



Mentorship

Growth through shared knowledge and ideas

In a more traditional framework, mentorship is an enduring partnership in which a competent and seasoned person with a successful track record gives regular guidance to an upcoming employee (the mentee) to develop the mentee's professional and personal success in a current job and for the future. Mentoring has morphed, and in 2020 the notion of people having one mentor is rare.

...To Page 2



tennant
human capital
solutions

taking care of tomorrow | today

Address:

Hurlingham Office Park | 59 Woodlands Ave. Block A | Suite 3
Cnr. Republic Rd. + William Nicol Dr. Hurlingham Manor | 2196

Tel:
Mail:
Web:
FSP:

(+27) 11 100 8110
info@tennant.co.za
www.tennant.co.za
Licence No. 43648

In this edition:

1. **Mentorship**
Growth through shared knowledge and ideas
2. **Serious misconduct**
Appropriate disciplinary measure
3. **Employment Equity**
20th CEE Report

Mentorship

Growth through shared knowledge and ideas

In today's workplace, the trend is for employees to develop a cadre of several people they turn to for advice and guidance. This is a personal "developmental network". The network can be as large or small as the mentee wants. Mentoring can be both a long-term and short-term arrangement. (Gallo, 2011)

In this note: Key success factors in developing a mentoring culture which fosters employee learning and organisation performance.

For organisations, the benefits of encouraging mentorship partnerships are: a strong pipeline of leaders to grow and sustain an organisation • creation of opportunities for promotion from within • enriched new-employee induction • an organisation more attractive to job candidates • improved employee retention • enhanced competency depth, and • development of high potential employees achieved cost effectively.

Three aspects of mentorship make it a powerful way to develop people:

- (1) The mentor provides an independent perspective to the mentee. (LG-Pro Mentoring, 2016) Mentors are outside of the boss subordinate relationship. They give feedback that is specific, constructive and in real time. Mentors draw on their expert knowledge and long experience. They build and do not break down the mentee.
- (2) A mentor accelerates the development of a mentee. (Potgieter, 2016) A company chooses mentees, or employees step forward for mentorship because they are individuals with good prospects of climbing

the leadership ladder. If left alone, these employees would advance their careers and it is likely that they would climb the organisation hierarchy. The timely and insightful feedback from mentors helps them move their careers forward faster.

- (3) A mentorship programme develops the mentee's unique capabilities. Successful organisations have learnt that you need to customise leadership development to suit the unique talents of individuals. Mentorship allows mentees to base their development on their individual strengths and to discover their own recipe for success in work and life.

"The delicate balance of mentoring someone is not creating them in your own image but giving them the opportunity to create themselves."

Steven Spielberg (brainyquote.com)

In planning and implementing a mentorship programme, the following should be incorporated: (1) Definition of the primary objectives, which informs the curriculum. (2) Selection and pairing of mentors and mentees. There is no one best way of pairing, but it is suggested that giving the participants a say in with whom they will partner, contributes to a programme's success. There are bound to be some cases where the mentor and mentee do not gel. Your planning should cater for this by having a mechanism for a mentorship partnership to be dissolved without hurt feelings. (3) Upfront training for mentors and mentees to help them understand the process and convey responsibilities. (4) Evaluation processes to determine whether your organisation is getting value out of the mentorship programme. (Kessler, 2020)

To conclude, the participants in a mentorship partnership can optimise the relationship outcome by bringing to the table:

- (1) Commitment. A mentoring relationship is a step towards higher levels of leadership. A mentee must make time for mentorship



meetings; ask lots of questions; practice learnings and look for opportunities to take on more complex responsibilities.

(2) Focus on strengths. Everyone has certain qualities which are stronger than their other attributes. To change weaknesses takes huge energy. A mentee should be aware of her/his weaknesses and then devote most of her/his developmental activity to building on her/his strengths.

(3) Find the mentee's unique leadership success recipe. A mentee should not try to be something she/he is not. For example, a more introvert mentee must draw on the inherent strengths of an introvert. No amount of attending courses will change her/his nature. A mentee can develop skills and wisdom through mentorship. But a mentee is unique and must develop her/his unique recipe for career success.

References:

1. Gallo, A. (2011) Demystifying Mentoring, *HBR.org* [online] Available at: <https://hbr.org/2011/02/demystifying-mentoring> Accessed 30 October 2020
2. LGPro Mentoring Programme [website] Benefits of Mentoring. Available at: <http://www.lgpromentoring.com.au/benefits-of-mentoring/> (Accessed 31 October 2016)
3. Kessler, S. (2020) How to start a mentoring programme. *Inc.com* [Online] Available at: <http://www.inc.com/guides/2010/04/start-mentoring-program.html> (Accessed 30 October 2020)
4. Potgieter, A. *Human Resources Mentoring programme for SU staff Frequently asked questions and answers. Stellenbosch University Website* [Online] Available at: <http://www.sun.ac.za/english/policy/Documents/Frequently%20asked%20questions%20on%20mentoring.pdf> (Accessed 30 October 2020)

Serious misconduct

Appropriate disciplinary measure

The Labour Appeal Court (LAC) settled some questions of fairness regarding a retail store's dismissal of an employee for dishonest instore transactions in contravention of company policies.

The subsequent fairness dispute journeyed from the CCMA, on review to the Labour Court, and on

appeal to the LAC before the LAC finally decided the fairness principles in dispute.

The LAC judgement provides useful insights for employers wanting to ensure they cover all the bases when considering whether an employee's misconduct justifies dismissal.

The employee in this case was an E-Service Manager, a position which required the employee to operate a till and to train other cashiers on the company policies and procedures including those relating to refunds, returns, exchange, and gifts.

A customer presented the employee with milk chocolates valued at R104 as a gift for her and her colleague. The employee contravened the company rules by accepting the milk chocolates from the customer without declaring the gifts. The employee attempted to defraud the company in that she tried to return the gift she received from the customer for cash or for a voucher. The employee contravened company procedure by performing a return on her till without authorisation from senior management. Lastly, the employee breached till procedures in that she performed fraudulent transactions on her till.

A disciplinary hearing has two phases. The first is to evaluate relevant facts and decide whether an employee committed the misconduct. If the answer is yes, the second phase involves eliciting and considering information relevant to deciding on an appropriate disciplinary measure.

In this case, two noteworthy issues were part of the first phase. (1) Did the company prove all the elements necessary to fulfil the legal definition of fraud? The LAC found this to be inconsequential because where a disciplinary rule has been contravened and the employee knew that such conduct could be subjected to discipline and had not been significantly prejudiced by the incorrect characterisation of the offence, then discipline commensurate to the offence found to have been committed may be imposed. The LAC went on to find that there were various elements of deceit on the way the employee carried out the return/refund transaction which pointed to her nefarious conduct. (2) The employee contended that she did not actually take money or a voucher from the company. The LAC found



that it was only the refusal by the store manager to authorise the transaction that stopped the employee from taking possession of company money.

In deciding whether dismissal was an appropriate disciplinary measure, the LAC considered the following factors:

- Seriousness of the misconduct

The LAC found that the employee's conduct was deceitful. The employee was no ordinary employee. She admitted that she was entrusted with the responsibility to train other cashiers on the very policies and procedures which she not only acted in flagrant disregard of but flouted. The sanction of dismissal was not grossly disproportionate to the nature and gravity of the misconduct.

- Mitigating and aggravating factors

The employee's representatives contended that her 24 years of service and her unblemished record made her dismissal unfair. The LAC found that although long service is a weighty factor, it must be assessed with other factors. An adjudicator should strike a balance between the period of service, the gravity of the misconduct and its impact on the employment relationship. The LAC referred to a previous judgement of the LAC, *'Although a long period of service of an employee will usually be a mitigating factor where such employee is guilty of misconduct, the point must be made that there are certain acts of misconduct which are of such a serious nature that no length of service can save an employee who is guilty of them from dismissal. To my mind one such clear act of misconduct is gross dishonesty.'*

"There are certain acts of misconduct which are of such a serious nature that no length of service can save an employee who is guilty of them from dismissal."

Labour Appeal Court

- Consistency

The employee's representatives said that the company was inconsistent and therefore unfair because the other employee who was a co-recipient of the gift of chocolates got a final warning. The LAC concluded that the two cases were markedly incomparable. The LAC found that the employee was a manager and well versed in till procedures. She trained other employees and occupied a position of trust which differed materially from that of the other employee who was her subordinate. The other employee was not integrally aware of policies and procedures pertaining to refunds. As a merchandiser, he did not operate a till let alone play a role in processing the refund in question.

Based on the facts of the case, the employer decided to dismiss the employee. A CCMA commissioner found the dismissal to be fair. Then, in review proceedings the Labour Court overturned the commissioner's award and found that dismissal was unfair and that the company should have imposed some form of corrective measure. For the reasons cited above, the LAC sided with the employer's dismissal decision and the award of the CCMA commissioner, and set aside the Labour Court's order.

Case:

Pick 'n Pay Retailers (Pty) Ltd and JAMAFO obo Yoliswa Maluleke; the Commission for Conciliation, Mediation and Arbitration; and Khomotjo Daniel Matji NO (LAC) 7 September 2020 Case No: JA26/2019

Employment Equity

20th CEE report

The Commission for Employment Equity, established in terms of Chapter 4 of the Employment Equity Act (EEA), is a body of representatives of government, organised labour, employers, and community. The Commission advises the Minister of Employment /Labour on employment equity implementation; recognises achievements of progressive employers and conducts research and submits reports to the Minister of Labour on the EEA. Recently, the Commission released its 20th annual report. Key findings for the top three occupational levels were:



At **Top Management level** by population group, gender and disability (all employers) from 2017 to 2019, the White and Indian Population Groups generally remain over-represented against their EAP whereas the African and Coloured Population Groups remained well below their respective EAPs at this occupational level. However, a slight upwards trend is noted for these groups for the same period. The average annual one percentage point decrease of the White population representation has been consistent over the twenty years of employment equity reporting. In line with the working visa policies, it is expected that the Foreign Nationals represented at this level, are employees with scarce skills. However, their representation remained constant, which suggests that there may not be skills transfer at this level. Gender transformation rate shows a similar trend to that of population groups, i.e. an annual average increase of one percent at this occupational level. There has been an insignificant increase in the representation of Persons with Disabilities at this occupational level.

At **Senior Management level**, from 2017 to 2019 there has been a gradual decrease in the representation of the White population group at Senior Management level. The African and Coloured population groups are under-represented at this occupational level in relation to their EAP. The representation of Foreign Nationals remains constant at 3% at this level. In respect of gender equity there is a trend of approximately 1% annual increase in the representation of the female Group at this occupational level. The male representation is approximately 12% above their EAP at this level. The CEE report concludes that the gender ratios at this occupational level explains why the representation at Top management is still predominately male, because senior management is a pool from which people are recruited and promoted. The representation of Persons with Disabilities remained low and unchanged over the past three years at this occupational level.

At the **Professionally Qualified level**, from 2017 to 2019 the African population groups are the only group that remains under-represented at this level in terms of their EAP. There is a more equitable representation of the gender groups at the Professionally Qualified Level. White and

Indian Population groups representation is much higher than their EAP at this occupational level, while the African population group is the least preferred irrespective of gender at this level. The representation of Persons with Disabilities remained around 1% and unchanged over the last three years at the professionally qualified level.

In their annual reports, employers must identify employment equity barriers and affirmative action measures to overcome the barriers. Significant barriers identified by employers were retention of the designated groups and HIV and AIDS education and prevention programmes.

The CEE Chairperson, Ms T Kabinde, in her foreword to the annual report provides her take on the low level of barriers reported which seems to be at odds with the low equitable representation of designated groups at the top four occupational levels. *Designated employers appear to be reluctant to indicate barriers to employment equity for which they are required to implement positive actions. The question which consequently begs an answer is: "If there are in the main no barriers to equal opportunity and fair treatment in employment indicated, why has equitable representation at all occupational levels, particularly at top and senior management levels been so slow?"*

Government has tabled an Employment Equity Amendment Bill in parliament to speed up the pace of affirmative action. Elements of the amendments are provisions for the Minister of Employment & Labour to set employment equity sector targets for the designated groups and implementation of an associated Employment Equity Certificate of Compliance as a prerequisite to accessing state contracts.

Source: 20th Commission for Employment Equity Annual Report 2019 – 20

- The contents of Human Resources Notes do not constitute legal advice. For specific professional assistance tailored to your needs consult our experts. Call us: 011 100 8150
- Peter Fisher is the writer of these HR notes. His opinions expressed in the notes do not necessarily reflect the views of Tennant Human Capital Solutions (Pty) Ltd or other companies within the Tennant Group.

Visit: www.tennant.co.za

