighted. Through the second half of the 17th to the early 19th century, the Coloured community experienced a variant of patriarchy, which was embedded in a slave mode of production. This is an important factor, which explains many contemporary realities. In this case slavery destroyed the original kinship household family structures of those who were enslaved and came from a diversity of backgrounds, namely Bengal, South India, Indonesia, Sri Lanka, Madagascar and the East and West African Coasts, others were of Khoisan origin (African communist. 1st Quarter 2007:57).

In the Cape's slavery system, the primary production unit was typically the household farm, which was based on patriarchal power. The household included both slave-owners, the "free "spouse and immediate family and the slaves. The patriarch was the family head, with his wife, his "legitimate" children, and the slaves who were under his patriarchal coercive command in differing degrees. All relied on his patriarchal patronage (Umrabulo 3rd quarter, 2009:44).

The discussion paper presented to the South African Communist Party policy dialog continued to state that slaves in the Cape struggled against their enslavement, and that there were numerous slave revolts and individual acts of defiance and resistance. Slaves also struggled against the obliteration of their cultures. Partly this took the form of the preservation of cultures from distant

places of origin, notably in the remarkable unbroken preservation of Islam in the Cape (Umrabulo 3rd quarter, 2009:49).

Slaves were emancipated in the early 19th century, but a century and a half of patriarchal-based slavery in the Cape left a powerful imprint on the present. Emancipation meant that former slave women were often considerably more independent of household patriarchal domination in their communities and homes (at a much earlier stage) than a majority of their African counter-parts. Coloured women were also drawn into waged labour earlier. However, this relative independence from patriarchy should not be exaggerated, since Christian and Muslim schools and belief systems often propagated their own patriarchal values within Coloured communities. Coloured labourers (men, women and children) on farms in the Western and Northern Cape still frequently find themselves controlled by class and White patriarchal domination (Cronin: 2007:57).

The central committee discussion paper reveals that there has been a different experience of patriarchy in the Western Cape. Together, these (and other historical) realities have helped to shape particular trajectories, both positive and negative. Amongst other things, the relatively weaker traditional household patriarchal power in Coloured households meant that with the destruction of communities through the Group Areas Act, removals in the late 1950s and 60's, and with relatively high levels of female waged employment, other male based power relations (notably gangs) emerged within poor Coloured communities, which were earlier and with a greater intensity than perhaps seen in African and Indian communities also affected by forced removals. However, the pressures and growing dysfunctionality of poor households in all poor communities are now seeing similar developments and on a similar scale (Bunting: 2007:58-59).

2.4   Economic status of women

The following are statistics of women advancement within corporate South Africa, as well as government endeavours, which compare progress that has been made by both government and business in the country thus far.

2.4.1 Key business findings: comparing private with public Sector

The 2006 Census measured 343 South African companies, and of these, 326 were JSE- listed companies, while the remaining 17 were state-owned enterprises (SOE's). The following information was registered.

Results of the 2006 South African Women in Corporate Leadership Census reveal that while the number of women in top leadership positions has grown, there are signs that momentum is slowing down on some fronts (Census:2006:11).

2.4.2 Greatest area of improvement

According to the Census Report (2006:18), the greatest area of improvement for women was at directorship level. While the first study showed that only 7.1% of all directors were women, the latest census places this figure at 11.5%. Although the number of women executive managers has increased, indications are that in relative terms, women are losing ground in this category. The latest result shows that, based on information submitted by responded companies, 16.8% of executive management positions are held by women, compared to 19.8% for the previous year. The decline is significant, given the substantial increase in the overall number of executive management positions.

The 2006 Census Report observes that while there were increased opportunities to appoint female candidates, these were not well utilised, which led to the conclusion that unless criteria and selection processes are monitored, it will be difficult to sustain improvement. Although women continue to be under- represented in top corporate leadership positions, it would seem that it is easier for women to become chairpersons of boards than it is for them to become CEO's. Of the 343 companies that were measured, only seven had women at the helm in 2005, while 15 had women who chaired their boards (Census: 2006:11).

2.4.3 Business Women's Association Census 2010

The Census tracks transformation in the workplace by focusing on the number of women who occupy leadership roles in the South African business world. The Business Women's Association Census that was released in the first week of April 2010 shows that one in five executive management positions are held by a woman. Males dominated directorships by occupying84% of the positions surveyed. These figures show that there is still a long way to go before a representative 50/50 in the workplace is achieved. Business Women's Association President, Basetsana Kumalo states: "Although there is an on-going trend of increasing numbers of women in leadership positions, the pace is slow and women are frustrated (Top women in Business and Government Publication, 2010:31).

The census produced the following national statistics regarding women who occupy top positions in business.

Table 2. 1: Percentage of women who occupy top positions in business

Position	2010	2009	2008
Chief executive and managing director	4,5%	3,6%	3,9%
Chairperson	6%	5.8%	3.9%
Director	16.6%	14.6%	14,3%
Executive manager	19.3%	18.6%	25.3%

Business Women's Association Census: 2008

The percentage of women who occupy chief executive and managing director position has increased from 2008 to 2010 from 3,9% to 4,5% respectively.

The percentage of women in middle management who occupy executive managers position has decreased from 2008 to 2010 from 25,3% to 19,3%, this is a disturbing trend that need to be improved

2.4.4 Key government findings

According to the Public Service Commission Report (2006: 11-13), women's success to executive power and decision making position has improved since the 1994 elections. There is a strong representation of woman in national and provincial government departments, but the challenge to institutions in public service is to change their culture in order to be more responsive to the needs of women civil servants. At present, the focus on employment equity targets as the only indicator for gender mainstreaming, presents service limitations to gender empowerment and gender equity. The challenge is to shape the broad information agenda in a way, which acknowledges the centrality of transforming gender relations as part of the broader institutional change process. This requires a fundamental review of what has come to be accepted as "business as usual" (Public Service Commission; 2006:11).

2.4.5 Gender representivity profile in Government

The Public Service Commission Report continues to observe that the proportion of women in senior positions (director level and above) in the public service has increased significantly since 1994, and has exceeded the target of 30%, which was set for the management echelon to achieve by April 2005. A number of national and provincial departments have made considerable progress in gender representivity at senior management level, while others have made little or no progress.

A total of 30% is used as a benchmark for departments as an indicator for the success of gender mainstreaming; hence when departments reach the 30% target, they could assume that they do not need to do more. Target setting could, therefore, create a barrier for the continued advancement of women, especially as gender mainstreaming in the South African public service is still seen as merely meeting numerical targets (Public Service Commission; 2006:12).

2.4.6 Provincial overview of woman in senior positions (levels 13-16)

The Employment Equity Act of 1998 outlines measures that are necessary to make Affirmative Action a success and to achieve gender equality. The target that was set by cabinet was that 30%

of senior managers that are appointed should be women (that is from salary level 13 to 16) by April 2005.These levels were seen to be senior enough to enable women to be part of the decision making processes in the public service. (Public Service Commission; 2006:23).

Table 2. 2: Provincial Analysis as at 30 June 2006

North West	33.4
Limpopo	32.5
Gauteng	30.6
Mpumalanga	30.6
Eastern Cape	27.7
Free State	27.8
Kwazulu Natal	30.4
Northen Cape	24.6
Western Cape	23.0

(Public Service Commission; 2006:23).

The average percentage of women in senior positions in provincial departments is 29.8%, which is only 0, 2% below the target that was set. It is clear from the above that the Western Cape has the lowest percentage of female managers (23%). Across all provinces there is a 10.4% difference between the province with the highest number of women in senior positions (North West at 33.4%), and the province with the lowest number of women in senior positions (Western Cape at 23%) (Public Service Commission, 2006:23).

2.5   Social status

The Reconstruction and Development Programme included the right to basic needs. Chapter 2 of the Constitution includes the right to a healthy environment, nutrition, water, housing, health and education; however, women have faced obstacles in exercising these rights. The most critical but often the least recognised social-economic and cultural effects are within households and families in informal township settlements and slums in both the rural and urban areas.

A United Nations document on gender equality presented in Beijing draws attention to the need for a better understanding of gender roles and relations. It cites a United Nations report regarding the role of men and boys in achieving equality states that "gender based violence is influenced by the socialisation of boys and men. Many men come to believe that violence against women is part of masculinity and that subordinating and undervaluing woman is a mark of manhood". Many elements of masculinity such as promiscuity, risk- taking, and the desire for superiority over women, transcend race, culture and class. It suggests that involving fathers in their children's development may inhibit the development of anti- social behaviour and may promote positive values and civil engagement among men (ANC Today Vol 4 No.47).

The Executive Director of Gender Links, Colleen Lowe Morna, ascertains that the focus on production tended to obscure the central economic and social role played by "non- economic" activity in the reproduction of society – the rearing of children, caring for the sick and elderly, and household management including basic chores such as cleaning, cooking and shopping, for instance. Much of this work is borne by women and the failure to adequately account for it has led to a historical blindness around gender oppression (Msimang: 2007:28).

According to then Minister of Foreign Affairs, Dr Nkosazana Zuma, "It was not surprising that the first recipient of a Nobel Peace Prize for environmental activities, Kenyan professor, Wangari Maathai, was a woman. Women are conscious of and sensitive to things that might undermine the survival of the human race, whether it is the environment or a threat to peace, food use insecurity, health or education. Given the central role that women play in the survival of humanity, one would have thought that our societies and humanity, as a whole, would have given the first call to the resources of this world to women and children" (Zuma; 2007:5-6). It is in the way that we rear our children and the values that we imbue in them, that this problem will be countered. Words such as "dignity" and "respect" are mere verbiage until they become evident in the behaviour that we demonstrate in our daily interactions with one another at home, in the workplace and in our communities.

In the opinion of Justice Athalia Molokomme, a Botswana high court judge and former head of the SADC gender unit, "the stakes for women are high. Women want a world in which

inequality based on gender, class, caste and ethnicity is absent, from every country and from the relationships among countries. Women want a world where fulfilment of basic needs becomes a basic right and where poverty and all forms of violence are eliminated, where women's unpaid work of nurturing, caring and weaving the fabric of community will be valued and shared equally by men, where each person will have the opportunity to develop her or his full potential and creativity. Where progress for all women is recognised as progress for all. Creating this world is truly the challenge of the 21st century" (Global Gender Report; 2011:32).

The following statistics and information were submitted as part of the annual report of the Department of Local Government and Housing in terms of the Public Financial Management Act, 1999. The Annual Report is required in terms of Chapter 1, Part 11.3 of the Public service regulation, 2001 and has been prescribed by the Minister of Public Service and Administration for all departments within public services. The following statistical tables provide high levels of information and aims to empower legislature, the media and the public as well as other key stakeholders to monitor whether departments:

- Are exercising the powers granted under public service and public finance legislation in a responsible manner; and
- Are achieving national transformation priorities established by the cabinet, for example, Affirmation Action.

The macro structure of the Department of Local Government and Housing consists of seven-hundred and ninety-four (794) approved permanent posts, as at 31 March 2009.

2.5.1 Employment Equity

Total number of employees (including employees with disabilities) in each of the following occupational categories as at 31 March 2009

Table 2. 3: Employment Equity

Occupational Bands	Designated								Non-designated		Total
	Male				Female				Foreign Nationals		
	African	Col oured	Indian	White	African	Coloured	Indian	White	Male	Female	
Senior officials and managers	2	6	1	6	2	4	-	2	-	-	23
Professionals	58	96	2	23	67	90	2	18	6	4	366
Technicians	5	28	-	6	2	1	-	-	-	-	42
Machinist	32	49	2	8	55	97	2	23	-	-	268
Assemblers	3	-	-	-	-	-	-	-	-	-	3
Elementary and occupations	-	7	-	1	1	1	-	1	-	-	10
TOTAL PERMANENT	100	186	5	44	126	193	4	44	6	4	712
*Non-permanent employees	3	1	-	-	1	3	-	1	-	-	9
GRAND TOTAL	103	187	5	44	127	196	4	45	6	4	721

*Non-permanent workers refer to those workers who are employed to work for less than 24 hours per month, or those workers engaged to work for not more than 3 continuous months (Annual Report, 2008/2009:133).

In the occupational categories of legislature, senior officials and managers, there were only 8 females in the total number of 23 employees and there is not single Indian woman.

In the occupational categories of professionals, the total number of employees is 366; the number of women employees is 177 of the total number, with a difference of 12 in favour of male employees. In the category of Technicians and associate professionals, there is a total of 42 employees with only 3 females and no Indian and white female. There is a need for improvement in this category in favour of females.

Table 2. 4: Summary (of all the races)

Total African:	230	(31.90%)	Total males:	345	(47.90%)
Number of African males	103	(44.80%)	Total females:	376	(52.10%)
Number of African females	127	(55.20%)	Total disabled:	15	(02.08%)
Total Coloured:	393	(54.50%)			
Number of Coloured males (including foreign nationals)	193	(49.10%)			
Number of Coloured females (including foreign nationals)	200	(50.90%)			
Total Indians:	9	(12.40%)	Target		
Number of Indian males	5	(55.60%)	African:		29.7%
Number of Indian females	4	(44.60%)	Coloured:		51.2%
Total Whites: 89 (12.40%)			Indian:		0.9%
			White:		18.2%
Number of White males 44 (49.40%)			Males:		53.9%
Number of white 45 (50.60%) females			Females:		46.1%
			Disabled:		2%

(Annual Report, 2008/2009:134)

The above table shows that in the African category, there is a total of 230 employees, there is 127 African females compared to 103 male African employees.

In the Indian category, there is a total of 9 employees with 5 employees being Indian males and 4 Indian females. The difference is only one person in favour of male employees.

In the category of white employees, there is a total number of 89 employees, with 44 being white males and 45 white females.

The above information shows that it is in the African category where there is a need for improvement in favour of female employees.

Total number of employees (including employees with disabilities) in each of the following occupational bands as at 31 March 2009

Table 2. 5: Various occupational bands.

Occupational Bands	Designated								Non-designated		Total
	Male				Female				Foreign Nationals		
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Salary level 14-16	1	2	1	-	-	2	-	1	-	-	7
Salary level 13	1	4	-	6	2	2	-	1	-	-	16
Salary levels 11-12	7	15	-	10	2	7	-	10	6	4	61
Salary levels 8-10	21	58	2	15	20	39	2	12	-	-	169
Salary levels 4-7	68	101	2	12	102	142	2	19	-	-	448
Salary levels 1-3	2	6	-	1	-	1	-	1	-	-	11
TOTAL PERMANENT	100	186	5	44	126	193	4	44	6	4	712
*Non-permanent employees	3	1	-	-	1	3	-	1	-	-	9
GRAND TOTAL	103	187	5	44	127	196	4	45	6	4	721

*Non-permanent workers refer to those workers who are employed to work for less than 24 hours per month, or those workers engaged to work for not more than 3 continuous months (Annual Report, 2008/2009:136).

The top management (salary level 14 – 16) occupational band has 4 males with no white male and 3 females with no African and Indian female.

The senior management (salary level 13) has a total of 16 employees, with only 5 females from that total there is no Indian female.

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The last occupational bend which is the unskilled and defined decision-making (salary levels 1-3), there is a total of 11 employees with only 2 women, one coloured and another white.

2.6   Global picture on gender equality

The analysis of advancement of women in the Western Cape Administration in the two identified departments in particular is done within the international regional and national context. The employment equity Act is applicable to both government and private sector. The two previous annual reports of the commission for employment equity for 2011-2012 and 2012 – 2013 have been very critical of both the public and private sector in the Western- Cape.

It has become imperative in this mini-dissertation to include the global gap index rankings report of the world economic forum analysis of the report which juxtapose our country with other countries as well as the progress the private sector is making in our own country in particular in the Western Cape.

The world economic forum published its fifth Global Gender Gap Report in 2010, and for the first time since the existence of the index, Lesotho made it into the top ten in the world in terms of gender parity. Four southern African countries were listed as follows: Lesotho (ranked 8th); South Africa (12th); Mozambique (22nd); Namibia (25th); and then Botswana was the next ranked country from the region in 62nd place. The Global Gender Gap Report is an annual index, which is published by the World Economic Forum, which measures the gender gap in countries based on four dimensions, namely economic participation and opportunities, health and survival, educational attainment and political empowerment (Umrabulo, Number 35;2011:20).

Table 2. 6: The Global Gender Gap Index

Economic participation and opportunity	Educational attainment
	1. Literacy rate 2. Enrolment in primary education 3. Enrolment in secondary education 4. Enrolment in tertiary education
Political empowerment	**Health and Survival**
• Women in parliament • Women in ministerial positions • Years with females as head of state (last 50)	• Sex ratio at birth (female/male) • Healthy life expectancy

(Global Gender Gap Report, 2010:8).

Motivating for such an index, the preface to the 2006 report argued that the gap between men and women not only undermines the life of one half of the world's population, but also poses a significant risk to the long term growth and well-being of nations, Countries that do not capitalize on the full potential of one half of their human resources, may compromise their potential. In its 2002 Global competitiveness Report, the World Economic Forum included qualitative aspects of women's participation in the workforce, and in later reports included aspects of gender equality in its competitive measure (Umrabulo, Number 35, 2011:20).

The Global Gender Index is presented as "a framework for capturing the magnitude and scope of gender based disparities and franking their progress." The index methodology is, therefore, based on three aspects. Firstly, it measures gender based gaps in access to resources and opportunities in those countries, is, therefore, said to be independent from countries' levels of development. Secondly, the index measures outcomes rather than inputs, for example, the index regards the gap between the number of men and women in high-skilled jobs as an outcome variable, whereas the length of maternity leave is regarded as an input variable. Finally, the flow is on gender equity rather than on women empowerment, and the index, therefore, rewards countries where there are

no gaps between men and women and rather penalize and nor award variables where women outperform men (Umrabulo,,Number,2011:2).

2.6.1   The 2010 Global Gender Gap Index- some progress and challenges.

The 2010 Global Gender Gap Index covers 134 countries, which together represent over 90% of the world's population, while the 2010 report further divides the 134 countries into different income groups. According to the, 2010 report, the Nordic countries led the way in the high income groups, South Africa and Cuba ranked the highest in the upper–middle income groups, Lesotho and the Philippines came out top in the lower middle–income groups, and Mozambique and Angola were the strongest performers in the lower income-groups (Umrabulo, Number 35, 2011:21).

Table 2.7: The Global Gap Index 2010 rankings top 30: comparisons between 2010, 2009, 2008, and 2007 and 2006

Country	2010 rank	2009 rank	2008 rank	2007 rank	2006 rank
Iceland	1	1	4	4	4
Norway	2	3	1	2	2
Finland	3	2	2	3	3
Sweden	4	4	3	1	1
New Zealand	5	5	5	5	7
Ireland	6	8	8	9	10
Denmark	7	7	7	8	8
Lesotho*	8	10	16	26	43
Philippines	9	9	6	6	6
Switzerland	10	13	14	40	26
Spain	11	17	17	10	11
South Africa*	12	6	22	20	18
Germany	13	12	11	7	5
Belgium	14	33	28	19	20
United Kingdom	15	15	13	11	9
Sri Lanka	16	16	12	15	13
Netherlands	17	11	9	12	12
Latvia	18	14	10	13	19
United States	19	31	27	31	23
Canada	20	25	31	18	14
Trinidad and Tobago	21	19	19	46	45
Mozambique*	22	26	18	43	n/a
Australia	23	20	21	17	15
Cuba	24	29	25	22	n/a
Namibia	25	32	30	29	38
Luxembourg	26	63	66	58	56
Mongolia	27	22	40	62	42
Costa Rica	28	27	32	28	30
Argentina	29	24	24	33	41
Nicaragua	30	49	71	90	62
Botswana*	62	39	63	53	34

*The top five ranked southern African countries (Global Gender Report, 2010:8).

2.6.2   The 2010 rankings by sub-index shows the following overall trends

- 96% of the health outcomes between women and men have been closed;

- Almost 93% of the gap on educational attainment has been closed; and

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- However, the gap between women and men on economic participation and political empowerment remains wide, as only 59% of the economic outcome gap and only 18% of the political outcomes gap has been closed (Umrabulo, Number 35, and 2011:22).

2.6.3   Gender parity and economic participation and opportunity

Of the five ranked southern Africa countries (Table 2.7 above), Lesotho is ranked number 1in terms of economic participation and opportunity. On the four measures falling within this sub-index this small country achieved wage equality for similar work between men and women in 2010, with the labour force participation rate for women at 72%, and 79% for men, while women outnumber men in high skilled senior positions in both the legislators managers and senior officials category, as well as in the professional and technical workers' category. Mozambique ranked fifth in the economic participation and opportunity sub-index, and also did well in terms of equal pay for equal work and labour force participation. South Africa, amongst the five southern African countries, fared the worst in this sub-index, particularly in the gender gap with regard to the labour force participation of women, equal pay for equal work and the number of women among, legislators, managers and senior officials. It is only in the professional and technical category that South African women outnumber their men folk (Umrabulo, Number 35, 2011:22-23).

2.6.4   Education and health rankings

Botswana and Lesotho shared the number 1 spot in terms of gender equality in educational attainment with twenty other countries (Tables 7.2 above). Botswana achieved gender equality in 2010 with regard to literacy rates, while Botswana women have overtaken their men folk in terms of enrolment in primary, secondary and tertiary education. Lesotho women have overtaken men in all four measures in terms of on the educational attainment ranking. Mozambique fared the worst of the five countries in terms of educational attainment Lesotho also occupies the number one spot for its health rankings, along with thirty–six other countries based on sex ratio at birth, and health life expectancy, while none of the other four SADC countries made it into the top 100 in terms of health and survival (Umrabulo, Number 35, 2011:23).

2.6.5   Political empowerment: it helps to have a female head of state

Ranked 9th, South Africa made it into the top 10 in terms of political empowerment. On the score of   women in parliament within this sub-index, it is ranked second in the world and fourteenth in respect of the number of women ministers. However, the fact that South Africa has not had a female head of state in the last fifty years impacted on its overall rankings. South Africa is closely followed by Mozambique ranked in terms of women in parliament, and is ranked thirty–fourth for its number of women ministers. Its overall ranking on political empowerment was, however, accelerated owing to the fact that it had a female head of state for six of the last fifty years (under colonial rule). Botswana ranked a lowly 108 with regard to the number of women parliamentarians and ministers, as well as not having a female head of state in the last fifty years (Umrabulo, Number 35, 2011:24).

2.6.6   Measuring the Corporate Gender Gap
Table 2. 8: Barriers to women's promotion into positions of leadership in companies (Corporate Gender Gap, 2010:10).
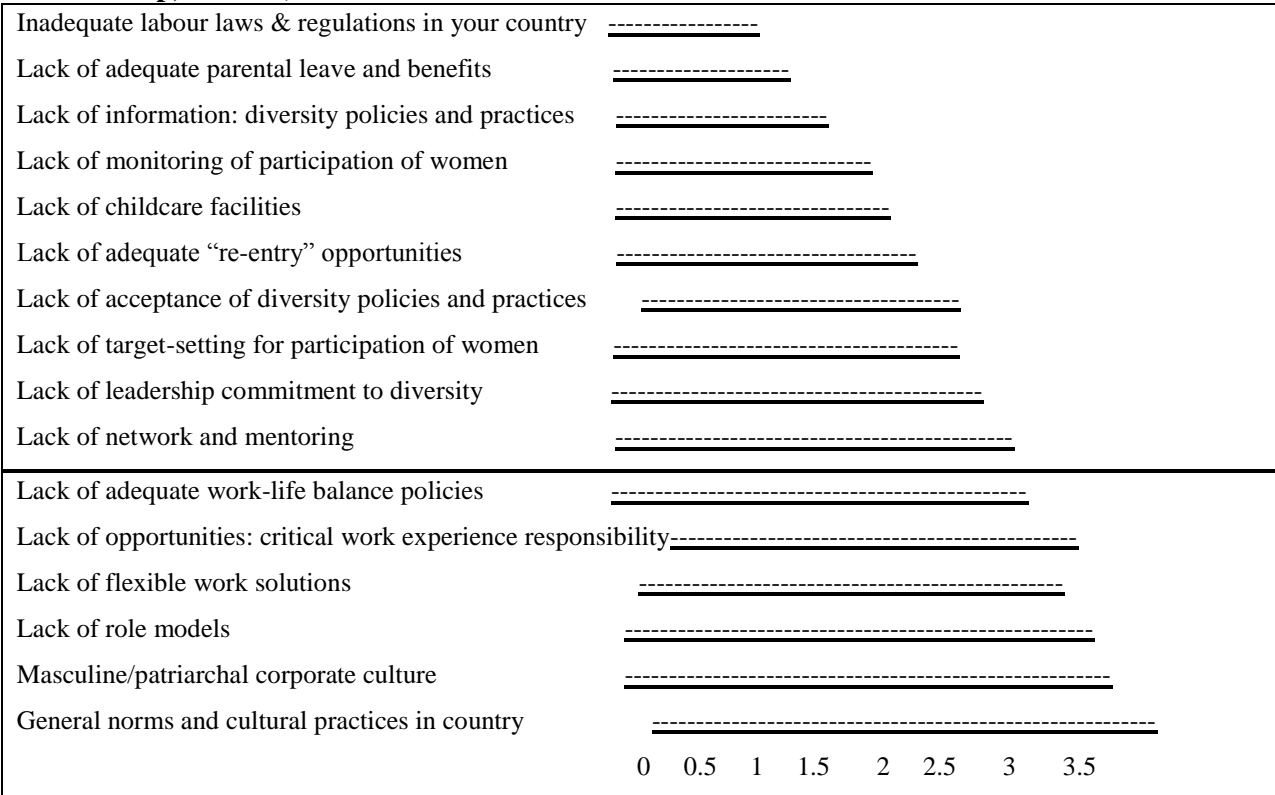
World Economic Forum (2010).Corporate Gender Gap 2010:10

The World Economic Forum published the Corporate Gender Gap for the first time in 2010. According to the World Economic Forum, this report aims to take a deeper look at the economic

participation and gender gap, as well as at what companies are doing and should do to close this gap. Although the report draws its information from a survey of companies that participated in this survey, the private sector only survey gives the trends but is not conclusive (Umrabulo, Number 35, 2011:25).

2.6.7   Representation of women in business

This question included a breakdown of men and women in different job categories regarding the number of women who serve on company boards; whether the CEO is a man or woman; and whether women hold senior position in critical areas of the business.

2.6.8   Measurement and target setting

This question focused on whether employers track equal pay for equal value for their employees; gender breakdown by salary levels and the existence or not of Affirmative Action policies to increase women's movement into senior positions within the company.

2.6.9   Work-life balance practices

This survey question included whether the company offers maternity leave and at what percentage pay, whether other forums of parental base are offered, and how often this is taken by men. Does the company allow long term career-break leave for parents; what percentage of this act is taken by men whether those who take career break leave for parental reasons return to work at the same or higher level; and whether the company has childcare facilities what these facilities entail.

2.6.9.1 Monitoring and training for leadership

Does the company offer access to networking and mentorship programmes, and what is the percentage of women in such programmes? Does the company offer financial and executive training, and any other   education opportunities?

2.6.10 Barriers to leadership

Companies were required to rate on a scale from 1 (least problematic) to 5 (most problematic) factors that they regard as barriers to women's rise to leadership positions within the company.

2.6.11 Effects of economic downtime

Finally, companies had to answer survey questions on whether downtime affected female employees' more than male employees in their company, as well as in their industry, overall. The first corporate Gender Gap in 2010 was conducted in thirty OECD member countries, and the survey was conducted amongst the 100 largest employers in each of these communities. Some of the findings of the survey are outlined below.

- The average number of women holding CEO positions in the countries and companies that were surveyed in 2010 was around 5% Finland (13%); had no female CEOs %); Norway 12%; Turkey 12%; Italy 11%; and Brazil 11% had the highest percentage of female CEO's; while Belgain, Canada, the Czech Republic, Greece, India, Mexico, the Netherlands, Switzerland, the United Kingdom and the United State had no female CEOs among the responding companies(Umrabulo, Number 35, 2011:25).

- Female employees are concentrated at entry, middle and senior level positions in their companies.

- There is generally low representation of women on company boards, with the exception of Norway, which had 40% of women membership of boards in 2010. Norway also introduced mandatory quotes for women.

- With regard to barriers to women rising to leadership positions in companies, respondents listed general norms and cultural practices in their countries in terms of a masculine or patriarchal corporate culture, and the lack of role models as the most problematic barriers to women's promotion into leadership roles.

2.7   Summary

Intersecting forms of social exclusion, which incorporate issues of race, class and asymmetrical relations of power and privilege, all need targeted attention. The issue goes beyond that of numbers. There should be a shift in values, cultural conceptions and cognitive understandings.

There is a need to close the gap between policy and practice. This involves compliance with policies, which also leads to fundamental transformation in gender relations.

The Global Gender Gap Report and the Corporate Gender Gap Report of 2010 both show that in the area of economic participation and opportunity, there is much that should be improved. We should look forward to the Corporate Gender Gap Report to cover as many countries as the first report so that we tackle the lack of gender transformation in the private sector.

While significant progress has been made, South African women continue to face serious inequality and disadvantages, which are further complicated by unequal gender relations in with the categories of race, class, disability, sexual orientation, religion and geographic location.

The next chapter examine; international, regional, national legislative instruments, as well as policy within the context of gender equality in the workplace.

CHAPTER 3: AN OVERVIEW OF THE REGULATORY FRAMEWORK GOVERNING EMANCIPATION, AS WELL AS GENDER EQUALITY IN SOUTH AFRICA AND ELSEWHERE IN THE WORLD

3.1   Introduction

A legal and regulatory framework is an essential tool towards the empowerment of women so that they can advance to senior positions and be part of decision making, because without such a framework there are no measures to guide or enforce gender equality(Gender Equality Report 2009:7).

In 1997 South Africa became a signatory to the South African Development Community's (SADC) heads of state declaration on gender and development, which had set a minimum target of 30% of women in political and decision- making positions by 2005.

In 2005 SADC heads of state revised this target to 50% of women in decision making positions in line with the African Union's (AU) parity stipulation. Accordingly, the cabinet through The White Paper on transformation took the decision to revise their employment equity targets as follows:

- The goal of 50% of women in management in the public service should be achieved by 2009; and

- The goal of two percent of people with disabilities should be achieved by 2010. All government departments are guided by, and operate within the legal framework provided by the range of Acts, agreements and policies (Public Service Commission Report, 2006:21).

3.2   International instruments

3.2.1   Convention on the Elimination of all Forms of Discrimination against Women

In December 1979 the General Assembly of the United Nations, with Resolution no 34/180 adopted the Convention on the Elimination of all Forms of Discrimination Against Women. This came into effect on the 3rd of September 1981 after twenty countries ratified the document. One hundred and sixty - six   states were party to this "Bill of Rights for women," and were thus

obliged under international law to realise equality between women and men in the civil, cultural, economic, political and social fields (Public Service Commission Report; 2006:13).

In January 1996 the South African government ratified the United Nations Convention on the Elimination of all Forms of Discrimination Against Women. It called on state parties to condemn discrimination against women and to take appropriate measures to eliminate it in all spheres of life.

Article 1 of the Convention on the Elimination of all Forms of Discrimination Against Women defines discrimination against women as "any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other sphere" (Public Service Commission Reports; 2006:13).

3.2.2   The Millennium declaration

The Millennium Declaration, which was signed in September 2000 at the United Nations Millennium Summit, commits member countries "to promote gender equality and the empowerment of women; as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable" (Fletcher, 2003:34).

A year after the adoption of the Millennium Declaration, former United Nations Secretary General, Kofi Annan, proposed a roadmap to implement the Millennium Summit Goals. The "road map" identified the Millennium Development Goals, along with a set of 18 time- bound targets and 48 indicators. The Millennium Development Goals mirror the Millennium Declaration's commitment to gender equality, and they are listed below.

3.2.3 Eight millennium development goals
1. Promotion of gender equality and empowerment of women;
2. Eradicate extreme poverty and hunger;
3. Achieve universal primary education;

4. Reduce child mortality;

5. Improve maternal health;

6. Combat HIV/AIDS , malaria and other diseases;

7. Ensure environmental sustainability; and

8. Develop a global partnership for development (Top women in Business and Government Publication, 2006:37).

3.2.4 Millennium Development Goals and Gender Equality

Goal 3 of the Millennium Development Goals challenges discrimination against women and seeks to ensure that girls, as well as boys have on opportunity to go to school. Although the target of this goal appears to be associated mainly with eliminating gender disparities in primary and secondary education, the "road map" includes three additional indicators of gender equality: literacy rates, the share of women working in non – agriculture jobs, and the proportion of seats that women hold in national parliament.

According to the World Bank Gender and Development Group Report, which deals with gender equality and the Millennium Development Goals (2003), a gender equality perspective would facilitate attaining the Millennium Development Goals. Gender equality is important not only as a goal in itself, but also as a path towards achieving the other goals. According to the same report, there is no region in the developing world where women are equal to men regarding legal, social and economic rights. There are widespread disparities in access to and control of resources in economic opportunities, as well as in power and political voice.

3.2.5 The Beijing Platform of Action

The Top Women in Business and Government Magazine, 2005/6 edition, elucidates that the World Bank Report of 2005 on the advancement of women observed that the Beijing Platform of Action, which was adopted in September 1995, focuses on 12 areas of concern regarding the status of women and gender equality. The Platform of Action directs government on steps that they should take to improve the quality of life and status of women. And of the twelve areas of concern, South Africa has prioritised the following areas:

5. Women and poverty;

6. Women and education;

7. Women and economic empowerment;

8. Women and decision – making ; and

9. Improving the conditions and situation of the girl- child.

The South African government's adoption of the Beijing Platform for Action indicates its acceptance of gender mainstreaming into all its institutions and programmes as a strategy to achieve gender equality. The Beijing Platform for Women is a comprehensive plan of action to enhance the social, economic and political empowerment of women, and it is premised on the need for the sharing of power and responsibility in the home, workplace and in broader society.

The Platform for Action gives guidelines on how to achieve gender mainstreaming, as well as the institutional arrangement for the achievement of gender mainstreaming. It also urges countries to take measures that will ensure women's equal access to and full participation in power structures and decision making, which will increase women's capacity to participate in decision making and leadership. It further calls for the integration of gender perspective in all policies and programmes, and links strategic objectives to actions that should be taken by government (Top Women in Business and Government Publication, 2006, 41).

3.3 Regional instruments

The Southern African Development Community (SADC) Declaration on Gender commits the Southern African Development Community member states to a number of steps that will ensure that gender equality is achieved in the region. The addendum on violence against women further commits the South African Development Community member states to the eradication of violence against women (Public Service Report, 2006, 14).

In September 1997 the heads of state of the Southern African Development Community (SADC), including South Africa, signed a declaration, committing their governments and countries, italics, to:

1. Embedding gender firmly into the agenda of the Southern African Development Community programme of action and community building initiative;

2. Ensuring the equal representation of women and men at all levels of the decision making structures of member states, as well as in Southern African Development Community structures;

3. Promoting women's full access to and control over productive resources;

4. Repealing and reforming all laws and changing social practices, which subject women to discrimination;

5. Enhancing access to quality education by both women and men, and removing gender stereotypes from the curriculum, career choices and professions;

6. Making quality reproductive and other health services more accessible to women and men;

7. Protecting and promoting the human rights of women and children;

8. Recognising, protecting and promoting the reproductive and sexual rights of women and the girl child; and

9. Taking urgent measures to prevent and deal with the increasing levels of violence against women (Public Service Report, 2006:15).

3.4   National legislative and policy context

Since 1994 a number of critical advances were made towards building a non-racial and non-sexist society.

3.4.1   The Constitution of the Republic of South Africa

The Constitution of the Republic of South Africa; Act 108 of 1996 states, that "everyone is equal before the law and has the right to equal protection and benefit of the law" (South Africa, 1996:7).The Constitution of the Republic of South Africa, Act 108 of 1996, Chapter 2, Section 9 emphasises equality of mankind. It prohibits unfair discrimination against anyone on the basis of race, gender, sex, and so on. In this section of the Bill of Rights, emphasis is placed on corrective measures that should be taken to promote the achievement of equality. Chapter 7 of the constitution mandates local government to promote social and economic development of communities and community participation in matters of local government (South Africa, 1996:84).

Section 195 (1) of the Constitution further endorses that public administration must be governed by the democratic values and principles, which are enshrined in the Constitution. According to Section 196(4) (a), the Public Service Commission is empowered to promote the basic values and principles, which govern public administration, as set out in Section 195. One of these principles provide that "public administration must be broadly representative of the South African people, with employment and personal management practises based on ability, objectivity, fairness, and the need to address the imbalances of the past to achieve broad representation"(South Africa, 1996:11-12).

3.4.2 Promotion of Equality and Prevention of Unfair Discrimination Act (Act 40 of (2000).

The Promotion of Equality and Preventions of Unfair Discrimination Act (Act 4 of 2000) states that, subject to section 6; no person may unfairly discriminate against any person on the ground of gender, including;

- Gender based violence;
- Female genital mutilation;
- The system of preventing women from inheriting family property;
- Any practice, including traditional, customary or religious practice, which impairs the dignity of women and undermines equality between women and men, including the undermining of the dignity and well-being of the girl child;
- Any policy or conduct that unfairly limits access of women to land rights, finance and other resources;
- Discrimination on the grounds of pregnancy;
- Limiting women's access to social services or benefits such as health, education, and social security;
- The denial of access to opportunities, including access to services or contractual opportunities for rendering services for consideration, or failing to take steps to reasonably accommodate the needs of such persons; and

- Systematic inequality of access to opportunities for women as a result of the sexual division of labour (South Africa: Department of Labour; 2000:7).

Preferential treatment of women (employees) and female clients in certain circumstances does not amount to discrimination against men (employees) and male clients, provided that these measures do not lead to unequal or separate standards(South Africa: Department of Labour, 2000:12).

3.4.3 Commission on Gender Equality

Chapter 9 of the Constitution provides for the establishment of six institutions to promote democracy and a human rights culture. Among the Chapter 9 institutions there is the Human Rights Commission that has a mandate to enforce human rights that are enshrined in the Constitution and the commission on gender equality, with a mandate to:

1. Monitor all organs of society to ensure that gender equality is safeguarded and promoted;
2. Access all laws from a gender perspective;
3. Do research and make recommendations to parliament and other authorities;
4. Educate and inform the public;
5. Investigate complaints on gender related issues, and
6. Monitor South Africa's progress towards gender equality in relation to international norms (South Africa, 2008: 3-4).

The Commission for Gender Equality has a mandatory role of monitoring and evaluating policies, which pertain to gender equality. The Commission for Gender Equality's mandate includes having the power to hold accountable state organs, statutory and public bodies, as well as the private sector, to promote and protect gender equality (South Africa; 2008: 4).

3.4.4 Joint Committee on Quality of Life and Status of Women.

There has been decisive progress in most areas that have been identified by the Commission on Gender Equality. All laws passed in parliament are subject to scrutiny by the Parliamentary Joint

Committee on Quality of Life and Status of Women to help South Africans progress towards gender equality. In parliament women play an active role in all committees and are able to influence legislation, policy and monitor implementation by the public service (Public Service Commission Report, 2006:10).

3.4.5   Affirmative Action Act 29 of 1998

Affirmation Action is regarded as a pillar for the transformation of the public service, as well as society, in general, and as a means to achieve gender equality. Government inherited a public service, which was influenced by discriminatory employment policies and practices based on race, gender and disability.

Affirmative Action can be defined as laws, programmes or activities, which are designed to redress past imbalances and to ameliorate the conditions of individuals and groups that have been disadvantaged on the grounds of race, gender or disability (South Africa Department of Labour, 1998:18).

According to the above definition, it is clear that the goal of the Affirmative Action policy is to speed up the creation of a representative and equitable public service, and to build an environment that supports and enables those who have been historically disadvantaged by unfair discrimination to fulfil their maximum potential within it, so that the Public Service may derive the maximum benefit of their diverse skills and talents to improve service delivery.

3.4.6   Employment Equity Act 55 of 1998

The Employment Equity Act of 1998 was introduced to provide further measures to promote Affirmative Action, and hence gender equity throughout workplaces in the country. The purpose of this act is to achieve equality in the workplace by:

1. Promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination; and

2. Implementing Affirmative Action measures to redress the disadvantages in employment experienced by designated groups, to ensure equitable representation in all occupational categorises and levels in the workforce.

Employment equity include measures that are designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workplace of a designated employer(Commission for Employment Equity Report,2012;3).

3.4.7 Commission for Employment Equity Annual Report 2011 – 2012

The above report was presented by the commission for Employment Equity to the Minister of Labour, Ms Oliphant, in terms of Section 33 of the Employment Equity Act, No. 55 of 1998, the 12th annual report of the Commission for Employment Equity. The report reflects on the status of employment equity in the country, covering the period from 1 April 2011 to 31 March 2012.

The Commission for Employment Equity set out the following key strategic objectives for its tenure of five years.

- Reviewing of the Employment Equity Act (the Act) in order to strengthen the achievement of its objectives.
- Reviewing of the employment equity regulations to align them with the amended Act.
- Raising awareness and conducting advocacy programmes on legislative changes and their implications.
- Reviewing of the Code of Good Practice on HIV in the workplace and its technical assistance guidelines to align it with the International Labour Organisation's (ILO) recommendations of June 2010.
- Reviewing of the Code of Good Practice on people with disabilities, and employment, as well as the Technical Assistance Guidelines (TAG) to bring them in line with any new developments, including the UN's Convention on Disability of 2007.
- Knowing the principle of "equal pay for work of equal value" in terms ILO convention 100.
- Engaging in and improving on collaboration with Chapter 9 institutions and other stakeholders.
- Monitoring and evaluating implementation of the Act and advising the minister accordingly.

The report covers highlights for the stated period for the economically active population (EAP) workforce's distribution, and a trends analysis of information contained in reports that were received in 2011 for each of the four upper occupational levels, namely top management, senior management, professionally qualified and skilled technical persons. Furthermore, the report also provides for the analysis of the four upper levels separately for each of the provinces, business types, and sectors, as defined in Schedule 4 of the Act.

One of the observations by the Commission for Employment Equity, which is relevant for the purpose of the research, is that government is largely progressing well in eliminating unfair discrimination and in achieving more equitable workplaces, however the Commission for Employment Equity the lack of progress being made in the Western Cape at government level, and in the private sector as well.

According to the Commission for Employment Equity's 12th Annual Report, which was released in September 2012, the representation of women in top positions increased from 13% in 2001 to 18,7% last year. The percentage of women in senior management positions increased from 21% to 27, 7% and the percentage of women in skilled positions increased from 40% to 46% (Commission for Employment Equity Report, 2012).

The following tables of the Four Upper Occupational Levels reflect the above statement.

Table 3. 1: Workforce profile percentage of Top Management by race and gender per province

Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	3.8%	7.7%	2.7%	65.1%	1.1%	3.9%	1.0%	12.1%	2.2%	0.4%	100.0%
Eastern Cape	18.6%	4.5%	2.9%	55.7%	5.4%	1.2%	0.5%	7.5%	3.6%	0.0%	100.0%
Northern Cape	23.0%	11.7%	1.2%	38.5%	16.3%	3.9%	0.4%	4.7%	0.4%	0.0%	100.0%
Free State	25.8%	4.8%	0.0%	45.4%	12.8%	0.0%	0.0%	11.0%	0.2%	0.0%	100.0%
KwaZulu-Natal	13.4%	1.5%	14.5%	51.8%	5.2%	0.6%	3.6%	7.2%	1.9%	0.2%	100.0%
North West	27.1%	1.0%	1.7%	47.9%	10.4%	0.3%	1.4%	8.7%	1.0%	0.3%	100.0%
Gauteng	12.5%	2.5%	5.9%	54.7%	5.4%	1.2%	1.6%	11.0%	4.7%	0.5%	100.0%
Mpumalanga	23.3%	1.4%	1.6%	54.5%	9.5%	0.4%	0.0%	7.8%	1.4%	0.1%	100.0%
Limpopo	31.6%	0.6%	4.0%	40.5%	17.1%	0.0%	0.6%	4.8%	0.6%	0.3%	100.0%

According to the above table 3.1, Limpopo appears to be making the most progress at this level in terms of race and the Northern Cape appears to be progressing well in terms of race and gender representation. The Western Cape appears to be making the least progress in terms of both race and gender at this level (Commission for Employment Equity Report, 2012: 13).

Table 3.2: Workforce profile of Top Management level for government, per province by race and gender

Government by province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	11.2%	36.7%	2.0%	34.7%	3.1%	3.1%	0.0%	9.2%	0.0%	0.0%	100.0%
Eastern Cape	54.5%	9.0%	1.2%	12.6%	18.0%	0.6%	0.6%	3.0%	0.6%	0.0%	100.0%
Northern Cape	27.7%	26.5%	2.4%	15.7%	19.3%	7.2%	1.2%	0.0%	0.0%	0.0%	100.0%
Free State	51.5%	3.0%	0.0%	6.8%	34.1%	0.0%	0.0%	4.5%	0.0%	0.0%	100.0%
KwaZulu-n-Natal	45.0%	1.1%	11.3%	15.2%	21.6%	1.1%	2.3%	2.1%	0.0%	0.0%	100.0%
North West	48.8%	2.4%	2.4%	17.1%	29.3%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Gauteng	45.9%	6.6%	5.4%	10.2%	24.1%	2.4%	2.0%	4.1%	0.7%	0.5%	100.0%
Mpumalanga	71.2%	0.0%	0.0%	0.0%	27.4%	0.0%	0.0%	1.4%	0.0%	0.0%	100.0%
Limpopo	55. 4%	0.8%	0.8%	2.5%	38.0%	0.0%	0.0%	1.7%	0.8%	0.0%	100.0%

According to the above table 3.2, the only province that is progressing badly in terms of race and gender in Government is the Western Cape. Although the Western Cape appears to be least progressive at this level in terms of gender, White females were over represented in the Western Cape (Commission for Employment Equity Report, 2012: 14).

Table 3. 3: Workforce profile of Senior Management level by race and gender per province

Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	6.0%	11.2%	3.9%	47.9%	2.7%	6.4%	1.7%	18.1%	1.7%	0.4%	100.0%
Eastern Cape	20.9%	6.6%	2.1%	42.4%	12.6%	2.0%	0.8%	10.4%	2.0%	0.3%	100.0%
Northern Cape	21.3%	12.7%	0.7%	39.6%	7.2%	5.9%	0.8%	11.2%	0.7%	0.0%	100.0%
Free State	25.8%	2.6%	0.8%	42.3%	11.3%	0.7%	0.2%	14.9%	1.1%	0.3%	100.0%
KwaZulu-Natal	13.6%	2.8%	17.2%	39.0%	5.7%	1.9%	6.7%	11.4%	1.6%	0.2%	100.0%
North West	30.4%	2.2%	1.7%	39.7%	13.5%	0.8%	0.5%	10.4%	0.7%	0.1%	100.0%
Gauteng	13.9%	3.6%	6.8%	44.6%	7.5%	1.8%	2.9%	16.0%	2.4%	0.6%	100.0%
Mpumalanga	29.3%	1.0%	1.4%	44.1%	11.6%	0.4%	0.3%	11.2%	0.7%	0.2%	100.0%
Limpopo	47.5%	0.6%	1.8%	19.4%	22.3%	0.3%	0.4%	6.6%	0.9%	0.2%	100.0%

According to the above table 3.3, Limpopo province is the most progressive in terms of both race and gender. The least progressive province in terms of race and gender still appears to be the Western Cape (Commission for Employment Equity Report, 2012: 14).

Table 3. 4: Workforce profile of Senior Management level for GOVERNMENT per province by race and gender

Government by province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	11.5%	27.4%	1.6%	32.7%	5.2%	10.5%	0.8%	10.3%	0.0%	0.0%	100.0%
Eastern Cape	45.3%	5.5%	2.2%	10.4%	28.3%	1.7%	0.6%	4.6%	1.1%	0.2%	100.0%
Northern Cape	32.0%	23.0%	0.4%	11.1%	15.2%	11.9%	1.2%	4.9%	0.4%	0.0%	100.0%
Free State	48.4%	2.5%	0.4%	17.8%	21.7%	1.1%	0.4%	7.1%	0.7%	0.0%	100.0%
KwaZulu-Natal	36.7%	1.6%	14.6%	15.7%	19.2%	0.9%	5.1%	5.8%	0.2%	0.0%	100.0%
North West	52.7%	2.2%	1.1%	11.3%	26.5%	0.4%	0.4%	4.7%	0.4%	0.4%	100.0%
Gauteng	35.3%	4.8%	5.0%	16.1%	22.9%	2.3%	3.0%	9.5%	0.6%	0.4%	100.0%
Mpumalanga	58.1%	0.2%	1.3%	9.9%	26.0%	0.4%	0.6%	3.6%	0.0%	0.0%	100.0%
Limpopo	58.5%	0.2%	0.3%	7.1%	30.7%	0.2%	0.2%	2.2%	0.7%	0.0%	100.0%

According to the above table 3.4, Government in 8 provinces, except for the Western Cape, performed well in terms of race at this level. The Western Cape Government is also struggling to increase the representation of women at this level, except for White females that were well represented at this level in the Western Cape (Commission for Employment Equity Report, 2012: 18).

Table 3. 5: Workforce profile of Professionally Qualified level by race and gender per province

Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	7.0%	16.3%	2.8%	24.9%	6.7%	16.9%	2.1%	21.4%	1.2%	0.5%	100.0%
Eastern Cape	28.5%	6.1%	0.9%	13.5%	36.2%	4.1%	0.6%	8.2%	1.4%	0.5%	100.0%
Northern Cape	19.8%	14.2%	0.2%	35.6%	10.9%	6.9%	0.3%	11.5%	0.7%	0.1%	100.0%
Free State	24.4%	1.8%	0.6%	26.2%	24.5%	1.5%	0.4%	18.0%	1.8%	0.8%	100.0%
KwaZulu-Natal	21.4%	2.3%	14.1%	17.5%	21.7%	1.8%	9.8%	9.4%	1.5%	0.5%	100.0%
North West	26.2%	1.2%	1.5%	24.4%	25.7%	1.2%	0.7%	15.9%	2.4%	0.7%	100.0%
Gauteng	18.0%	3.9%	5.8%	30.5%	14.8%	3.2%	4.1%	17.4%	1.6%	0.6%	100.0%
Mpumalanga	27.8%	0.7%	1.3%	28.8%	25.6%	0.5%	0.7%	11.2%	2.8%	0.6%	100.0%
Limpopo	42.8%	0.2%	0.4%	4.7%	47.4%	0.1%	0.3%	3.1%	0.7%	0.2%	100.0%

According to the above table 3.5, Limpopo is the most progressive province in terms of both race and gender at this level. The least progressive in terms of race, is the Western Cape and the least progressive in terms of gender, is the Northern Cape (Commission for Employment Equity Report, 2012: 22).

Table 3. 6: Workforce profile of Professionally Qualified level for government per province by race and gender

Government by Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	5.4%	15.8%	1.0%	18.0%	8.5%	31.2%	1.3%	17.6%	0.7%	0.4%	100.0%
Eastern Cape	32.8%	5.1%	0.3%	4.8%	45.8%	4.5%	0.3%	5.5%	0.6%	0.3%	100.0%
Northern Cape	26.9%	20.1%	0.3%	14.2%	17.6%	12.0%	0.4%	7.8%	0.7%	0.0%	100.0%
Free State	20.3%	0.7%	0.5%	15.1%	37.4%	2.3%	0.5%	19.1%	2.5%	1.6%	100.0%
KwaZulu-Natal	27.2%	1.0%	11.0%	5.8%	35.5%	1.2%	11.0%	5.3%	1.3%	0.6%	100.0%
North West	29.6%	0.6%	1.4%	6.2%	44.6%	1.5%	0.9%	10.3%	3.7%	1.2%	100.0%
Gauteng	38.6%	3.9%	3.0%	15.4%	25.4%	2.5%	1.8%	9.0%	0.3%	0.1%	100.0%
Mpumalanga	30.4%	0.3%	0.9%	6.3%	47.2%	0.7%	0.9%	7.8%	4.4%	1.1%	100.0%
Limpopo	42.9%	0.1%	0.3%	2.1%	51.9%	0.1%	0.2%	1.6%	0.6%	0.1%	100.0%

According to the above table 3.6, the least progressive provinces at this level are the Western Cape in terms of race, and the Northern Cape in terms of gender (Commission for Employment Equity Report, 2012: 23).

Table 3. 7: Workforce profile of skilled levels per province by race and gender

Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	14.0%	18.7%	1.7%	11.0%	14.0%	22.4%	1.8%	15.4%	0.7%	0.4%	100.0%
Eastern Cape	24.1%	5.5%	0.5%	6.7%	52.1%	4.7%	0.3%	5.5%	0.4%	0.2%	100.0%
Northern Cape	26.6%	12.7%	0.4%	18.7%	13.1%	10.9%	0.2%	8.3%	0.1%	0.0%	100.0%
Free State	28.3%	1.5%	0.1%	8.4%	44.3%	2.2%	0.1%	14.6%	0.5%	0.1%	100.0%
KwaZulu-Natal	26.5%	2.4%	9.1%	5.5%	40.3%	2.3%	8.1%	5.3%	0.5%	0.1%	100.0%
North West	32.3%	1.2%	0.3%	11.1%	40.2%	1.2%	0.3%	11.8%	1.4%	0.2%	100.0%
Gauteng	32.7%	5.3%	3.4%	17.7%	20.0%	4.2%	2.7%	12.5%	1.2%	0.3%	100.0%
Mpumalanga	45.5%	1.1%	0.3%	18.3%	24.6%	0.6%	0.3%	6.5%	2.7%	0.1%	100.0%
Limpopo	40.0%	0.1%	0.1%	1.3%	55.0%	0.1%	0.1%	2.1%	1.0%	0.3%	100.0%

According to the above table 3.7, the Western Cape is making the least progress across the provinces at this level in terms of African representation, although they seem to be performing well with regard to Coloured representation at this level. The best performing provinces at this level in terms of race and gender are Limpopo, Mpumalanga and North West. The Western Cape Province faces future challenges both in terms of race and gender at all other levels if it does not address the imbalances at this level soon (Commission for Employment Equity Report, 2012: 27).

Table 3. 8: Workforce Profile of Skilled levels for Government by province per race and gender

Government by province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	7.5%	27.3%	0.2%	9.6%	10.8%	33.2%	0.4%	10.6%	0.3%	0.1%	100.0%
Eastern Cape	22.6%	2.7%	0.1%	1.7%	64.8%	4.0%	0.2%	3.5%	0.3%	0.2%	100.0%
Northern Cape	24.4%	22.2%	0.4%	3.0%	24.4%	20.2%	0.2%	5.3%	0.0%	0.0%	100.0%
Free State	27.2%	1.7%	0.0%	5.5%	46.4%	4.5%	0.1%	14.2%	0.1%	0.3%	100.0%
KwaZulu Natal	22.1%	0.7%	5.0%	1.3%	58.0%	1.4%	7.9%	3.3%	0.3%	0.1%	100.0%
North West	30.9%	0.8%	0.1%	1.8%	58.7%	1.7%	0.1%	15.6%	0.2%	0.2%	100.0%
Gauteng	42.5%	5.8%	3.8%	11.2%	26.3%	2.4%	1.0%	18.4%	0.3%	0.3%	100.0%
Mpumalanga	33.1%	0.2%	0.1%	2.9%	57.0%	0.9%	0.2%	5.2%	0.2%	0.2%	100.0%
Limpopo	38.8%	0.0%	0.0%	0.6%	57.4%	0.1%	0.1%	1.8%	1.1%	0.3%	100.0%

According to the above table 3.8, Government's performing well in 8 provinces, except for the Western Cape where much more should be done to improve the representation of the African population at this level. The best performing provinces are Gauteng, Limpopo and Mpumalanga in

terms of race, although Limpopo and Mpumalanga should improve on the representation of Coloured and Indian males at this level (Commission for Employment Equity Report, 2012: 28).

3.5   The Women Empowerment and Gender Equity Act

The Minister of Women, Children and People with Disabilities published a draft bill on Women Employment and Gender Equity for public comment. The period for public comments was open for 30 days and ended on the 29 September 2012. The bill seeks to establish a legislation framework for the empowerment of women to give effect to Section 9 with Section 2 of the Constitution of the Republic of South Africa (1996), and in compliance with South Africa's international commitment, to provide for an obligation to adopt and implement gender mainstreaming; to provide for an offence of practices with adverse effects; and to provide for matters to be regulated by the minister.

3.5.1   Objectives of the Women Empowerment and Gender Equity Act

The objectives of women empowerment and gender equity act are to give effect to the letter and spirit of the Constitution, in particular the values of non-racialism and non-sexism. The gender equity act gives effect to Section 9 of the Constitution to ensure that women participate equally in social, political and economic structures of society by providing for mainstreaming gender equality to the public sector, private sector and civil society.

The other objective of the women empowerment and gender equity act is to eliminate detrimental cultural, religious, social and traditional practices against women.

3.5.2   Women employment

Women employment means the advancement of women, as contemplated in Section 9 (2) of the Constitution through integrated strategies and budgets, which aim to eliminate structural inequalities in quantities and to enable women to gain power and control over decisions and resources that determine the quality of their lives in a sustainable manner.

3.5.3   Gender mainstreaming

Gender mainstreaming includes preceding all organisational decisions and activities with a gender equality analysis. It includes assessing the implications of any planned measures, including legislation, policies, programmes and budget in all areas at all levels on the rights to gender equality.

Gender mainstreaming includes implementing corrective measures to prevent or alleviate actual and potential prejudice on either gender.   It includes contemporaneously reducing existing disparities between women and men and boys with the ultimate goal to achieve substantive gender equality.

3.5.4   Economic empowerment

- Entities must empower women to participate fully in economic life across all sectors and on all levels of economic activity.
- Entities must promote women's access to economic opportunities and productive resources and empower women for control and ownership of economic production processes.
- Entities must recognise and support the economic value of the reproductive, productive family and community roles of women in various sectors of life.

3.5.5   Equal representation and participation

The Act proposes that all entities must, within their ambit of responsibilities, development, representation, and meaningful participation of women in decision-making structures include:
- Setting targets for such representation and participation,
- Building womens capacity to participation,
- Enhancing the understanding and attitudes of men and boys to accept the capabilities and participation of women and girls as their equals, and

- Development support mechanisms for women for the progressive realisation towards 30 percent representation and meaningful participation of women.

3.5.6 Application of the Act

Subject to 13(1), this Act applies to the following entities:
- Organs of state, as outlined in Section 239 of the Constitution.
- The executive in the national, provincial and local spheres of governments;
- Government components;
- National and provincial government business enterprises;
- Companies;
- Non-profit organisations;
- Public entities and institutions;
- Senior public entities and institutions; and
- Other private bodies.

3.6 Basic Conditions of Employment Act 75 of 1997

The Basic Conditions of Employment Act 75 of 1997 under the Code of Good Practice allows for protection of employees before and after the birth of a child, as well as family responsibility leave. The sections that are relevant to woman's rights or protection against exploitation are described below.

3.6.1 Sections 25 and 26- Maternity leave

A pregnant employee is entitled to four consecutive months of maternity leave.
A pregnant employee or employees nursing a child is not allowed to perform work that is hazardous to her or her child.

3.6.2 Section 27 - Family responsibility leave

Full time employees are entitled to three paid family responsibility leave days per year on request when the employee's child is born or is sick or in the event of the death of the employees spouse or life partner or the employees parent, adoptive parent, child, adopted child, grandchild or

sibling. An employer may require reasonable proof (South Africa Department of Labour, 1997:41).

3.7   Office of the Status of Women (SOW)

This office plays a crucial role in terms of the implementation of gender mainstreaming in the public service. The Office of the Status of Women has a vital role to play as the principal co-ordinating structure for the national machinery on gender equality. It has been constructed as the nerve centre for developing and maintaining a vibrant gender programme to develop framework, and to monitor its implementation. It is also responsible for developing national gender plans, as well as national strategies for implementation.

3.8   National Gender Policy Framework

The National Policy Framework on Women's Empowerment and Gender Equality was formulated by the National Office on the Status of Women, and is located in the office of the Deputy President. This policy framework was adopted by Parliament in 2000, and provides guidelines to spheres of government with regard to the formulation of gender policies. The policy framework recommends gender mainstreaming as an approach towards achieving gender equality, and also stresses the importance of women's empowerment as a further requirement to achieve gender equality.

The purpose of the framework is to "establish a clear vision and framework to guide the progress of developing laws, policies procedures and practises that will serve to ensure equal rights and opportunities for women and men in all spheres and structures of government, workplace; community and family" (Koormegay, 2000:4).

The National Policy Framework proposes the review of existing institutional policies against the principles of gender equality, and the subsequent amendment or removal of policies found to be not in line with these principles. Hence, it is proposed that the adaptation of this gender policy by

the province has resulted in the review of existing policies to ensure that they are in line with the province's gender policy, as well as national policy guidelines and principles.

3.9 Monitoring, evaluation and reporting

The National Gender Policy proposes key approaches to evaluation and monitoring. These indicators are helpful to ensure movement towards gender equality. Some of the national primary indicators in the National Gender Policy Framework are:

- Women's enhanced access to resources for economic development;
- Women earning power and their involvement in the economy;
- Reduction of women's vulnerability to social injustice such as poverty, HIV/AIDS and violence;
- The extent to which women participate in political decision-making;
- A change in attitude towards women and enhanced recognition of the value that they add to society;
- Women's access to professional opportunities (Koormegay, 2000:10).

3.10 Provincial instruments

3.10.1 The Western Cape Department of Local Government's commitment to Gender Mainstreaming

The Western Cape Department of Local Government has committed itself to focus on provincial gender priorities, as well as national, regional, and international gender guidelines and gender conventions. The proposed gender framework of the Department of Local Government will highlight gender mainstreaming. Its focus will be on equality of access and opportunity, as well as fair treatment of all employees and clients, and women's empowerment and development to meet both their practical (basic needs for example, access to water) and strategic interests, and is thus a means to achieving gender equality, rather than just being an end in itself. The framework recognises the need for the state to use its formal and institutional powers to legitimise the value of gender equality within its procedures, cultures and practises. The document includes

mechanisms to monitor and evaluate progress in order to re-design its organisational activities (Jordan, 2003:8)

3.10.2 Objectives of the framework

The objectives of the framework are as follows:

- To address attitudes and behaviour of individuals and groups and institutional practices that are discriminatory, and that entrench the traditional stereotyping of males and females that negatively impact on their growth and development.

- To ensure that all decision – making and all practices in the department are informed by gender equality analysis.

- To provide a framework for the implementation of special measures to ensure equal access and opportunity to advance women in order to achieve equality. This will include all areas of local government (external); and training and development within the department (internal). Ultimately, the aim of the framework is to result in the achievement of gender equality for women and men, principally through the empowerment of women, and challenging the traditional roles and responsibilities of men, but not at the expense of women (Jordan; 2003:8).

3.10.3 Western Cape Gender Equality Strategy

3.10.3.1 Shift from a gender- neutral to a gender- specific local government service delivery framework

Municipal services are essential to the health and well-being of communities because social norms and values hold women responsible for the health and well-being of families and communities. If municipalities do not recognise the roles that women play to maintain families and communities, then are unlikely to provide services that would alleviate women's tasks, let alone transform unequal power relations between men and women. The Western Cape Gender Equality Strategy, therefore, analyses municipal service delivery from a gender perspective and considers ways in which municipalities can contribute to gender equity through service provision.

3.10.3.2 Disaggregated data

A key strategy to meeting women's needs effectively is the collection of gender disaggregation data that also reflects variables such as urban/ rural race and geographical location. This is fundamental to the effective monitoring of women's rights.

3.10.3.3 Monitoring women's access to local government structures

Critical to the effective realisation of women's rights is proper monitoring. Gender indicators should be developed in this regard. Given its constitutional mandate; the Commissioner on Gender Equality seems ideally placed to take on this function. It should work in collaboration with the South African Human Rights Commission in order to maximise scarce resources, and to avoid duplication (Western Cape gender equality strategy:2003:10).

3.10.3.4 Collaboration with civil society organisations

Civil society organisations are often at the coalface of service delivery, and accordingly well-placed to undertake assessments of the effectiveness of local government policies, as well as their impact on women. Relevant organs of state should, therefore, collaborate meaningfully with such organisation (Western Cape Department of Local Government: gender equality strategy, 2003).

3.11   Summary

Gender equality has always been a core value of the struggle for a democratic South Africa. As evidenced by this chapter, this value was immediately adopted by the country's governance processes with the establishment of the new dispensation in 1994. It is enshrined in the 1996 Constitution of South Africa. This strong political commitment has moved the South African government to craft gender sensitive national priorities. South Africans engagement with gender issues at regional, sub- regional and international levels is informed by its constitutional commitment to gender equality.

The next chapter provides an account of the research methodology that was utilized for this research study.

CHAPTER 4: RESEARCH METHODOLOGY

4.1   Introduction

The purpose of the study is to critically analyse the role and status of women employees in the Western Cape Provincial Administration since 1994 with specific reference to the Department of Local Government and Housing. After 1994 the democratic government introduced various pieces of legislation, which were intended to redress imbalances of the past, which included the Affirmative Action Act and the Employment Equity Act. The mini- dissertation statement, therefore, considers progress that has been made with regard to the role and status of women employees in the Western Cape Provincial Administration with specific reference to the Department of Local Government and Housing.

4.2   Research design

The following research instruments were used to make it easy for respondents to interact with the research, and to volunteer as much information as possible without fear or favour. The researcher extracted as much relevant information as possible in order to allow majority of people to respond willingly.

The research instruments that were used in this research include the following:

1. Questionnaire;
2. In – person interviews;
3. Extended literature review; and
4. Secondary data analysis.

4.2.1   Questionnaire

The appropriateness of this research instrument for the purpose of the research is that it gives respondents' privacy and confidentiality that are required to elicit as much relevant information as possible. Questionnaires are a means of eliciting information directly from a person or people who are presumed to have the required information. The questionnaire was structured.

4.2.1.1 Strengths of questionnaire

Using a questionnaire provides the following advantages:

- They can offer confidentiality to respondents;
- They are generally easier to analyse and turn into quantitative results;
- They can be sent to more people to raise confidence levels in the sample; and
- The more structured the questionnaire the more easily results can be compared later (Hofstee, 2006:132-133)

4.2.1.2 Weaknesses of the questionnaire

The following are disadvantages of using a questionnaire:

- Questionnaires have a disadvantage of not allowing the researcher to interact or observe respondents; and
- They are also limited in the depth to which the researcher is able to probe any particular respondent and do not allow for digression from the set format. Sometimes it can be very difficult to get sufficient respondents to answer questionnaires to allow the researcher to come to a reliable conclusion (Hofstee, 2006:132-133).

4.2.2   In-person interviews

In – person interviews are structured so that all interviewees are asked the same questions. The identities of the participants are kept confidential so that they can be free to give as much information as possible without fear.

4.2.2.1 Strengths of in-person interviews

In-person interviews have the following advantages:

- One of the advantages of in-person interviews is a personal contact or observation;

- It also enables observation of body language, which is an important form of communication, and effective use of body language can sometimes be more effective than verbal communication; and
- Directness and openness in communication often begets the same (Mouton, 2008:86).

4.2.2.2 Weaknesses of in-person interviews

The following disadvantages pertain to in-person interviews:

- Respondents may fall into a rut when answering questions;
- Personal; controversial or otherwise discomforting questions may result in respondents to shut down; get defensive or otherwise make sure that you do not get what you came for; and
- Leading the respondent to a particular answer is not academically acceptable (Mouton, 2008:86).

4.2.3 Extended literature review

According to Hofstee (2006:91), "the literature review should reflect the reality of what is available and relevant". In other words, it should provide an accurate reflection of the current state of the scholarship in the area that the research is about. This literature review would be a critical evaluation of the previous writing that is relevant to this research. Critical evaluation in this literature review would mean characterised by careful evaluation and judgement, and not marked by a tendency to call attention to errors and flaws.

For purposes of this study, the researcher consulted scholarly books, articles, dissertations, conference proceedings, magazines, newspapers and the like. The researcher summarised the important parts of a work, and then evaluated the work, its methods, research and conclusions, against what is known.

Hofstee (2006:92) points out that "in academic terms, a theory is a logical explanation for why something is as it is or does as it does. Theories are not cast in stone, something may come along and disprove them tomorrow, but they are the best explanations we currently have. The more

general a theory is, the more it explains without the facts contradicting it, the better a theory it is. In the exact science, theories are often testable and have predictive power. In the social sciences and humanities, this is not as often the case, but they are still logical interpretations and explanations that help us make sense of the world around us".

4.2.3.1 Strengths of extended literature review

- It is the demonstration of the originality and significance of the work and where it fits in with what has gone before.
- A literature review provides a theory base for the study before discussing the works that pertain more closely to the topic and thesis statement.
- A good synthesis would give an overview of the current and debates in this field, or topic area and discuss the major works and players (Creswell, 2010:125).

4.2.3.2 Weaknesses of extended literature review

- A literature review tends to be extensive and time is not on my side when it comes to reading it.
- One has to be able to get through large amounts of potentially useful material quickly in order to get what one needs for the project.
- There is always a risk of misrepresenting the works or authors in a thesis (Creswell, 2010:125).

4.2.4 Secondary data analysis

Researchers who conducted a data analysis of data that was collected by previous researchers either to check (an aspect of) their work or to answer other questions for writers of dissertations, should know that secondary data analysis can be a good way to go if they have an academically legitimate reasons. In other words, one's analysis of the data collected by another must have some significance

4.2.4.1 Strengths of secondary data analysis

- The range of potential applications of data analysis is vast; ranging from the building of computer simulations models to using existing interview transcriptions for content analysis purpose, and everything in between.
- The areas of applicability of the data are virtually boundless.
- Whether the data collected by others is useful to the research depends entirely on whether the quality and quantity of the data is of desired standard.
- There is a huge amount of data available; data collected by government agencies or research institutes, and so on.

Data is nearly always considered to be stronger than tertiary data (Hofstee, 2006:128).

4.2.4.2 Weaknesses of secondary data analysis

- It is of paramount importance to know the reliability and limitations of the data.
- Over simplification of complex issues is a real risk that should be avoided.
- Sufficiency (quality and quantity of resources) should be of required and acceptable levels (Hofstee, 2006:129).

4.2.5 Limitations of the research

Hofstee (2006:117) notes that limitations are inherent in academic work: "To put it plainly; your methods limitations are what separate doing your study according to your method from perfection. All methods have limitations; perfection is seldom, if ever attainable". The ability and willingness by respondents to communicate and participate in the research. There is also the difficulty of obtaining reliable data, as well as over simplifying complex issues. It was difficult to get the questionnaire back from the respondent because of what they said is the political sensitiveness of the research. Responses were only received back after intervention by senior political leadership of the province.

4.2.6 Methodology for the research

The research population was categorised into three components, namely the total possible research population, the randomly selected target research population (the "sample"), which was decided on in collaboration with the supervisors and the statistician, and the response population that determined the number of respondents that responded to the questionnaire and which was used for the statistical analysis.

Out of a total possible research population of thousands of potential respondents, the targeted sample population agreed to in collaboration with the statistician included 37 selected senior managers in the following categories: head of department, chief directors, directors, deputy directors, managers and others. This was discussed with and agreed upon by the statistician. An empirical survey was conducted among the target population in the form of a self-administered questionnaire, which comprised a dependent and independent research approach that was pre-determined with the statistician. The final response population figures comprised 24 respondents, which constituted 64.8% of the target research population (Department of Local Government and Housing Annual Report, 2008/2009:120).

The results of the statistical analysis of the responses of the final respondents to the questionnaire are explained in the following chapter.

4.3   Summary

The research methodology, which was preferred in this research, necessitated a reflection on the playing, structuring and execution of the research in order to comply with the demands of truth, objecting and validity. The methodological model used in the research is largely quantitative with qualitative elements to a certain degree. Qualitative methodology allowed the research to know people personally, to see them as they are, and to experience their daily struggles as women when confronted with real-life situations. The interviews that the researcher had with the Head of Department could, for example, be referred to as qualitative, because the participants own written or spoken words are mentioned pertaining to her own experience or perceptions of life, as well as of the work environment.

Then next chapter details the analysis of the empirical data.

CHAPTER 5: DATA ANALYSIS

5.1   Introduction

Shanaaz Majiet was the Head of Department when the research process began in 2008. Majiet heads up the Western Cape Department of Housing and Local Government Department. In a province, which is struggling with a housing backlog of more than 360 000 units, and half a million people living in informal settlements in Cape Town alone, the challenges that she faces daily are complex. In a world where women have to fight hard to be recognized, a disabled but dynamite Majiet is a powerful example of determination. At the age of 17 her life changed dramatically when she was injured in a shooting incident in Lavender Hill where she grew up. Despite the fact that she was left paralysed from the waist down and had to use a wheelchair, she enrolled at the University of Cape Town to study law and commerce. She was always confident as a child, and the reality of growing up in a township like Lavender Hill gave her a strong sense of awareness. "I refused to accept what society had in mind in for me. I rebelled against that," said Majiet who now lives in Rondebosch East.

Majiet who chaired the National Women's Coalition for many years describes herself as a "social entrepreneur ''. She feels a deep sense of responsibility towards women. Her definition of a social entrepreneur is a unique individual who acts as change agents to take on social mandates by resolving social problems with a rare efficiency and urgency. "The influence and impact the government has must make a social difference. It is important that we build strong homes and communities for our women and take our nations on a different path," she explains (South African Cities Network, 2010:29).

5.1.1   Women in cities are a challenge for planners

Majiet emphasises the importance of involving women and addressing gender inequality. Amongst others, gender equality should be entered into the approach to housing infrastructure and services. Involving women and planning for women should become key issues when

planning South Africa's metropoles and towns. To plan for women as part of a democratic society really holds a challenge for planners of the future. In many cases women are the creators and managers of their living environment. They are directly affected by the places in which they live. In the past, city planners planned the cities in zones. A clear distinction was drawn between the private zone, where people lived and the public zone where they worked. Planners are beginning to grasp the environmental cost of unplanned expansion in informal settlements, but are not yet familiar with environmental and other costs of not planning for women. Much pro-active planning for informal settlements is taking place, but not for women. (South African Cities Network 2010:31)

5.2   Data analysis

The Annual Report of the Western Cape Department of Local Government and Housing for 2008/09 shows an organogram with a micro structure consisting of seven hundred and ninety four (794) approved permanent posts, as at 31 March 2009. This figure (794) represents a total number of budgeted employees of the two departments.

The research targeted senior management in the following categories: head of department, chief directors, directors, deputy directors, managers and others. The above categories gave the research a target research population of about 37 people, in total. This was discussed with and agreed upon by the statistician. An empirical survey was conducted among the target population in the form of a self-administered questionnaire, which comprised a dependent and independent research approach that was pre-determined with the statistician. The research received a final sample of 24 respondents, which constitutes 64.8% of the target research population (Department of Local Government and Housing Annual Report, 2008/2009:120).

Table 5. 1: Total number of respondents from each department

Housing	7
Local Government	17

Table 5. 2: Demographic profile   **Number of respondents**

African	13
Coloured	6
White	3
Indian	2

Table 5. 3: Respondents post level   **Number of respondents**

Head of department	2
Chief director	2
Director	6
Deputy director	3
Managers	1
Other	10

Table 5. 4: Respondents age   **Number of respondents in category**

Under 20 years	0
21-30 years	3
31 – 40 years	9
41 – 50 years	8
51 – 60 years	4
61 plus years	0

Table 5. 5: Experience in years   **Number of respondents**

0 – 1 year	2
1 – 2 years	4
3 – 5 years	0
6 -10 years	15
10 and more years	3

Table 5. 6: Gender	Number of respondents
Female	14
Male	10

Table 5. 7: Language	Number of respondents
English	5
Afrikaans	6
Xhosa	13
Other	0

The two most important findings of the research are the following:

The first important finding is that the two departments are not complying with the objectives and plans of the Employment Equity Act especially with reference to the advancement of women. Many interviewees believe that the department's gender policy should be bolder and more strategic. It should be more outward-looking and progressive in orientation in terms of recognizing women advancement as an opportunity to gain from a diverse, tolerant and peaceful workforce.

The second important finding is that Employment Equity is a function of a relatively small department with limited resources. Many interviewees are concerned that the Western Cape Province does not seem to recognize the importance of Employment Equity in respect of what it does and how it functions. Interviewees said that there were few opportunities to interact with senior politicians and officials on matters of Gender Policy and practice.

The final sample of respondents illustrates that the sample was drawn from a population consisting of diverse backgrounds, mainly constituted from upper levels, and particularly from Coloureds and Africans. It is interesting to note that in the study women who were recently promoted to senior post levels and those at junior levels, shared the same experience. There are, however, points of convergence, but it cannot be disputed that the higher the job, the greater the

level of satisfaction, for example, with regard to opportunity and promotion. To have received the position that they now hold, those women in higher post levels had to prove themselves.

As mentioned above, there was unanimity amongst respondents' responses with regard to the issues that are illustrated below, while their responses proved consistent with the reviewed literature. In this research respondents demonstrated that women are not easily promoted to senior management echelons of departments, and women are discriminated against because they are women, hence respondents felt that there is still a strong existence of stereotypes about women in the department. The fact that these are seldom challenged has resulted in so called unconscious discrimination which is far more dangerous to the women who want to advance than conscious discrimination. A few but common challenges were identified by the respondents that affect women's advancement in the Department of Local Government and Housing, which include the following:

- Women are regarded as the weaker sex; through the ages the biological fact of men's sheer muscular strength became a cultural symbol of men's power over women who were seen to be protecting, and this correspond closely with patriarchy, as explained on page 13 of the document;

- Apart from displaying a physical capacity for doing many things that were previously thought impossible, women's inner strengths have long been acknowledged, which is consistent with the view expressed by the current chairperson of the African Union, Dr Nkosazana Zuma, in 2007, as reported in ANC Today, volume 4;

- Respondents believe that women are regarded as being over- emotional, as they are seen to be governed by their emotions and, therefore, are unable to cope with the pace and resultant tensions of the department; this is in keeping with some of the stereotypes reported by Business Women's Association Census 2010;

- Fifty percent of the respondents agree that there is a gender policy, which outlines the departments approach to institutional environment enabling regulatory framework, as detailed in the departments gender policy;

- Half of the respondents agree that the business plans of the departments reflect gender considerations;

- More than half of the respondents are undecided about whether equal pay for equal work of equal value is a specific gender sensitive term and condition of service, which addresses practices of gender needs in the departments, and this is in constrast with the terms of international labour organization convention 100;

- The majority of respondents agree that the Department of Housing does not ensure that women have equal access to housing opportunities, especially women headed households, which is a demonstration of lack of commitment to implement gender sensitive programs as evidenced by the oversight report in the 2009/2010 annual report; and

- The majority of respondents were undecided about whether the culture of the department is more responsive to the needs of women officials, which correspond with the 2011/2012 annual report of the commission for employment equity that the Western Cape is making the least progress in the advancement of women.

Respondents identified other crucial issues that contribute to their discrimination namely being a single women, as one is expected to marry, so it is often assumed that they want jobs until they find husbands, and that once one is married, one is expected to have children. It seems difficult to convince those in the reign of power (male dominated) that marriage and a career are not mutually exclusive. According to the respondents, these paternalistic attitudes unconsciously affect their advancement and have further implications for their development. They further state that men are afforded more opportunities with training and development, as well as acting positions to promote their career advancement, while a few fortunate women penetrate, but still feel that these opportunities are not given in full scale when it comes to women until they prove that they are committed to their career. They warn that the department should consider the frustrations and demotivations that may be caused by women who are held back in this way. Portrayed in the study is that women are not given sufficient challenges (playing them to strategic position) within the department, while men who are in dominant senior management positions, in particular, want to protect them (women) from failure.

Respondents indicate that what is being expected of them in the work place is in serious conflict with social roles, for example, they mention that recruiting officers who are themselves dominantly men include men in positions of leadership and or management echelons in

accordance with social norms that are often unconsciously rooted in their minds and habits. They further highlight that in those few positions in management that are held by women, male subordinates often demonstrate ambivalent attitudes towards their female bosses. This demonstrates that they are often tolerated but not fully accepted; women value those behaviours as hindrances and obstructions towards their advancement.

It is possible to ignore the implications of socio-cultural norms and values, but society's messages play a significant role in an employee's personal and career development. It is important to recognise the strong persuasive and conflicting socio-cultural image about women employees and the impact that these stereotypes have on the evolution of female employee's self-concept, race, development and decision making.

This chapter reveals that in as much as the Department of Local Government and Housing has made significant strides to address women's advancement through its policies, particularly contained in the Employment Equity Act and Affirmative Action plan of the department and the Western Cape Department of Local Government's gender strategy, there is still a link or relationship between gender segregation and promotion. It becomes clear that as long as these attitudes and behaviours exist within the department, and are not addressed holistically, women will continue to be at the receiving end, while and gender issues in the department mirror broader social and culturally embedded forms of discrimination against women, which are in many ways the hardest to address and are negatively affecting women's advancement. It also reveals significant relationship with the reviewed literature, even though one cannot dispute the increased number of women in senior management positions and other strategic policy interactions by the department.

Respondents also mentioned a clear lack of political will for women advancement from the political principals, while the fact that the premier who is a woman has appointed a male dominated cabinet, and are a serious indictment on the leadership of the province.

5.3   Commission for Employment Equity report 2012 – 2013

After the research the following new information has emerged:

On the 18th of April 2013 the Commission for Employment Equity released its 2012 – 2013 report in Boksburg in Gauteng Province. The damning Employment Equity report showed African, Indian and coloured South Africans were being relegated to low level jobs.

The 13th Commission for Employment Equity Annual report shows whites still dominated in leadership and managerial positions. At top management level, the report said white representation was at 72, 6% white representation of black African was 12, 3 % coloureds 4, 6% of women in top management countrywide at the end of last year (Commission for Employment Equity report 2012-13:25).

Workforce profile population distribution by province

Table 5. 8: Workforce profile at the top management level by province and by race and gender

Province	Male				Female				Foreign national		total
	African	Coloured	Indian	White	African	Coloured	Indian	White	Male	Female	
Western Cape	2.5%	8.0%	2.2%	65.5%	0.7%	3.8%	0.9%	14.0%	2.0%	0.3%	100.0%
Eastern Cape	12.5%	5.2%	2.4%	59.8%	4.1%	2.2%	0.3%	12.%	1.6%	0.0%	100.0%
Northern Cape	10.9%	11.4%	1.4%	55.7%	6.1%	3.4%	0.2%	10.4%	0.5%	0.0%	100.0%
Free State	16.2%	1.8%	1.2%	58.9%	9.1%	0.5%	0.3%	11.2%	0.7%	0.2%	100.0%
KwaZulu-Natal	9.1%	1.5%	16.6%	52.5%	3.2%	0.5%	4.5%	9.7%	2.2%	0.3%	100.0%
North West	18.6%	0.9%	3.1%	56.9%	4.9%	0.3%	0.7%	13.5%	0.6%	0.4%	100.0%
Gauteng	9.0%	1.8%	5.3%	59.9%	4.0%	0.9%	1.6%	13.2%	3.7%	0.5%	100.0%
Mpumalanga	14.7%	0.9%	3.4%	60.4%	4.8%	0.5%	0.7%	13.3%	1.0%	0.2%	100.0%
Limpopo	19.4%	1.0%	4.2%	51.2%	8.9%	0.6%	1.0%	12.9%	0.7%	0.0%	100.0%

(Commission for Employment Equity report 2012-13:25).

5.4   Western Cape Performance

The latest figures indicated a particular problem in the Western Cape as the worst performing of all the provinces in racial and gender transformation which is consistent with the findings of my research. The report showed that in the Western Cape only 29.8% of all senior managers in

different spheres of government and businesses were black African or coloured. The report indicated that the Western Cape had regressed and scored worse in just about every sector compared to previous years and is the least transformed of all the provinces. Blacks still occupy the least paying jobs among farm workers (De Doorns labour unrest was a case in point) fishing, insurance and the state itself. The commission for employment equity slammed the Western Cape last year for lagging behind in meeting Employment Equity targets. In the 2011-12 financial year, men aged 15 to 65 scored 54.6% against women (45, 5%) as the most economically active population. Of the 54.6%, 40.3% were African males, 5, 9% coloured male, Indian made 1.8% and 6.6% for white male.

Africans were in the majority in eight provinces except for the Western Cape where coloured males and females scored 27.5% and 25% respectively.

5.5　　Provincial Debate on Employment Equity in the Provincial legislature

The Premier of the Western Cape Province has revealed in the provincial debate on employment Equity that two thirds of the highest paid jobs in the province of the Western Cape are held by whites. More than 20 000 black and coloured people have resigned or been fired from the democratic run province since 2009.These damming figures were revealed by Premier Zille herself when questioned about the racial profile of senior management in the Western Cape legislature. According to a staff grouping list, of the 75 most senior posts in local government (one of the departments which is part of my research work) top management and Professionally qualified specialists 49 are white, 19 are coloured, 2 are African and only 1 is Indian.

Table 5. 9: RACIAL HEAD COUNT: Figures provided by Zille in legislature

Grouping	African	Coloured	Indian	White	Total
WCG Top Management (Salary Band 15- 16)	2	15	1	16	34
Professionally Qualified Specialists(Salary Band 13-14)	0	4	4	33	41
Professionally Qualified Specialists (Salary Band 9-12)	2403	9792	527	6150	18872
All employees who have left the employ of the Western Cape Government, for any reason, since April 2009:					
WCG Termination' from April 2009 to March 2012	African	Coloured	Indian	White	Total
Total	5845	15745	300	3479	25369

Daily voice Thursday, March 28, 2013:16

More than 15700 coloured staff left the Western Cape administration from April 2009 to March 2012.That's more than four times the number of white's staff (3479) who left the Western Cape Administration jobs (Daily voice Thursday, March 28, 2013:16).

CHAPTER 6

RECOMMENDATIONS AND CONCLUDING REMARKS

6.1   Introduction

This chapter contains a number of recommendations as well as concluding remarks.

6.2   Recommendations

The advancement of women is sufficiently important to deserve special attention as a cross-cutting priority, which is relevant to all departments, rather than a stand- alone function that is delegated to a single department. The Western Cape Province should facilitate a more innovative, 'Can do' approach towards gender mainstreaming and eliminate, risk-averse culture.

The recommendations provided below are aimed at alleviating main dysfunctionalities of the current situation.

Measures and facilities to provide for the different needs of women:

- To review, with intention of abolishing or amending rules and regulations, which directly or indirectly perpetuate gender inequality in relations and subordinate rules of women in working environments;

- To ensure that budget processes and items of budget reflect commitment to address existing disparities between women and men:

- To review the establishment and practices within the department that directly and indirectly undermine equal access in terms of recruitment, treatment, advancement and promotion;

- To identify existing gaps and map out specific capacity building needs of women;

- To foster a gender sensitive culture, facilitate the transformation of perceptions and attitudes towards women and men at work in institutions by initiating and supporting genuine equality dialogue, sensitisation and training;

- To ensure enhancement of the development of a safe, inclusive, non – violent working environment and to eliminate violence against women;

- To ensure the development of specific gender sensitive indicators:

1. Access and control over resources should involve women, so that women can be part of deciding how resources should be used for their own advancement.

2. There is a need for a programme that discourages cultural beliefs and traditions which perpetuates the stereotypes against women.

3. Employment Equity Policy must prohibit the gender division of labour.

4. Capacity building and skills development training on gender for both males and females.

5. With regard to performance management and incentives gender sensitivity and gender mainstreaming should form part of the criteria for evaluation;

6. Gender sensitive and representative remuneration committees whose objective is to look at equal pay for equal value of work;

7. Family friendly workplace for example, flexible working hours and child care facilities;

8. Induction courses for example, Topics: Gender equality in the workplace; sexual harassment; and workplace diversity.

6.3   Concluding remarks

As mentioned in the limitation paragraph, it was difficult and time-consuming to receive questionnaires back from participants until intervention from senior people in the province was sought. As evidenced by the research data, government's vision of a public service that is equitable, effective and an efficient instrument of service delivery is an antithesis of the status quo in the department. This vision was conceived in full awareness of the problems that continues to beset the public service, which, *inter alia*, includes past and continuing discriminatory policies and practice, inadequate internal system and procedures for effective service delivery, failure to make use of all human potential both within and outside the public service department, as well as an exclusionary and intransigent organizational culture.

A co-ordinated action across the organisation is needed in order for the provincial government to achieve a 'whole organisation' approach in advancement of women. The gender policy as a strategy for the advancement of women should be structured in a manner that aligns with the implementation and reporting mechanisms of the provinces transversal cluster system.
The provincial government should utilise the policy levers at its disposal to actively promote and encourage the recruitment of women employees and skills development programmes that are relevant, and marketable.

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APPENDICES

APPENDIX A

13 March 2013

Dear Sir/Madam

This serves to confirm that I have proof read and edited the document entitled: "*A critical analysis of the role and status of women employees in the Western Cape Provincial Administration since 1994, with specific reference to the Department of Local Government and Housing",* and that I have advised the candidate to make the necessary changes.

Thank you.

Yours faithfully

Shamila Sulayman

SHAMILA SULAYMAN

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APPENDIX B

Cape Peninsula
University of Technology

To whom it may concern:

Clifford Mandlenkosi Sitonga (Student Number 205093140) – MTech
dissertation

This is to certify that the descriptive statistics of the data in this research project
required by the student was done by me, using SPSS 19

My function was not to be involved in the interpretation thereof – that should be the
student's own work.

Corrie Uys, M.Sc (Statistics)

Cape
Peninsula
University
of Technology

20 July 2010

To Whom It May Concern

Clifford Sithonga [student number: 206083140] is currently registered as a Masters student at the Cape Peninsula University of Technology. He has completed the Public Management, Masters Course work and has a dissertation outstanding to be conferred his degree.

We wish him well on his research journey.

Kindest Regards

André Slabbert

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FACULTY OF BUSINESS

2 1 JUL 2010

Cape Peninsula
University of Technology

APPENDIX D

<div align="right">

39 923 Hlehla Street

Makhaza

Khayelitsha

7784

</div>

Dear Sir / Madam

Your kind co-operation is sought for completion of a questionnaire. This questionnaire is part of a survey, which deals with the role and status of women employees in the Western Cape Provincial Administration since 1994, with specific reference to the Department of Local Government and Housing.

The aim of the survey is three fold:

1. It is to determine the departments' gender strategy;
2. Whether it has made a difference to gender power relations; and
3. Who benefits from services that are offered by the departments to communities?

All information will be treated as strictly confidential, and it will not be possible to identify any individual on the strength of the results that are included in the final report.

Thank you for your co-operation.

Clifford Sitonga

Researcher.

Mobile: 084 6204 817

Email: mandla.stonga@yahoo.com

APPENDIX E

QUESTIONNAIRE
Thesis Statement

The thesis statement concerns a "critical analysis of the role and status of women employees in the Provincial Government of the Western Cape's administration since 1994 with specific reference to the Department of Local Government and Housing.

The following questions focus on the three main areas of intervention that PGWC Departments should focus on in terms of gender mainstreaming in the area of gender mainstreaming. These relate to both internal and external gender transformation.

1. Promoting women's empowerment and gender equality in their internal employment policies and in practice;
2. Promoting women's empowerment and gender equality in their service provisions. This amounts to external transformation, substantive equality speaks to a holistic understanding of equality and extends to the very texture of the lives of people, both men and women; and
3. Raising public awareness about gender in their dealings with clients and stakeholders in the private and community sectors. This combines internal and external transformation.

SECTION A

Demographic Profile

1. Please indicate your race group with an ☐ x

African		Coloured		White		Indian	

Please indicate your employment status in the appropriate box with an ☐ x

Head of Department		Chief Director		Director		Deputy Director		Manager		Other	

1. Indicate the department in which you work		
1.1.1.	Housing	
1.1.2.	Local government	

1.2. Experience in the department in years		
1.2.1.	1-2 years	
1.2.2.	3-5 years	
1.2.3.	6-10 years	
1.2.4.	10-more years	

1.3. Gender		
1.3.1.	Female	
1.3.2.	Male	

1.4. Language group		
1.4.1.	English	
1.4.2.	Afrikaans	
1.4.3.	Xhosa	
1.4.4.	Other (Please specify)	

1.5. Age group		
1.5.1.	Under 20	
1.5.2.	21- 30	
1.5.3.	31- 40	
1.5.4	41- 50	
1.5.5.	51- 60	
1.5.6.	61 Plus	

STATEMENTS

Degree of preference

1= Strongly disagree; 2 = Disagree; 3= Undecided; 4 =Agree; 5 = Strongly agree

STATEMENTS		DEGREE OF PREFERENCE				
		1	2	3	4	5
1.	My department has a gender policy.					
2.	The following priority areas are identified in the department (statements from 2.1 through to 2.4 relates to this statement):					
	2.1 Gender considerations are reflected in the:					
	2.1.1. Business Plan					
	2.1.2. Service Delivery Plan					
	2.1.3. Communication Strategy					
	2.1.4. Medium Term Expenditure Framework Budget					

	2.2. To review all policies; projects and programmes for their gender implications.				
	2.3. To ensure that the department provides and uses gender disaggregated data in their work.				
	2.4. To ensure that all departmental committees conform to gender equality.				
3.	The culture of my department is more responsive to the needs of women officials.				
4.	The Department of Local Government and Housing has not established a gender unit or focal point.				
5.	The following are not some of the specific gender sensitive terms and conditions of service, which address practical gender needs in this department:				
.	5.1. Equal pay for equal work of equal value				
	5.2. Childcare and family facilities				
	5.3. Full maternity rights, including paid maternity and paternity leave and job security				
	5.4. Protection of women from all types of work proved to be harmful to them, including work, which				

	interferes with their ability to have children.					
	5.5. Adequate and safe transport for workers doing overtime and night work					
6.	There are no resources allocated to policies and programmes, which are geared towards the achievement of mainstreaming gender equality.					
7.	The department does not have a streamlined gender specific complaints management process that ensures quick turnaround time.					
8.	Both housing and local government departments have no interdepartmental and cross-cutting approaches that are applied in order to increase efficiency and the responsible utilisation of resources.					
9.	The Department of Housing does not ensure that women have equal access to housing opportunities especially:					
	9.1. Women- headed households.					
	9.2. Households that are headed by children					
10.	The Department of Local Government does ensure that gender sensitive policies; procedures and practices are implemented by municipalities in the following areas:					

	10.1. Housing					
	10.2. Health					
	10.3. Water					
	10.4. Sanitation					
	10.5. Electricity					
11.	The department has not entered into collaborative partnerships with other agencies or various role players in civil society with regard to advancing the tenets of gender equality.					
12.	Women constitute a small percentage at:					
	12.1. Chief Director level					
	12.2. Director level					
	12.3. Deputy Director level					

Degree of Preference

1= To a very large extent; 2 = To a large extent; 3= To a small extent; 4 =To a very small extent;
5 = Not at all.

STATEMENTS

STATEMENT S	DEGREE OF PREFERENCE				
	1	2	3	4	5
1. Women are not involved in the following stages of policy development:					
1.1. Definition of gender policy					
1.2. Design of gender policy					
1.3. Development of gender policy					
1.4. Implementation of gender policy					
2. Information is not made available					

	2.1. To empower women in terms of their rights .					
	2.2. For development of knowledge					
	2.3. For development of skills of women for specific occupations					
3.	Policies and programmes in this department do not take into account the understanding that women are not a homogenous group.					
4.	Input from women from public engagements does not inform:					
	4.1. Government planning processes					
	4.2. Integration in the overall development process					