**From R&S Policy for Academic Posts**

**Appendix 1: Implications of the Employment Equity Act for recruitment and selection purposes.**

Within the selection process, to ensure fairness and accountability, and to promote employment equity and diversity, the following take place:

1. The **competencies/criteria for the post** are identified at the outset of the process with input from the department and discussion with the Selection Committee, all of this take place prior to advertising of the process. In this way, objective criteria for selection are identified independent of who the applicants might be. Such competencies ensure that whoever is appointed is suitably qualified as required by the Employment Equity Act;
2. The **competencies/criteria for the post** must not be over-stated relative to the requirements for the post. The possibility of individuals acquiring the necessary competencies within a reasonable period of time should also be explored;
3. The **competencies/criteria for the post** are used consistently throughout the recruitment and selection process i.e., the competencies are not altered during the selection process. Where they are altered, the recruitment process needs to be repeated with the new competencies indicated;
	1. In considering the **recruitment strategies** for a vacant post, the media used must bring the job opportunity to the attention of all demographic groups. It is the responsibility of the HR Division to check the readership patterns of media used on at least an annual basis. Where the Selection Committee is concerned that there may not be quality applicants from all demographic groups using the available media, a **Search Committee** may be used to identify such applicants. The Chair of the Selection Committee is tasked with ensuring that the pool of applicants includes applicants from all demographic groups and where this is not the case, that sufficient effort has been taken to recruit such applicants. Such effort may include the constitution of a Search Committee to identify and encourage members of designated groups to apply. The Search Committee operates independently of the Selection Committee but may include members of the Selection Committee.Should insufficient effort be taken to ensure that there are quality applicants from designated groups, the Director Human Resources or his/her designate has the right to stop the Selection Committee from proceeding and requiring the recruitment of further applicants for the post. The Search Committee shall never be the sole recruitment strategy pursued.
4. At each stage of the selection process, all **applicants must be assessed using the same techniques** (e.g. if applicants are to give a presentation/seminar, all applicants must do so).
5. Care is taken to ensure that the techniques used are **not culturally or gender biased**;
6. Care should be taken to ensure diversity of Selection Committees;
7. In the **short-listing of applicants**, Selection Committees are asked to identify all candidates worthy of appointment based on the applications and not simply the 3 or 4 candidates that demonstrate the best research record or the most experience to go through to the next selection process. Without engaging in tokenism and ensuring that the requirements for short-listing are met, Selection Committees must include members of designated groups in the short-list. This strategy recognises that selecting individuals on paper may have limitations and that the true contribution of an individual cannot be fully assessed in this way;
8. In the short-listing of applicants, only where there are no or few suitable South Africans applicants, will **foreign nationals** **without resident permits** be short-listed. This is in order to comply with the requirements of the Department of Home Affairs that the institution would need to demonstrate that there were no suitable South Africans for the post;
9. The committee must be able to **substantiate/provide reasons** why a candidate was unsuccessful relative to the identified requirements for the post. The Chairperson is responsible for ensuring that this is done;
10. In the selection process, the committee must be clear on how someone from a designated group will contribute towards the **enhancement of the department**;
11. Selection Committees must select a person consistent with the **requirements of the Employment Equity Act** which includes:
	1. That a suitably qualified (i.e. meets the requirements for the post) applicant from a designated group is appointed;
	2. Where applicants from designated groups are not suitably qualified, reasons for this must be clearly stated.
12. Where a member of designated group is not yet suitably qualified, **consideration is given to the potential** of the applicant to meet the job requirements in a reasonable period of time (in academic posts this would be regarded as within 2 years of appointment). However, the department in which the individual is placed must have the ability to support such an individual who is going to need mentoring and coaching. In order to **recognise the potential of applicants from designated groups**, the trajectory of an applicant’s merit should be considered. For example, potential would be considered when an applicant does not have as strong a research record as other candidates but has demonstrated the ability to do quality research given what has been achieved to date. In this instance the person may bring different insights and experiences into the department, provide a role-model for students, add to the diversity of the department in terms of gender/and or race that would offset any potential disadvantage as a result of not choosing the candidate with the strongest research record. Where an individual is appointed on potential and in order to provide the necessary support to this individual, application can be made for additional staffing resources;
13. Where it is **difficult to differentiate between candidates** from designated groups and both are South Africans, the demographic profile of that department/division/faculty or that of the occupational category of staff will be considered in making a decision (e.g. in the case of clerical staff which are predominately women, preference could be given to a male). Where a person with a disability has applied**,** consideration must be given to how the environment and/or job can be adapted without the institution experiencing undue hardship (refer to the Staff Disability Policy for further details);
14. **Feedback,** if sought, is willingly provided to applicants in the spirit of trying to help them develop and better prepare themselves for other advertised posts in the future. In the case of staff and where feasible, such individuals will be encouraged to discuss their development needs with the relevant area e.g. CHERTL, Research Office or HR Development Office;
15. Chairpersons of Selection Committees are required to undergo **training on this policy** and be able to identify what constitutes fair and unfair labour practices. Other staff who regularly serve on Selection Committees are also encouraged to attend;
16. Members of a Selection Committee must ensure that they have read the Recruitment and Selection **Policy for Academic Staff** and are **familiar with the requirements** thereof;
17. **Statistics** are kept of each the recruitment and selection process for each post. For each demographic group, these statistics are: how many people applied, how many were short-listed for the interview, who was selected and whether the offer was accepted. These statistics are analysed to identify any potential adverse impact and to see whether equity targets are being achieved. In addition, statistics related to whether posts were advertised internally or externally and whether current staff or outside applicants were successful are also kept.