

THE ROLE OF HUMAN RESOURCES

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Lesson Description

In this lesson, we:

- Analyse and discuss relevant legislation.
- Look at legislation related to: recruitment and selection; employee contracts; induction and placement; salary administration; employee benefits and skills development.
- Analyse human resource activities.
- Procedures related to recruitment, selection and interviewing, induction and placement.
- Examine general and exam questions

Key Concepts

Legislation Impacting on the Human Resources Function

- Labour Relations Act (LRA) (Act 66 of 1995)
- Basic Conditions of Employment Act (BCEA) (Act 55 of 1998)
- Employment Equity Act (EEA) (Act 55 of 1998)
- Skills Development Act (SDA) (Act 97 of 1998)

The Human Resources Department

- In a small business one person will be responsible for managing the human resources, usually the owner or a manager.
- In large businesses an entire department may be responsible for this function. A human resources (HR) manager heads the department.
- This department is responsible for analysing the employment needs of the business, finding suitable people to fill these positions, and developing and training the staff once they are employed.
- In managing the staff - the HR manager must ensure that the relevant labour legislation is followed.
- Records and details of the workers must also be maintained, and the safety and health of the workers must be ensured at all times.

Job Description and Specification

Job Description

Written description of the job and its requirements which includes detail such as:

- Job title
- Main purpose of the job
- Duties and responsibilities
- Department in which the job is performed
- Required performance standards

Job Specification

Written description of the characteristics and qualifications required of the person who will fill the job which includes detail such as:

- Physical requirements
- Qualifications required
- Training required
- Minimum experience required
- Expertise and skills required

Recruitment

- Once you have identified the jobs to be performed in the business, suitable people will have to be found to do the jobs, and this is known as recruitment.
- There are two basic sources to fill a vacancy in a company; internally or externally.

Steps in the Recruitment Process

- Determine the exact need of the enterprise in terms of the vacancy that exists.
- Update the job description and job specification for the position.
- Determine the key performance areas of the job.
- Choose the recruitment source (internal/external).
- Decide on a recruitment method.
- Implement the decision.
- Allow sufficient time for response.

Internal Recruitment

- Internal recruitment means filling the vacancy by appointing someone within the company.
- This is the easiest way to find a person to fill a vacancy, and can be done by advertising the vacancy on the staff notice board, in the company newsletter, sending an e-mail to all the staff, or asking departmental managers for their recommendations.

ADVANTAGES	DISADVANTAGES
The applicants already understand the functioning of the business.	Business do not benefit from new ideas and skills.
Different policies and rules are well known to the employees.	The post description may require skills which are not available within the business.
Decrease the employee turnover in the business.	Promotion of an existing employee may lead to conflict and negativity.

External Recruitment

- Whilst it is always desirable to promote from within, sometimes new skills and expertise have to be found outside the company.

Methods of External Recruitment

- Advertising, educational institutions, employment agencies, referrals, head-hunting.

ADVANTAGES	DISADVANTAGES
New personnel with new ideas and skills are brought into the business and the business can benefit from the new ideas and approach of the new employee.	Employment agencies do not always understand the culture and requirements of the business and may, therefore, recommend applicants who will not cope in the business.
There is a larger choice of applicants to select from.	Extra costs to advertise the vacant post in the media.
Prevents unhappiness between existing personnel who have applied for the post, if someone from outside is appointed.	In-service training of new employees can lead to a decrease in productivity.

Selection

Selection/short listing - The process of trying to determine which individuals will best match particular jobs, taking into account individual differences and job requirements.

- After the HR manager has determined how to recruit the required staff, attention must be given to the question of how to select one person from all those who apply for the job.
- In selecting suitable persons for the vacant position in the business, the HR manager must consider relevant legislation such as the Employment Equity Act of 1998.
- The Act aims to ensure that all people have equal opportunities to be employed in a certain job, and also to ensure that those who were discriminated against in the past (such as Blacks and the disabled) are given first choice, provided they have the necessary skills and experience.
- For example, if there is a Black candidate and a White candidate, and both have suitable experience and skills, the job must go to the Black candidate.
- If there is an able-bodied White candidate, and a disabled White candidate, and both have the necessary qualifications, the job must go to the disabled person.
- This is to ensure that people who were discriminated against in the past are now given a chance to take their rightful place in business.
- To select the most suitable person for the job a **standard procedure** should be followed; review the applications, select a short-list, interview the applicants, set tests (if necessary), make the final selection, and appoint the successful applicant. We will discuss these steps in the sections that follow.

Procedures

- After the applications have been received, the application forms and CVs must be studied and analysed to determine which candidates qualify for the post.
- A shortlist must then be compiled from the applicants who will be the most suitable for the vacancy regarding the job description and job specifications.

- All applicants should be informed about the outcome of their application so that unsuccessful candidates can look for other employment options.
- The applicants who are short listed, must be notified of the date, venue and time of their interview.
- Interviews will be held with the candidates on the short list and an application form is completed by these candidates as this provides the business with all information it requires from these potential employees.

Application

- When applying for a vacant position, the prospective job seeker usually sends a letter of application or a completed application form to the contact person.
- The application should also include a CV, certified copies of qualifications, testimonials, and references if you have working experience.
- The application letter should include all the necessary information about the job seeker; what position is being applied for and why the job seeker considers him- or herself suitable for the job.
- This is where you 'sell' or promote yourself.
- You should aim to make yourself stand out as someone who is really willing and enthusiastic.
- The CV is a summary of the applicant's personal details, qualifications, record of employment and gives the names of referees.

The Employment Interview

- The screening process starts once the applications have been received.
- Applications are divided into those that are suitable and those that are unsuitable.
- The suitable applications will be checked for accuracy and completeness of information, and their qualifications will be verified.
- Applicants who do not meet the minimum requirements of the advertised position should be informed that their applications were unsuccessful.
- The applicants with the most potential are placed on a short-list and interviews are then arranged.
- The interviewer should know beforehand the questions which need to be asked to obtain the required information.
- The interview is the best single screening device for the employer.
- The purpose of the employment interview is to evaluate the applicant's appearance, communication abilities, attitudes, mannerisms, personality traits, goals and expectations.
- The interview also gives the applicant the opportunity to gain information about the business and the particular job.
- The interviewer has to ensure that the applicant's personal qualifications match the job requirements and that they are genuine.

One-on-one Interview

- In this case, only two people are present at the interview; the HR manager and the job applicant.

Panel Interview

- In a panel interview, the job applicant will have to come before a group of people to be interviewed.
- This group could include the HR manager, the department head or supervisor, and a trade union representative.
- Sometimes other stakeholders are included, such as other managers or members of the board.
- The composition of the panel is determined by the type of job and the seniority of the job.
- A panel interview is normally facilitated (led and conducted) by the HR manager.
- Sometimes everybody from the panel will ask the interviewee questions.

Employee Contracts

Letter of Appointment

- Once the final applicant is chosen, the successful candidate is given an offer to come and work for the business.
- The applicant usually receives a letter of appointment from the business, which sets out the salary, other benefits (pension fund, etc.) and the date on which employment commences.
- The applicant must acknowledge receipt of this letter and keep it in a safe place.

Contract of Employment

- After the applicant has accepted the position offered, the contract of employment is drawn up and signed by both parties.
- The contract is an agreement between the worker and the employer, stating the terms and conditions of employment such as hours of work, annual leave and maternity leave.
- These conditions have to be according to the Basic Conditions of Employment Act of 1997 (BCEA).

More about the BCEA

- The Act, which must be displayed in the place of work, is designed to protect the workers from being exploited by unscrupulous employers, especially those categorised as 'vulnerable' workers, such as farm and domestic workers.

Sections of the BCEA cover the Following Important Aspects

1. Working Hours

When an employee's working hours are determined, health, safety and family situations should be taken into consideration. Not more than 45 hours per week can be worked, but this figure is subject to negotiation.

The section of the Act, as at 2006, that regulates working hours does not apply to:

- Workers in senior management.
- Sales staff who travel and regulate their own working hours.
- Workers who work less than 24 hours in a month.
- Workers engaged in emergency work are excluded from certain provisions.

2. Annual Leave

Employees have a right to at least 21 consecutive days' holiday per year.

3. Sick Leave

Employees can take up to 36 days sick leave in a three-year cycle, but only if they are sick.

4. Family Responsibility Leave

An employee has a right to take three days' paid leave per year when a child is ill, a child is born, or if a partner or close family member dies.

5. Maternity Leave

An employee has the right to four months' unpaid maternity leave.

6. Night Work

- Employees working between 23:00 and 06:00 five times or more a month (or 50 times a year) have certain rights.
- These are the right to undergo regular medical examinations and the right to be informed about any health or safety problems which may be caused by the night work. If a health problem occurs as a result of night work, they should be transferred to suitable day work.

7. Forced Labour

An employee may never be forced to accept a job against his/her will.

8. Child Labour

No child under the age of 15 may work for an employer.

Induction

- Once the person has been placed in the specific job in the company, they need to be introduced to the other people in the company and the tasks they have to perform.
- This is known as induction, and its purpose is to help the new employee integrate (fit in) into the company as soon as possible.
- In the induction process, a new employee has to be introduced to fellow employees, shown the location of facilities, and be encouraged to ask for further information as it is needed.
- A new employee may also be given written rules and regulations to guide their behaviour such as a Code of Conduct and a Code of Ethics.
- They will also have to learn the 'norms' – the informal, unwritten rules – and these can only be learnt by observing others in the company.
- They will also have to understand the values and culture of the business.
- Induction aims to make the new worker feel at ease, confident and motivated when starting his or her new career.

Placement

- The new employee must be placed in the best suited position where he/she will add the most value to the enterprise, and where the employee will function optimally.

The Following Aspects Play a Role in Placement Procedures

- Determine the employee's strengths, weaknesses, interests and aptitude through a range of psychometric tests.
- Define the specific responsibilities of the position, including role expectations, knowledge and skills.
- Determine the relationship between the position, and characteristics and competencies of the employee.

- In order to lower the personnel turnover of the business, correct placement is important.
- A high personnel turnover creates a negative image of the business, and extra costs are incurred to train and recruit new workers.
- Wrong placement also results in loss of skilled workers, decrease in productivity while the new employee finds his/her feet, etc.

Remuneration

- The employer must adhere to the requirements in the Basic Conditions of Employment Act regarding minimum wages, overtime remuneration, extra payment for work on Sundays and Public holidays.
- Employees can be paid monthly, weekly, per hour worked or after the work has been completed (contract basis).
- The BCEA (Section 34) states that the following information has to be given to workers in writing, when they are paid:
 - Employer's name and address.
 - Worker's name and occupation.
 - Period for which the payment is made.
 - Total salary or wages and any deductions made.
 - Number of ordinary and overtime hours worked.
- Incentives, if applicable, must be mentioned.
- All deductions (compulsory and voluntary), as prescribed by law, are to be deducted from the employees' salaries, and are to be paid over to the different institutions ,e.g. taxation, unemployment fund, pension fund, medical aid contributions, trade union subscriptions, etc.
- Payment of salaries and wages must be controlled and administrated.

Employee Benefits

- These are at the discretion of the company, and can include pension fund payments, provident fund payments and medical aid.
- If a company does offer these benefits, which are sometimes called 'fringe benefits', the company normally pays a portion of the fee and the rest is deducted from the employee's pay.

- Some companies also offer a car allowance for such employees as salespeople who need to travel extensively.

Skills Development

- It is in the interests of a business to develop and train workers.
- South Africa has a huge unemployment problem and a lack of suitably trained and skilled workers.
- The benefits of continuous training are that workers are more motivated, require less supervision, and are better equipped to deal with change and problem solving in the workplace.
- A further advantage is that the better trained a worker is, the higher the productivity levels in the business as the workers have more job satisfaction.
- Trained workers can be promoted, so they do not have to be stuck in the same job for the rest of their lives. As they move up into management positions, new entrants into the job market can take their place, providing access for the newly skilled.
- The Skills Development Act of 1998 and the Skills Development Levies Act encourages employers to use the workplace as an active learning environment by providing employees with the opportunities to acquire new skills.
- These Acts are aimed at developing the skills of the South African workforce and thus improving the quality of life of workers and their prospects of work.
- A worker can be given on-the-job training or off-the-job training, or a combination of both, such as in a learnership.
- On-the-job training is where you are trained whilst performing your regular job.
- Off-the-job training is where you are trained outside the business, such as attending seminars, lectures, conferences, or formal learning institutions such as an FET (Further Education and Training) college.
- A learnership combines the practical side of the job with studying the theory of the job at an educational institution, such as an FET college.
- These FET colleges have been established in conjunction with the SETAs to offer practical skills and theory training in specific industries, such as marketing, tourism, IT, etc.
- Some professions, such as accountants and lawyers, have to serve an internship with a suitable firm after their initial university education before they receive their final qualification.
- An apprenticeship is also a combination of on-the-job and off-the-job training resulting in the attainment of a trade qualification, such as a plumber, boilermaker, motor mechanic or electrician. Such people are known as artisans.

Questions

Question 1

(Adapted from March 2009, NSC, Question 4)

Read the case study and answer the questions that follow:

APPLICATION FOR A VACANCY

Thembi studied at a technikon. She has a diploma in Travel and Tourism but has been unsuccessful in securing a job.

Thembi saw an advertisement for a receptionist at Trust Lodge in the classified section of the newspaper and applied for the position. Thembi was the only applicant and was appointed to the post. Trust Lodge does not have an employment contract.

Thembi had no interest in the job as a receptionist of which the management of Trust Lodge were fully aware. Thembi spoke openly about her lack of interest in the job. She had to obtain some form of employment in order to earn an income to meet her financial obligations.

- a.) If you were the manager of Trust Lodge, would you employ Thembi?
Motivate your answer. (6)
- b.) Suggest any FIVE clauses that Trust Lodge could include in its employment contract. (10)
- c.) Would the clauses listed in QUESTION (b.) have helped in avoiding the crisis that Trust Lodge is currently experiencing? Explain your answer. (6)
- d.) List any FIVE aspects that Trust Lodge would include in their implementation of the induction and placement process for Thembi. (10)
- e.) Name the Act that regulates the employment contract between Trust Lodge and Thembi. (2)

Question 2

(Adapted from Various DoE Sources)

- a.) This step matches the right person to the job description:
 - A Recruitment
 - B Interview
 - C Selection
 - D Psychometric test
- b.) Legislation makes provision for this compulsory deduction from an employee's salary:
 - A Staff social club fee
 - B Income Tax
 - C Trade union membership fees
 - D Insurance

- c.) A potential employee is officially on the payroll of a business as soon as the person ...
- A signs the employment contract.
 - B shortlisted.
 - C has been interviewed.
 - D passes the medical test.
- d.) ...deal(s) with the evaluation of employees in the workplace with a view to an increase in their wages and salaries.
- A Staff development programmes
 - B Counselling
 - C Performance appraisal
 - D Team-building exercises
- e.) Internal recruitment can be done by advertising ...
- A on staff notice boards.
 - B in national newspapers.
 - C on regional radio stations.
 - D on the Internet.

Question 3

(Adapted from Nov 2009, NSC, Question 8)

Anthony Chanderman is a professional labour consultant based in Cape Town. He has been requested by Sun International to do a presentation to newly appointed human resources managers on the processes and procedures relating to human resources management.

Discuss the various human resources steps that Chanderman needs to follow in his presentation to the human resources managers of Sun International. Indicate the significance of each human resources step in your answer. Suggest whether human resources managers should follow the various steps at all times. Substantiate your answer. [40]

Links

- [http://www.mindset.co.za/resources/0000070743/0000165527/0000169546/BS%20Gr%2012%20Session%2017%20LN%20\(HRM\)%202011%20rev.pdf](http://www.mindset.co.za/resources/0000070743/0000165527/0000169546/BS%20Gr%2012%20Session%2017%20LN%20(HRM)%202011%20rev.pdf)