PEOPLE
with disabilities
The national disability prevalence rate is 7.5% in South Africa. Disability is more prevalent among females compared to males (8.3% and 6.5% respectively). Persons with disabilities increase with age. More than half (53.2%) of persons aged 85+ reported having a disability. The prevalence of a specific type of disability shows that 11% of persons aged five years and older had seeing difficulties, 4.2% had cognitive difficulties (remembering/concentrating), 3.6% had hearing difficulties, and about 2% had communication, self-care and walking difficulties. Persons with severe disabilities experience difficulty in accessing education and employment opportunities.  

Disability is a serious matter of concern that organisations need to focus on. There is now a growing body of evidence that persons with disabilities are profoundly and more vulnerable to lifestyle and chronic diseases. Numerous reasons for the limited attention to the linkages to disability are:

- Low social status frequently accorded people with disabilities due to discrimination, stigma, and exclusion;
- Myths associated with sexuality and disability;
- A general lack of disability awareness;
- Less focus on organisations recruitment processes to drive the employment of people with disability.
- Preference to be given to race and gender in employment equity plans.

In South Africa alone, “4.3% of the South African population is disabled. 2” With acknowledgement of the current unemployment rate of 27.7%, people with disability find it more difficult to secure employment.

According to the statistics acquired from Statistics SA, the following divisions have been made from a population figure of 40 583 573:

- Sight disabled: 1 091 022
- Hearing disabled: 383 408
- Physically disabled: 55 774
- Mentally handicapped: 192 554

**TOTAL: 1 722 758**


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People with disabilities across the world, largely remain marginalised due to stereotyping, traditional beliefs and ignorance. The World Health Organisation estimates that 10 percent of the world’s population consists of people with disabilities, with the majority of these in developing countries. Causes of disability range from accidents, violence and natural birth defects. In developing countries, lack of proper health facilities, inadequate treatment and lack of knowledge exacerbates this problem. People with disabilities find it difficult to find employment or be accepted within society as individuals who are capable of performing work tasks efficiently. This assumption requires a change in perspective, as people with disabilities should be granted the equal opportunity to jobs and fairness. Are we as HR professionals driving the disability agenda? Where is our employment equity focus, and have we covered all areas of compliance?

This fact sheet aims to identify challenges and discuss the integration of people with disabilities within the workforce with the guidance and leadership of HR.

"Can you imagine that you’re getting up in the morning with such severe pain which disables you from even moving out from your bed? Can you imagine yourself having a pain which even requires you to get an assistance to do the very simple day to day activities? Can you imagine yourself being fired from your job because you are unable to perform simple job requirements? And finally, can you imagine your little child is crying for hug and you are unable to hug him due to the pain in your bones and joints?"


The Challenges in the Workplace

In developed countries, much is being done to ensure that people with disabilities do not face enormous challenges in as far as accessing their workplace. For instance, in the European and American regions, accessible public transportation is provided, coupled with the use of smart technology to ensure accessibility and mobility for people with disabilities.

The opposite is true with many developing countries. For instance, inaccessible public transport makes it very difficult for people with disabilities to use such transport. Deaf people for instance, cannot use public transport, especially when they have to tell their drivers where they want to get off. For blind people using public transport is also very difficult, especially with public taxis. People who use wheelchairs are usually expected to pay for extra seats to put their wheelchairs.

This imposes some serious strain on the working day of a person with disability. Furthermore, the inability to provide reasonable accommodation at the workplace also brings about some serious challenges to persons with disabilities. For example, a blind person who is hired requires special resources, tools and equipment to work optimally.

Challenges can be identified as:

- Accessibility to job opportunities, promotions, information.
- Training and development fit to accommodate people with disabilities and acknowledging the different disabilities present within the work environment.
- Environment that accommodates people with disabilities like ramps, policies and awareness.
- Health and safety within the environment must accommodate and include people with disabilities. It should go a step further to ensure that training for people with disabilities are specialised.
- Health for example the health and sanitation exclusion are shocking as women with disabilities are less likely than women without disabilities to receive health screenings. They also likely less to receive other routine clinical preventive services to prevent or identify the onset of health conditions and illnesses such as cancer. This leads to undiagnosed / unmanaged / delayed diagnosis that have a greater consequence for recovery or cure.

Education opportunity and poverty in South Africa impacts people with disabilities more than people without disabilities. Poverty impacts access to educational opportunities.

- Lack of focus and drive on the disability aspect in employment equity.
- Lack of understanding about different types of disabilities.
- Lack of reasonable accommodation.
- Physical inaccessibility of work places (infrastructure).
- HR policies and mechanisms which do not adequately measure the potential an employee has to satisfy the job.
- Stereotyping and discrimination, for example against people with mental disabilities.

Near the start of the bus route I climb on. I am one of the first passengers. People continue to embark on the bus. They look for a seat, gaze at my hearing aids, turn their glance quickly and continue walking by. Only when people with disabilities will really be part of the society; will be educated in every kindergarten and any school with personal assistance; live in the community and not in different institutions; work in all places and in any position with accessible means; and will have full accessibility to the public sphere, people may feel comfortable to sit next to us on the bus.”


People with disabilities in Employment

The 2016 Commission for Employment Equity report indicates that little progress in the employment of persons with disabilities has been made since the inception of the Employment Equity legislation in 1998, and the promulgation of chapter 3 of this act in 1999. To add to this problem many people with disabilities who are employed are mainly hired to do menial tasks, and many of them are employed at the lowest entry levels of the organisation.

What do people with disabilities expect from their Employers

The employment of persons with disabilities in the workplace is usually characterised by untested expectations and perceptions, many of which are not true. For instance, many employers’ reluctance to employ people with disabilities stems from assumptions such as:

- People with disabilities need expensive equipment;
- People with disabilities are always absent due to their disabilities
- People with disabilities usually require extra help.

Whilst people with disabilities do need reasonable accommodation, many of them are aware of what reasonable accommodation they need, and consultation with people with disabilities is always the best solution to understand reasonable accommodation. In any case, the Technical Assistance Guidelines on Disability, as well as the Code of Good Practice on Disability in the workplace, offer some solutions towards reasonable accommodation. In essence, people with disabilities need respect and equal treatment from their employers, or potential employers. It is thus very crucial for any employer to ensure that they conduct enough research on disability, before making unfounded conclusions.


Poverty, Unemployment, Social isolation, Social Attitudes (like stereotyping) and discriminatory and weak legislative framework, which has sanctioned and reinforced exclusionary barriers.


The expectation for HR to drive the response to these challenges is central for the plight of employed people with disabilities. Compliance to legislation must be upheld with the spirit it is written with, and HR is responsible for the delivery and measurement in this regard. The Labour Relations Act, 1995, as per the HR Pulse article on “Dealing with disability claims” codifies a process relating to an employee’s incapacity due to ill health or injury. In terms of this Code, an employer’s obligation can be summarised as follows:

- An employer has to determine whether an employee is temporarily or permanently unable to work.
- If the employee is temporarily unable to work, the employer should investigate the extent of the incapacity and alternative solutions to accommodate the employee.
- If the incapacity is permanent, the employer should ascertain the possibility of securing alternative employment or adapting the duties or work circumstances of the employee to accommodate such employee’s disability.
- In any investigations related to incapacity, the employee should be allowed to state their case in the course of the investigation and to be assisted by a trade union representative or a fellow employee.
- The degree of incapacity is relevant to the fairness of any dismissal, whether for temporary or permanent incapacity.
- At all times during assessments, an employer should consider:
  - Whether the employee is capable of performing the work;
  - If the employee is not capable, the extent to which the employee is able to perform the work;
  - The extent to which the employee’s work circumstances can be adapted to accommodate the disability or, where this is not possible, the extent to which the employee’s duties can be adapted and; the availability of any suitable alternate employment.

Dealing with disability claims
Published on 5 November 2012 HR Pulse News Desk
Disability in life by Louraine Sutton

“It is with great admiration and respect that I would like to share a few thoughts to the Human Resource Professionals who would spare me a few minutes of their time. South Africa is a diverse country with endless opportunity, prosperity and a workforce with tremendous possibility. The tip of the spear is the HR Profession.

I would like to direct your attention to daily conversations on crime, and the endless dangers the HR profession perhaps unknowingly faces. Let us be real for a second, the profession deals with people, the perception and antagonism is part of the package. It is the opinion of the writer that the we stand between two worlds. The employer and the employee relevant to this power struggle we can add a dash of organised labour. The important balance is a very narrow ledge of mutual respect to promote sound labour practice within the workplace, lack hereof will impact greatly in the financial growth and the redressing of economic inequality and prosperity of the human capital that is daily used as the bargaining currency.

The balance scale is measured in the right to work and the right to trade. In casu how ethical are the human resource practice if one would lift the veil of good and bad faith intentions and the struggle to obtain the best alternative to a negotiated agreement. In the HR field, there is from time to time a cloud of thick mist that are often difficult to navigate, since they are frequently based on uncertain or qualitative considerations, rather than easily measurable and quantifiable factors. A pivotal piece of legislation, acknowledge the need for fast and easy access to justice in labour disputes. Our Constitution contains several provisions of relevance to employment and labour law. It is worth mentioning that equality includes the full and equal enjoyment of rights and freedoms as contemplated in the Constitution and includes de jure and de facto equality and also equality in terms of outcomes. There is a legitimate right to equality, the protection of dignity and the protection against discrimination and supporting the right to pursue a livelihood. Labour law, objectively viewed, is sui generis in nature. If collective bargaining can be hypothetically being compared to a mixed martial arts match, the LRA can be seen as the organiser of the match between business and labour as the fighters on opposite sides. The LRA provides the basic rules to protect the fighters both inside and outside the ring.

But where in all this is the people living with disability? They are definitely not at the malls, parking is always available? We do not see them in strike action, nor are they falling through the front door of your office. But wait now that I recall I did see one at the front of a food retailer with a collection tin. Here is the thing when last did you see a person with a wheelchair in a taxi? A mother with a disabled child in public transport on her way to a specialist for special care treatment? The list is endless but let me ask u this, do you also do the diversity project to bring wheelchairs, blindfolds and canes to projects to sensitise management on disability? Did it work? are your company employing people with disability? Or are we chasing numbers but employing below the threshold?

The writer hereof is of the opinion that the true revolution, for real change, redressing of inequality, economical segregation, empowerment of vulnerable employees and labour peace will start with the most human comparator and that is love. Brothers and sisters change starts within us, it is time that the HR Profession.

Can the profession of HR become the leaders by understanding the difficult balance between a legislative obligation and mainstreaming disability with the workforce. The problem is how do we employ, redress inequality and realign a traditional HR system that charters for a mainstream able-bodied workforce? How do we invest in human capital that does not have a strong portfolio and weigh it in against alternative options that is more palatable for the economic growth to the company? Wait the buzzword is unreasonable hardship excessively used, what a steep price to pay.

"Once social barriers to the re-integration of persons with physical impairments are removed, the disability itself is eliminated..." – Vic Finkelstein

Instead, it should be viewed as a business opportunity and imperative. It makes good economic sense to employ people with disabilities both for the business, as well as the country as a whole.

The writer is of the opinion that we all could become disabled, we even have legislation giving you an expiry date from the mainstream workforce. The question is what have you done to make disability part of the mainstream community. Our elders and vulnerable community must hide in the shadows and have adopted an unwritten rule of which public segregation forces them out of our weekend spaces. It is by acquaintances that this segregation has become practice.

Never could I have imagined that in my environment as a member of the South African Police Service that I would become the victim of crime while on duty. The true lesson was that crime is not biased, racist, nepotistic or sexist in nature. Crime affects attacks every economic class, gender and shows no mercy. We have a choice within our environment on how to deal with this illness in our society. We tend to idealise heroes, the brave among men. The perceptions society blueprints are in my opinion from time to time in between and far apart.

The writer hereof is of the opinion that the true revolution, for real change, redressing of inequality, economical segregation, empowerment of vulnerable employees and labour peace will start with the most human comparator and that is love. Brothers and sisters change starts within us, it is time that the HR Professionals picks up the ropes on the desk and get the wind back into our sails.”
Women with disabilities

According to Naidu E, Haffajee S, Vetten L, Hargreaves S\textsuperscript{9}, women with disabilities:

• In general, have to strive much harder than men to earn their livelihoods.
• Experience discrimination on the basis of their disability and gender. This discrimination may be further compounded by poverty, race and socio-economic disadvantage.
• It can thus be argued that women with disabilities, as a specific group, are one of the most marginalised and vulnerable groupings in our society.
• Since African women as a whole constitute the majority of the poor in South Africa, disabled women in their ranks are the most likely to be poor and destitute, malnourished and illiterate.

Social Roles and Sexuality

Women with disabilities may not have had opportunity to date, go to parties, or engage in age-appropriate sexual activity. Society plays a big role in the “inclusion or acceptance” of women with disabilities. The awareness needs to grow and develop deep within the societal norms of “normal” and drive the conscious awareness towards women with disabilities. The area impacts into many issues like gender inequality, education, unemployment, safety, grants, child abuse, women abuse and even education. From an employment perspective, the impacts revolve around discrimination, sexual harassment or offence, segregation, training, work friendly environments that are conducive to disability requirements, BBBEE, wellness and remuneration.

Triple Jeopardy

Violence and abuse is a reality in the lives of many women with disabilities. It is difficult to fully estimate the extent of the problem because acts that women with disabilities may experience as violent generally go unreported. (Naidu E, et al, 2005). High levels of dependency on caregivers, who often are the perpetrators of the violence. Social isolation and discrimination against women with disabilities add to the violence induced. Access or a lack of information and inadequate support services create more difficulty for women with disabilities to report or seek help against the violence.

Women with disabilities are vulnerable to abuse at higher rates compared to women in general. Culture, Socialisation and Attitudinal barriers as factors that lead to general society not taking cognisance of violence against women with disabilities. (Findley, AP and Plummer, S, 213)\textsuperscript{10}.

Other international studies have concluded that women with disabilities suffered an equal, or up to three times greater, risk of rape by a stranger or acquaintance, than their able-bodied peers. (Nosek M, Howland C, Hughes R, 2001.)\textsuperscript{11} The triple jeopardy syndrome (gender, disability, poverty) has a greater impact on women with disabilities. According to the Triple Jeopardy Report (WDA)\textsuperscript{12} where the sample was taken from Cambodia, “the link between violence and disability and rising levels of psychological distress. In this sample, women with disabilities are more likely than those without disabilities to sleep badly, feel frightened, have trouble thinking clearly, cry more than usual, feel their work was suffering, feel like a worthless person, feel tired all the time, to think about ending their life and to have tried to do so. Taken together, these feelings and behaviours underline the heavy burden


\textsuperscript{10} http://journals.sagepub.com/doi/abs/10.1177/1524838011426014


of psychological distress experienced by women with disabilities in Cambodia.” The graph below illustrates the point clearly.

For women who are in life-threatening abusive situations, crisis intervention includes escaping temporarily to a woman’s shelter, escaping permanently from the abuser, and having an escape plan ready in the event of imminent violence if the woman must remain with the perpetrator.


There is little doubt that women with disabilities are vulnerable to domestic and gender based violence, but confront barriers accessing assistance. “Because women with disabilities make up a significant part of the world’s population, principles of fairness and equality require that the world engage in a vigorous discussion on how to end violence against them. According to the World Health Organisation (WHO) and the World Bank (WB), more than one billion people (approximately 15% of the world’s population) live with some form of disability.

Significantly, for the World Bank and World Health Organisation disability level threshold of 40, which includes those experiencing significant difficulties in their everyday lives for both low income and high-income countries, the male disability prevalence rate is 12 with standard error .18 and the female disability prevalence rate is 19.2 with standard error .19. Based on these figures, it is clear that women with disabilities constitute a significant portion of the global population and that the pervasive violence against women with disabilities must be addressed. The 2011 Report of the United Nations Special Rapporteur on Violence Against Women focused on the multiple and intersecting forms of discrimination that contribute to and exacerbate violence against women, noting that factors such as ability, age, access to resources, race/ethnicity, language, religion, sexual orientation and gender identity and class can exacerbate the violence women experience.

**Recommendations for HR**

HR plays a key role in creating the awareness of disability in the workplace. People with disabilities, just like any other employee, deserve to be given opportunities in the workplace, based on their ability to meet the inherent requirements of a job. People with disabilities should not be treated as statistics, but rather as part of the total staff compliment who adds value to any organisation. Generally many people with disabilities have limited levels of literacy, due to historical reasons, amongst others. Nevertheless, there are quite a number of people with disabilities in South Africa who have vast amounts of experience and are highly literate and competent to carry on certain jobs. In government, for example, the minister of Justice is someone who is partially sighted, or referred to in other countries as legally blind. The deputy minister of Social Development also falls into this category. South Africa had a constitutional judge who was blind.

Human Resources has a huge responsibility of finding such competent persons with disabilities, and one of the ways to ensure that this is achieved is to put proper procedures and take extraordinary measures. These measures may include, but not limited to:

- Contacting organisations of people with disabilities to ensure that they get enough qualified and experienced persons with disabilities.
- Compiling a database of potential candidates with disabilities from institutions of higher and further learning; and
- Developing means and creating an enabling environment for employees with non-visible disabilities to disclose. Further to that, HR needs to be more proactive and involved in the dealing with issues around people with disabilities by:
  - Driving their talent strategies to incorporate people with disabilities.
  - Recruit people with disabilities; and practice fair and equal opportunities.
  - Understand the needs and requirements for people with disabilities, and advise leadership on costs, risks and policy.
  - Create a culture of acceptance, tolerance and respect, through programmes and awareness campaigns.
  - Drive your wellness strategy with the incorporation of “disability issues”, as any employee can become disabled in the future.

Wellness Management emerged as a priority due to increasing recognition that the health and wellbeing of employees directly impacts on productivity of the entire organisation. As employees are the life-blood of the organisation it is vital to help them produce at their optimum levels. The World Health Organization’s Global Plan of Action on Workers Health 2008-2017 states that workers represent half the world’s population and they are major contributors to economic development. It calls for effective interventions to prevent occupational hazards and to protect and promote health at the workplace and access to occupational health services.14

- Create policies/guidelines that speak and comply with legislation like the EMPLOYMENT EQUITY ACT NO 55, OF 1998, CODE OF GOOD PRACTICE ON KEY ASPECTS OF DISABILITY IN THE WORKPLACE. Communicate them to the organisation on a frequent basis.
- Know your statistics. Disability is a very real issue, and it impacts all races of our population. Understand the statistics and plan your strategy to support employment of people with disabilities especially females. This will assist the economy to grow, support employment and thereby bring the unemployment rate down, and assist people with disabilities to support their families.

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<tr>
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<td>911 648</td>
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<tr>
<td>White</td>
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<td>6,5</td>
<td>3 041 587</td>
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<tr>
<td>Other</td>
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<td>Total</td>
<td>2 870 130</td>
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<td>35 214 746</td>
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Encourage the organisation’s bursary, training, apprenticeship programme to encourage the intake of females with disabilities. Education is key in development and creating opportunity. In the graph below, we get to understand the level of education, with highest number falling into the secondary schooling. The comparison is an eye opener, “as not having a tertiary education reduces the chances of disabled people getting into business.”15


http://www.enca.com/self-declaration-key-accurate-disability-figures
Disability and income

- Linked to employment is income, which in turn determines the welfare of individuals and their households.
- Generally, persons without disabilities earn a higher income than persons with disabilities.
- Among persons with disabilities, disability severity and type of disability determines one’s income. Persons with sight disabilities earn more income compared to persons with other types of disabilities.
- Sex variations in earnings show that male persons without disabilities earn a higher income compared to persons with disabilities. Among persons with disabilities, males earn double what females earn, regardless of the degree of difficulty.
- Massive earning disparities exist by geographical location. Persons with disabilities in urban areas generally have higher earnings compared to those in tribal/traditional areas; a pattern attributed to limited access to employment opportunities in rural areas as well as only having access to low-paying and unskilled jobs.


Walk in another’s shoes

Did we ever take a brief moment and walk in the shoes of a person with a disability? The workplace is full of challenges that even people without disabilities find challenging, yet we never just take the moment to experience it from someone who is already disadvantaged because they are disabled.

It is important to grasp and realise that disability is a serious issue that needs our support and attention. For too long we have focused on gender and race, and yet employment equity includes disability. Transformation includes “all” citizens of South Africa, which means including the disabled as well. As HR, we have that power and influence within our grasp. It is time we take leadership in the matter, and create working environments that includes, accepts and develops people with disabilities.
As HR we need to remove the “Dis” out of “disability”, and create the “Ability” for people with disabilities to work safely within our workplace. We have to build the awareness around this issue, and create the right type of noise that give people with disabilities a voice and platform to be heard and protected. It’s going the extra mile that creates the impact and difference, and that is in our hands.

This fact sheet bears the hopes and plea for all to support people with disabilities, create the “ability” for those who struggle to reach greater heights. We can all make a difference, and it starts with us, with an individual. Collectively the impact is just greater, but it still starts with one. Let that one be Human Resources.

“HR must plan their strategy to include people with disabilities, and ensure they are part of the succession and strategy. You must create a compliant organisation, and as a corporate citizen, you must understand laws, and include the transformation under Human Capital.”

Dr Jerry Gule: Interim CEO IPM

Websites

www.sae4d.co.za
www.labour.gov.za
www.dwde.co.za
www.ncppdsa.org.za
www.safmh.org.za
This Fact Sheet was written by:

This fact sheet was written by Ms. Leonie Van der Merwe, Director: Gender, Youth & Disability Mainstreaming, Department of Social Development.

Capt Louraine Sutton, employed with disability in the Human Resource Utilisation division of SAPS. He is a member of the SABPP. He has a passion for disability and mainstreaming in the Government Sector. He represents the employer as a labour practitioner.

Sechaba Taunyane the Employment Equity Coordinator at Rand Water.

Contributions and editing by: Lathasha Subban: SABPP Head: Knowledge and Innovation

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<table>
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<tr>
<th>DATE</th>
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<tr>
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<td>March</td>
<td>2</td>
<td>ETHICS, FRAUD AND CORRUPTION</td>
</tr>
<tr>
<td>April</td>
<td>3</td>
<td>NATIONAL DEVELOPMENT PLAN</td>
</tr>
<tr>
<td>May</td>
<td>4</td>
<td>BARGAINING COUNCILS</td>
</tr>
<tr>
<td>June</td>
<td>5</td>
<td>EMPLOYMENT EQUITY</td>
</tr>
<tr>
<td>July</td>
<td>6</td>
<td>HR COMPETENCIES</td>
</tr>
<tr>
<td>August</td>
<td>7</td>
<td>HR MANAGEMENT STANDARDS</td>
</tr>
<tr>
<td>September</td>
<td>8</td>
<td>PAY EQUITY</td>
</tr>
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<td>COACHING AND MENTORING</td>
</tr>
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<td>PROTECTION OF PERSONAL INFORMATION ACT</td>
</tr>
<tr>
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<td>QUALITY COUNCIL FOR TRADES AND OCCUPATIONS</td>
</tr>
<tr>
<td>May</td>
<td>4</td>
<td>WORK-INTEGRATED LEARNING</td>
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<tr>
<td>June</td>
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<td>RECRUITMENT – SCREENING OF CANDIDATES</td>
</tr>
<tr>
<td>July</td>
<td>6</td>
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<td>2</td>
<td>THE REVISED BROAD-BASED BLACK ECONOMIC EMPOWERMENT CODES OF GOOD PRACTICE</td>
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<td>April</td>
<td>3</td>
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<tr>
<td>May</td>
<td>4</td>
<td>EMPLOYEE WELLNESS SCREENING</td>
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<td>June</td>
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<td>CHANGING THE EMPLOYMENT EQUITY LANDSCAPE</td>
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<td>July</td>
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<td>June</td>
<td>5</td>
<td>CHANGE MANAGEMENT</td>
</tr>
<tr>
<td>July</td>
<td>6</td>
<td>INNOVATION IN HR</td>
</tr>
<tr>
<td>August</td>
<td>7</td>
<td>HR TECHNOLOGY</td>
</tr>
<tr>
<td>September</td>
<td>8</td>
<td>HR IN BUSINESS SUSTAINABILITY</td>
</tr>
<tr>
<td>October</td>
<td>9</td>
<td>THE LEARNING &amp; DEVELOPMENT LANDSCAPE IN SA</td>
</tr>
<tr>
<td>November</td>
<td>10</td>
<td>TOWARDS A CODETERMINATION MODEL FOR SOUTH AFRICA</td>
</tr>
</tbody>
</table>

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### Fact Sheet

**Date** | **Number** | **Subject**
---|---|---
2017 | 1 | Modern Slavery
February | 2 | Pension Law for Employers
March | 3 | The Game Changer: Role of HR
April | 4 | HR Governance
May | 5 | Integrating Skills Development, Employment Equity and B-BBEE Transformation
June | 6 | Stress Management
July | 7 | Remuneration: Recent Trends
August | 8 | How CEOs and CHROs Can Use the SABPP to Create Excellence in HR Management
September | 9 | People with Disabilities

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