



# EMPLOYER GUIDE

- Accessing Funding from the HWSETA
- Disability Inclusivity in the Workplace



higher education  
& training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA



Health and Welfare Sector  
Education and Training Authority

**HWSETA**



## Our Vision

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The creation of a skilled workforce for the health and social development needs of all South Africans



## Our Mission

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The Health and Welfare Sector Education and Training Authority (HWSETA) endeavours to create an integrated approach to the development and provision of appropriately skilled health and social development workers, to render quality services comparable to worldclass standards



## Our Philosophy

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The HWSETA espouses the philosophy of a better life for all through people development



## Our Values

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- Integrity
- Transparency
- Transformation
- Service Excellence
- Fairness
- Consistency
- Honesty
- Trust
- Caring
- Deadline Driven

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# PART 1: How to access funding

## from the HWSETA

### Introduction

Skills development is a national priority for South Africa and meeting the country's skills needs requires collaboration between numerous public and government entities, educational institutions, training providers, as well as private organisations, no matter how big or small.

South Africa's economy is divided into functional sectors and each of these sectors is represented by one of 21 Sector Education Training Authorities (SETAs).

The Health and Welfare Sector Education and Training Authority (HWSETA) is responsible for the education, training and skills development requirements of the health, social development and veterinary sectors.

The HWSETA exists to achieve the following within these sectors:

- Develop and implement the Sector Skills Plan
- Skills development planning, programmes and initiatives
- Monitoring of education and training
- Identification of workplaces for practical work experience
- Support and facilitate the development of the National Skills Development Strategy
- Disbursement of levies collected
- Forge links with all stakeholders and relevant bodies
- Account for the effective and efficient use of public monies in line with the provisions of the Public Finance Management Act
- Promotion of the employment of disabled persons

When we talk about skills development, it's about changing people's lives, about enhancing their employability and about

aligning skills to our economy.

The Skills Development Levies Act (No 9 of 1999) (SDLA) established a compulsory levy scheme for the purpose of funding education and training as envisaged in the Skills Development Act (No 97 of 1998) (SDA). The levy became payable with effect from 1 April 2000. The Department of Higher Education and Training (DHET) in conjunction with South Africa's SETAs, is responsible for administering the Act, while the South African Revenue Service (SARS) is responsible for the collection of levies.

Employers liable for payment of the Skills Development Levy (SDL) to SARS, have to nominate the SETA related to their core business upon registration. The SDL is paid monthly to SARS together with PAYE and UIF contributions, and SARS then allocates this to the relevant SETA. Any employer exempt from SDL payment can apply for registration as an HWSETA non-levy paying member, if its core business relates to the sectors served by the HWSETA.

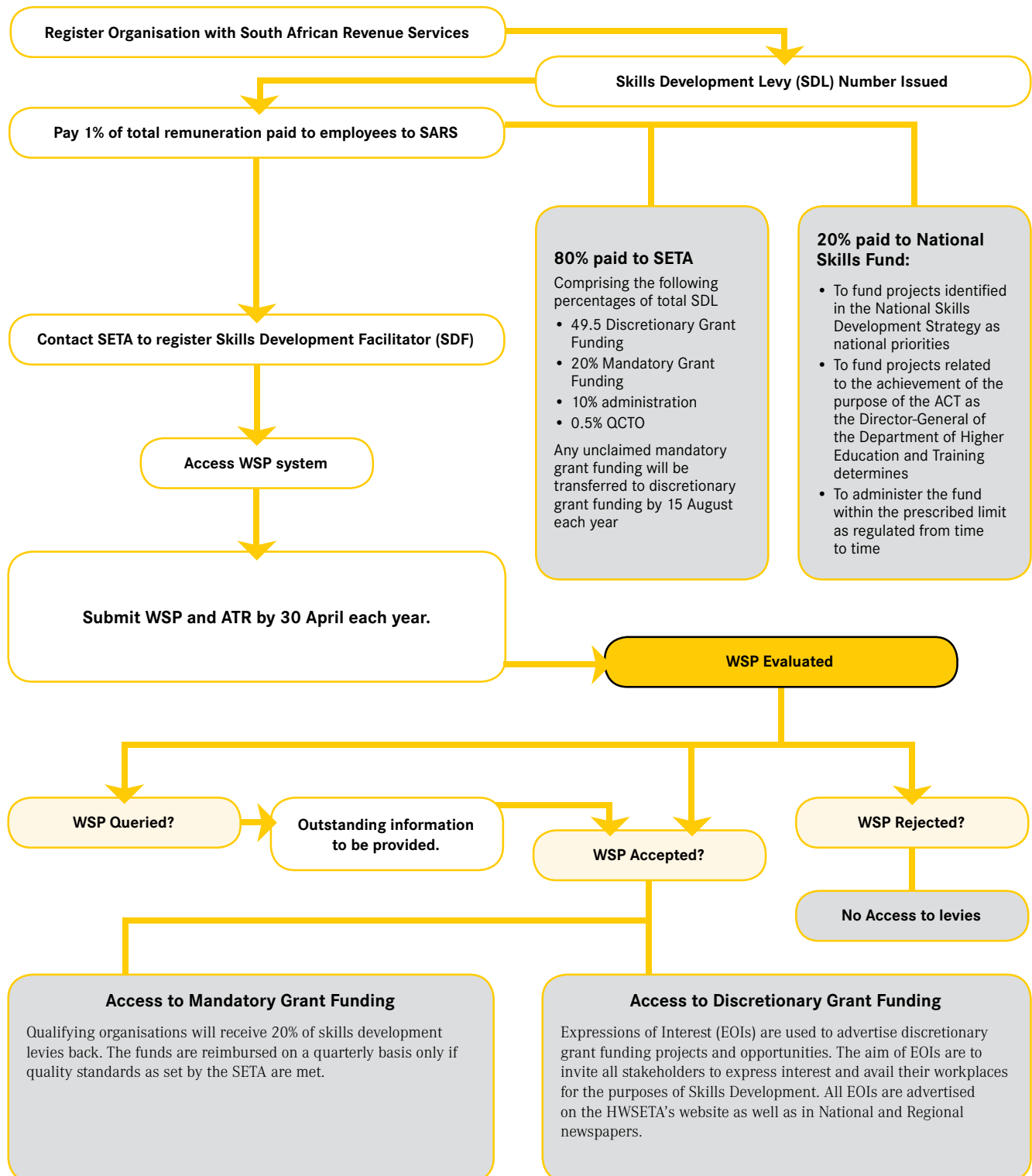
Employers can claim 20% of its total levy contribution annually, called the Mandatory Grant, through submission of a Workplace Skills Plan (WSP) and Actual Training Report (ATR) that are due by latest 30 April each year. Only levy paying organisations may access mandatory grant funding.

Discretionary funds consist of 49.5% of levy contributions, as well as all monies related to unclaimed Mandatory Grants. Discretionary grants are available to both levy- and non-levy paying organisations, and are based on the submission of an Expression of Interest.

Employers have a critical role to play in developing a skilled workforce. The purpose of this document is two-fold. The first is to outline how employers in the health, social development and veterinary sectors can access funding from the HWSETA. The second is to address the importance of disability inclusivity in the workplace, as well as to provide some guidance to employers on how they can open up their places of work as places of training for persons with disabilities.

We hope that the information contained within this brochure will prove helpful and answer any questions you may have. If not, contact your local HWSETA office for assistance. Contact details for all the HWSETA offices in the country are available on the inside back cover.

# Access to Funding for Levy-paying Organisations



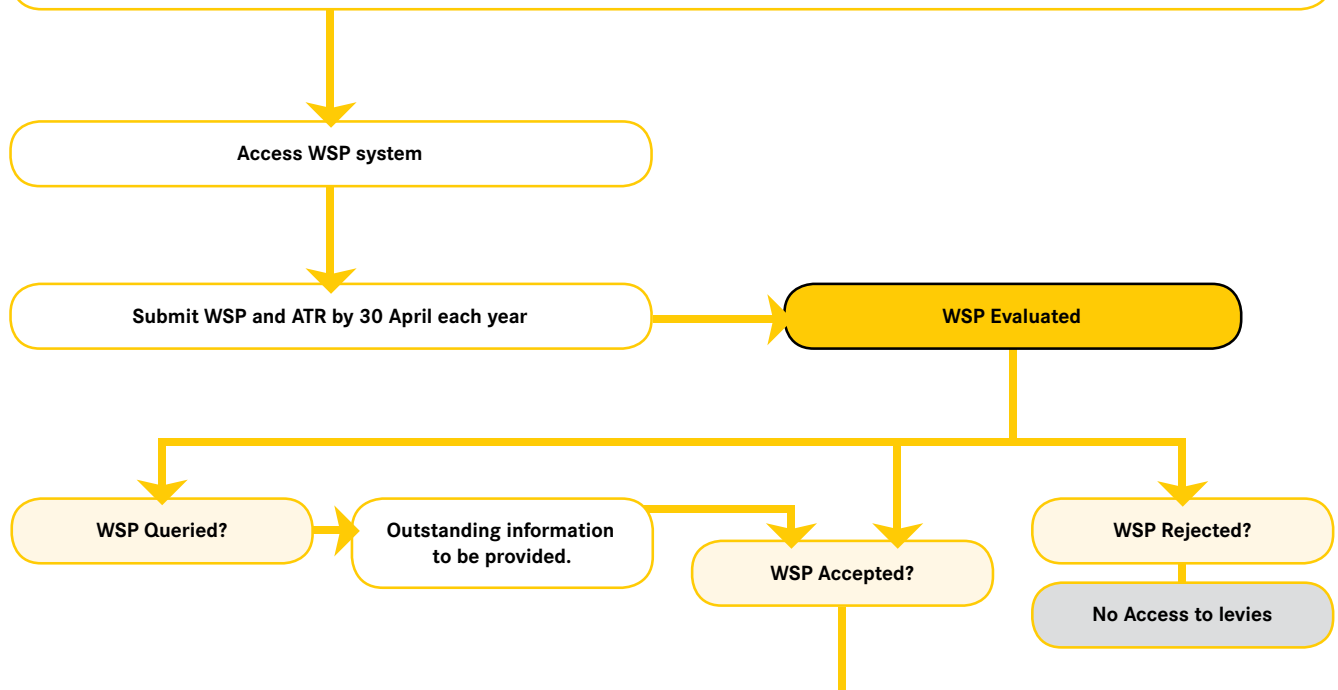


# Access to Funding for Non-levy Paying Organisations

Employers who are not required to pay the SDL are:

- Public Service Employers in the national or provincial government sphere
- Employers where remuneration will not exceed R500 000
- Where the employer is not required to apply for registration as an employer in terms of the Income Tax Act
- Religious or Charitable institutions , public benefit organisations exempt from income tax
- Any national or provincial public entity if 80% or more of its expenditure is defrayed directly or indirectly from funds voted by Parliament.

NGOs, CBOs, NPOs and FBOs may apply for a T-Number that entitles the organisation to apply for discretionary funding. Applying for a T-number involves contacting the relevant SETA and completion of the necessary documentation.



## Access to Discretionary Grant Funding

Expressions of Interest (EOIs) are used to advertise discretionary grant funding projects and opportunities. The aim of EOIs are to invite all stakeholders to express interest and avail their workplaces for the purposes of Skills Development. All EOIs are advertised on the HWSETA's website as well as in National and Regional newspapers.

The following will be contained in the EOI:

- Who can participate
- Requirements that need to be met to be considered
- What training programme to be funded
- Type of learners/beneficiaries to be funded in the project
- Required role players on the projects
- National number of beneficiaries
- The cost for each line items to be funded
- Time frames
- Documents to be submitted with EOI

Types of Discretionary Grants:

- Learnerships
- Skills Programmes
- Bursaries
- Work experience grants
- Pre-apprenticeship grants
- Early Childhood development
- SDF training
- Ad Hoc Projects
- Levy exempt
- SME funding
- Artisans/Apprenticeships

# Skills Development Levy (SDL)

## What is the SDL?

The Skills Development Levy (SDL) Act established a compulsory levy scheme for the purpose of funding education and training as envisaged in the Skills Development Act, No 97 of 1998. The levy came into operation on 1 September 1999 and the levy became payable with effect from 1 April 2000. It is payable by employers on a monthly basis.

The Minister of Higher Education and Training in conjunction with the various Sector Education and Training Authorities (SETAs) is responsible for the administration of the Skills Development Act No. 97 of 1998. Any enquiries regarding the levy grant scheme must therefore be referred to the relevant SETA or the Minister of Higher Education and Training.

The Commissioner for the South African Revenue Service (SARS) is responsible for administering the SDL Act in so far as it relates to the collection and the payment of such levy by employers to the Commissioner.

## What is the purpose of the SDL?

The purpose of the levy collected is to:

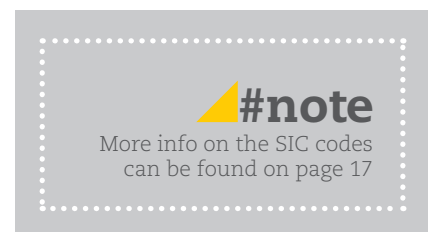
- Develop the skills of the South African workforce
- Improve the quality of life of workers, their prospects of work and labour mobility
- Improve productivity in the workplace and the competitiveness of employers
- Promote self-employment
- Improve the delivery of social services
- Increase the levels of investment in education and training in the labour market and to improve the return on that investment
- Ensure the quality of learning in and for the workplace
- Assist work-seekers to find work, retrenched workers to re-enter the labour market and employers to find qualified employees
- Provide employees with opportunities to acquire new skills
- Provide opportunities for new entrants to the labour market to gain work experience
- Employ persons who find it difficult to become employed
- Encourage workers to participate in leadership and other training programmes
- Improve the employment prospects of persons previously disadvantaged by unfair discrimination and to redress those disadvantages through training and education
- Provide and regulate employment services
- Encourage partnerships between the public and private sectors of the economy to provide learning in and for the workplace

## How does an employer pay the SDL?

The SDL Act prescribes that where an employer is liable to pay the levy, the employer must register as an employer with SARS in the area in which the business is located. Furthermore, the employer should indicate the jurisdiction of the SETA within which the employer must be classified, as well as the applicable Standard Industrial Classification (SIC) code.

In order to ensure that the application for registration of the SDL is processed, the valid classification SETA/SIC codes must be completed. All employers who do not choose a SETA cannot claim their grants as they do not belong to a SETA. They are automatically allocated to SETA 0.

Application to register as an employer must be made on an EMP101.





## Are there any employers that are exempt from paying the SDL?

Yes. Section 4 of the SDL Act allows for the following employers to be exempt from paying a SDL:

- Any public service employer in the national or provincial sphere of Government. These employers must budget for an amount equal to the levies payable for training and education of their employees.
- Any employer, where the total amount of remuneration paid or payable to all of its employees during a 12 month period will not exceed R500 000
- Any national or provincial entity where 80% or more of its expenditure is paid directly or indirectly from funds voted by Parliament. These employers must budget for an amount equal to the levies payable for training and education of their employees.
- Any Public Benefit Organisation (PBO), exempt from the payment of Income Tax in terms of Section 10(1) (cN) of the Income Tax Act which solely carries on certain welfare, humanitarian, healthcare, religion, belief or philosophy public benefit activities or solely provides funds to such a PBO and to whom a letter of exemption has been issued by the SARS Tax Exemption Unit.
- Any Municipality in respect of which a certificate of exemption is issued by the Minister of Higher Education and Training

## Can a levy-exempt organisation access HWSETA funding?

Yes. However, levy exempt organisations are only eligible for discretionary grant funding. To access discretionary grant funding, the levy exempt organisation is required to apply for a T-number.

The following guidelines apply to application for a T-number:

A T-Number can only be applied for when an employer:

- Is unable to obtain the SDL number from SARS and is exempt from paying the Skills Development Levy
- Organisations' primary focus is within the Health or Social Development Sector as per the standard industrial code

The HWSETA will not accept a T-number application form if:

- the application form is incomplete
- the organisation applying for the T-number is not an NPO, CBO, NGO or FBO
- the organisation's primary focus is not within the health, social development or veterinary sector
- the organisation's primary focus is "Training"
- the supporting documents required are not attached

## What Happens to the SDL once paid to SARS?

Once SARS has issued an SDL number, the employer is required to pay 1% of the organisation's total salary bill to SARS. The money is then distributed as follows:

### 20% paid to National Skills Fund

- To fund projects identified in the National Skills Development Strategy as national priorities
- To fund projects related to the achievement of the purpose of the ACT as the Director-General of the

Department of Higher Education and Training determines

- To administer the fund within the prescribed limit as regulated from time to time

### 80% paid to the relevant SETA

This 80% comprises the following percentages of the total SDL.

- 49.5 Discretionary Grant Funding
- 20% Mandatory Grant Funding
- 10% administration
- 0.5% QCTO

### #note

Although some employers are exempt from the payment of the SDL, these employers are not absolved from registration. An employer is only not required to register as an employer for SDL purposes if the employer's total salary bill is less than R500 000.

- the application is not accompanied by an SDF Registration form
- the application form is faxed or emailed
- the application is not stamped with the organisations stamp

After receiving the application form, the HWSETA will:

- Evaluate the application
- Conduct a visit to the organisation's premises (Organisations will be notified prior to the visit)
- Provide a written response to the organisation.

### #note

Any unclaimed mandatory grant funding will be transferred to discretionary grant funding by 15 August each year

## What happens if an organisation has been incorrectly allocated to a specific SETA.

The employer is required to apply for an inter-SETA transfer (IST) using form IST-01. This form is used by an employer requesting the Commissioner of SARS to be transferred from the SETA where an employer has been classified to another SETA.

An IST may be done under any of the following circumstances:

- The company has been incorrectly registered with a SETA where the main business activity does not match the industrial scope of the SETA
- The main business of the enterprise has changed since the previous registration with SARS and now better suits the industrial scope of another SETA
- The employer falls within the jurisdiction of more than one SETA, and the employer's application to transfer to the new SETA is motivated by:
  - » the composition of the workforce,
  - » the amount of remuneration paid or payable to the different categories of employees; and
  - » the training needs of the different categories of employees

Should an organisation wish to move from another SETA to the HWSETA, the IST-01 form must be submitted to the SETA with which the organisation is currently registered. Should a company wish to move out of the HWSETA to another SETA the IST-01 form must be submitted to the HWSETA. The SETA must in turn approve the application and forward the signed application to the Department of Higher Education and Training (DHET). DHET then verifies the request and submits the form to the South African Revenue Services (SARS) who will process the change

This is a process that can be time-consuming. If the application is declined by the relevant SETA, an organisation can



dispute this with the SETA in question. If the transfer is still not effected, the matter can be escalated to DHET. Although the SETA facilitates this process, the SETA cannot be held responsible for changes not being made timeously. It is ultimately the responsibility of the organisation to ensure that they are registered with the correct SETA and to monitor the process and ensure the transfer is completed.

### #note

The inter-SETA transfer form must be signed by the organisation's CEO or Managing Director. This document should detail the core business or main business activities of the organisation in order to facilitate the transfer.

# Skills Development Facilitator (SDF)

A Skills Development Facilitator (SDF) is an individual nominated by the organisation to serve as a liaison between the SETA and the company. This individual will be added as the contact person on the HWSETA's database and he/she will be provided with access to the HWSETA's Enterprise Resource Planning (ERP) Portal.

## The role of the SDF is to:

- Assist the employer and employees to develop a Workplace Skills Plan which complies with the requirements of the SETA
- Submit the Workplace Skills Plan to the relevant SETA
- Advise the employer on the implementation of the Workplace Skills Plan
- Assist the employer to draft an Annual Training Report on the implementation of the Workplace Skills Plan
- Advise the employer on the quality assurance requirements set by the SETA
- Act as a contact person between the employer and the sector SETA
- Monitor payments to SARS, as well as payments received from the SETA
- Serve as a resource with regard to all aspects of skills development
- Communicate SETA initiatives, grants and benefits to the employer

**#note**

The employer should provide the Skills Development Facilitator with the resources, facilities and training necessary to perform the functions set out.

The SDF will receive all invitations to events, receive information about the SETA, grant reminders, SETA news and newsletters. Failure by an SDF to pass or act on information received from the SETA may result in financial loss to an organisation.

The SDF registration process is completed online. Go to the HWSETA website [www.hwseta.org.za](http://www.hwseta.org.za) and under the stakeholder zone click on the 'Application Portal' tab. Select the 'Skills Development Facilitator' option.



## Please note:

- To register as an SDF requires a Skills Development Levy number. Without this number, registration will not be possible.
- After the application has been registered on the ERP System and approved by both the employer and the HWSETA, the SDF will be allocated a login ID and password that allows access to the ERP system

# Submitting a Workplace Skills Plan (WSP) and Actual Training Report

To qualify for mandatory grant funding, as well as discretionary grant funding, all levy-paying organisations are required to submit a Workplace Skills Plan (WSP) and Actual Training Report (ATR) by 30 April each year. Organisations that are not required to pay a skills development levy are not eligible for mandatory grant funding. However, levy-exempt organisations are permitted to apply for discretionary grant funding, but they too are required to submit a WSP and ATR by 30 April.

After the SDF has registered and received login information, the SDF will have access to the HWSETA's ERP Portal for the purposes of completing and submitting a WSP and ATR.



## To start the WSP/ATR submission, the SDF must ensure:

- All organisational information has been checked and updated where necessary
- All the mandatory fields are completed
- The SDF is registered

If an SDF represents more than one organisation, they will need to select the organisation for which they wish to submit a WSP/ATR

## Some benefits of the HWSETA ERP System

The HWSETA's new ERP system undergoes constant updates to meet the specific needs of stakeholders. One of the functionalities that has been introduced to make the system more user friendly is an 'excel import function'. What this means is that the SDF can capture the WSP/ATR onto an excel template that then allows the information to be uploaded to the HWSETA portal.

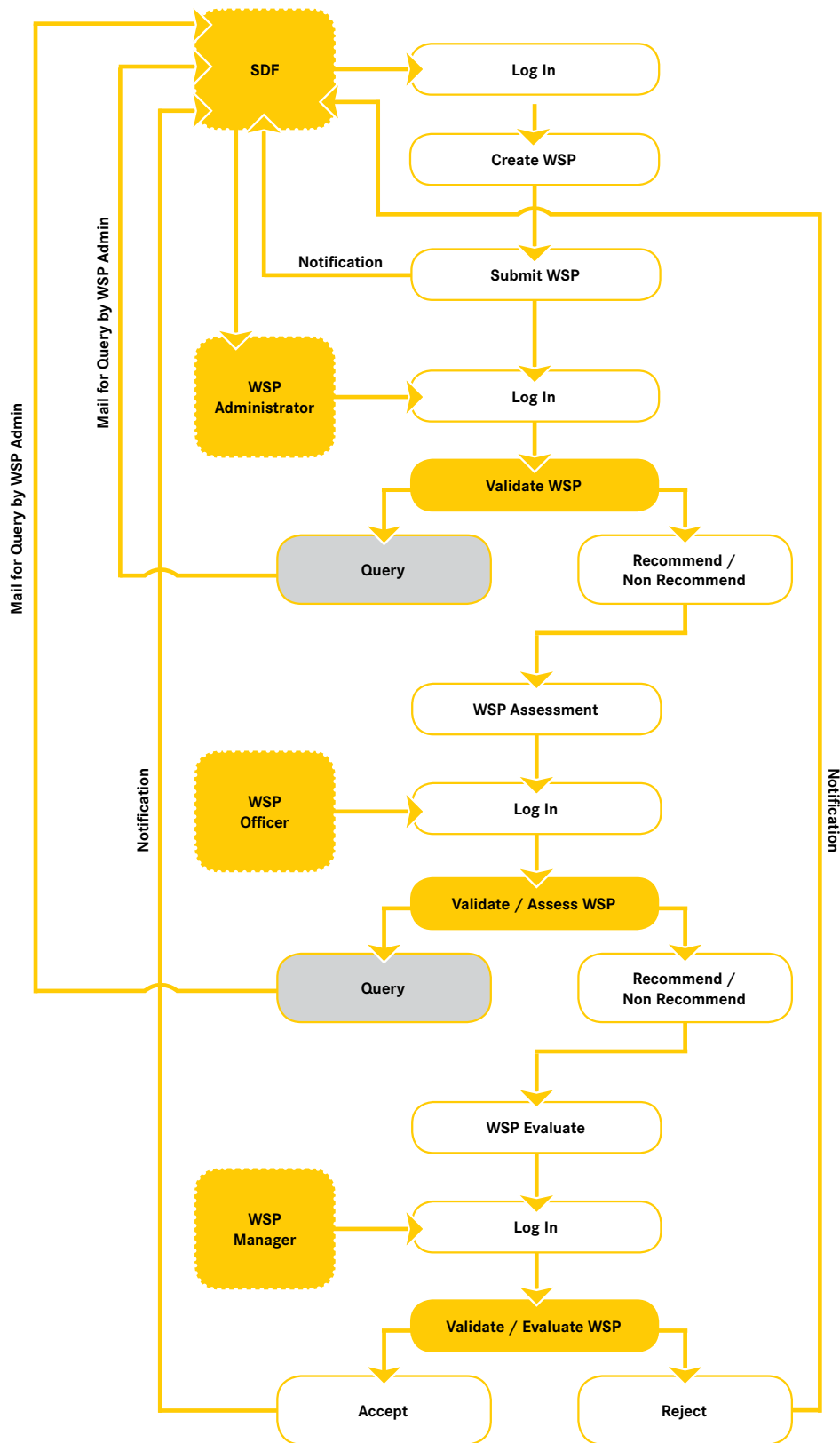
An important point to note though with regard to this functionality is that the excel template sent to the SDF by the HWSETA is to be used exactly as is and not altered in any way.

Whilst the WSP and ATR can only be submitted during the designated window period, SDFs have access to the system all year round for the purposes of updating the information and populating the submission with the relevant information. This allows the organisation to maintain their total employee profile on an ongoing basis, as well as to capture actual training activities for the next ATR submission.

To maintain the integrity of the data inputted to the ERP, the system will only accept data that is valid, complete and follows the specific rules as required by the ERP system.



# WSP Submission Process





# Types of Funding Available

## Criteria for Acceptance and Payment of the Mandatory Grant

The criteria for the acceptance and payment of the Mandatory Grant by the HWSETA are as follows:

- Employer registered with the HWSETA
- SDL payments to SARS up to date
- The WSP and ATR have been submitted by 30 April each year, or within 6 months of new employers registering for the SDL
- Authorised signatories have signed where required
- Proof of the company's banking details submitted (i.e. a cancelled cheque, bank statement or letter from the bank) in instances where such details have been changed

A new employer is one that has been operating for less than six months. In this case, we require an EMP 103 form from SARS as proof that the organisation is new. In an organisation where there are no employees we also accept a nil return.

## Mandatory Grant Funding

Employers can claim 20% of its total levy contribution annually, called the Mandatory Grant, through submission of a Workplace Skills Plan (WSP) and Annual Training Report (ATR) that are due by latest 30 April each year. Only levy paying organisations may access mandatory grant funding.

Please note all submissions for WSPs and ATRs must be approved by the HWSETA before any mandatory grants are paid.

Grant payments are made via a direct EFT into the organisation's bank account. The reference on the bank statement is the Skills Development Levy number of the company. The HWSETA pays mandatory grants in June, September, December and March.

## Discretionary Grant Funding

Discretionary funds consist of 49.5% of levy contributions, as well as all monies related to unclaimed Mandatory Grants.

Employers who claim for and receive mandatory grant funding are also eligible for discretionary grant funding. Discretionary grant funding is accessible through submission and acceptance of an advertised expression of interest (EOI)

Whilst non-levy paying organisations are not eligible for mandatory grant funding, they may apply for discretionary grant funding if they:

- Have applied for a T-number
- Have submitted a WSP and ATR by 30 April.
- As with levy-paying organisations, discretionary grant funding is accessible through submission and acceptance of an advertised expression of interest (EOI)

Areas of strategic importance underpin the focus of the HWSETA's discretionary grants. This is done by assessing information from Mandatory Grant applications, the Sector Skills Plan (SSP) and other research conducted from time to time. In addition to this background research and information, the National Skills Development Strategy (NSDS), coordinated by DHET, guides the development of strategic areas within the sectors served by the HWSETA.





# Expression of Interest

Discretionary grant funding can be accessed through response to an Expression of Interest (EOI) that can start as early as July in any given year. Details on the EOIs are communicated to stakeholders in the following ways:

- Direct e-mail communication with registered SDFs
- On the HWSETA website [www.hwseta.org.za](http://www.hwseta.org.za)
- In local and national media

**#note**  
The submission of an Expression of Interest Application does not mean that an organisation's application to participate in a discretionary grant funding project is automatically approved.

Some important points to note with regard to EOIs

- All employers must have submitted a WSP and ATR by 30 April each year.
- Levy Paying Organisations must be up to date with skills levy contributions.
- Government Departments must have paid its skills development contribution towards administration of the HWSETA.

**In addition, employers should:**

- Ensure that the details of the SDF are correctly reflected on the system
- Make use of the HWSETA's provincial offices for any information or assistance required
- Pay careful attention to and make sure sure that they adhere to the requirements of each EOI (Tax Clearance certificate, Proof of provider accreditation where applicable, quotations from the relevant institution where applicable etc.)
- Initial each page of each document submitted to the HWSETA (EOI Application and MOA)
- Make sure that the EOI is signed off
- Submit an original application to the SETA head office or provincial office as stipulated in the EOI either by hand delivery/ courier within the stipulated time frames as no late applications will be accepted

**Tip: Employers are encouraged to read the EOI very carefully and note the following to determine eligibility for any specific EOI**

- Who can participate
- Requirements that need to be met to be considered
- What training programme to be funded
- Type of learners/beneficiaries to be funded in the project
- Required role players in the project
- National number of beneficiaries
- The cost for each line item to be funded
- Time frames
- Documents to be submitted with the EOI

## Types of Discretionary Grants

The following list details the 'type' of discretionary grant projects that have been and continue to be funded by the HWSETA. The list of discretionary grant projects changes from year-to-year and is dependent on the skills development needs and requirements of the sectors served by the HWSETA

- Learnerships
- Skills Development Facilitator (SDF) Training
- Skills Programmes
- Bursaries
- Work Experience Grants
- Workplace Experience for persons with disabilities
- Basic sign language training
- Workplace Experience for TVET Graduates/Learners
- Internships
- Work Integrated Learning (WIL) for University and University of Technology Students
- Lecturer Work Experience
- Pre-apprenticeship Grant
- Early Childhood Development
- SME Funding
- Ad Hoc Projects
- Artisans/Apprenticeships
- Levy Exempt Funding

# Scarce Skills

Scarce Skills, as a concept, refers to an absolute or relative demand for skilled people to fill particular occupations as classified on the Organising Framework for Occupations (OFO). It refers to those positions that remain unfilled for prolonged periods of time. In other words, there are not enough qualified people to fill the positions. In the assessment of scarce skills it is important to consider different labour market signals.

**The most obvious signals that are indicative of shortages in a particular occupation are:**

- Difficulties experienced by employers to retain employees in the occupation owing to external demand and competition among employers to attract scarce skills;
- Difficulties experienced by employers to recruit people into positions, which results in vacancies that remain unfilled over a prolonged period of time;
- Difficulties experienced by employers with succession planning;
- Upward pressure on remuneration; and
- No spare capacity in the form of unemployed people who can fill positions in the particular occupations.

These signals are, as far as possible, monitored during the HWSETA's Sector Skills Surveys and the annual Workplace Skills Plan (WSP) submissions by employers. In the analysis of skills shortages, it is important not to apply a simplistic and mechanistic approach. Occupations cannot be viewed in isolation as many of the occupations on the OFO draw skills from the same pool or from the same supply pipeline.

In many instances, the skills sets required in different occupations are similar and transportable. For this reason, occupations that were identified as areas in which shortages are experienced have been grouped according to these considerations.

Scarce skills in South Africa are found across industries and they are not sector-specific. However, to address the skills

needs of the sector, the HWSETA and employers in its sectors should work together to create opportunities for career advancement, especially for new entrants and temporary workers who need upskilling to become permanent and nurture their development in their respective career paths.



# OFO CODES

The Organising Framework for Occupations (OFO) is a skills-based, coded classification system. It attempts to take all possible occupations in South Africa and classify them by levels of detail.

It is the Department of Higher Education and Training's (DHET) key tool for identifying, reporting and monitoring skills demand and supply in the South African labour market.

## The OFO is constructed from the bottom-up by:

- Analysing jobs and identifying similarities in terms of a Tasks and Skills,
- Categorising similar Jobs into Occupations, and
- Classifying Occupations into Occupational Groups at increasing levels of generality.

SETAs are required to use the OFO in the submission of occupational data to DHET and it is for this reason that the OFO is included in the SETA grant application submissions.

At a national level, the SETA Sector Skills Plans (SSP) are submitted to DHET to allow for national planning purposes.

Since the formalisation of the OFO in August 2005, the detailed OFO-based Scarce, Critical and PIVOTAL Skills reporting format has enabled the identification and annual publication by the DHET of a national Scarce Skills list. This indicates high levels of scarcity of skills in occupations due to high demand in other sectors.

Employers may request the addition, deletion or movement of an OFO code on the code list. Final approval is granted by DHET and should the request be approved the change will be effected in the next version of the OFO list.

To date, SETA scarce and critical research has identified a number of common drivers and strategies to address scarcity.

These include:

- Drivers: Equity considerations, movement out of the sector, retirement
- Indicators: High vacancy rates, high replacement rates,
- Strategies: Bursaries, learnerships, apprenticeships, skills programmes, Institute of Sectoral Excellence (ISOE) and Technical, Vocational and Training (TVET) College engagement

## #note

From an employer perspective, the OFO offers value in that employers can use this information to broaden the indicators and drivers of Scarce Skills that they take into account when developing the annual Workplace Skills Plans (WSPs).

# SIC CODES

SIC Codes, or Standard Industrial Classification codes, are an internationally accepted set of codes for the standard classification of all economic activities. These codes are prescribed by the Department of International Economic and Social Affairs of the United Nations.

The following, is an extract from the preface of the fifth edition of the Standard Industrial Classification of all Economic Activities, as published by Central Statistical Services.

*The SIC was designed for the classification of establishments according to the kind of economic activity, and provides a standardised framework for the collection, tabulation, analysis and presentation of statistical data on establishments.*

*It is recommended that public and private institutions, as well as private persons, engaged in the classification of establishments as statistical units, use the SIC as a basis as far as this is feasible. The general application of the principles and definitions of this Classification will promote the uniformity and comparability of statistics compiled from different sources.*



# SIC Codes

33531	Traditional Healing Services	9312C	General and Specialist Practice
37410	Manufacture of Medical and Surgical Equipment and Orthopaedic Appliances	93120	Industry Based Doctors
37411	Orthopaedic Appliances	9312E	Doctors In Charitable Organisations
37413	Manufacture of Medical Precision and Optical Instruments	9312F	Paediatrics
62312	Retail of Prescribed Medicines and Pharmaceutical Products by Registered / Licensed Pharmacy	9312G	Public Service Dentists
62313	Private Sector Pharmacy Services	9312H	Private Sector Dentists
62314	Public Sector Pharmacy Services	9312I	Oral Hygienists
62315	Pharmacy Management Services	9312J	Dental Therapists
82132	Medical Aid Schemes	9312K	Dental Laboratories
87000	Research and Development	93190	Other Human Health Activities
87130	Medical and Veterinary Research	93192	Clinics and Related Health Care Services
87131	SA Medical Research Council	93193	Nursing Services
87200	Research and Experimental Development on Social Sciences and Humanities	93199	Other Health Services
88221	Biomedical Engineering	9319A	Public Sector Emergency Services
88915	Health Professionals Employment Agencies	9319C	State Services
93101	Universities, Specialist Pharmaceutical and Drug Information Services	9319D	Public Hospitals and Clinics
93102	Public and Private Rehabilitation	9319E	Community Services
93103	Other Services Including Local Government, Mines and Industry	9319F	Private Hospitals and Clinics
93104	Ancillary Health Care Services	9319M	Optical and Optometric Services
93105	Residential Care Facilities	9319N	Dietetics and Nutritional Services
93106	Rehabilitation Services	93190	Hearing and Audiometric Services
93107	Environmental and Occupational Health and Safety Services	9319P	Complementary Health Services
93108	Health Maintenance Organisations	9319Q	Laboratory Services
93110	Hospital Activities	9319S	Ambulance Services
9311A	Defence Force Hospitals	9319T	Blood Transfusion
9311B	Private Hospitals	9319U	Psychological and Psychometric Testing
9311C	Mine Hospitals	93200	Veterinary Activities
93110	Company Owned Hospitals	93300	Social Work Activities
9311E	Hospice Care Facilities	93301	Public Welfare Sector
9312A	Public Sector Doctors	93302	Hospices
9312B	Private Sector Doctors	93303	Development and Social Services
		9391W	NGO Health and Welfare Sector NGOs Involved in Health Work
		93400	Religious Institutions, Grief Counselling Working with the Dying eg. Hospices
		94000	Other Community, Social and Personal Service Activities









# PART 2: Employing Persons

## with disabilities

### Introduction

South Africa's National Skills Development Strategy makes particular provision for employers to take persons with disabilities into the workplace and to cater for their needs, whilst still meeting the objectives of the business. The biggest obstacle for an employer in embarking on such a dynamic path is the stereotypical misinformation that is spread around the challenges persons with disabilities will experience in the workplace.

An integral aspect of the HWSETA's skills development mandate is the promotion of employing persons with disability. The information provided within this guide not only serves to debunk the myths that exist, but to provide employers with important information that can guide them in making their places of work more accessible to persons with disabilities.

According to the Census 2011 Report, the most up-to-date information available, persons with disabilities constitute 7,5% of the total population of South Africa.

It remains an unfortunate reality that persons with disabilities in South Africa experience high levels of unemployment, and often remain in low status jobs and earn lower than average remuneration. Multiple barriers hinder the capacity of persons with disabilities to obtain employment and enjoy full and effective participation in the labour market on an equal basis with others.


Whilst unemployment remains one of South Africa's biggest challenges, unemployment disproportionately affects the majority of persons with disabilities in that an estimated eight in ten persons

with a disability are unemployed.

The factors that contribute to this have been widely documented and include barriers to education, lack of reasonable accommodation, lack of accessibility to infrastructure and information, limitations to their legal capacity, as well as attitudinal barriers in society. In addition, disability is often equated with inability to work. In the past, these factors have had a significant impact on the employment of persons with disabilities in South Africa.

Statistics pertaining to the employment of persons with disabilities in South Africa show that the private sector in South Africa is absorbing into its workforce fewer than expected persons with disabilities. South African employers across the board fall short of national targets for the employment of persons with disabilities and there is considerable scope to increase the employment of persons with disabilities in the private sector

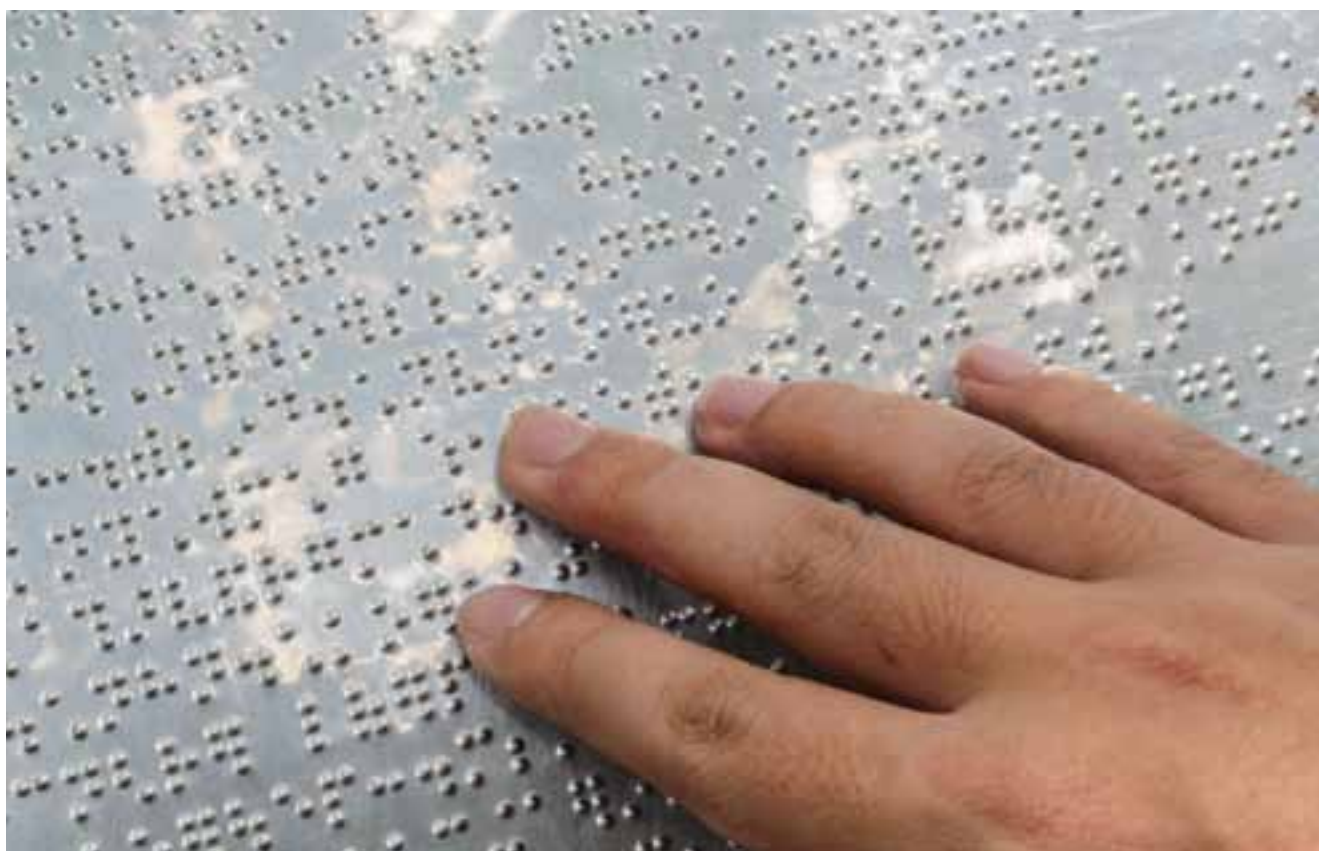
Persons with disabilities have been defined to "include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction

 **#note**  
The promotion of access to the workplace for persons with disabilities is a national imperative and requires co-ordinated effort by all relevant stakeholders.

with various barriers, may hinder their full and effective participation in society on an equal basis with others."

Persons with disabilities range in gender, background, education and the severity of their disability. There are also people with "hidden" disabilities where disabilities are not visible to the naked eye. This could range from a learning disability, an anxiety disorder, chronic pain, a heart ailment or schizophrenia. Persons with disabilities also include persons who experience a disability later in life after a long work history.

We hope that you will find the information contained within this guide useful and that your organisation will join the ranks of those that wish to make a positive contribution to the employment of persons with disabilities in the country.



## Relax... Disability is just Diversity!

Disability inclusivity in the workplace is a source of discomfort and frustration for many. In August 2017, the HWSETA met up with Lesa Bradshaw, co-owner of Bradshaw Le Roux Consulting and a leading change champion in the area of Disability Integration to get her take on the matter. Her no-nonsense and directly honest approach to the subject is something that South African employers could learn from.

According to Bradshaw, “We have to stop whispering ‘disability’ in the workplace – it is just diversity.”

“We are so concerned about offending, that we find ourselves immobilised by this fear rather than getting on with our inclusivity efforts in the workplace.”

This is just one of the reasons why, according to the Department of Labour Roadshow 2016, South African businesses are not much closer to achieving the very achievable set target of 2% representation of persons with disability in our organisations.

“Over 20 years into our diversity embracing democracy – and we are no closer to normalising disability as just another form of diversity in the workplace,” she adds.

The intention of the Labour Relations Act, Employment Equity Act and the Skills Development Levies Act is to create an

empowered and diverse workforce who have equal opportunities to enter and advance in employment opportunities.

Whilst there has been some increase in the representation of persons with disability in the workplace, statistics reveal that what has been done is not enough. Even more concerning is the fact that many organisations approach the process as a ‘tick box’ exercise as opposed to implementing skills development activities for persons with a disability that will result in true disability integration.

Learnerships have emerged as a popular skills development activity for many organisations, but a series of concerning trends has emerged. In order for learnerships to reach their intended purpose of creating a labour pool of talent, there are a few cardinal rules that employers should consider.

As a starting point, there is a strong trend amongst many organisation to run

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“Over 20 years into our diversity embracing democracy – and we are no closer to normalising disability as just another form of diversity in the workplace.”

Lesla Bradshaw

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learnerships for learners with a disability only. Not only does this send a message that learners with a disability are different, but it misses a wonderful opportunity to expose all learners to all different types of diversity in a professional space. Which brings us to cardinal rule number one – don't segregate ... integrate.

The next emerging trend involves the complete outsourcing of learnerships for people with a disability to learnership service providers, keeping in mind that a learnership should include both a theoretical and a practical component. Whilst this approach addresses the theoretical component, the practical component is not being addressed and finding worksites for these learners is extremely difficult. This is neither fair to the learner, nor is it aligned to the intended purpose of the Skills Development Act. As a cardinal rule, employers should remain accountable for their learners and empower them to become qualified and ideally integrated into an organisation.

The third trend that has been noted is employers trying to find 'disabilities' that fit an organisation's environment and structures. The key principles of 'reasonable accommodation' when applied to integrating people with a disability are flexibility and awareness. Therefore, applying a blanket rule may result in a missed opportunity to appoint a person with a disability that would be a suitable fit. Cardinal rule number three would be the importance of making judgement around disability and reasonable accommodation that should ideally be based on an individual, case-by-case basis. People's abilities should not be based on their 'disability' without proper substantiation.

And lastly, the emerging trend of the 'professional learner' is rearing its ugly head, where retention of learners with a

disability on a Learnership is becoming difficult. It basically comes down to high demand and low supply. The reality is that very few learners with a disability who have been placed on learnerships have been able to translate this into permanent employment, particularly those who have never been integrated into the host organisation and have rather formed part of the completely outsourced learnership programme.

The realisation is dawning upon many that they are being used for their "SDL rebate" purpose, and not to develop a labour pool from which to draw permanent employees. With this in mind, when a learnership which offers more money as a stipend is offered, the temptation to move to that learnership is strong, and the will to persevere with the existing learnership when faced with barriers and obstacles is given less of a focus. The cardinal rule number four .... run your learnerships with integrity and the aim of creating a labour pool which could add value to your organisation.

In conclusion, the recommendation to South African employers is the running of learnerships with partners who know and understand the pitfalls and how to overcome them. By providing guidance to learners, facilitators and mentors on minimising barriers to learners with a disability and creating an environment that is 'disability accessible' from a physical, organisational and attitudinal perspective we will see a shift towards learnerships reaching their intended purpose of creating a labour pool of talent.



### About Lesla Bradshaw

Lesla Bradshaw is the co-owner of Bradshaw Le Roux. She is an MBA graduate, has a Psychology Honours Degree, is a registered Psychometrist, a Counsellor and Motivational Speaker. Lesla's powerful personality and sense of humour combine to make her a leading change champion in the area of disability integration.



# Disability Inclusivity in the Workplace It Makes Business Sense!

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Disability inclusivity in the workplace is a national imperative, yet many organisations are unaware of the business case for expanding the workforce with persons with disabilities. In a highly competitive and rapidly-changing business environment, the ability to hire, retain and develop a diverse workforce gives business a competitive edge as it allows businesses to be more creative and more responsive to the diverse needs of a rapidly-changing market.

## Some points to ponder...

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- In situations where an organisation deals with customers with disabilities, employing persons with disabilities will help the business to connect to this client base and build strong customer relations, as well as improve the overall service for customers with disabilities. Employees with disabilities can help the organisation to craft effective marketing strategies to reach this previously untapped sector of the market.
- Employees with disabilities can help in developing products, product modifications and services that will appeal to the disability market as they have valuable personal insight into the needs of customers with disabilities.
- The South African government is increasingly looking to do business with companies that are inclusive and accessible to people with disabilities. This offers a competitive advantage to organisations that wish to secure state business.
- All employers are obliged to comply with national and international labour legislation and regulations. By complying with labour provisions that provide for the rights of persons with disabilities, businesses avoid being in contravention of the law and can avoid receiving a complaint alleging unlawful disability discrimination. Employing persons with disabilities can assist the business to meet its Employment Equity targets, Corporate Social Responsibility Initiatives (CSRI) and Broad-Based Black Economic Empowerment (B-BBEE) targets.
- An inclusive workforce has also been shown to have a positive impact on workplace morale and improve overall job satisfaction.
- Employers can benefit from a number of government incentives – financial incentives, training support, and workplace modification support from the government aimed at encouraging the employment of persons with disability.
- Research has shown that diverse work teams are more innovative and creative and less inclined to a unilateral view. This is an asset. Employing persons with disabilities brings a fresh perspective to the decision-making process. The viewpoints expressed by employees with disabilities often reflect their unique and – often unheard – life experiences. This in turn challenges assumptions and stimulates a higher level of critical analysis of business decisions, strategies, and processes, and fuels creativity.

### **Contrary to prejudicial beliefs, research has shown that persons with disabilities make good employees in that:**

- They possess personal traits such as initiative, perseverance, adaptability, goal orientation and problem solving – all of which are valuable in the workplace.
- They think ‘outside the box’ as persons with disabilities use creative thinking to tackle challenges and get things done



# Legislation Protecting the Rights of Persons with Disabilities

Discussion and debate around the integration of persons with disabilities in the South African workplace has not only been influenced by international developments, but also influenced by numerous domestic developments within South Africa's political history and socio-economic context.

The Bill of Rights is the cornerstone of democracy in South Africa and enshrines the rights of all people, including persons with disabilities. An important feature of the Bill of Rights is that it binds all government and private institutions and protects all people in South Africa, including persons with disabilities.

Section 9 of the Constitution of the Republic of South Africa states that "everyone", including workers and/or employees with disabilities, is equal before the law and has the right to equal protection and equal benefit of the law. It also states that a worker or employee with a disability has an equal right to work, to be economically active, and to be part of mainstream society.

The most significant labour laws that provide protection to workers/persons with disabilities are the Employment Equity Act (EEA) and the Labour Relations Act 66 of 1995 (LRA). These acts and codes give effect to the equality clause, the right to fair labour practices, as well as international and local norms in respect of fair labour treatment of persons with disabilities.

Although the EEA is not a disability-specific piece of legislation, emphasis is placed on equity and the right to equal protection and benefit of the law, of inter alia, persons with disabilities. The EEA strives towards the attainment of two goals, namely to:

- Prohibit unfair discrimination
- Promote the implementation of affirmative action measures to eradicate inequalities that were institutionalised by previous political policies

Section 6(1) of the EEA prohibits unfair discrimination in the workplace in that no person may unfairly discriminate, directly or indirectly, against an employee in any employment policy or practice, on one or more grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth.

The EEA also places an obligation on designated employers to implement affirmative action measures in respect of persons from designated groups that includes black people, women and persons with disabilities. The reason designated employers are duty-bound to favour persons with disabilities when making appointments and considering promotions, is that there are strong indications that unemployment, low salaries, and stereotyping are common occurrences for persons with disabilities.

The Code of Good Practice, published in August 2002 in terms of section 54(1) (a) of the EEA, is based on the constitutional principle that no one may unfairly discriminate against a person on the grounds of disability. Whilst the Code of Good Practice is not an authoritative summary of the law and does not create additional rights and obligations, courts and tribunals must take it into account when provisions of the EEA are being interpreted.

What is important for South African organisations to take note of is that the Code of Good Practice provides guidance to employers or employees

## #note

Organisations should not impose a "blanket ban" on the prospect of entry into or advancement in employment of persons with disabilities of whatever nature. An employer should scrutinise each job application or employee's case on merit before a decision is made regarding compliance with the inherent job requirements.

and their organisations in respect of the development, implementation, and refinement of disability-equity policies and programmes in the workplace.

The Technical Assistance Guidelines on the Employment of People with Disabilities (TAG) was intended to complement the Code of Good Practice with the practical implementation of aspects of the EEA relating to the employment of persons with disabilities in the workplace. The TAG builds on the Code of Good Practice to set practical guidelines and examples for employers, employees, and trade unions to promote equality, diversity, and fair treatment in employment through the elimination of unfair discrimination. The TAG addresses, amongst other things, reasonable accommodation, recruitment and selection processes, as well as the placement and retention of persons with disabilities.

A primary goal of the Labour Relations Act (LRA) is to give effect to the constitutional obligations contained within section 23(1) of the Constitution. This section states that "everyone" has the right to fair labour practices and it is clear that it also applies to persons with disabilities. This means that the LRA, broadly speaking, protects employees (including employees with a disability) against unfair dismissal and specific unfair labour practices.





# Reasonable Accommodation

For many people with disabilities in South Africa, a common barrier to participating in employment is a lack of accessible buildings or accessible information and communication methods. In order for a workplace to be fully accessible, a work environment must be created that is not only physically, but also technologically, accessible. Ensuring the workplace is accessible to persons with disabilities will maximise productivity by eliminating the barriers which prevent persons with disabilities from working to their full potential.

Reasonable accommodation means necessary and appropriate modification and adjustments in a workplace that place no disproportionate or undue burden on an employer to ensure persons with disabilities the opportunity to carry out tasks on an equal basis with others. This may include adjustments or modifications of the tools, machines, workstations, and the work environment to an individual's needs. It may also include adjustment in work organisation, work schedules, sequence of work, and in breaking down work tasks to their basic elements.

## Obligation of Employers to Provide Reasonable Accommodation

Section 1 of the EEA defines reasonable accommodation as “any modification or adjustment to a job or to the working environment that will enable a person from a designated group to have reasonable access to or participate or advance in employment”. The EEA requires designated employers to “reasonably accommodate the needs of persons with disabilities”. This is both a non-discrimination and an affirmative action requirement.

Item 6 of the Code of Good Practice requires employers to make “reasonable accommodation” for persons with disabilities in particular. The aim of accommodation is to reduce the impact of the impairment of the person with a disability to fulfil the essential functions of a job. Reasonable accommodation does not only mean that obstacles and/or barriers should be eliminated in the workplace, but it also requires positive measures to be taken in order to adapt policies, practices,

and the working environment in promoting accessibility in the workplace for persons with disabilities.

According to the Code, an unjustifiable hardship on the business of the employer is action that requires significant or considerable difficulty or expense. This involves, the effectiveness of the accommodation and extent to which it would seriously disrupt the operation of the business.

The obligation to reasonably accommodate persons with disabilities may arise when an applicant or employee voluntarily discloses a disability-related accommodation need, or when such a need is self-evident to the employer. The employer should consult the employee and, where reasonable and practical, also consult technical experts for advice on how to adequately address the need and to provide an appropriate solution.

### #note

According to the Code of Good Practice, employers should adopt the most cost-effective means that is consistent with effectively removing the barriers to perform the job. This means that the employer need not accommodate a qualified applicant or an employee with a disability if this would impose an unjustifiable hardship on the business of the employer.

## Practical Considerations for Reasonable Accommodation

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Making the workplace more accessible according to the person's needs, such as the removal of physical barriers. Existing facilities may be adapted to make them accessible, e.g. building a ramp to ensure wheelchair access and by making toilets accessible. Lifts should be equipped with special numbering for blind persons. Very often, only minor adjustments are necessary to make a disabled person's workplace accessible and to ensure that he or she is an independent employee.

### Practical steps for consideration:

- Assemble a team of individuals to dedicate time assessing, planning and implementing accessibility modifications at your workplace
- Seek advice from experts in accessibility to act as consultants for your business
- Identify local organisations in your business area that may be able to assist and play an advisory role for your business.
- Assess the needs of individuals with disabilities in your workplace and include them in the assessment, planning and implementation of accessibility modifications in the workplace.
- Assess existing conditions in your workplace and determine what changes, if any, need to be made.

## Accessibility audit checklist

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Below is a self-assessment checklist that your business can use to evaluate the accessibility of the company's current business premises and any future office establishments. The checklist will assist in identifying issues that affect the level of access provided by your premises for persons with disabilities. It is not an exhaustive list and employers are advised to refer to the legislation governing accessibility and the built environment and seek expert assistance where appropriate for more guidance.

### Accessing and entering the place of work:

- Is the nearest train station or bus stop accessible in terms of location and distance from premises?
- Are parking spaces that are wide enough available? Are they identified by the international sign for wheelchair access?
- Are the designated accessible parking space(s) on a level surface and as acceptably close as possible to an entry door?
- Do all employees with disabilities have access to the car park?
- Is there a clear and continuous accessible path of travel with no barriers that would make it difficult for a person with disability to navigate (such as steps, steep inclines, escalators, bollards, turnstiles, revolving doors, uneven or loose surfaces, display boards, bins) from the footpath or parking bay to and through the main entrances used by employees?
- Is a standard ramp with safety features such as handrails, kerb rails, warning tactile ground surface indicators, level landings provided for adjacent to the main entrance/s?
- Can the entry door be opened with ease by someone using an assistive device?
- In areas where there are stairs, do they have continuous handrails, colour contrasting strips on the leading edge, no open risers, and warning tactile ground surface indicators (TGSI) at the top and bottom?
- In and outside the building, is there an accessible alternative, accessible path of travel, e.g. a lift?
- Where a lift is installed, is it large enough to allow someone using a wheelchair or walking frame to enter and move around?
- Is there adequate clear signage in accessible formats e.g. braille, TGSI paths, tactile signs for persons with visual impairment displayed at the entrance to direct persons with disabilities?
- Do the elevator buttons inside and outside the elevator have raised tactile and Braille information and provide audible information telling passengers what floor they are on?

### Conference rooms and work area:

- Is there a clear accessible path to travel with no steps or other barriers from the main entrance (s) to all work areas and facilities?
- Do the design and layout of the work areas make it easy for persons with disabilities to access all facilities?
- Are passageways wide enough for a person using a wheelchair or walking frame to pass by someone else or are there regular passing spaces?
- Are the chairs and tables adjustable or, if fixed, are there spaces for people using wheelchairs?
- Can the doors easily and independently be opened by all users (that is, are not heavy with handles that are difficult to manipulate or too high)?
- Is there good lighting to assist people with a vision impairment to follow the safest pathway and to assist with communication, for example for people who might lip-read?
- Is there any form of hearing augment systems in the conference/meeting room?

## Accessibility audit checklist (continues)

### Accessible toilets:

- Are there unlocked accessible toilets for persons with disabilities? Do they have a good circulation space and are they fitted out with grab rails, sinks, mirrors, taps, shelves, coat hooks, and towelling at heights that can be used by people with mobility disabilities?
- Is there sufficient signage in accessible format to direct people with disabilities to the toilets?

### Other:

- Is the fire escape accessible to persons with disabilities, e.g. is there a flashing light so deaf people are alerted of fire? Is there sufficient space for a wheelchair user?
- Does the emergency evacuation procedure in place address the needs of persons with disability?
- Is the kitchen accessible? Consider access to the microwave, refrigerator, cutlery, drinking fountains, tables, vending machines, etc.

## Tips to minimise costs

- To minimise costs a business can make modifications that will encompass a wide range of disabilities and needs, i.e. universal design. Such modifications will effectively eliminate work barriers at minimal cost
- When purchasing accessible services and products there are several affordable vendors and consultants who can help you make the workplace accessible for a reasonable price
- When hiring office space, employers should check whether the building complies with building code requirements for “reasonable accommodation provisions”. Most modern office buildings make provision for toilets for persons with disabilities. Where adaptations are required, these are for the landlord’s account

Access to information and technology is very important. This includes adapting existing or acquiring new equipment, e.g. computer hardware and software. Visually impaired persons may require voice input/output software or magnifying software. Excellent hearing aids are available on the market today that increase a hearing impaired person’s ability to communicate.

If the job requires action to be taken in response to a signal or sign and the relevant sense is impaired, for example vision, the signal may be converted for another sense and a sound may be used instead. Likewise, in the case of hearing impaired persons, a sound can be replaced with a flashing signal light. These modifications are usually easily incorporated into, or added to, existing machines.

## In case you are wondering ...

### Do employers have to provide transport to and from work as an accommodation?

An employer is required to provide the reasonable accommodations that eliminate barriers in the work environment only, not those that eliminate barriers outside of the work environment. Therefore, an employer would not be required to provide transportation as a reasonable accommodation for a commute to work, unless the employer generally provides transportation for its employees.

### Medical and psychometric assessments

Medical and psychological testing should comply with the requirements of the EEA and must be relevant and appropriate to the work for which the person is being tested. Psychometric tests must be valid and reliable, must be able to be applied fairly to all workers, and may not be biased against any worker or group.

Medical testing to determine the health status of a person should only be carried out after the employer has established that the person is competent to perform the essential job functions.

### Health and safety

According to the Occupational Health and Safety Act 85 of 1993, the employer must provide and maintain a working environment that is safe for all employees. The needs of employees with disabilities must be catered for by the employer. Evacuation procedures should take into account any specific or additional measures to ensure that an employee with a disability is safely evacuated from a building or work site during emergencies.

# Disability Inclusivity is a Collective Responsibility



To achieve real progress in creating equal opportunities and the equal representation of persons with disabilities in the workplace, commitment to disability inclusivity is the responsibility of not only Board members and top management, but all the employees in an organisation. Ideally, everyone should take part so as to incorporate disability inclusion into the daily culture of the business.

## Communication is Key

Many false assumptions, prejudices, myths, and misconceptions concerning people with disabilities in the workplace still persist. This often creates attitudinal barriers that hinder the effectiveness of integrating persons with disabilities in the workplace and perpetuates unfair discrimination against employees with disabilities.

Many stereotypes are not a result of malice, but rather lack of awareness and knowledge, often the result of a particular set of social and historical circumstances. True integration of persons with disabilities into the workplace will not become a reality when institutional prejudices, unconscious bias, and inertia in attitudes against employing people with disabilities are not addressed.

Line managers, in particular, play a crucial practical role in promoting a disability-inclusive work environment as they have direct day-to-day contact with the members of the staff. The involvement of management structures within an organisation is important for a number of reasons:

- It creates a sense of urgency within the organisation around the issue of disability and shows that the company is genuinely concerned about the issue
- When organisation leaders spearhead the effort to create a workplace that is inclusive to persons with disabilities by dedicating adequate time and resources, an increasing number of people in the organisation will buy into the idea
- Senior leadership sets the standard for others and plays a critical role in promoting the rights of persons with disabilities by ensuring that disability-related policies are implemented and ensuring that the inclusion and accommodation of persons with disabilities in the workplace are seen as key strategic priorities

True inclusion of persons with disabilities requires employee buy-in as persons with disabilities may require additional support from colleagues at their place of work. There is therefore a need to encourage employees to make efforts to break down barriers that hinder persons with disabilities from actively participating in the workplace and to foster a work environment that supports diversity and creates a culture where everyone feels valued.

‘Tekkie Tax’ and ‘Casual Day’ are annual fundraising events that not only enable corporate South Africa to contribute to fundraising efforts, but also provide a valuable opportunity to sensitise employees to persons with disabilities in the country.







## Common Attitudinal Barriers Employees with Disabilities Face

- **Inferiority:** The employee is seen as a 'second-class citizen'
- **Pity:** People feel sorry for the employee and are patronising as a result
- **Hero Worship:** People consider a person with a disability living independently and who is able to work to be 'special'
- **Diminished Expectation:** The employee is dismissed as incapable because of his or her disability. People with disabilities are perceived to be able to do only basic unskilled jobs
- **The Spread Effect:** People assume that the employee's disability affects his or her other senses. This often results in a physical disability being equated with a mental disability
- **Stereotypes:** People make both positive and negative generalisations about disabilities. One such stereotype is that people with disabilities have higher levels of absenteeism from work
- **Backlash:** People believe the employee is being given an unfair advantage because of his or her disability
- **Denial:** People may not believe that hidden/invisible disabilities are legitimate and therefore do not necessitate accommodations
- **Fear:** People are afraid they will offend an employee with a disability by doing or saying the wrong thing and avoid the employee as a result
- **Drain on Company Resources:** People with disabilities are perceived to require higher employment and training costs; higher workers compensation and safety costs and always need expensive and high-tech equipment and are therefore a drain on company resources
- **Reduced Productivity:** It is assumed that people with disability require more support in the workplace which will reduce productivity of others

## Some Suggestions Worth Considering

- Create employee resource groups or networks that conduct internal and external awareness raising.
- Use the international day of persons with disabilities to celebrate employees with disabilities and showcase their abilities.
- Develop specific guidelines and e-learning modules to assist employees to understand the issues faced by persons with disabilities.
- Get branches leading in disability inclusion to serve as resources on the employment of persons with disabilities for the entire business network.
- Design a series of orientation manuals to guide hiring managers in including and accommodating for persons with disabilities.
- Include disability awareness training in new staff orientation.

# Recruitment

The recruitment of persons with a disability can be unfamiliar territory for some and may cause some anxiety. It need not be! Here are some tips for consideration:

## Advertising

- Use appropriate language that is neutral and positive i.e. “we welcome applicants with disabilities” or “persons with disabilities are also invited to apply” or “we recruit persons with disabilities on their abilities”
- Use methods of advertising accessible to candidates with different abilities and ensure that multiple sources and selection networks are used
- Print advertisements in local and national newspapers, as well as in disability specific publications
- Audio mediums can be used for persons who are print disabled
- The internet and social media platforms should be used extensively too
- Make use of reputable recruitment agencies that specialise in recruiting persons with disabilities

## Shortlisting Candidates and the Interview

- When shortlisting candidates, a candidate’s disability should not be used as a basis to determine suitability for the job when shortlisting. The focus will be on the competencies required to meet the job demands, i.e. on inherent requirements and essential functions when shortlisting. The focus should be on what the candidate can do.
- Inquire with a disabled candidate if any reasonable accommodation or special need requirements should be addressed during the interview process. The entire process must accommodate any needs in consultation with the applicant with the disability (e.g. parking, building entry and exit, interview room, attitude of support staff, toilet facilities, waiting area, access to information, site tours, assessments etc.).
- Panel members should be cautious not to be condescending, patronising, sympathetic, awkward, or curious in their reactions and responses.
- Panel members should be consistent and pose the same questions to candidates with and without disabilities. Questions should be related to the job and represent valid employment issues.
- All forms of assessment used to test competency and work performance will be applied fairly to applicants with disabilities with due cognisance to reasonable accommodation needs and fairness in the test identification, administration and interpretation.



## The Job Offer

- Should the candidate with a disability be successful and is selected, then a provisional job offer can be made subject to the condition of the determination of the “reasonableness” of the accommodation required, if need be. An offer must be made on same or similar terms enjoyed by non-disabled employees.
- A reasonable accommodation assessment should be conducted in consultation with the candidate with the disability. The process could include a functional assessment, identification of accommodations e.g. environmental access, technology, work process etc. Factors such as the effect on staff and productivity, affordability, health and safety all determine the “reasonableness” of an accommodation and whether these will cause “unjustifiable hardship” to the employer.
- Should it be necessary to conduct medical testing, this should only be done with the express consent of the candidate with a disability.





## Some Basic Do's and Don'ts

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### **Don't assume that:**

- Persons with a disability are unemployable
- Persons with disabilities lack the necessary education and training for employment.
- Persons with disabilities do not want to work.
- Certain jobs are more suited to persons with disabilities
- Persons with disabilities can't do a certain job.
- Your current management will need special training to learn how to work with persons with disabilities.
- The cost of business insurance will increase as a result of hiring persons with disabilities.

- The work environment will be unsafe if you employ persons with disability
- Reasonable accommodations are expensive.
- Your workplace is accessible.

### **Do**

- Learn where to contact and recruit persons with disabilities
- Learn how to communicate with persons with disabilities
- Ensure that your applications and other company forms do not ask disability-related questions and that they are in formats accessible to persons with disabilities
- Consider having written job descriptions that identify the essential functions of the job
- Ensure that requirements for medical examinations do not discriminate and/or eliminate persons with disabilities
- Provide reasonable accommodations that the qualified applicant will need to compete for the job
- Treat persons with disabilities the same way you would treat any applicant or employee
- Relax and make the applicant with a disability feel comfortable
- Develop procedures for maintaining and protecting confidential medical records
- Train supervisors about how to make reasonable accommodations

# Contact Organisations for Disability

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## Deaf Federation of SA (DeafSA)

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Tel: 011 482 1610  
Fax: 011 726 5873  
Email: BrunoDruchen@deafsa.co.za  
www.deafsa.co.za

## Epilepsy SA

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Tel: 021 556 3753  
Fax: 021 556 6956  
Email: info@epilepsy.org.za  
www.epilepsy.org.za

## National association for Persons with Cerebral Palsy (NAPCP)

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Tel: 082 349 9630  
Fax: 086 609 0040  
Email: elizima.woods@napcp.org.za  
www.napcp.org.za

## Quadpara Association of South Africa (QASA)

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Tel: 031 767 0348  
Fax: 031 767 0352  
Email: info@qasa.co.za  
www.qasa.co.za

## South Africa National Deaf Association (SANDA)

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Tel: 012 343 0661  
Fax: 086 776 9816  
Email: info@sanda.org.za  
www.sanda.org.za

## Autism South Africa

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Tel: 011 484 9909  
Email: info@autismsouthafrica.org  
www.aut2know.co.za

## DeafBlind South Africa (DBSA)

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Tel: 082 688 5344  
Email: info@deafblindsa.co.za  
www.deafblindsa.co.za

## Disable Children's Action Group (DICAG)

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Tel: 021 797 5977  
Fax: 021 797 5077  
Email: sandra@dicag.co.za  
www.dicag.co.za

## Muscular Dystrophy Foundation of South Africa (MDSA)

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Tel: 011 472 9703  
Email: national@mdsa.org.za  
www.mdsa.org.za

## The National Council for Persons with Physical Disabilities in South Africa (NCPPDSA)

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Tel 011 452 2774  
Fax: 011 452 6583  
Email: therina.wentzel@ncppdsa.org.za  
www.ncppdsa.org.za

## South African National Council for the Blind (SANCB)

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Tel: 012 452 3811  
www.sancb.org.za

## SA Federation for Mental Health (SAFMH)

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Tel: 011 781 1852  
Fax: 086 558 6909  
Email: info@safmh.org  
www.safmh.org.za

# HWSETA Contact Information

Toll free number: 0800 864 478

hwseta@hwseta.org.za

www.hwseta.org.za

## Head Office

17 Bradford Road  
Bedfordview  
Johannesburg  
011 607 6900

## Provincial offices

### Gauteng

563 Old Pretoria Main Road  
Midrand Business Park  
Midrand  
011 205 0200

### Eastern Cape

Phase 2A Waverly Office Park  
Phillip Frame Road  
Chiselhurst  
East London  
043 726 9406/7

### Kwa-Zulu Natal

Clifton Place Ground Floor  
19 Hurst Grove  
Musgrave  
Durban  
031 202 5972/3

### Free State

47 Kellner Street  
Bloemfontein  
051 430 2134/78

### Limpopo

4A Landross Mare  
Polokwane  
015 295 4302/3

### Mpumalanga

The Outpost Centre  
Cnr Van der Merwe  
& Ehmke Streets  
Nelspruit  
013 762 3027

### Northern Cape

Royalyard Park, Unit 17  
No. 9 Jacobus Sit Avenue  
Royalglen  
Kimberley  
053 831 1338

### North West

Suite No.3  
Total Mafikeng Complex  
Cnr Nelson Mandela Drive  
and Shippard Street  
Mafikeng  
018 381 1192

### Western Cape

Tijger Park Office Park  
Ground Floor  
Willie van Schoor Avenue  
Bellville  
Cape Town  
021 914 1058

## Satellite Offices

### Eastern Cape

PE TVET College  
139 Russell Road  
Richmond Hill  
041 509 6332

### Free State

Flavius Mareka TVET College  
Mphohadi campus  
Corner Tang Street

### KwaZulu Natal

Coastal KZN TVET College  
1621 Hospital Road  
Ozwothini  
032 294 0013

### Limpopo

Letaba TVET College  
Bock C Industrial Road  
Giyani  
015 812 0265

### Mpumalanga

Gert Sibande TVET College  
11 Mel Mentz Street  
Ermelo  
017 811 1752

### North West

Taletso TVET College  
Leah Mangope Highway  
Lehurutshe  
018 363 3017

## Report Corruption

### Don't Support it... Report it

#### Tip-offs Anonymous

Call: 0800 204 967  
Email: hwseta@tip-offs.com  
FreeFax: 0800 00 77 88  
FreePost: KZN 138, Umhlanga Rocks, 4320  
Website: www.tip-offs.com

**You can contact us 24 hours per day,  
365 days per year**

#### Checklist before you call

- |   |   |
|---|---|
| <input type="checkbox"/> Names of people involved           | <input type="checkbox"/> Does this happen regularly?        |
| <input type="checkbox"/> How many people are involved?      | <input type="checkbox"/> Where did the incident take place? |
| <input type="checkbox"/> Date and time of incident or theft | <input type="checkbox"/> Is there money involved?           |
| <input type="checkbox"/> Do you have any proof?             | <input type="checkbox"/> Are there any witnesses?           |

