# Evaluation of Gender Mainstreaming in the appointment of senior management: A case study of the Office of the Premier in Limpopo Province, South Africa

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# EVALUATION OF GENDER MAINSTREAMING IN THE APPOINTMENT OF SENIOR MANAGEMENT: A CASE STUDY OF THE OFFICE OF THE PREMIER IN LIMPOPO PROVINCE, SOUTH AFRICA

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## ABSTRACT

This article seeks to probe the causes of non-compliance with the 50/50 Employment Equity Target by Limpopo Provincial Departments in South Africa on the appointment of members to senior management positions. South African Cabinet Decision 85(A) of 2005, the Women Empowerment and Gender Equality Bill of 2013, and the existing policy reform to address gender inequality in the public service are amongst the very important pieces of legislative frameworks that provide for gender parity at the workplace, and if adhered to, the 50/50 employment equity can be realized. The article aims to evaluate the extent of employment equity (gender mainstreaming) in its implementation and enforcement in the appointment process of senior management in the Office of the Premier of the Limpopo Provincial Government in South Africa. The study uses feminist theories as guiding tools to understand the root causes of inequities in workplaces especially between men and women. An exploratory qualitative approach was embarked upon. Interviews with Directors and Chief Directors responsible for Human Resources Management and Corporate Services were also conducted, as well as the review of existing documents and reports of the provincial government. The study found that the challenges emanate from the Cadre Deployment Policy which dictates that the Executive Council (Executive Authority) should be given the responsibility of appointing members of senior management services based on political and ideological lines. The recommendation made is that there is a need for the Cadre Deployment Policy to be discontinued and disregarded as it compromises excellence, integrity, and expertise.

**Keywords:** Employment equity, Feminism, Gender, Gender Equality, Gender Inequality, Gender Mainstreaming.

## 1. INTRODUCTION AND BACKGROUND OF THE STUDY

The world continues to face challenges of gender mainstreaming especially concerning Senior Management positions in many of the public and private sectors of the economy despite the existing national and provincial pieces of legislation and policy directives that are geared towards the amelioration of gender discrimination. In South Africa, the Employment Equity Act of 1998 was promulgated to promote equal opportunity and fair employment treatment by eliminating unfair discrimination to redress the employment imbalances of the designated groups. The South African Cabinet Decision 85(A) of 2005, the Women Empowerment and Gender Equality Bill of 2013, and the existing policy reform to address gender inequality in the public service are amongst measures put in place to redress the imbalances of the past[1]. The South African government implemented different legislative mechanisms in an attempt to address gender equality in the workplace, and discrimination, and to empower women. All these measures and policies are not yielding the expected results. The Office of the Premier of the Limpopo Province in South Africa is still struggling to comply with its approved Employment Equity and Human Resources Plans to make gender mainstreaming a reality and an acceptable way of life[2]. Unfair treatment, discrimination and gender representation in employment are the challenges confronting women working in male-dominated occupations in a patriarchal setting[3]. Historically, patriarchy has manifested itself in the workplace and influenced career opportunities afforded to women in the public sector. Gender Mainstreaming as a globally accepted strategy established in the

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1 Mavhuthu Musetsho, Nicoleta Isac and Cosmin Dobrin, 'Gender Inequalities in the Workplace: Case Study of South Africa' (2021) 6(1) Management and Economics Review 70

2 Toyin Ajibade Adisa, Gbolahan Gbadamosi, and Olatunji David Adekoya, 'Gender Apartheid: The Challenges of Breaking into "Man's World"' (2021) 28(6) Gender, Work & Organization 2216

3 M Mcilongo and K Strydom, 'The Significance of Mentorship in Supporting the Career Advancement of Women in the Public Sector' (2021) 7(6) Heliyon

Beijing Action Platform in 1995 has the ambition to transform the norms and behaviours that create inequalities[4] to promote gender equality in the recruitment process in the workplace. Therefore, gender mainstreaming is not an end in itself but a strategy, an approach, and a means to achieve the goal of gender equality. Mainstreaming ensures that gender perspectives and attention to the goal of gender equality are central to all activities including policy development, planning, resource allocation, implementation and monitoring of programmes[5]. [6] Women are marginalized and relegated to peripheral positions and decision-making as a result of ineffective implementation of gender mainstreaming strategies. On the other hand, there are some arguments from other scholars that gender mainstreaming is a contested concept and process, as there are competing definitions of goals and theoretical underpinnings which include equality, social justice, transformation, sameness, differences, and human rights.

Gender discrimination and violation of women's inherent rights and freedoms make headlines all over the world[7] and thus necessitate further research through the use of mainstreaming. Gender mainstreaming, accordingly[8], equality is not about adding a "woman's component" or even "Gender equality component" into an existing activity but should be perceived as a means of bringing the experiences and interests of both women and men onto the development agenda.

Gender equality is an essential expression of human rights and that women's rights are human rights[9]. It is not only a fundamental human right but also a necessary foundation for a peaceful, prosperous and sustainable world. The

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4   Lut Mergaert and Emanuela Lombardo, 'Resistance to Implementing Gender Mainstreaming in EU Research Policy' in Towards Gendering Institutionalism: Equality in Europe (Rowman and Littlefield 2017) 101

5   UN Women, Monitoring Gender Equality and the Empowerment of Women and Girls in the 2030 Agenda for Sustainable Development: Opportunities and Challenges (2015)

6   Cowen Dziva and Brian Dube, 'Promoting and Protecting Minority Languages in Zimbabwe: Use of the 1992 UN Minorities Declaration' (2014) 21(3) International Journal on Minority and Group Rights 395

7   H Zia, 'Progress, Challenges in Gender Equality in China' China Daily (6 May 2018)

8   Sara Reis, 'Gender Mainstreaming in the EU: A Paradox for Women's Organisations' (PhD thesis, University of Sheffield 2018)

9   Ade Risna Sari and Erry Fitrya Primadhany, 'Exploring the Role of International Human Rights Treaties in Promoting Gender Equality and Women's Empowerment' (2023) 1(03) West Science Law and Human Rights 98

attainment of gender equality should not be seen as an end itself or a compliance issue but, should be viewed as a prerequisite for sustainable development[10]. Gender equality has been defined as equality (Goal 5) as one of the Sustainable Development Goals that should be complied with.

Gender equality between men and women[11]. It does not mean that women and men have become the same, but that their rights, responsibilities, and opportunities should not depend on whether one was born male or female[12]. Gender equality requires equal enjoyment by women and men, and this is supported by section 2 (Chapter 2) of the Bill of Rights in the Republic of South Africa Constitution of 1996[13].

## 2.  LITERATURE REVIEW

The Women and Development and the Gender and Development debate agenda, necessitated gender mainstreaming as a gender equality strategy endorsed by the Fourth World Women's Conference held in Beijing China in 1995[14]. All states affirmed their commitment to the Beijing Declaration and Platform for Action to improve the status of women[15]. This was after the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which is described as the international bill of rights for women adopted in 1979. CEDAW was followed by many other gender equality agreements such as Sustainable Development Goals (Goal 5), and South African Development Community Protocol on Gender[16].

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[10]  David Donoghue and Amina Khan, 'Achieving the SDGs and "Leaving No One Behind"' (2019)

[11]  United Nations Development Programme, Human Development Report 2014 (Geneva, Switzerland, 2014)

[12]  Yali Pang, 'Gender Equity in China and the Impacts of Family Planning Policies and Actions' in Global Equity in Administration (Routledge 2020) 23

[13]  Jenny Tu, 'A Study on the Impacts of Gender Mainstreaming on Men and Women in the World' (2015)

[14]  Ibid

[15]  Matilda Lasseko-Phooko and Safia Mahomed, 'The Challenges to Gender Equality in the Legal Profession in South Africa: A Case for Substantive Equality as a Means for Achieving Gender Transformation' (2021) 21(1) African Human Rights Law Journal 494

[16]  Suneeta Dhar, 'Gender and Sustainable Development Goals (SDGs)' (2018) 25(1) Indian Journal of Gender Studies 47

Article 12- Representation in the South African Development Countries, indicates that States Parties endeavoured that, by 2015 at least 50 per cent of decision-making positions in the public and private sectors would be held by women including the use of affirmative action measures as provided for in Article 5[17]. It is disturbing that this target was never reached. Furthermore, the study conducted by the World Economic Forum in 2018 shows that no country in the world will manage to eliminate the gap between men and women by 2030 as per the set international agreed targets[18]. The problem with the appointment of members of the Senior Management Service (SMS) is not unique to South Africa. Countries like Saudi Arabia and India, women are faced with diverse obstacles that inhibit their advancement[19].contends that gender inequality in many countries is a complex phenomenon that can be seen in organizational structures, processes and practices[20].

The problem is evident as presented by [21] who indicates that the global participation rate of women in national parliaments was 24.1 per cent in 2013 and 42.2 to 61.3 per cent in ten countries in 2014. Women's Heads of State improved from 8 in 2013 to 11 in June 2019. Inter-parliamentary reported that only 24.3 per cent of all parliamentarians were women as of February 2019 which demonstrates a slow increase of 11.3 per cent from 1995[22]. The report presented by the United Nations Women, in November 2018, found only three countries in the world to have attained 50 per cent or more women in parliament[23]. A study conducted by the Global Gender Index in 2018 revealed that women held under a quarter (24 per cent) of senior roles across the world in 2018 which is a decrease from 25 percent in 2017. However, [24]

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[17] Echere Angela Chinyere, 'Implementation of Gender Equality Policies in the Public Sector: A Case Study of the Gauteng Department of Labour, South Africa' (PhD thesis, 2021)

[18] Liz Ford, 'Not One Single Country Set to Achieve Gender Equality by 2030' The Guardian (3 May 2019)

[19] Julie Hodges, 'Cracking the Walls of Leadership: Women in Saudi Arabia' (2017) 32(1) Gender in Management: An International Journal 34

[20] Cailin S Stamarski and Leanne S Son Hing, 'Gender Inequalities in the Workplace: The Effects of Organizational Structures, Processes, Practices, and Decision Makers' Sexism' (2015) 6 Frontiers in Psychology 135488

[21] Eran Shor, Arnout van de Rijt, and Vivek Kulkarni, 'Women Who Break the Glass Ceiling Get a "Paper Cut": Gender, Fame, and Media Sentiment' (2022) Social Problems

[22] Ibid

[23] Rashell Porter, 'Colorful Women in Leadership' (2020)

[24] A D Patel, 'Gender Parity in Cabinet Does Not Guarantee Progress for Women—Activists' Mail & Guardian (30 May 2019)

argues that gender parity in the cabinet does not guarantee progress for women, in particular, the public service.

Women are over-represented in support functions like administration, while men tend to be concentrated on leadership functions[25]. In 2020, it was reported that in the United States of America, 40 per cent of human resources Directors are women, compared to 17 per cent of Chief Marketing Officers and 16 Percent of Chief Information Officers. The table below depicts the proportion of women in senior leadership per region. Africa is leading followed by Eastern Europe and Latin America respectively.[26]presented the status in 2019, on the proportion of women in senior management roles which grew to 29 per cent globally. The argument as well as the world discourse put forward by different scholars and studies on this matter is the reality that is facing the world, and it has to be confronted as it is[27].

Table 1: Proportion of women in senior leadership per region

| Region | Percentage of Women in Senior Management |
|---|---|
| Africa | 38% |
| Eastern Europe | 35% |
| Latin America | 33% |
| Eastern Europe | 30% |
| North America | 29% |
| Asia Pacific (APAC) | 27% |

Source: Catalyst, 2020

Iceland, Finland, Norway and Sweden referred to as Nordic countries are leading the world in closing the gender gap through the implementation of different interventions aimed at addressing gender inequality[28]. However, one can challenge interventions such as quotas and Mandatory Parental Leave as they are not addressing what the study aims to achieve. The countries that are viewed as having made progress internationally are (Denmark, Sweden, Finland, Ireland, Canada, New Zealand and SADC Region such as Rwanda, Ethiopia, Zimbabwe, Nigeria and South Africa), in terms of the composition

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[25]  Amanda B Elam and others, Women's Entrepreneurship Report 2018/2019 (Global Entrepreneurship Research Association 2019)

[26]  Karen A Mingst, Margaret P Karns, and Alynna J Lyon, The United Nations in the 21st Century (Routledge 2022)

[27]  Ibid

[28]  World Economic Forum, Gender Inequality: Having Women in Leadership Roles is More Important Than Ever (2022, Geneva)

of the senior management in the Public Service or Public Administration institutions. This assisted in understanding the extent of the barriers inhibiting women from occupying senior management positions.

There is concurrence with the notion that there is an improvement in women in leadership roles. However, it is only visible in the private sector and excludes the public sector which has been greatly neglected for decades in South Africa. It is against this backdrop that this article seeks to unravel the reasons behind the failure of the public sector to implement gender mainstreaming, especially in management positions.

South Africa's success in bringing about gender equality has perhaps been most visible in executive decision-making, particularly in national and provincial parliaments like most countries in the world[29]. Globally, in 2019, South Africa fell within the top ten countries with the highest proportion of seats held by women in national parliament[30]. Furthermore the reports indicate that in 2009 in South Africa, 43 percent of Members of Parliament and 41 percent of Ministers were women and 5 of 9 Provincial Premiers were women while at provincial legislature women stood at 41 percent[31]. However, in South African public service, women are still underrepresented in all nine (9) provinces while men are over fifty per cent.

The Office of the Premier is not the only one in Limpopo Province to struggle to reach the 50 per cent target at its Senior Management Service (SMS) level. The equity status of all Limpopo Provincial Departments which have not been improving is reflected in the tables below from 2020 until 2022. The situation might mean the recruitment policies and Employment Equity Policies are flawed or there are deliberate efforts by those responsible for the final appointments to disregard their laws.

Table 2: SMS employment equity status for all provincial departments in Limpopo as at June 2020

| Department | Female | Percentages (%) | Male | Percentages (%) | Total |
|---|---|---|---|---|---|
| Office of the Premier | 27 | 42.2 | 37 | 57% | 64 |

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[29] Mokoko Sebola, 'Achieving Gender Equity in Leadership of South African Institutions of Higher Learning: Is Woman Empowerment Mission Impossible in Universities?' (2015) 2(1) International Journal of Higher Education Management
[30] Ibid
[31] Ibid

| | | | | | |
|---|---|---|---|---|---|
| Education | 20 | 32.8 | 41 | 67.2 | 61 |
| Agriculture & Rural Development | 18 | 47.4 | 20 | 52.6 | 38 |
| Treasury | 20 | 40.8 | 29 | 59.2 | 49 |
| LEDET | 16 | 40.0 | 24 | 60.0 | 40 |
| Health | 36 | 43.9 | 46 | 56.1 | 82 |
| Transport & Community Safety | 11 | 28.9 | 27 | 71.1 | 38 |
| Public Works, Roads & Infrastructure | 12 | 36.4 | 21 | 63.6 | 33 |
| COGHSTA | 21 | 42.0 | 29 | 63.6 | 50 |
| Social Development | 14 | 51.9 | 13 | 48.1 | 23 |
| Sport, Arts & Culture | 8 | 40.0 | 12 | 60.0 | 19 |
| **TOTAL** | **199** | **40.0** | **299** | **60.0** | **497** |

Source: Limpopo Office of the Premier, 2023

Table 3: Employment equity status for all provincial departments as at June 2021

| Department | Female | Percentages (%) | Male | Percentages (%) | Total |
|---|---|---|---|---|---|
| Office of the Premier | 29 | 46.0 | 34 | 54.0 | 63 |
| Education | 20 | 32.3 | 42 | 67.7 | 62 |
| Agriculture & Rural Development | 14 | 48.3 | 15 | 51.7 | 29 |
| Treasury | 20 | 41.7 | 28 | 58.3 | 48 |
| LEDET | 16 | 38.1 | 26 | 61.9 | 42 |
| Health | 35 | 44.3 | 44 | 55.7 | 79 |
| Transport & Community Safety | 12 | 32.4 | 25 | 67.6 | 37 |
| Public Works, Roads & Infrastructure | 12 | 37.5 | 20 | 62.5 | 32 |
| COGHSTA | 20 | 42.6 | 27 | 57.4 | 47 |
| Social Development | 14 | 48. | 15 | 51.7 | 29 |
| Sport, Arts & Culture | 5 | 26.3 | 14 | 73.7 | 19 |
| **TOTAL** | **197** | **40.5** | **290** | **59.6** | **487** |

Source: Limpopo Office of the Premier, 2023

Table 4: Employment equity status for all provincial departments as at June 2022

| Department | Female | Percentages (%) | Male | Percentages (%) | Total |
|---|---|---|---|---|---|
| Office of the Premier | 27 | 43.5 | 35 | 56.5 | 62 |

| | | | | | |
|---|---|---|---|---|---|
| Education | 22 | 34.9 | 41 | 65.1 | 63 |
| Agriculture & Rural Development | 16 | 50 | 16 | 50. | 32 |
| Treasury | 18 | 42.9 | 24 | 57.1 | 42 |
| LEDET | 16 | 38.1 | 26 | 61.9 | 41 |
| Health | 30 | 43.5 | 39 | 56.5 | 69 |
| Transport & Community Safety | 14 | 40.0 | 21 | 60.0 | 35 |
| Public Works, Roads & Infrastructure | 9 | 31.0 | 20 | 69.0 | 29 |
| COGHSTA | 17 | 43.6 | 22 | 56.4 | 39 |
| Social Development | 14 | 51.9 | 13 | 48.1 | 27 |
| Sport, Arts & Culture | 8 | 40.0 | 12 | 60.0 | 20 |
| **TOTAL** | **190** | **41.4** | **269** | **58.6** | **459** |

**Source: Limpopo Office of the Premier, 2023**

The three tables above show that gender representation in the Office of the Premier has been between 42 to 46 percent while males were 54 to 56 percent respectively. However, having two provincial departments that are above 50 percent shows that the 50 percent equity target is achievable.

Employment equity/gender representation at the senior management level is a worldwide problem. In South Africa, particularly in Limpopo Province, progress on meeting the employment equity target and gender representation at the senior management level is slow even after the new government took over in 1994. The recommendation of who should be appointed remains the responsibility of the Recruitment and Selection Committee while the final approval or decision for this level in line with the delegations issued by the Minister of Public Service and Administration is granted by the executive authority, who in this case are the Ministers, Premiers and Members of Executive Council (MECs). Chapter 9 institutions such as the Public Service Commission (PSC), Commission for Gender Equality (CGE) and Public Protector are only tasked with oversight functions focusing on investigations after the damage has been done instead of putting measures in place to monitor the recruitment processes. The Department of Employment and Labour has the mandate to impose a penalty of R1,5m on institutions that do not comply with the Employment Equity Act, of 1998. However, the issue of

gender representation or 50/50 percent gender equity is not covered by the mandate of this institution. An absence of visible evidence on the penalties imposed on government departments concerning gender inequality necessitated an evaluation of the missing link between the coordination and monitoring mechanisms in existing employment policies and processes that are followed in the recruitment and selection of senior managers.

## 3.    DISCUSSION OF GAPS AND BARRIERS

### 3.1 Theoretical Framework

A qualitative research approach was used in the study to lay out the gaps and barriers pertaining to the topic under study since it provides a greater opportunity for a feminist sensitivity to the problem[32]. Qualitative research as the exploration and understanding of a central phenomenon.  When we say an approach, we mean plans and the procedure for research that encompass the steps from broad assumptions to detailed methods of data collection, analysis, and interpretation[33]. The approach and its exploratory design aimed at experiencing the phenomenon and determining what participants think, feel, and experience about gender mainstreaming (employment equity policies) in the appointment process of senior management at the Limpopo Office of the Premier. The article focused on issues of discrimination, marginality, oppression and positionality of women using the lens of feminism as an analytical tool in advancing to leadership positions. Feminist research is not exclusive to women, but it is often done with an emancipatory emphasis on women and that research must be conducted within institutions that are still patriarchal[34]. The selected research approach investigated meanings, interpretations, symbols, processes and relations of social life[35].

The researcher opted for the interpretivism paradigm based on the thinking that suggests that the social realities of people are influenced by their

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[32]    Alan Bryman, Social Research Methods (Oxford University Press 2016)
[33]    Vijay Kumar Grover, 'Second Generation Gender Bias: Invisible Barriers Holding Women Back in Organizations' (2015) 1(4) International Journal of Applied Research 1
[34]    David E McNabb, Research Methods in Public Administration and Nonprofit Management (Routledge 2017)
[35]    Ibid

experiences and the social context within which they exist[36]. Philosophical worldviews are the basic components of a research approach which assist researchers to ensure that when they choose a particular research approach, it necessitates matching research designs and methods. Philosophical worldviews originated from epistemology considerations, which determine a paradigm as per the philosophical orientation of the research approach[37]. Epistemological considerations are approached into several categories based on the nature and structure of the knowledge[38]. Two of the philosophical worldviews relevant to this study are constructivism and transformative.

## 3.1 Research Design

A research design is the actual framework of research that provides specific details regarding the process to be followed in conducting the research[39]. The exploratory research design was used, the goal being to formulate problems, clarify concepts and form hypotheses that were not tested as it was not a requirement. The explorative research design was used as it was well suited to respond to the research questions appropriately and adequately. The design was selected as it allowed the researcher to examine the phenomenon in-depth evidence that was obtained from data collection techniques.

The study sample comprised women and men at the levels of Deputy Directors, Directors, and Chief Directors since they were the ones who could be in line for senior management posts as and when they become vacant, as public servants rely on this opportunity for upward mobility. The population was of benefit to the researcher as they provided valuable information and experiences of gender inequality at senior management in the Office of the Premier-Limpopo Province. The non-probability purposive sampling[40] is widely used in qualitative research for the identification and selection of

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36  Husam Helmi Alharahsheh and Abraham Pius, 'A Review of Key Paradigms: Positivism vs Interpretivism' (2020) 2(3) Global Academic Journal of Humanities and Social Sciences 39
37  Ibid
38  Ibid
39  S Sreejesh, Sanjay Mohapatra, and M R Anusree, Business Research Methods: An Applied Orientation (Springer 2014)
40  Lawrence A Palinkas and others, 'Purposeful Sampling for Qualitative Data Collection and Analysis in Mixed Method Implementation Research' (2015) 42 Administration and Policy in Mental Health and Mental Health Services Research 533

information-rich cases related to the phenomenon of interest. Hence, a total of nine (9) employees were selected; Deputy Directors (5), Directors (2) and Chief Directors (2) levels were selected from all four Branches of the Office of the Premier-Limpopo Provincial Government. [41]opines that there are no published guidelines or tests of adequacy for estimating the sample size required to reach saturation or rules for sample size as this choice depends on what research wants to know, the purpose of the inquiry, and the problem to be addressed.

Researchers used semi-structured interviews, focus group discussions as well as secondary sources to collect data. This process was done until the data was saturated. The data collection methods were described enough in detail for justification of choice and the possibility of repetition by other researchers or in any other situation[42].

Qualitative interviews afforded researchers opportunities for mutual discovery, understanding, reflection and explanation of the phenomenon in question[43]. Interviews were relevant to the study as they elucidated subjectively lived experiences and viewpoints from the respondents' perspective on gender mainstreaming strategy in the appointment process of senior management in the Office of the Premier-Limpopo. Interviews also assisted the researcher in exploring the complex phenomenon of gender mainstreaming that was hidden or unnoticed due to the sensitivity of the topic. Participants provided accounts of their explanations and justifications for their actions and opinions. The interview process was recorded through an audio recorder for accuracy during transcription. All the ethical considerations were adhered to.

Nine participants, two Chief Directors, two Directors, and five Deputy Directors from the four branches in the Office, namely; Corporate Management, Institutional Development Support, Stakeholder Management Coordination and Performance Coordination, Monitoring, and Evaluation, participated in the study (two (2) Chief Directors, two (2) Directors and five (5 Deputy Directors) were selected in this study.

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[41]    Ibid
[42]    Ibid
[43]    Ibid

The categories sample selected were to share their knowledge and experience on gender mainstreaming in the appointment process of members of senior management in the Office of the Premier-Limpopo Province. The selected employees (participants) are in the pipeline and are poised to take different senior management positions as and when they become available. This exercise was analysed using categories that have been developed by researchers based on the study objectives and research questions and emerged input categories of the participants.

The biographical information of the participants is presented in the table below.

Table 5: Represents the biographical information of participants.

| Participant | Gender | Age category | Occupation | Post-Experience | Number of years in the department | Level of qualification |
|---|---|---|---|---|---|---|
| 1 | Female | 61 | Chief Director | 12 | 17 | Masters Degree |
| 2 | Male | 50 | Chief Director | 13 | 28 | Masters Degree |
| 3 | Male | 62 | Chief Director | 08 | 27 | Masters Degree |
| 4 | Male | 58 | Director | 10 | 10 | Masters Degree |
| 5 | Male | 49 | Director | 14 | 20 | Masters Degree |
| 6 | Male | 47 | Director | 07 | 07 | Honours |
| 7 | Male | 58 | Deputy Director | 06 | 37 | Masters Degree |
| 8 | Female | 47 | Deputy Director | 10 | 17 | Diploma |
| 9 | Female | 52 | Deputy Director | 15 | 21 | Masters Degree |

All nine participants were asked the same questions linked to the objectives.

The researcher used hand coding for the data from a few individuals, although the process was laborious and time-consuming. Data analysis proceeded firstly from the more general procedure of analysing the data, and secondly, the analysis was embedded within the narrative design, employing restoring the participants' stories using setting, plot, and activities. For this case study, descriptions and themes convey multiple perspectives from participants' settings or individuals used. This research occurred in a natural

setting where human behaviour and events unfold. The themes and sub-themes established in the study arose from the objective which sought to establish the extent of implementing Equal Employment policies on gender transformation. These are as follows:

| Themes | Sub-themes |
|--------|------------|
| Objective: Extent of implementing EE policies on gender transformation | • Absence or no implementation of EE plan<br>• Tribalism, Nepotism and Discrimination.<br>• Lack of political will<br>• Cadre deployment |

### Participant 1:
"Gender mainstreaming policies are not implemented but are spoken about when the Director General and the Premier appear at the Portfolio Committee during events such as 16 Days of Activism Against abuse of women. Otherwise, gender mainstreaming is considered an operational activity that is not necessarily binding. Gender representation in the Office has in the past ten years hovered between 35-39 percent at senior management level and no one has been subjected to  non-compliance regarding gender mainstreaming policies.

### Participant 2 agreed with Participant 1 by saying the following:
"The Office of the Premier has sufficient Human Resource and Employment Equity Plans in place, and is fully and effectively implemented as women are well represented. The Employment Equity Manager and Employment Equity Forum are in place although there is no Gender Mainstreaming strategy or Policy in place to implement the plans. Updates on the employment equity status are presented during Executive Management Meetings, and shortlisting process to remind members of the goal to achieve a 50 percent equity target at the SMS level. But this is done as a knee-jerk reaction to fulfilling the 50/50parity on gender mainstreaming.

### Participant 3 also said the following:
"The Office does not seem to be committed to implementing the Employment Equity Policy. This is shown by the way our office neglects the 50/50 percent Employment Equity target. The interview panel deviates from the existing and approved Employment Equity Plan. When

it is applied, it is partially done. For example, the Employment Equity Officer presents the Employment Equity status during the recruitment process, but the interview panel deviates as they sometimes have their preferred candidates. When enquired, the response will be that no women were meeting the requirements of the advertised posts. The Office does not have a Gender Mainstreaming Policy.

### Participant 4 echoed the same sentiment as follows:

"Employment Equity policies are not effectively implemented as the Office always goes against what has been planned in both the Human Resources and Employment Equity Plans. Recruitment and Selection Panels do not follow approved Employment Equity plans because they always deviate from the rule regardless of the plans stipulating the target group envisaged. They always pass the buck to the Executive Authority (Premier) who is responsible for approving the appointment of senior management. In addition, these policies do not yield the intended results as there is an element of tribalism and discrimination. Employees are appointed based on where they come from which is a serious concern. The panel is improvised to do the work assigned to it. For example, appointing people of their choice who are politically connected.

### Participant 5 also indicated the following:

"The available Employment Equity policies are applied selectively and haphazardly. Sometimes it is a matter of preference as to who should be recommended for appointment because when a woman retires, the post is automatically filled by men who are politically connected.

### Participant 6 said the following:

"To the best of my knowledge, Employment Equity policies are ineffectively implemented as the majority of the candidates are from outside the Office while internal employees are overlooked. The Office does not have a Gender Mainstreaming Strategy or Policy separate from the Employment Equity and Human Resources Plans".

### Participant 7 also said the following:

"The Employment Equity policies are not applied uniformly hence it is difficult to comply with the required 50/50 percent equity target. There is also inconsistency in the implementation of the existing Employment Equity Act. The Office does not have an approved Gender Mainstreaming Policy, but there are other relevant policies in place.

**Participant 8 (female Deputy Director) said the following:**
"There is inconsistency in the implementation of the Employment Equity Act. At times it is implemented, and in some cases not. The Office does not have a Gender Mainstreaming Policy which makes it difficult to comply with 50 percent gender representation. The Office also neglects the inclusion of the 8-Principles Action Plan developed by DPSA which requires national and provincial departments to comply and report to the department annually. Employment Equity policies and processes are not applied in the Office of the Premier, especially at the Top Management level.

**Participant 9 had this to say:**
"The Office is currently improving and performing well in gender mainstreaming due to the implementation of the existing employment equity policies as compared to the past where the bigger portion of senior management was mostly men. The Office also prioritizes the appointment of female candidates in most senior management posts. Over and above the Employment Equity Plan, the Office has recently approved a strategy wherein SMS posts vacated by designated groups, in particular females, are ring-fenced for females.

The above data was useful in evaluating policy implementation because each participant provided detailed information about how a policy was implemented or provided insight as to why certain procedures were followed for implementation. According to the oral transcripts provided, employment equity is not implemented as set out in the employment equity plan (EEP). When the Director General and Premier are invited to the Portfolio Committees, it seems like they are there to have a talk show or a mere routine activity rather than to solve problems of gender marginalization and discrimination. Because there is no consequence management for non-compliance, the policy on employment equity seems to be an operational occurrence that is not legally obligatory to abide by.

Although EE and HR Plans are in place, there are no implementation steps to follow gender mainstreaming. Top management meetings serve to update and remind members of 50-50 equity targets at the SMS level. Despite EE officers being allowed to present equity status during the recruitment process, the interview panel often has preferred candidates (nepotism) for the post advertised. Women are often found not meeting the post requirements.

The recruitment and selection panels deviate from the rules either through tribalism, discrimination or political connectedness. Preferential treatment is apparent when a woman is replaced by a politically connected male. Internal employees are overlooked to give way to what has recently been called cadre deployment (which means appointments based on one's affiliation to the ruling party).

The slow pace of implementing a gender mainstreaming policy in the Office of the Premier renders the policy of gender parity ineffectual. In this light, the failure to meet equity targets by the Office of the Premier proves that there is no real political will and commitment to transform the Province in terms of gender equality[44]. Political will is key for the effective and visible implementation of gender mainstreaming. This is missing in the office of the premier. The appointment of members of Senior Management (Levels 13-16) in the Office is the responsibility of the members of executive authority which is interwoven with the office of the premier. Political commitment has to exist at both the political and national level to deal with policy failure as well as identifying key and clear messages to the technocrats who are making decisions about appointments[45]. Without political will and buy-in from the key role players both within and outside the institutions, the gender mainstreaming projects of senior management in the public sector are unachievable[46].

The finding revealed that there are absolutely no consequences for those who are non-compliant with the laws and policies regarding gender mainstreaming. From the oral transcripts, it is evident that the Office of the Premier has employment equity policies and plans in place for the appointment of members of senior management. However, some have reservations about their ineffectiveness. Discrimination occurs when a male replaces a female employee despite the required target of meeting the 50/50 gender parity goals laid down by the government. Often nepotism, favouritism, preferential treatment and political interference become the order of the day in the selection of candidates for these roles. In some cases,

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[44]  Thobanjalo Nkabinde, Commission for Employment Equity Report (2017-2018) (Department of Labour 2018)

[45]  K L Karimi, 'Role of Leadership in Gender Mainstreaming: A Case of Ministry of Education, Machakos Country' (2016) International Journal of Scientific Research and Innovative Technology ISSN 231-3759

[46]  Shirin M Rai, 'Institutional Mechanisms for the Advancement of Women: Mainstreaming Gender, Democratizing the State?' in Mainstreaming Gender, Democratizing the State (Routledge 2017) 15

posts vacated by females are filled by males. This takes place despite the panel being made aware by Human Resources of the required gender for particular posts. There is also no transparency in the implementation/application of employment equity policies, and the recruitment process is only visible when completed.

It is in this light that many of the gender obstacles facing women are not easy to identify and some require long-term measures and time to eliminate[47]. Therefore, the equity office needs to avoid litigations from employees who might feel discriminated against. Internal employees might have felt that because they were not sufficiently politically aligned with the party that is ruling, therefore they might not be considered. Participants might also have the perception that the Office does not trust internal candidates who have applied for senior positions.

The other probable explanation of the findings might be that the absence of trust in internal candidates relates to prejudices, gender stereotypes, and organizational culture, coupled with political interference. The other reason might also be that the appointed recruitment and selection panel have their preferred candidates before the actual process of shortlisting and placement commences. This is a clear deviation from the approved Employment Equity Plan of the Office, as indicated earlier in the study.

The findings from these oral transcripts reveal that the three participants, two females and a man agreed that employment equity policies in the Office of the Premier are not effectively implemented. Whenever these policies are implemented, they are selective and not applied uniformly. Gender Mainstreaming as a policy, is not in place and participants are of the view that following this particular policy will indeed make a difference. Participants do not trust the management as far as the recruitment process is concerned. The effect of this is the low staff morale, poor performance and despair. Participants believe that the appointment of acquaintances without considering skills, knowledge and experience is unfair. Incompetent members becoming managers ultimately brings along undesirable challenges for the organization[48].

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[47]   ibid
[48]   Margaret Y Padgett, Robert J Padgett, and Kathryn A Morris, 'Reactions to Nepotism in the Hiring Process: The Role of Family Member Qualifications' (2019) 19(4) Journal of Organizational Psychology

The inclusion or incorporation of the 8-Principles Action Plan for women empowerment and gender equality as indicated earlier, might change how policies are implemented. It is the participant's opinion that if the 8 principles can be incorporated into the existing employment equity plans, improvement can be witnessed in the Office of the Premier and the province as a whole. The participants are anxious that the exclusion of these principles might limit their chances of being considered for higher positions considering that they served the Office for 11 to 20 years and were on the same level for 8 years respectively.

### 3.2 Gender Mainstreaming Policy or Strategy

Six of the nine participants who were interviewed said that the Office of the Premier does not have a gender mainstreaming policy or strategy in place, and the members of the Employment Equity Consultative Forum have confirmed this conclusion. Some participants did, however, the researcher noted that the dearth of awareness campaigns and sessions pertinent to gender equality issues prevented these participants from distinguishing between the various employment equity policies currently in place. The intervention method known as gender mainstreaming aims to make sure that the issues and experiences of both men and women are taken into account when designing, implementing, overseeing, and evaluating transformative policies and programs in all areas of life.

The oral transcripts showed a generalised non-compliance with rules and a widespread absence of enforcement. "Government departments have never faced any penalties from the Department of Labour." According to one participant, this occurs because, if executed, it will appear that the government is punishing itself. For this reason, there is typically insufficient action taken to make up for this accident.

## 4. RECOMMENDATIONS AND CONCLUSION

This study established that gender discrimination emanates from the Cadre Deployment Policy of the ruling party which dictates that the Executive Council (Executive Authority) should be given the responsibility of appointing members of senior management services based on political and

ideological lines. The recommendation made is that there is a need for the Cadre Deployment Policy to be discontinued and disregarded as it compromises excellence, integrity, and expertise. This study further recommends that gender mainstreaming should take precedence over all the other policies meant to bring about equality amongst all genders.

It is true that the Employment Equity Plan is challenging and complex to be implemented. The history of gender discrimination in South Africa extends back to the time of apartheid. The public service that the current South African administration inherited was heavily impacted by racial and gender-biased hiring practices and rules. Women have been severely underrepresented in decision-making bodies and other governing organizations for many years. The greatest and most adequate rules, regulations, and institutions are currently in place in South Africa to oversee the application and observance of employment fairness and policies that are put n place to implement gender equity. Remarkably, there is no consequence management in place for people who wilfully choose not to promote gender equality in the public sector.