EMPLOYMENT EQUITY POLICY SOUTH AFRICA

Free 6-Page Employer Policy Drafting & Implementation Toolkit | 2026

Use this workbook for: Preparing organisation-specific example policy wording, employee consultation, HR practice checks, reasonable accommodation, implementation ownership and version control. This is an illustrative drafting aid, not a government-approved policy form or legal opinion.

What is inside

Page	Practical employer tool
2 — Employer planning sheet	Legal status, accountabilities and adoption checklist.
3 — Sample policy clauses A	Purpose, scope, non-discrimination and fair HR decisions.
4 — Sample policy clauses B	Accommodation, harassment, consultation, privacy and complaints.
5 — Implementation control	Evidence matrix, communication tracker and review record.
6 — Sources and next steps	Authoritative law, 3 related SSA articles and routed help.

Important legal distinction: The 2025 Regulations prescribe EEA12 (workforce and barriers analysis) and EEA13 (five-year Employment Equity Plan) for designated employers. They do not prescribe one universal standalone Employment Equity Policy template. An internal policy may support compliance but must not be misrepresented as a substituted statutory form. 2025 official regulations.

Request Employer EE Policy Support | Request Callback

1 POLICY CONTROL & ADOPTION CHECKLIST

Complete these before adopting any sample wording. Work with the legal employing entity rather than assuming one group policy automatically satisfies every subsidiary.

Employing entity / company registration: _____

Workforce count and designated-employer determination: _____

Policy owner / EE Senior Manager / revision number: _____

Effective date / next review date: _____

EE committee or employee consultation reference: _____

Decision	Employer record / check
Chapter II scope	Applies to employers generally: prohibit unfair discrimination, including harassment; provide fair employment practices.
Chapter III status	Determine whether the entity is a designated employer. If so, coordinate EEA12 and EEA13 obligations.
Recruitment and promotion	Review objective job-related criteria, fair opportunity, and consistent implementation.
Reasonable accommodation	Provide a documented process for considering appropriate reasonable accommodation.
Pay and grading	Review equal pay for work of equal value and objective job classification.
Employee consultation	Record workforce input, decisions and communications appropriate to the employer category.
Review and monitoring	Set HR ownership, manager training, complaint escalation and revision triggers.

Before sign-off: A sample policy cannot replace consultation, statutory forms or a factual EEA12 barriers analysis. Have a knowledgeable HR/legal reviewer adapt the wording to your workplace and relevant codes of good practice.

2 SAMPLE POLICY CLAUSES — PART A

The clauses below are copyable examples intended for employer tailoring. Review them against applicable law, collective agreements and workplace facts. Replace bracketed content before formal adoption.

1. Purpose and application. [Employer Name] commits to fair employment practices, equal opportunity and an inclusive workplace in accordance with the Employment Equity Act. This policy applies to employees and employment applicants as relevant. Managers must implement it consistently across recruitment, selection, development, performance and retention.

2. Non-discrimination. [Employer Name] will not unfairly discriminate directly or indirectly on any prohibited ground. Employment decisions must use objective, lawful and job-related criteria. Employees may raise a concern without retaliation through the internal grievance process or applicable statutory route.

3. Recruitment and advancement. Job advertisements, shortlisting, interviews, job grading and promotions will be assessed for unjustified barriers. Selection decisions must consider the actual role requirements and candidates who are suitably qualified as recognised by law. The employer will document decisions and provide appropriate training opportunities.

4. Designated-employer duties where applicable. Where [Employer Name] is a designated employer, management will consult in terms of the Act, conduct EEA12 analysis, prepare and implement an EEA13 plan, establish appropriate annual goals and complete required reporting. This policy does not replace those prescribed processes.

Customisation fields: [Employer Name]; who may raise concerns; HR owner; complaint channels; policy approval authority; sector/collective-agreement context; organisational structure.

Your notes — draft approval edits

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_____

_____

3 SAMPLE POLICY CLAUSES — PART B

5. Reasonable accommodation. The employer will consider reasonable accommodation for appropriately supported individual needs, including disability-related barriers, through a confidential, interactive and lawful process. Requests will be documented and assessed on relevant circumstances; decisions and review dates will be communicated appropriately.

6. Harassment and dignity. The employer prohibits harassment and victimisation. Reports will be considered promptly and fairly under an accessible complaints procedure that protects confidentiality as far as reasonably possible and provides a proportionate response.

7. Pay and fair evaluation. Job grading and remuneration decisions will be examined for consistency and prohibited unfair discrimination. Appropriate objective factors will be documented and assessed in line with the rules on equal pay for work of equal value.

8. Consultation, information and privacy. Where employee consultation is legally required, the employer will share appropriate information and keep meeting records. Personal employment equity data and employee declarations will be handled securely with access restrictions and applicable privacy safeguards.

9. Monitoring and review. The responsible manager will monitor implementation, record barriers and corrective measures, communicate policy updates, provide relevant manager guidance and escalate unresolved concerns. The policy will be reviewed [annually or when law, workforce profile or operations change].

Employer warning: A clause that promises identical outcomes, automatic appointments, guaranteed numerical achievements or disclosure of private employee data can create legal and practical risk. Use lawful, proportionate affirmative-action measures and individual assessment.

Your notes — local procedures and contacts

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4 IMPLEMENTATION & CONSULTATION RECORD

A policy gains practical value only when managers apply it. Use the register below as a working checklist; assign owners and dated evidence after each review.

Implementation control	Owner / evidence / completion date
Legal status and policy approval	Owner: _____ Date: _____
EEA12 analysis link (if designated)	Owner: _____ File: _____
EEA13 annual action link (if designated)	Owner: _____ File: _____
Fair recruitment / selection review	Owner: _____ Date: _____
Reasonable accommodation process	Owner: _____ Date: _____
Harassment and complaint channels	Owner: _____ Date: _____
Pay grading / equal-value review	Owner: _____ Date: _____
Manager training and employee notice	Owner: _____ Date: _____
Consultation evidence and objections	Owner: _____ Date: _____
Next version review and escalation	Owner: _____ Date: _____

Formal adoption register

Draft issued for consultation on: _____

Employee representative / committee input: _____

Management approver and signature: _____

Final effective date and next review: _____

Control standard: Store confidential employee data separately from this public policy template. Keep EEA12 and EEA13 official forms, consultation minutes, decisions and reviewed policy versions under appropriate access controls.

5 AUTHORITATIVE SOURCES & NEXT ACTIONS

Use the linked official texts when adapting the sample policy. Employment legislation and Department reporting requirements may change.

Authoritative source	What to verify
Employment Equity Act (consolidated)	Chapter II equality provisions and Chapter III designated-employer duties.
Gazette 52515: 2025 EE Regulations	EEA12/EEA13 prescribed templates, analysis and planning duties.
Department: EE Regulations	Current official updates to the administrative and sector rules.
EE Plan Code of Good Practice	Consultation, monitoring and plan implementation guidance.
Department: EAP Guidance	National/regional EAP considerations when planning designated-employer goals.

Read More — the essential SSA Employment Equity guides

Read More	Why Read It
EEA12 Workforce Analysis South Africa	Identify policy, procedure and practice barriers with evidence.
Employment Equity Plan South Africa — EEA13	Translate the analysis into actions, annual goals and responsibilities.
Employment Equity Committee South Africa	Consult employees and record meaningful workforce participation.

Employer policy drafting and compliance support

REQUEST EMPLOYER POLICY / EE QUOTE | REQUEST CALLBACK

WHATSAPP SSA ABOUT EMPLOYER POLICY READINESS

Email: info@swiftskillsacademy.co.za
Call: 021 828 0772
WhatsApp: +27 60 998 7412
Office: 6 Monaco Road, Killarney Gardens, Cape Town

Document control: Prepared 29 October 2026. This is an illustrative policy drafting resource, not the Government EEA12, EEA13 or any official filing. Adapt the wording to your organisation and consult qualified advisers for legal questions.