TRANSFORMATION IN THE LIQUID FUELS INDUSTRY: A GENDER AND BLACK ECONOMIC EMPOWERMENT PERSPECTIVE

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DECLARATION

I declare that this study: <u>TRANSFORMATION IN THE LIQUID FUELS INDUSTRY:</u> <u>A GENDER AND BLACK ECONOMIC EMPOWERMENT PERSPECTIVE</u>, and all information is correct, and that no portion of this research has been plagiarized.

This research report has not been submitted to any university; college; or institution of higher learning for any degree or academic qualification.

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ABSTRACT

F Smith (MPA Research Report, University of the Western Cape)

Transformation in the liquid fuels industry: A gender and black economic perspective

The study focuses on Black Economic Empowerment and gender in the liquid fuels industry. It explores the possible means of empowerment and questions the seriousness of organizations to institute programmes that are gender sensitive. The liquid fuels industry in South Africa served as the pinnacle of the apartheid state. It possessed the strength to survive the onslaught of the economic sanctions imposed as a result of apartheid. It was because of these stringent economic sanctions that it was forced to survive on its own with limited assistance. The advent of democracy in 1994 gave this industry the impetus to grow in terms of Gender and Black Economic Empowerment. The investigation used the methodology of interviews, statistics, debates, discussions and government publications in order to arrive at its conclusions. The main findings of this research report argues that while BEE had been given a platform in the White Paper (1998) and gender had been regulated constitutionally, through Affirmative Action and employment equity, not enough has been done to ensure that women have an equal share of the employment opportunities the in management of the LFI. The implication of the latter is that while all five major oil companies have concluded BEE deals; gender has taken a backseat in the process. To date, an estimated 18% of the oil industry has been transformed yet none of the major oil companies have female CEO's. Also, the study concludes that BEE is generally gender indifferent and that empowerment favours Black men to women of colour.

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DEFINITONS OF TERMS AND ABREVIATIONS

LIQUID FUELS Includes petrol, diesel, paraffin, oil, gas

FIVE MAJORS BP, Caltex, Shell, Engen, Total

BLACK OIL COMPANIES Exel, Zenex, Tepco

BEE Black Economic Empowerment, an economic

programme for disadvantaged South Africans

SAMPLE PRAME Employment statistics obtained from Engen, Caltex,

Total, Shell, Sasol and Mosgas

LFI Liquid Fuel Industry

PETRO- CHEMICALS Liquid fuels

BOC Black Oil Companies

AMEF African Mineral Energy Fund

SAPIA South African Petroleum Industry Association

HDSA Historically Disadvantaged South Africans

GEAR Growth Employment and Redistribution

AA Affirmative Action

BCEA Basic Conditions of Employment Act

WID Women in Development

GAD Gender and Development

GAA Gender Affirmative Action

WAD Women and Development

EE Employment Equity

BMF Black Management Forum

LFS Labour Force Survey

WOMEN OF COLOUR African, Asian, Coloured women

Geographical Information Systems

GDP Gross Domestic Product



CHAPTER 1: INTRODUCTION AND OUTLINE OF RESEARCH REPORT

1.1. INTRODUCTION

This study is limited to evaluating the extent to which women of colour occupy senior management positions in the liquid fuels industry in terms of Employment Equity. Women, within this context, refer to women of colour namely African, Coloured, Asian women. People on different levels of management were interviewed. The purpose of these interviews was to obtain a broad vision of empowerment and gender representation. While the study chiefly examines senior management and middle management positions, it also touches on women employed as engineers and technicians in the five major oil companies namely BP, Shell, Total, Engen, Sasol and Mossgas. It does not include women employed at petrol stations.

1.2. STATEMENT OF THE PROBLEM

Because the liquid fuels industry has been subjected to legal changes in terms of transformation with the introduction of the *White Paper on Energy Policy: 1998*, this research seeks to find out to what extent women have been represented in this area. While BEE is the "formula" for re-dressing the imbalances of the past, the research is concerned with the under-representation of women of colour *(namely African, Coloured, and Asian women)* in the liquid fuels industry.

1.3. ASSUMPTION OF THE STUDY

The White Paper on Energy Policy: 1998 stipulates that in order to redress the

imbalances of the past, one of the key milestones that is intended, is that, "...the historically disadvantaged should occupy a sustainable presence and have ownership of approximately a quarter of all facets in the deregulatory process of the petroleum industry". It is therefore imperative to make alternative recommendations for the effective utilization of the ways in which quarters of all resources should be redistributed. If this is not done, many women would be disempowered and affirmative action would be excluded from the liquid-fuels industry. Secondly, it is vital to determine the effectiveness of gender in the industry. BEE and gender should serve as an asset to any business especially with regard to equity and re-dressing imbalances of the past. Tenders and companies are scored according to the extent to which empowerment has taken place in various levels of the business. Only if some attempt were made could any possible interventionist programme be piloted to empower women on different levels of the industry. The legal framework of The Constitution of the Republic of South Africa: 1996 loosely stipulates that the oppressed should be given a platform, it unfortunately does not refer specifically to women, and neither does it stipulate which percentage women should occupy.

1.4. OBJECTIVES OF THE RESEARCH

The objective is to recommend mechanisms whereby the key milestones of the White Paper on Energy Policy: 1998 namely the "...sustainable presence, ownership and control by the historically disadvantaged" would be achieved without marginalizing women. The objective is not to determine whether women are represented in terms of "owning" enterprises, but more so, to determine whether they occupy senior positions in

liquid-fuels companies such as Engen, Caltex, Total, Shell, Mosgas and Sasol. The other objective is to provide suggestions to ensure that empowerment of women remain a sustainable process. By implication, the above statement leans towards solely empowering the historically disadvantaged but it does not specify women as a homogenous group. Another objective is to investigate mechanisms for monitoring and ensuring that BEE and gender advocacy programmes are simultaneously implemented in order to prevent gender taking a backseat. The study does not examine BEE as an entity but instead examines GAA as a component of BEE and how it has been implemented since 1994. The research aims to examine the extent to which transformation has occurred in the industry and recommend mechanisms for ensuring that GAA could be further encouraged. It aims to provide an assessment of the extent to which women have within the context of the BEE been empowered in the background of Employment Equity. Also, to create an awareness of Black Economic Empowerment and how emphatic it is regarding race at the expense of gender. To create an awareness of challenges which women still face after 10 years of democracy? To prove that monitoring and watch dog programmes are imperative for sustainable and equitable service delivery. It is intent on ensuring that the research findings establish a link between the BEE and gender policies. One of the final aims of the study is to promote the idea of optimising human resource and capacity. This would do an injustice to the level of productivity and output of each company especially since many women are skilled and equipped to handle senior management decisions yet do not get the opportunities and training to fulfil this role.

1.5. SIGNIFICANCE OF THE STUDY

The study intends creating awareness of the importance of gender and BEE in the liquid-fuels industry. Black Economic Empowerment is vital for redressing former apartheid imbalances but should not only make its primary focus empowering Black males, but it should also empower women. The study shifts the focus from empowerment being solely male-based to the empowerment of women of colour as an important aspect of transformation.

1.6. RESEARCH METHODOLOGY

The research methodology was chiefly based on statistics, which were received from the Department of Labour and Statistics South Africa. A random sample of structured interviews was conducted with persons who work within the industry. Questionnaires were drawn up and forwarded to the five major oil companies namely Shell, Engen, Total, Caltex and BP. Questionnaires were distributed. Some of the people who were interviewed included Colin McClellen, Director of the South African Petroleum Industry Association, an organization that is responsible for the regulation of the petroleum industry. Some interviews were conducted via electronic mail and others on a one-on-one basis. Data was obtained form Statistics South Africa, the Internet, and current debates. Also, very importantly the 2003-2004 employment equity reports were requested from the Labour Department and used as a means of establishing the extent to which women

were empowered. The White Paper on Transformation, the Draft Policy on Gender Equity, the Affirmative Action Policy, BEE ACT and the current debates of BEE were examined.

The research is a case study of evidence which is obtained from 2003 – 2004 employment equity reports of a sample frame of liquid fuels companies, namely Engen, Caltex, Shell, Mossgas, Total and Sasol. These statistics were measured against the labour force statistics of the economically active population of Census '96 and Census 2001. The specific sector, which was, focussed on was the manufacturing sector because the liquid-fuels industry forms part of the manufacturing sector. The unit of analysis was the LFI-industry. Evidence was collected from documents, which included government publications, policy papers, employment equity reports and statistics from Statistics South Africa. The following documents were consulted:

- 1) The White Paper on Energy Policy (1998)
- 2) The Broad Based BEE Act (2003)
- 3) Annual report of 2000 2003 of South African Petroleum Industry Association
- 4) Employment Equity Act (1998)

Initial interviews were broad and specifically aimed at assessing the industry holistically. Focussed interviews were forwarded by electronic mail. The purpose of consulting the Department of Labour was to gain reliable evidence, as the statistics, which were requested, were accurate accounts of employment. This evidence was matched against the existing Census '96 and Census 2001. The researcher applied for the employment equity

reports of the companies represented in the sample frame.

The case study was obtained from multiple sources of evidence, which facilitated the validity of findings. Because the case study was obtained from multiple sources of evidence, it gave a cross sectional idea of transformation within the liquid fuels industry. While the case study examined the individual employment equity reports of most oil companies, it excluded BP South Africa's statistics. These were not available at the time. The findings were transcribed into a series of graphs. These graphs were "pattern matched" against the trends of Census '96 and Census 2001. Also, very importantly, it will be measured against political processes such as Employment Equity, GAA and more broadly BEE. The empowerments of females and skills profile of females were measured against Census'96 and Census 2001.

1.7. LIMITATIONS OF THE STUDY

Because the liquid fuels industry is so broad, the study limited its focus to occupational levels in all companies and not at petrol stations and female empowerment of permanent staff only. Also, the employment equity report of a certain company namely BP was not available at the Employment Equity Registry in Pretoria and could not be consulted. When a labour inspector consulted companies about un-submitted equity reports they stated that they were still busy finalising statistics. Owing to the fact that this research was quite new, the information was not very accessible. It was also difficult to determine which company was the largest as companies were reluctant to provide confidential statistics; therefore a comparative analysis in terms of equity was impossible. However, from the employment statistics of the sample frame, Engen had the biggest permanent

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workforce. Also, the liquid fuels industry was not specifically coded in Census '96 and Census 2001. Therefore the manufacturing industry was used as a measurement standard since the LFI was a part of the manufacturing industry.

1.8. STRUCTURE OF THE RESEARCH REPORT

Chapter 1 provides the introduction to the report, which includes all formalities for example the declaration and the table of contents. The chapter establishes the research report and briefly elaborates on the challenges and limitations of the study.

Chapter 2 provides a review of the literature, which was consulted. It focuses on the theoretical issues namely the gender theories of policies of Women in Development, Gender and Development as well as the empowerment approach to development.

Chapter 3 discusses the legislative framework. It refers to the Constitution of the Republic of South Africa 1996, the White Paper on Energy Policy: 1998, The Employment Equity Act and the framework for Black Economic Empowerment.

Chapter 4 provides the overview of the liquid fuels industry and gives an indication of refineries as well as the ownership market. It describes the companies in the LFI. It includes graphs and tables and provides a brief background on each of the major oil companies. It also concludes a discussion of the statistics of the major companies as well as graphs. It provides an analysis of each company in the sample frame. It also provides an indication of where women are located in the industry.

Chapter 5 deals with the challenges that women face in male dominated industries such as the LFI industry. This chapter provides suggestions as the how the 25% milestone can be obtained and used to effectively empower women. It also looks at gender programmes and argues for a defined link between BEE and gender. It also entrenches the idea that BEE cannot exist in isolation. It emphasises the importance of monitoring and implementing BEE and GAA simultaneously.

Chapter 6 concludes the research report and makes recommendations as to how women can be empowered within the ambit of BEE. It also completes this report by making possible suggestions for the introduction and successful monitoring and implementation of gender programmes. In order to ensure that women's presence in senior management is sustainable.

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1.9. SUMMARY

This chapter has provided an outline of the research report, the statement of the problem and, expounded on the significance of the research. It has elaborated on the limitations and challenges of compiling this research report and primarily provided brief insight into the problem.

CHAPTER 2: AFFIRMATIVE ACTION, GENDER BALANCE, and THEORETICAL ISSUES

2.1. INTRODUCTION

This chapter will review a cross section of the debates surrounding Black Economic Empowerment and attempt to establish the legal framework of government policies before 1994 and post democracy. The chapter examines past → current affirmative action experiences and in so doing, briefly discusses the extent to which change has taken place. The discussion on 'gender relations since 1994' provides a brief insight into the degree of change which has transpired since democracy. The chapter is divided into three sections; the first section provides an initial discussion of affirmative action and gender and examines the views of different gender practitioners. The second and third part of this chapter provides a discussion on the apartheid practices and sketches the transition after 1994.

2.2. AFFIRMATIVE ACTION AND GENDER BALANCE THEORY

Affirmative Action, according to the (Sonn: 1993) could work if it does not result in "reverse discrimination" or "reverse racism" (Adams et al: 1993). He argues that it should be applied in a just and humane manner and should therefore not oppress the previously marginalized. It should be fair and its essence should be based on the notions of equity and fairness. The primary function of any Affirmative Action programme should be to re-shape the inequalities of the past. Franklin Sonn deliberates that Affirmative Action should be seen as the formal mechanism to "rebuke the miserable and

dark spirit which spawned this terrible and shameful system". This clearly shows that this article is intent upon creating an awareness of re-dressing the imbalances of the past.

Wiseman Nkuhlu (Adams et al: 1993) re-enforces the ideology of Affirmative Action and reports that it should shape the future and lead to sustainable long term economic growth. This hinges on the idea of BEE, which plays a significant role in the core of this research report. Blacks, according to Nkuhlu did not have access to "jobs, land, capital and technology. They were restricted through a plethora of laws and regulations". Implicit in these readings are that BEE and AA should naturally evolve from each other because obtaining positions without gaining economic power would be futile and obsolete. Obtaining top positions and economic empowerment should naturally complement each other. In order to ensure that the dominance of white values and implicit suppression of Blacks would not further prompt white dominance, Nkuhlu further argues that AA should empower economically for it to be sustainable. It is in this light that the research views BEE as a natural complement and economic vanguard of gender and female empowerment.

The research plays a significant role in the democratic South Africa. The literature reflects a fraction of the debates, which currently forms the basis for Affirmative Action as a programme for economic growth. Most of the literature is located in the post 1994 era but it has been written about extensively in the American context as has been indicated in the Sonn article. Both Sonn and Nkuhlu do not realise that AA is far too complex, Sonn argues that is should be applied fairly. This research project argues that

this could only be done if the programmes are designed to sensitise employers and employees to buy into the reality of the progressiveness that AA and BEE is aimed at achieving. The objective of the research would be incomplete and unachieved if the Women in Development, Women and Development and Gender and Development theories were not examined. Upon reading, it was discovered that the Women and Development theory of (Chowdry: 1999) portrays women as being the victims of men and as the beneficiaries of modernisation. Chowdry has, in her article entitled *Engendering Development*, examined the miss-representation of Third World women. She discusses how a modernist discourse has pervaded the policies of international agencies and examines how the World Bank has developed the WID theory. She finally discusses the importance of an alternative which she calls the "Third World's Women's Empowerment perspective." Thus her research shows up the inefficiencies of the liberal WID regime.

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In her initial discussion, she states that the Third World woman is a victim of not only colonialism, but also of patriarchy within the household. In the discourse, she states that Third World Women are unaware and unaffected by the world, and that their lives are defined from the vantage point of males. Third World women are further subjected not only on the grounds of being women, but also of being inferior to western women. Women of the Third World were doubly marginalised, both from the perspective of colonialism as well as patriarchy. Chowdry's discussion on the relationship between development agencies and discourses alludes to the fact that the plight of women was non-existent in the 60's and the needs of men were more important for economic

development. The WID projects, which were initiated by the World Bank, portray women as victims of men. It then attempts to "right the wrongs" by adopting programmes which were intent on stereotyping, here the research cites the examples of the welfare approach in development which focussed on women as only being "child-bearers". It was for this reason that international development agencies funded family programmes, which continued to focus on women as productive second-rate citizens. This was commonly referred to as the welfare approach.

The second type of project focussed on women in traditional projects. This was called the anti-poverty approach. The third type of project, which the writer highlights, is the efficiency approach and the structural adjustment programmes of the 90's included trade liberalisation and privatisation. These approaches appear to present on improvement of one another, however, either way, women's needs are catered for solely from the vantage point of males.

The WID theory fails to reconstruct the stereotype of women. It re-enforces the idea that women are subservient and fails to realise that women's lives are dynamic, inter-related and complex. The WID theory is a pioneering theory, which unfortunately fell victim to predominant discourses such as colonialism. It has, though, within the ambit of its different approaches, started the ball rolling in terms of challenging the oppressive nature of females' existence. Patriarchy and male supremacy was the order of the day and the WID theory served as a challenge to the existing male hegemony at the time. (Chowdry: 1999) in this same article has expressed the need to formulate an alternative, which she

refers to as the empowerment perspective. This perspective argues that women and men in the Third World should collectively pool their resources and capacities for the benefits of society. Third World women would in this way become "participants and not only recipients of the developmental process".

According to (Rathgerber: 1990) the WID theory placed emphasis on providing women with opportunities to participate in male-dominated, male-defined socio-economic structures. Implicit in this, though, was the subjugation of women. This imbalance has forced practitioners of gender theory to re-think the "continued maleness" of the WID theory. The WID theory as argued by (Chowdry: 1999) has three approaches namely, the welfare approach, the anti-poverty approach and the efficiency approach. The WID approach perpetuates the idea of women being receivers of welfare and promotes the idea of "victim-hood".

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(Solomon and Schoeman's edit: 1998) publication is not as fragmented as the former WID approach. This journal contains an article written by (Sadie, Loots: 1998) which adopts a more integrated approach. It does not view women in isolation since it regards the inter-relationship between men and women as playing a pivotal role in the development of societies. The research report would align itself more with the Gender and Development approach to views female empowerment as a collective of both the capacities of male and female. It is the all-encompassing complementary nature of the GAD approach, which makes it more suited to achieving the objective of the study.

For BEE and AA to work, it is necessary for the male/ female relationship, especially in the workplace, to benefit the greater good in society. Gender and Development promotes the idea that the interaction of males and females should be geared at promoting a symbiotic relationship. This relationship would benefit both male and female. The productivity should be pooled; human resources and capacities are collated in order to make BEE and GAA a success. The expertise and input of both males and females would be necessary in order to make development effective and real.

According to the publication, the GAD approach "involves" not only an integration of women into development, but looks for the potential in development initiatives to transform unequal gender relations. The GAD approach and empowerment perspective of Chowdry advocates an understanding of gender roles, which is vital in giving women the platform of equity, which they ought to be entitled to. It also recognises the important role, which the male counterpart plays in the development process. The research report fully agrees with the essence of the GAD theory as outlined by (Sadie and Loots: 1998) as well as the empowerment perspective as discussed by (Chowdry: 1999). The research would further attempt to argue that in order for HDSA'S "to be allocated a quarter of all facets as outlined in the (White Paper On Energy Policy: 1998)", it is imperative that men and women share the platforms with regard to being sensitised and vigilant towards embracing BEE and GAA as natural complements of one another. Antagonistic and gender neutral gender relations would result in the failure of any BEE and GAA programme aimed at making women a central part of the empowerment process.

It, very importantly, acknowledges that true equity and in this case empowerment, cannot take place if empowerment develops at the expense of gender. The last approach under discussion is the empowerment approach which deals specifically with the issues facing women and men in South Africa. The approach re-defines and reconstructs the western ideology of Gender and Development (Chowdry: 1999) It acknowledges that the experiences and needs of men and women in South Africa and the Third World at large, are unique and vastly different from the west. However, the LFI industry in South Africa still continues to exist along patriarchal lines as males continue to define the role of women. There is not a single woman in the top management structure of any liquid fuels company (Refer to sample frame – Chapter 4). The concluding thread in the literature review is captured in the statement of (Morris and Nott: 1999), which states:

"For a woman to extract maximum benefit from her participation in the labour market she must be free to exploit to the full the talents she possesses and must be shielded from discrimination based on her gender and child bearing potential. In addition, the rewards she receives as a consequence of her effort should be the same as these received by a comparable man". This extract affirms the status of women as being equal to that of men, at the same time; this extract echoes the aim of the study, which is intent on promoting the optimal use of human resource and capacity.

Women are seen as being equal to that of men. Equity is therefore essential in establishing a sustainable liquid fuels industry, which could contribute to the economy in a sustainable way. This type of sustainability should focus on building capacities,

sensitising stakeholders regarding women's issues, establishing mentorship programmes as well as developing monitoring programmes to ensure that the necessary empowerment and capacity building takes place. The next section will focus on the former module of Afrikaner Empowerment, which would provide an understanding of how Afrikaners were economically empowered.

2.3. PAST AND CURRENT AFFIRMATIVE ACTION EXPERIENCES

2.3.1. Gender and Afrikaner empowerment prior to 1994

South Africa has for most of the 20th century been occupied with the creation of a privileged "White Afrikaner" class. The apartheid state's aim was to empower this privileged class. Its obvious objective was to empower Afrikaners by implementing policies and developing infrastructure to incorporate Afrikaners into the mainstream economy. This was done at the expense of the indigenous people who were deliberately excluded.

".... the aim of the economic movement was to mobilise the savings of all Afrikaners so as, in the works of the Cape National Party leader Finance Minister, Eben Dongas to increase ten fold the number of Afrikaner employers in commerce and industry". (Dan O'Meara: 1996).

After 1948, Afrikaner control gained impetus in the manufacturing sector. This was primarily as a result of the National Party who gave Afrikaners positions in parastatals. Government contracts and subsidies were awarded to Sanlam, Iscor and Sasol. In order for BEE to be successful, a type of stokvel club should be established to pool savings expertise and capacities among HDSA's. This is what greatly contributed towards the

successes of Afrikaner Empowerment.

Up to today, despite the appointment Ms Fakude's as executive director (Business Times 14 Aug 2005) upon close analysis of the employment, statistics of Sasol and Mossgas, the top managerial positions are still predominantly white (consult chapter 3). This "flash in the pan" appointment is indicative of a "resistance" to effect real change. The Afrikaner empowerment policy was indeed very successful. The statistics of Sasol and Mossgas shows how AA still favours white males, despite a few women of colour having been appointed. AA is still skewed in favour of white males, women are not deemed important in this equation. No specific programme has been implemented to ensure that women are giver the same status as white men. While women of colour are not given the status that they deserve, AA will still favour white men. It is a model, which could be utilised specifically with regard to equity and empowerment. The model shows that empowerment and economics complement each other. True empowerment should be coupled with the necessary financial infrastructure. The next few sections contextualise the gender debate.

2.3.2. Gender and black economic empowerment since 1994

South African gender relations have always consisted of a unique set of dynamics. Women have played a large role in the liberation struggle, with their achievements, particularly in the 1956 march to Union Buildings in Pretoria, denouncing the carrying of passes¹. It is in this light that the research intends to examine the extent to which the

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¹ Women formed part of the liberation movements, as trade unionists and political community activists. They even carried out military operations against the horrific apartheid regime. They also participated in

ANC-led government has reciprocated the effort of women and implemented gender issues in the South African context. Gender in this context, refers to both black and white women. The reason for this is that women of colour largely spearheaded the struggle. However the "white South African woman" had also experienced some suffering firstly, because she was a woman and secondly because of the abyss in which white South Africa had found themselves at the time. It contributed to their failure, and lethargy, in recognising and identifying the suffering and hardships of people of colour on the other side of the tracks. Because of differing social contexts, it is by implication that women define themselves differently.

Today, many years later, the government has since declared 9 August, National Women's Day a public holiday, they have approved a Women's Budget, and they have established an Office on the Status of Women, established a Commission of Gender Equality and established a Parliamentary Committee on the Improvement of Life and the Status of Women. This chapter shall elaborate on the progress which national government has made. We now discuss the legislative framework and provide an outline of the progress which government has made in terms of policy. While the Afrikaner model of empowerment excluded women, the new legislation namely The Constitution of the Republic of South Africa: 1996 makes provision for independent bodies such as the Commission for Gender Equality and Office on the Status of Women. However while institutionalised steps have been taken to empower women, few women have been empowered in the LFI industry especially in top and senior managerial positions.

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the underground movement and the armed struggle when peaceful campaigns became futile. Many women were subjected to banning orders, restrictions, imprisonment or even death.

2.4. SUMMARY

This chapter has provided a review of the debates surrounding gender and affirmative action. The chapter has also traced how AA has evolved since 1994. It has provided an insight into the Afrikaner model of empowerment. The next chapter will deal with the legislative framework of gender and affirmative action.



CHAPTER 3: LEGISLATIVE FRAMEWORK AND THE LABOUR MARKET

3.1. INTRODUCTION

This chapter is divided into three sections. The first section discusses the current legislative affirmative action legislative framework. This section elaborates on the various instruments of government, which makes provision for gender equity. Secondly, the chapter examines the labour market and provides statistics of the large rate of women that continue to remain unemployed. Thirdly, it discusses Black Economic Empowerment and its relation to employment equity. This section provides insight on the importance o BEE and examines the various tools, which provide a vanguard for BEE.

3.2. CURRENT LEGISLATIVE AFFIRMATIVE ACTION FRAMEWORK

The post-1994 government has embarked upon a vigilant means of ensuring equity and non-discrimination. Not only have they ensured that *The Constitution of the Republic of South Africa 1996* eradicates discrimination, but has developed policies such as the *Employment Equity Act 55 of 1998* to redress past imbalances. The next section discusses the legal framework.

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3.2.1. The Constitution of the Republic of South Africa (1996)

The Constitution of the Republic of South Africa: 1996 promotes gender equality, non-discrimination and among others seeks to improve the legal status of women. The Constitution of the Republic of South Africa: 1996 stipulates:

"Every one is equal before the law" and that the "state may not unfairly discriminate directly against anyone...including race, gender..."

The latter statements are clearly supplemented by the President in his *State of the Nation Address on 25 May 1995*, when he alluded to the fact that "freedom cannot be achieved unless women have been emancipated from all forms of slavery".

The Constitution of the Republic of South Africa: 1996 ensures that legislation has further promoted women with the introduction of the South African Policy Framework of Women's Empowerment and Gender Equity: (2000). This highlights the plight of women and promotes the idea that women's issues are not seen as a priority. However, despite the establishment of various organisations such as the Commission for Gender Equality not enough has been done to empower women in the LFI industry. This is so because women still remain under represented in managerial positions. The emphasis is on the empowerment of Blacks but does not specifically define women. While the Commission of Gender Equality is a constitutional structure intent on re-dressing imbalances, these imbalances are too huge for this organisation to further its function in the LFI.

3.2.2. The Employment Equity Act (Act 55 of 1998)

The Act is the legal vehicle for championing change in the workplace. It specifies that designated groups are to be employed in order to re-dress the past imbalances. Chapter 3 in this ACT details Affirmative action and how it should be implemented. The Act plays a huge role in the liquid fuel industry. Affirmative Action has taken place, however it has not taken place as rapidly as it should have. Diversity epitomises AA, however here it has

viewed colour as more important than gender. AA also stipulates that employees should have equal opportunities on all levels of the workforce. This is important, as the trend in this industry, is to empower a few people of colour, but the majority of management and the workforce of LFI companies, as are evident in the statistics, (chapter 3, still points to selective empowerment.)

2.4.3. The White Paper on Energy Policy, of the Republic of South Africa Dec 1998.

This document is important as it provides guidance to ensure that a previously white dominated industry is re-structured. This policy document stipulates that approximately 25% of historically disadvantaged South Africans should own the petro-chemical industry. The White Paper on Energy Policy, 1998 stipulates that 25% of the LFI should be allocated to HDSA's. Women, however, have unfortunately not been mainstreamed into the South African LFI especially with regard to managerial positions. Essentially, the LFI has not empowered women, as they should have. An example of this is evident in Mossgas and Sasol, two South African companies who still, in their recent employment statistical reports displays a strong trend of male dominance. This imbalance leads one to question this clumsy hierarchy. Recently, Sasol has appointed their arch-critic Nolitha Fakude, formerly the president of the Black Management Forum. One questions thus appointment. Since Sasol itself has seen BEE as a risk factor. (Sunday Times, Business Times, 14 August 2005). Evidently, from this moment, it appears that Sasol probably did not see BEE as being beneficial to their company but also have realized that in order for them to "come to the party" namely acquire tenders, procurement, etc; they would be forced to accept the reality of BEE. Technically, the spirit of AA has only been partially

embraced because; the management of oil companies is still predominantly male. Certainly the minister is briefed on progress, when employment equity reports are submitted, but it does not give the industry as a whole credit if women do not form part of a process of inclusion on all levels. While gender empowerment is enshrined in the Constitution of the Republic of South Africa: 1996, not enough has been done to make sure that it is given impetus. It is necessary for both genders to form part of this process. Gender programmes should be planned and monitored. The research argues that a complementary male/ female approach should be embarked upon if true equity is envisaged. Males and females should champion the process collectively. Gender programmes, whether in the government sphere or in the private sector, need to be interrelated. Strong links need to be established between companies by sharing experiences, resources and peer reviewing. Effective delivery of the 25% milestone will only take place if monitoring programmes are implemented which would sustain output and delivery as well as build capacity, and the capacity and capacity are capacity.

From the perspective of the LFI, transformation in the legal framework, however important, will not propel the 25% milestone. The 25% milestone will only be reached if the South African government pledges to allocate sufficient resources not only to black empowerment in general, but to women in specific. Owing to the determination of government to empower the disadvantaged, it appears that BEE is not gender specific and does not translate automatically into gender. Previously the *White Paper on Energy Policy: 1998* has specified a 10 year target as a goal for creating empowerment opportunities, seven years have passed and while change has taken place, the degree of

change is limited. The next section will deal with the labour market and briefly discuss the trends of the *Labour Force Surveys from 2000 to 2005*.

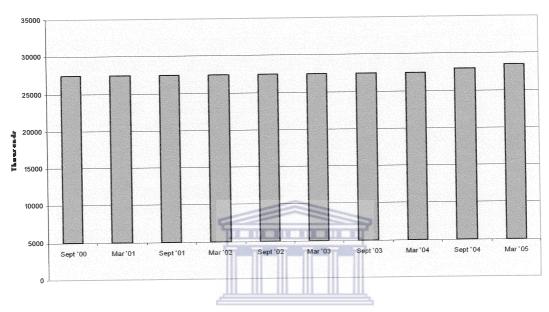
3.3. SOUTH AFRICAN LABOUR MARKET GENDER IMBALANCES

This section will provide a holistic picture of the working age population, unemployment figure in terms of gender in the manufacturing industry. Statistics SA'S bi-annual labour survey which is conducted in March and September provides statistics of employment and unemployment in sample areas as demarcated by a by a GIS system.

3.3.1. Overview of women in the South African labour market

The following description is taken from the LFS from Sept 2000 – March 2005. Figure 1 below shows a steady increase in the working population (all persons aged 15 – 65) since the inception of the LFS programme in September 2000. In September 2000, the working age population totalled 27.8 million persons by March 2005 this total had risen to 29.5 million persons. Figure 2 indicate that the number of unemployed and economically not active people also increased relative to those employed. While unemployment remains high, it is the women who still are largely unemployed. This is significant in that it indicates that women continue being subjected even when the *White Paper on Energy Policy: 1998* states that HDSA' (Historically Disadvantaged South Africans) should be empowered.

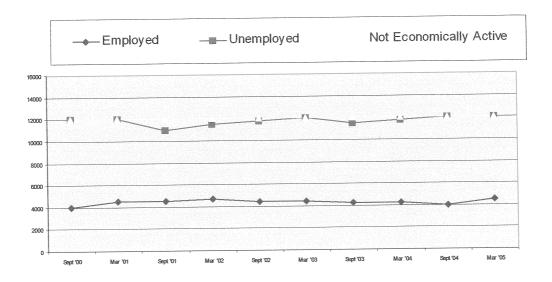
Figure 1: The working age population, Sept 2000 - March 2005



Source: LFS Sept 2000 – March 2005, Historical series of revised estimates WESTERN CAPE

Figure 2: Employment, Unemployment and Not economically active population²

² Official definition unemployment

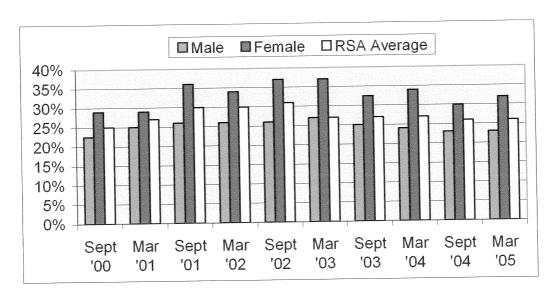


²Official statistics: Historical series of revised estimates September 2000 – March 2005 (online) www.statssa.gov.za

Source: LFS Sept 2000 - March 2005, Historical series of revised estimates

Figure 3 below indicates the trend in unemployment rates over the period September 2000 to March 2005. In this respect, the notable features of are as follows: There are marked gender differences in unemployment rates. For example, in September 2000, the unemployment rate among men was 22.2% whereas among women it was 29.2%. The gap between male and female unemployment rates was largest in September 2002 (10.0 percentage points) and smallest in March 2001 (4.1 percentage points). The overall unemployment rate (RSA average) rose from 25.4% in September 2000 to a peak of 31.2% in March 2003, before declining to 26.5% in March 2005. The official unemployment rate shows a stable curvilinear pattern over time.

Figure 3: Unemployment rates by gender (official definition of unemployment)



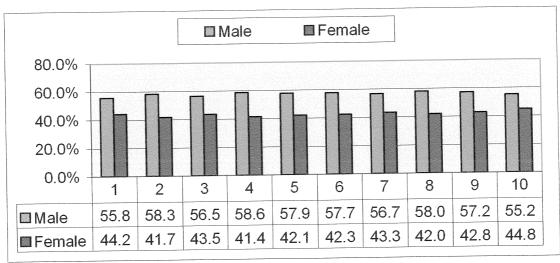
Source: LFS Sept 2000 - March 2005, Historical series of revised estimates

In terms of sectors the percentage of persons employed in manufacturing has increased in contrast to agriculture, which has declined. The percentage of persons employed in manufacturing has fluctuated between 13% and 15% over the period (Appendix 1).

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Figure 4 below indicate the percentage of persons male and female employed in skilled jobs. In each period the percentage of men occupying positions in skilled jobs are somewhat higher than the percentage of their women counterparts. For example, in September 2000, 55.8% of people in 'more skilled' occupations were men as against 44.2% of women. This suggests that the issue of women continue taking a backseat. While 44.2% of women have been empowered in terms of "skilled occupations", this is not on the same mark as men being 55.8%.

Figure 4: Percentage of persons employed in 'more skilled' occupations by sex



Source: LFS Sept 2000 - March 2005, Historical series of revised estimates

In general the data for September 2000 to March 2005 indicate that the South African workforce has increased but so has unemployment. Most jobs are created in the manufacturing sector relative to agriculture and in contrast to females more males are employed in skilled jobs. The above presents a picture of a labour market favouring male employment to female employment. This miscarriage of equity does not translate into a fair labour market.

3.3.2. Black economic empowerment and employment equity

The Government of South Africa has embarked on a programme to implement Black economic empowerment (BEE) and gender affirmative action (GAA) in all sectors. After having consulted different websites on the current debates in terms of BEE and gender, it was discovered that government was constantly refining its Broad Based BEE implementation programme. In President Mbeki's *State of the Nation Address* on 15

February 2005 he has vowed to speed up economic opportunities for South Africa. This is evident in his proposed plan of "increasing investment in the economy, lowering the cost of doing business, and improving economic inclusion. This indicates that economic inclusion forms an important part of government's mission. The implication of this statement suggests that in order to attain economic inclusion, BEE should be sustainable. While sustainability is deemed important and while government acknowledges the importance of BEE being meaningful, no programme is in place to ensure that gender and BEE are natural complements of one another.

In order for BEE to be sustainable, companies must adhere to empowerment programmes, which are authentic in order to maximise human capital. By now, every company in South Africa realizes the need for co-opting empowerment partners. However, many have been found guilty of "fronting" in order to benefit from the tendering process as well as gain political popularity. There are different levels of BEE components. It consists of weighting, direct empowerment, and percentage share of economic benefits, the percentage black persons in executive management, weighted equity analysis. This means that companies are scored/weighted according to how they have empowered on different levels of their organisation. Companies are rated in terms of how they contribute to the BEE codes of good practice. There are different forms of ownership for e.g.

- 1. Black enterprise when a company is 50.1% Black owned.
- 2. "Black empowered enterprise" is a company which is 25.1% black owned.
- 3. "Black influenced" 51% owned/ or when there is a black presence.

- 4. "Black engendered" 25.1% reputation of black women with management training.
- 5. Community of broad based enterprise when empowerment shareholder represents a broad base

It is important for BEE to develop skills and to be broad based and meaningful. Companies are rated according to how well they comply with BEE and should ensure that their conversion plan in attaining BEE compliance is imperative, in order to gain quality business. To date, (Sunday Times, Business Times, 6 November 2005) only two of the eight codes have been finalised. These are ownership and management. The sections on employment equity and skills development have yet to be finalised. This is problematic, because the implementation of BEE may be selective and gender may now become even less of a priority. The fact that government only recently released the final code of BEE good practice is an indication that BEE constantly evolves and proves to be rather complex and challenging. While this is aimed at ensuring good practice in terms of ensuring that BEE does not become corporate fronting, it is also vital for any programme to be piloted, implemented on all levels, monitored constantly in order be adapted to meet differing needs. The purpose of this is two-fold, on the one hand to empower but also to ensure that empowerment is inclusive and sustainable across any organisation.

The Black Management Forum (BMF) was established to facilitate and manage leadership, primarily among Black people. The forum is concerned with ownership and the creation of managerial structures and processes, which is representative of the broader South African population. The forum has initiated economic growth opportunities for

black people via the BEE Commission and EE Act. For example the former Justice Minister Penuell Maduna is set to take the helm of advising Sasol on its BEE strategy. He is also a by member of Altron. The deals involve Sasol and Petronas (Engen) joining forces to create Uhambo Oil³. According to Lot Ndlovu of the Black Management Forum⁴, Blacks are their own worst enemies. He believes that they should be championing and leading the way. He believes that Blacks have the capacity and infrastructure to ensure that BEE takes place. Empowerdex⁵, a South African empowerment company argues that real empowerment is unlikely in the foreseeable future unless there is radical change in the structure of deals and unless economic growth doubles to at least 5% a year.

The Black Economic Empowerment Commission (BEE Commission) was established in 1998 and aimed at promoting the sustainability of BEE projects. In particular, they argued that the transferral of political power should be supplemented by an organised programme, which would result in ownership transferral, control of economic and financial resources to black people. Gender empowerment is an important and integral part of such ownership transferral. The Cape Times (12 August 2005) contained an article concerning a government initiative, which is aimed at granting procurement preference and incentives for companies that empower women. This initiative would in all likelihood, in the long term, contribute towards economic growth and would ensure that empowerment is sustainable. A future South African economy would be doomed for economic failure if procurement preferences were not given to companies that embrace

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³ Uhambo oil: Available (online) www.ijr.org/za/policyanalysis/samonitor/ecotranisitions

⁴ Ndlovu: Available (online) <u>www.terrapin.com/2005/bep.za</u>

empowerment.

Black men and women form the majority of the population, \pm 79.3% (Statistics LFS 2004). This clearly indicates that it would be unfair to not empower them. For years women and Blacks have been marginalised. However, with the advent of democracy, policies and programmes were put into place in order to re-dress previous imbalances. Amongst the more recent initiatives is the "Take-a-girl-child-to-work" learning experience, which is sponsored by corporate company "CellC". This initiative serves as a vanguard for developing and empowering females at the school level. This type of empowerment programme clearly indicates that there is a belief that if one taps into the human capital of women at a basic level, one could re-dress previous imbalances and unlock the capacity of females by carrying these types of initiatives through to tertiary institutions and the workplace.

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The untapped human capital in the female gender would be worthless if support programmes and the necessary mentorship did not occur. It is economically viable to empower women in order to equally develop the capacity of all South Africans, if companies strive to abolish inequality, on all levels. In order to generate a viable economy, it is crucial to empower women in the workplace. If women remain economically inactive and do not contribute to the formal economy, the required economic growth would not take place. However, women cannot only be empowered and not be sustainable developed to maintain their position in the BEE programme. Failure to do so will result in "tokenism" and "disempowerment".

⁵ Empowerdex: Available (online) www.ijr.org/za/policyanalysis/samonitor/ecotranisitions

While the study argues that women should be empowered, it also affirms the idea that true power is economic; it is useless empowering, if the necessary economic support is not there. Therefore, in order to support empowerment, finance should be accessible especially if empowerment aims to be real. Sustainable economic development however, needs to start somewhere. In order for gender empowerment to be sustainable, the research argues that an organisation such as the BMF should provide training in order to ensure sustainability and build capacities. Government should provide finance in order for empowerment companies/consortiums to establish itself. The best form of empowerment is ownership. The best way to do this is if different companies "conglomerate" or cluster into consortiums. Finally one of the ways to empower women would be to develop "cluster companies" which consists of men and women, to pool resources and expertise aimed at developing human capital and economic potential.

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It is apparent that in order for women to be equitably empowered, they should own enterprises as well empowerment; they should be trained and capacitated. Structures should be established to provide the development and training of human capital. Mentorship programmes should be flighted in order to facilitate the output of equity and sustainable ownership.

3.4. SUMMARY

This chapter briefly discussed the legislative framework and black economic empowerment after apartheid. In particular, it assessed the progress of gender since the

advent of democracy. It has contextualised labour trends in South Africa from 2000-2003 and has provided a brief insight into government's stance on BEE as well as the implementation of BEE. Finally, it has provided an argument for empowering women economically. The next chapter will introduce the LFI and provide evidence of statistics, which forms the basis of this research document.



CHAPTER 4: ANALYSIS OF COMPANIES EMPLOYMENT EQUITY REPORTS

4.1 INTRODUCTION

This chapter introduces the actual "essence of the LFI in that it provides us with brief company profiles, empowerment partners, and the 2003 - 2004 employment equity statistics. These statistics provides an indication of the extent to which women occupy different occupational levels in the different LFI companies.

The chapter commences with an explanation of what the liquid fuels industry is and how it contributes to the GDP. Furthermore, it attempts to explain how these statistics provides an assessment of the extent to which women have been empowered.

4.2. WHAT IS THE LIQUID FUEL INDUSTRY?

The liquid fuels industry (LFI) loosely refers to the petro-chemical industry, which includes paraffin, oil and gas. This industry, like every other industry in South Africa has been affected by apartheid and is currently in the process of being re-structured, Government has stipulated that past imbalances needed to be addressed and that the historically disadvantaged should be empowered to an approximate quarter (25%) of the petro-chemical industry. The re-distribution should take place within a 10-year period (White Paper on Energy Policy: 1998).

The companies, which the research focuses on, are the major oil companies namely

SHELL, TOTAL, CALTEX and ENGEN, it also includes the statistics of MOSSGAS and SASOL. The study does not make mention of PetroSA because at the time when the data was collected, PetroSA did not exist. It does not include BP because BP's employment statistics were not available. In November 2000, a charter was completed which served as a guideline for the implementation of policies. Its purpose was also aimed at defining the road for the historically disadvantaged to enter the mainstream petro-chemical industry. To date, numerous empowerment deals have taken place.

4.2.1. The LFI's contribution to the GDP

The LFI forms part of the manufacturing industry and according to the *Stats on-line*, a weekly newsletter, and the main contributors of the increased Gross Domestic Product is the manufacturing industry. The overall GDP is increased by 4, 8% since the first quarter of 2005. The main contributor was the manufacturing industry (Stats on-line: 2005). According to the South African Survey 1999/2000, the average contribution of the liquid fuels industry, as a part of the manufacturing industry is "between" 3.8% to 3.9%. It is a significant contributor and should ensure that equity is firmly established.

4.2.2. The role of the South African Petroleum Industry Association (SAPIA)

SAPIA⁶ is a regulatory body, which is representative of all LFI companies. The purpose of this organisation is to primarily ensure economic growth in a transparent, ethical manner. SAPIA's has a greater role to play with the deregulation and empowerment of the HDSA's. Thus, SAPIA ensures that the BEE process of obtaining BEE partners is instituted in a sustainable way.

SAPIA aims to contribute to the LFI in terms of acting as a platform for an industry which is subjected to intense change. It aims to promote "matters of common interest" amongst different oil companies such as good ethics and high industrial standards, good governance. One of its aims is to regulate empowerment of HDSA's. It is also responsible for uplifting rural areas, facilitating co-operation with government in achieving national objectives regarding sustainability in LFI. Most importantly, it nurtures a climate that deems competitive efficiency as being important. Because its aim is to promote "matters of common interest", it should be seen as the channel for affirmative action and gender affirmative action. However not enough has been done (refer chapter 3). This organisation has done a lot of work in terms of the deregulation process but not enough in terms of monitoring that woman have been empowered.

4.2.3. An overview of the oil companies operating in South Africa

Table 1 below indicates the major oil companies currently operating in South Africa and their respective ownership structures. It provides an indication of the percentage ownership structures of the different shareholders of various refineries.

It is evident from the Table 1 below that Total and Caltex respectively have the most shareholders. Caltex and Engen have their own supply source namely Calref and Enref. The stakeholder who owns the biggest share in Caltex is Chevron Texaco. From the table, it is apparent that Caltex has progressed more than the other companies by establishing an employee participation plan whereby employees own 2% of the company. Shell, on the

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⁶ SAPIA 2001 Report: Available (online) //www.sapia.co.za

other hand, is 100% owned by the international company Royal Dutch Shell. There are four conventional crude oil refineries namely SAPREF, owned by Shell and BP, Enref owned by Petonas and Engen, Calref owned by Caltex and Natref is owned by Sasol and Total.

Table 1: South Africa's oil companies

2002	OWNERSHIP		REFINERIES
Caltex	Chevron Texaco African Legends Investments SANTOCO Lithemba Investments Caltex Employee Participation Plan	75% 15% 3% 5% 2%	Calref
Engen Group	Petronas WAIH	80% 20%	Genref
Shell	Royal Dutch Shell	100%	50% of Sapref
BP	BP pic MIC WDB	75% 17.5% 7.5%	50% of Sapref
Total	TotalFinElf Tembrandt Old Mutual	57.6% 34.4% 8%	37.6% of Natref
Sasol	Sasol Ltd	100%	SSF, 64% of Natref
Exel	Sasol Ltd	22.5%	Various supply agreements

Source: http://www.times-publications.com/publications/petroleum-club/html/corporate 20%

The two synthetic fuel producers are Sasol and Mossgas owned by PetroSA. The Petroleum Oil and Gas Corporation of South Africa (Pty) Ltd Oil Company are engaged in oil and gas production and the making of petrochemicals. It was formed as result of a merger between Mossgas and Soekor (the gas to liquid fuels producer) and some trading operations of the STRATEGIC FUEL FUND. Petro- SA has marketing operations in the U.S, Europe and the Far East that supply petrochemicals to owners in more than 40

countries. Petro-SA and Exel Petroleum are South Africa companies. The total investment in the industry is in excess of R40 billion. It represents the largest foreign direct investment among all sectors of South Africa. The next section will focus on the crux of the study namely, a discussion of the sample frame, which includes Total, Shell, Caltex, Engen, Mossgas and Sasol. In sum, the LFI company with the most equal distribution of ownership structure, relative to other companies in the industry, is Caltex. They have also actively demonstrated the ambition to develop empowerment with the establishment of the Employee Participation Plan.

4.3. WORKFORCE PROFILES OF PETRO-CHEMICAL COMPANIES

Petro-chemical companies such as Engen, Caltex, Total, Shell, Mossgas and Sasol's employment statistics 2003 – 2004 were measured against the labour statistics of Census '96 and Census 2001. In order to assess trends of employment practices and progress to give the study validity, the empowerment profiles of women in these companies, as well as the skills profile were evaluated. The sample frame consists of employment statistics of permanent employees. The study examines a comparative study of the total males and females in different petro-chemical companies. Lastly it examines a skills profile of women within the industry with specific reference to individual companies within the sample frame.⁷

4.3.1. Size of the labour force in South Africa

The purpose was to assess patterns, trends and provide an explanation over a series of time. The graphs below provide an indication of Labour Force Statistics of males and females between the ages of 15 and 65. These refer to the economically active population. Because the petro-chemical had no specific code according to Census '96 and Census 2001, it was encoded as part of the manufacturing industry.

Table 2: Census 1996 and Census 2001

AGE GROUP	FEM	ALES	MA	LES	TO	ΓAL
	1996	2001	1996	2001	1996	2001
15-59	3156131	14163445	4440359	13010534	7596490	27173979
60-65	54110	733809	99388	519343	153498	1253152
Total	3210241	14897254	4539747	13529877	7749988	28427131

Source: Census 1996 and Census 2001

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Census '96 recorded 3 210 241 females and 4 539 747 males as economically active population in the labour sector. As a percentage of the total population (40.5 million) at Census 1996, the economically active females only constituted 8% of the total population. In comparison Census 2001 recorded 14 897 254 females and 13 529 877 respectively as economically active population as a percentage of total population as Census 2001, economically active females constituted 33.5% of total population. This indicates that the population of the country increased from 40.5 million from Census 1996 to 44.5 million in Census 2001.

⁷ The case study examines the labour force of Census '96 and 2001. It then examines the manufacturing industry, because the LFI formed part of this sector. The breakdown of statistics would have been too complicated if petro-chemicals had its own sub-code.

According to Census 1996 and 2001, more males have been recorded to have an occupation within the manufacturing sector. During the five-year period '96 to 2001, both males and females employed in the manufacturing sector have increased (Appendix 2). Females employed in the manufacturing sector have grown from 334 235 to 398 077 whilst males increased from 635 423 to 80 808 764. It is apparent that males had a much more significant increase in the manufacturing sector in the five year period.

4.3.2. Labour force of the South African Petro-chemical Industries

The tables and figures below are derived from the official company statistics as collated from the employment equity reports: Department of Labour (2003 – 2004). It only includes permanent employees. Many of the companies employ contract workers e.g. Sasol.

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Table 3: Permanent employment in sample frame of LFI

PETRO-CHEMICAL INDUSTRY	TOTAL PERMANENT EMPLOYED	
Engen	2287	
Caltex	1328	
Mossgass	1098	
Shell	1028	
Sasol	808	
Total	785	

Source: Dept. of Labour: Employment Equity Report 2003-2004

Table 3 above indicate in descending order, the total employed in the petro-chemical industry. The company having the largest number of employees is Engen with 2287, followed by Caltex with 1328, Mossgas with 1098, Shell with 1028, Sasol with 808 and

Total with 785.

Table 4 below compares the number permanent male and female employees in petrochemical industry in descending order. It is significant to note that the males employed in the six companies in the same way parallels the total number employed, whilst females differ in that there are fewer females.

Table 4: Comparison of permanent workforce in Sample Frame

PETRO-CHEMICAL INDUSTRY	MALES	FEMALES	TOTAL
Engen	1762	525	2287
Caltex	1091	237	1328
Mossgass	959	139	1098
Shell	643	385	1028
Sasol	578	230	808
Total	482	303	785

Source: Dept of Labour: EE Reports 2003-2004

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The table indicate that Engen employs the most females 525, followed by Shell 385, Total 303, Caltex 237, Sasol 230, and Mossgas 139. Thus Engen is the company with the highest males 1762 and highest females 525. The percentage of females' employees' equals 30% of males and 23% of total employed. The company with the highest percentage females is Shell with 385. This constitute about 60% of the males employed by Shell, and 37% of total employed at Shell. Total, although the most males (482) employed of all the companies, females was white (303) 63% of males and 39% of total employed at Total. Caltex has the highest males (1091), with the third lowest females (237) of all the companies. Mossgas has the third highest males (959), but the lowest females (139) Sasol has the second lowest males (578) and second lowest females (230),

thus females comprise 40% and males comprise 29% of the total permanently employed at Sasol.

Only Engen and Total have females in Top managerial positions both having 2 females. Whereas Caltex (8) and Shell (7) has the most females in Senior Management positions, followed by Total, and Sasol, Mossgas and Engen all having only 1 female.

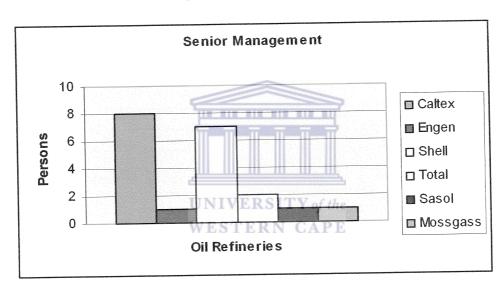


Figure 5: Females in senior management positions in petro-chemical industries

Source: Dept of Labour: EE Reports 2003-2004

Figure 6 below indicate that the company with the most professionally qualified female employees is Engen with 74 employees, followed by Total with 69, Sasol with 41, Shell with 40, and Caltex with 36, and Mossgas with 4. The company with most female employees in Skilled Technical positions is Engen with 413 employees, followed by Shell with 239, Total with 225, Caltex with 147, Mossgas with 77, and Sasol with 71.

Professionally Qualified

80
60
40
20
0
Caltex
Engen
Shell
Total
Sasol
Mossgass

Oil Refineries

Figure 6: Females in a professionally qualified position in petro-chemical industries

Source: Dept of Labour: EE Reports 2003-2004

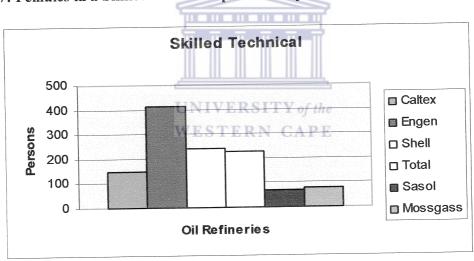


Figure 7: Females in a Skilled Technical position in petro-chemical industries

Source: Dept of Labour: EE Reports 2003-2004

Figure 8 below indicates that the company with the most semi-skilled female employees is Sasol with 115 employees, followed by Shell with 99, Mossgass with 57, Caltex with 46, Engen with 28, and Total with 5.

Semi Skilled

150

Caltex

Engen
Shell
Total
Sasol

Oil Refineries

Mossgass

Figure 8: Females in Semi Skilled technical positions in petro-chemical industry

Source: Dept of Labour: EE Reports 2003-2004

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The company with the most unskilled female employees is Engen with 7, followed by Sasol with 2, whilst the other companies have none.

Gender profile representing skills per company in petro-chemical industry

Table 5: A Gender profile for various skills in Caltex

SKILLS	FEMALE	MALE
Top Management;	0	9
Senior Management;	8	57
Professionally Qualified;	36	185
Skilled Technician;	147	437
Semi-Skilled	46	345
Unskilled	0	58
TOTAL	237	1091

Source: Dept of Labour: EE Reports 2003-2004

From the 1328 employees employed at Caltex Oil Company, 17.8% of the employees are female and 82.2% are males. The ratio of males employed is 2 to 1.62% of Caltex female

employees are employed as Skilled Technical and academically qualified workers. No female is employed on Top Management and Unskilled and defined decision making positions.

Table 6: A gender profile for various skills in Engen

SKILLS	FEMALE	MALE
Top Management;	2	10
Senior Management;	1	8
Professionally Qualified;	74	422
Skilled Technician;	413	893
Semi-Skilled	28	418
Unskilled	7	11
TOTAL	525	1762

Source: Dept of Labour: EE Reports 2003-2004

Form the 2287 employees employed at Engen Oil Company, 23% of the employees are female and 77% are males. 78.7% of Engen female employees are employed as Skilled Technical and academically qualified workers. Two females are employed on Top Management positions. There is a considerable amount of growth for females in the Unskilled and defined decision making positions.

Table 7: A gender profile for skills in Shell

SKILLS	FEMALE	MALE
Top Management;	0	7
Senior Management;	7	29
Professionally Qualified;	40	145
Skilled Technician;	239	284
Semi-Skilled	99	145
Unskilled	0	33
TOTAL	385	643

Source: Dept of Labour: EE Reports 2003-2004

From the 1028 employees employed at Shell Oil Company, 34.4% of the employees are female and 65.5% are males. 62.1% of Shell female employees are employed as Skilled Technical and academically qualified workers. The ratio of employment for Skilled Technical and academically qualified workers are more or less equal between male and females. No females are employed on Top Management and Unskilled and defined decision making positions. There is a considerable amount of growth for females in the Skilled Technical and academically qualified and Unskilled and defined decision making positions.

Table 8: A gender profile for various skills in Total

SKILLS	FEMALE		MALE
Top Management;		2	1
Senior Management;		2	6
Professionally Qualified;	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	69	190
Skilled Technician;	UNIVERSITY of the	225	217
Semi-Skilled	WESTERN CARE	5	68
Unskilled	WESTERN CALE	0	0
TOTAL		303	482

Source: Dept of Labour: EE Reports 2003-2004

From the 785 employees employed at Total Oil Company, 38.6% of the employees are female and 61.4% are males. 67% of Total female employees are employed on Top Management positions. More females are employed as Skilled Technical and academically qualified workers. There is a considerable amount of growth for females Total Oil Company.

Table 9: A gender profile various skill in Sasol

SKILLS	FEMALE	MALE
Top Management;	0	5
Senior Management;	1	16
Professionally Qualified;	41	161
Skilled Technician;	71	154
Semi-Skilled	115	211
Unskilled	2	31
TOTAL	230	578

Source: Dept of Labour: EE Reports 2003-2004

From the 808 employees at Sasol Oil Company, 28.5% of the employees are female and 71.5% are males. 78.8% of Sasol female employees are employed as Skilled Technical and academically qualified workers. No females are employed to Top Management positions. There is a considerable amount of growth for females in the Unskilled and defined decision-making position.

UNIVERSITY of the

Table 10: A Gender profile for various skills in Mossgas

SKILLS	FEMALE	MALE
Top Management;		5
Senior Management;	1	16
Professionally Qualified;	41	161
Skilled Technician;	71	154
Semi-Skilled	115	5 211
Unskilled	2	2 31
TOTAL	230	578

Source: Dept of Labour: EE Reports 2003-2004

From the 2287 employees employed at Mossgas Oil Company, 23% of the employees are female and 77% are males. 78.7% of Mossgas female employees are employed as Skilled Technical and academically qualified workers. Two females are employed on Top

Management positions. There is a considerable amount of growth for females in the Unskilled and defined decision-making position.

4.12. SUMMARY

This chapter has provided the gist of the study. It has provided a look at employment rate and skills profile of females. Within the sample frame, clearly, a lot still has to be done in order to empower equitably. Certain companies have shown great progress but it is only two companies namely Engen and Total that have females in top management. This shows that a glass ceiling exists and re-enforces the implicit subjugation of women. There is a need for the sharing of resources and capacity as well as a campaign for rethinking the implementation of BEE and the empowerment of women. While women have been empowered as is stipulated in the Employment Equity Act 55" 1998, not enough has been done to ensure that women have been empowered equitably. The labour market statistics in chapter 3 indicates that for too many women still remain unemployed. This is an indication of limited training and capacity building. Legally the government states that empowerment should take place but this in reality has not taken place as it should have. The next chapter will elaborate on the challenges which women face in the petro-chemical industry, discuss the implications of the 25% milestone, examine empowerment deals as well as highlight the measurable success of an empowerment programme which was implemented my BP.

CHAPTER 5: "WHAT CAN YOU EXPECT, IT'S JUST A WOMAN"

5.1. INTRODUCTION

The following chapter will examine the trends of the statistics in chapter 3 and elaborate on the challenges and constraints of empowering women. It will also evaluate the success of empowering the HDSA to the tune "a quarter of all facets". It will also provide a table of empowerment deals, which have been undertaken by oil companies with empowerment partners.

5.2. CHALLENGES WOMEN FACE IN THE PETRO-CHEMICAL COMPANIES

While some companies have made significant progress, others have not progressed as well as they ought to have in terms of gender. This chiefly is as a result of mindset. The oil industry is doubly disadvantaged, not only on the basis of it having been a domain for the privileged white class, but because of the majors such as Caltex, BP, Shell, Total and Engen's dominance. "The oil industry was, for most of its past shrouded in secrecy and dominated by the exclusion of smaller players". (IPSR: 1999)

Indeed, great progress has been made, but the statistics indicate that while all companies have concluded BEE deals, not enough has been done to achieve equity. This is an indication that companies would need to set itself targets for ensuring that empowerment of the HDSA's is implemented. Also, too many women have still not been mainstreamed into top management and senior managerial positions as has been deduced from the statistics in Chapter 3. The implementation of BEE targets seems to have taken

precedence over ensuring that females are empowered. Senior appointments are scattered across the sample frame and this shows that a gender appointment process across all occupational levels has not taken place. Gender is thus not a priority.

A simple example of how gender insensitive the industry is a comment made by a female interviewee concerning the fact that, on an engineering site, ablution facilities still as recently as 2003 - 2004, did not cater for females. In order to implement gender in the workplace, it would be vital to ensure that the workplace adheres to males and females ergonomic needs.

While statistics were analysed in Chapter 3 as part of a sample frame, external factors such as mindset and individual companies' human resources policies, greatly contribute towards or stifling female opportunity in this previously, male dominated industry. If the necessary awareness, sensitisation process and campaigns to restructure the stereotype are not implemented in companies, the status quo will remain.

5.3. THE 25 PERCENT MILESTONE

The 25% milestone, which was aimed at empowering the historically disadvantaged, is riddled with numerous problems, one of which is that the required ten-year period is too short. This is so because the division of inequality is too wide to effectively bridge in the 10-year period. Therefore, with the demands of meeting the 10-year target gender has taken a back seat. Limited empowerment has taken place in the LFI but the major oil companies still own the lions' share (refer to Fig10). At the same time, the top

management of these top companies largely continue to provide privileges to only a selected few. (Refer to chapter 3).

Riaz Jawoodien in his report entitled Key *Issues of Black Economic Empowerment:* (May 1999, p2) looks at the "weaknesses of black oil companies" in terms of firmly establishing themselves on the same plateau as the majors namely Total, Caltex, Engen, and BP, and Shell. Because the new South African economy is so young, the Black Oil Companies, according to Jawoodien, are too ambitious. It is a Utopian idea to expect black oil companies to gain instant "giant hood" because historical economic disadvantages are too entrenched.

In order for economic growth to be sustainable, empowerment should be providing financial infrastructure. The Jawoodien articles states that black oil companies should utilise the distribution facilities of established oil companies. This suggests an unfair advantage on the part of major companies. The competition, according to Jawoodien, is already based upon an unfair game plan.

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While Jawoodien argues that it is uneconomical to duplicate the infrastructure in a developing country, this research argues that this does not afford empowerment companies' opportunity to build capacity, with the result that women's issues have taken a backseat. Positions at senior level are limited in terms of equity, appointments of colour are kept to minimum, and therefore empowerment is limited. If the HDSA companies do not build their capacities in terms of available resources i.e. human resources and

infrastructure, genuine empowerment will not take place. This could prove to be difficult because they do not have finances. In order for empowerment to take place, economic liberty should become a priority.

The most realistic way to measure empowerment is through the establishment of petrol stations. The availability of stations as outlets is a measurable factor for determining the output of liquid fuels. According to (Jawoodien: 1999) the retail infrastructures of black oil companies are weak if non-existent. Black oil companies, by virtue of political restructuring on the surface, seem to receive all the so called benefits namely by being included in the Rationalisation Plan (Jawoodien: 1999) but they do not have the infrastructure or resources to enable them to compete with major oil companies. This obvious infrastructural disadvantage will affect logistics, target markets and the entire landscape of the previous disadvantage liquid fuel industry forcing them to become victims of unfair advantage on the part of the majors. It has also resulted in women becoming the victims of "transformation" because of the already existing unfair game plan and because of the other challenges being so enormous GAA is not viewed as important.

This research argues that to scout for foreign investment is necessary in many instances, but the infrastructure in terms of gender should not remain an issue of lesser importance. Empowering a few people of colour at senior level management does not amount to Black Economic Empowerment because it is industrial infrastructure and economic freedom, which makes empowerment real.

Multi national companies such as Shell and Engen appear to share this vision of empowerment, but to a limited extent because the statistics indicate that they have selectively empowered in senior management. The South African survey 2002/2003 stipulates that 18% of the industry has been Black Economically Empowered. All five of the majors have included BEE deals. However this is not enough because South Africa is demographically a black country.

According to BBQ Magazine, First Quarter 2004, 12, 4% of the oil industry's turnover and 10, 7 of its operating profits is attributed to empowerment investors.

Table 11: Empowerment Deals (2003 – 2004)

COMPANY	SOLD OFF TO BLACK EMPOWERMENT	OTHER PLAYERS
Caltex Oil S.A	25% to African Legend Investments	+ National LTAX council + Lithemba Investors
Engen Petroleum	20% to worldwide Africa	Bought 45% stake in Africa oil
British Petroleum Southern Africa	17.5% to Mineworkers Investments Co.	7.5% to women's development
Shell South Africa	25% of marketing arm to Thebe Investments	Thebes's petroleum arm TEPCO has merged with Shell. Thebes's share in Shell's refining business
Total South Africa	Sold 25% of its integrated business to a consortium	
Sasol	Sasol proposed merger of its oil and gas division Sasol oil with Exel Petroleum	Sasol + Petronas = Uhambo oil ⁸

Source: BBQ Magazine, First Quarter 2004

From the above table it is evident that all the majors have concluded BEE deals. Caltex

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⁸ Sasol + Petros = Uhambo Oil

Oil, Shell and Total have been very consistent and in line with their 25% target. However, it is BP (Southern Africa) who needs to be commended for their stance on women's empowerment. Their initiative of selling 7, 5% to the Women's Development Bank is a clear indication that they have the capacity and initiative to integrate women in the broad based empowerment initiative. The research argues that to empower people to the tune of 25% is a realistic target for now but this 25% mark should increase. This is because the demographics of the country according to Census 2001, reflects that blacks are in the majority. Caution should be taken to ensure that 25% of a viable, profitable industry such as LFI should be distributed equitably. The argument further re-enforces that empowerment should not be at the expense of women being left behind.

The evidence appears to corroborate (Jawoodien:1999) when he states that the 25% vision of the White Paper on Energy Policy: 1998 would be realised. He deliberates that it would cost the country roughly one billion United States dollars. It is apparent that our financial resources are extremely limited because there are too many other key areas of reconstruction to focus on. Thus, suggesting that women's empowerment would not be seen as a priority. The petro-chemical industry can obviously not be favoured at the expense of housing, access to running water, access to anti-retroviral, and the list goes on. South Africa cannot be considered a mainstream global competitor with an infant democracy spanning 10 years. The years of apartheid baggage are much too cumbersome and needs to be considered in order for an industry, which does not concern bread and butter issues, to become and international competitor with women being empowered as a designated group within Black Economic Empowerment.

Another part of the argument, as already indicated earlier, is that women have for years been oppressed. While all South Africans were oppressed, women were doubly oppressed. They really at the fringe of society and in this industry they are further reenforced into the margins. The statistics of chapter 3 bear testimony to this.

The latter refers to difficulties of implementing the 25% stake for the benefit of historically disadvantaged. Even though the South African Survey 2002/2003 indicates that "to date all five of the foreign oil giants have concluded BEE deals", the historically disadvantaged struggle to gain a platform in the lucrative industry because of the unequal distribution of financial resources.

According to the *Mail and Guardian* (1 November 2002) black oil companies have increased their share of the local petrol market from 0.56% to 4.19%. Also, *The Business Report* dated (29 July 2002) contained a leading article about the restructuring of the mining industry. Trade economist Mike Schuster was quoted as saying that empowerment programmes had already started in the petro-chemical industry suggesting some type of proactively. However, while it is an economic reality, I may not exist without black people having access to resources and finance. Clearly empowerment is an own economic reality democracy, such as is prevalent in South Africa may not exist without black people having access to resources and finance.

This increase has empowered black males and clearly is very neutral to women. The

South African Survey 2002/2003 stipulates that an estimated 18% of the industry has already been transferred to HDSA's but women have been significantly omitted from this percentage. These statistics which is evident in chapter 3 argues that empowerment empowers the selectively historically disadvantaged and ignores the plight of the women who should be an integral part of BEE as a designated group.

5.4. SUCCESSES OF GENDER SENSITISING

A company, which must be commended for proving to be proactive in terms of female empowerment, is BP. BP has established a Diversity and Inclusion Committee (Reaching Full Circle: 2001) which a gender sensitisation committee established to promote gender sensitisation and awareness among employees on gender issues. Initial meetings were held during lunch breaks with the men in the office to help them understand and appreciate gender diversity. This is a good start, but sporadic lunch breaks will not cure gender insensitivity.

When recruiting, everyone on the panel would have to have a working knowledge of recruitment with specific reference to equity. In order for empowerment to be sustainable and far-reaching, the workforce should be trained and educated in order for stereotypes to be re-constructed and for employees to buy in.

5.5. SUMMARY

This chapter has embarked on a discussion of the implication of the position of women in the oil industry's ten-years of empowerment. It discussed the challenges that women face in the industry and had elaborated on the successes of equity implementation by using the oil giant BP as an example. A comparative table has been outlined of the empowerment deals, which major oil companies had entered into. The research argues that despite relative progress in the pursuit for empowerment partners, empowerment still remains gender neutral. The next chapter will make recommendations as to how the industry can be effectively utilised.



CHAPTER 6: RECOMMENDATIONS AND CONCLUSIONS

6.1. RECOMMENDATIONS

The liquid fuels industry will continue to exit in imbalance because an effective gender equity programme does not exist. The two issues exists in isolation and the research argues that in order to prevent empowerment from being gender indifferent, government should legislate a twin initiative namely an all encompassing gender and BEE to ensure that management is female and that the BEE programme deals include women as a designated group. Companies/organisations should be fined heavily if their BEE empowerment programmes do not significantly include women as well. Companies should be closely monitored (as in quarterly) to assess the empowerment and gender progress that was made.

Foreign Direct Investment should be sort specifically to finance empowerment/gender programmes as well as to provide finance for Black Oil Companies who are unfair contenders in this capital-intensive industry. Gender awareness programmes should be piloted NGO's should be commissioned to run workshops aimed at changing and restructuring stereotypes. A work place plan should be implemented at all companies and gender watch dog employed on a yearly basis and based at all companies to monitor the level of combined gender and economic empowerment.

If government effectively implements policies that would regulate the industry along empowerment and gender lines, it would radically increase job creation and reduce

unemployment.

Government should become a lot more serious about this industry as its effectiveness will present a huge profit margin for the economy, tax and government coffers. The strength of the Afrikaner Model of Empowerment should be used as a guideline towards effective empowerment. Women and men in organisation/companies should be more pro active regarding gender because gender equity's success cannot rely on the voices of women only. Resources and human capital should be shared. Each company should establish a working group, which would ensure that resources and experience are shared; mentorship plays an important role in developing skills. While the research argues for female empowerment it is necessary to ensure that capacities and skills are improved to facilitate that women can compete equitably. Education and the priority of skills development would greatly assist the empowerment of women. From the interviews it could be established that while people who are involved in the LFI, embrace BEE and female empowerment, they were still grappling to implement a programme to ensure that BEE and gender takes place as a means of empowerment. Unfortunately, because everybody had not fully understood BEE codes of good practice a complementary programme of gender could not be established. Therefore, while gender was important it had to be put on the back burner in favour of re-distribution. While gender does inferentially happen because of equity, an attempt to "marry" the two concepts is far too premature. In the interim it remains loosely implemented.

In order to ensure that equity takes place on different levels of companies the service of a BEE and equity strategist should be employed in order to enable women to be appointed

mentored and trained. In doing so, not only would adequate business planning will take place but profits margins would increase because different levels of the business would evolved and benefit. In order to make sure that the pool of new recruits is skilled/equipped females, companies could implement a programme which could target high school learners. This programme could be run two fronts. On the one hand, but showing corporate responsibility in offering training programmes e.g. self development programmes among female learners of colour as well as job shadowing and bursaries to promising learners.

When appointing an equity manager equity plans should be developed or drafted to enable the programme of female empowerment to given direction. Further more, this programme would be propelled if each department and sub-department appoints or nominates workers to act as equity representatives. It would be these individuals; responsibility to implement and monitor the company's broad equity plan. To divide the responsibility of equity among workers in smaller groups would result in a more effective, controlled means of implementation. This would particularly benefit a large corporate where a plan of such importance would run the risk of not being adequately implemented owing to a large work force. If equity representatives are appointed or nominated the equity managers or drivers of the equity plans would get greater input from different departments.

Realistic short term goals should be set in order to establish the success rate of equity.

This type of equity programme and its proposed training programmes should form a large

chunk of the company's programmes. It should be born in mind that training and capacity building programmes should not over burden workers. It should be prioritised according to training needs and should make provision for determining it success/ failure within a specific time frame.

Very importantly, an equity plan of whatever nature should be 'bought into' by not only the work force but division should be shared by management, the board of directors and share holders. A vigilant marketing campaign across all levels should be embarked upon in order to create awareness.

Mentorship should form an important part of the training programme because it is no use empowering if new recruits are not inducted. Skills development forms an integral part of training as scarce skills should be transferred and new recruits inducted. It is no use empowering people if the skills and capacity is not developed. From a business plan perspective suggested best practice would be for females to establish companies and conglomerate and form clusters to ensure ownership and implement BEE/GAA programmes aimed at ensuring sustainability and developing good corporate governance.

6.2. CONCLUSION

The petro-chemical industry will continue to exist in imbalance. The fact that it is capital intensive (Jawoodien: 2001) is an indication that it would struggle to bridge the economic disparity between the established companies and HDSA companies. Finance remains a serious constraint for the HDSA companies. However, uneven distribution of wealth is a recipe for disaster. The majors plead poverty but it is apparent that the industry is very

lucrative. It generates huge profits.

The infrastructure that is in place still favours white players as stated earlier- (Chapter 4) – the liquid fuels industry is obsessed with securing foreign investment, some even opt for foreign investment as opposed to empowerment. Yet, sadly, limited foreign investment has taken place. Privatisation could encourage foreign investments to possibly speed up BEE. It could also encourage gender equity. Big companies need to implement a programme of gender equity and BEE in order to promote empowerment and gender sensitivity simultaneously.

Government needs to implement structures aimed at monitoring empowerment and gender equity. More stringent measure/fines should be implemented to force companies to seriously advance programmes of gender equity empowerment. Government should have prepared a budget that would enable a task team to address these horrific imbalances. It should examine empowerment and gender equity as separate issues, but attempts to establish a link between the two. The statistics of the sample, which represents four of the six majors, have been analysed and it is apparent that while we are into our 10th year of democracy, not enough has been done.

Even though the *South African Survey 2002/2003* argues that all of the major oil companies have concluded BEE deals as stated in *BBQ Magazine*: *First Quarter 2004* being transferred to HDSA's top management has empowered black males to some extent but largely omitted having appointed women. Loyiso Mbabane, *(The Business Times, 6 November 2005)* affirms the fact only 4.6% of the country 427 black directors are

women. This is unacceptable. It is an indication that too little has been done. In conclusion it should be realised that the real power in terms of gender and economic empowerment can only be realised it all stakeholders share a common vision. In this way, gaining a common goal would be easier. Economic Empowerment has unfortunately adopted a course of gender neutrality.

BEE and female empowerment are inter linked, it would be sad to continue witnessing the present gender neutrality in the empowerment domain. Both BEE and GAA are important cornerstones of transformation, therefore its greater driving force should come from the ranks of government, which is the only solution for democracy to become a reality.

Thus, this research argues that HDSA's will continue being marginalised even within the parameters of democracy if the Gender-Development Approach is not adopted. This suggests that males and females pool their resources and skills, build capacities, otherwise the marginalised would remain on the outskirts. Previous economic disadvantages still continue to play a major role in the current economic realities in the petro-chemical or liquid fuels industry. However it is encouraging to note that President Mbeki would be appointing a BEE Advisory Panel. (Sunday Times, Business Times 4 October 2005) as well as implementing the CODES OF GOOD PRACTICE (Sunday Times, Business Times, 6 November 2005). This should be applauded because it is a move in the right direction.

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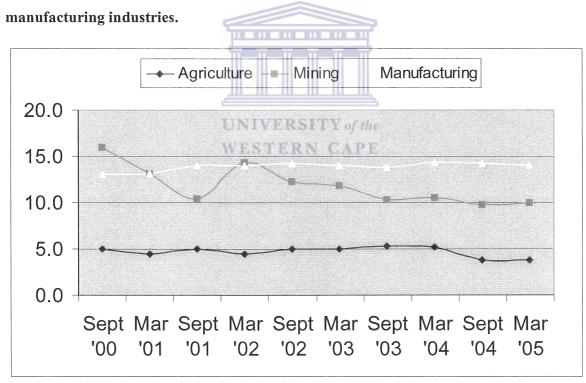
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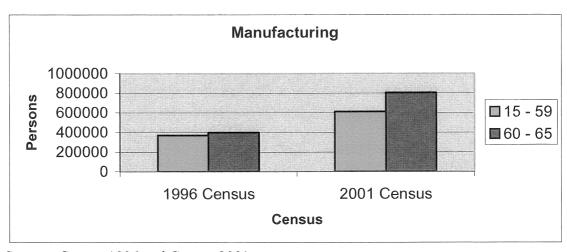
APPENDICES

Appendix 1: Percentage of persons employed in the agriculture, mining and



Source: LFS Sept 2000 – March 2005, Historical series of revised estimates

Appendix 2: Labour force in manufacturing



Source: Census 1996 and Census 2001

