Cape Town - Employment equity compliance is improving, but there is still some resistance, Labour Minister Mildred Oliphant said on Tuesday.

Releasing the 2011/2012 annual report on the Commission for Employment Equity (CEE) to media in parliament, Oliphant said it was encouraging to see the progress made by the private sector as well as government.

But, it was not all smooth sailing.

"A rather obvious observation in the workforce, which continues even today, is the gross under-representation of black people, women and people with disabilities in key labour markets," she said.

Oliphant said while figures were improving in the employment of blacks at top senior management level, the report showed white males and females were more likely to be recruited or promoted.

There were also some trends that Oliphant found disturbing coming from provincial governments.

The report stated the Western Cape government was performing poorly with regard to the representation of black people, particularly Africans.

"The Western Cape is the worst performing province in terms of race and gender in both government and the private sector, across every occupational level," the report said.

Asked whether Oliphant and the CCE could be accused of political point scoring as the province was run by the Democratic Alliance, she and her staff emphatically denied this was the case.

Labour director general Thembinkosi Mkalipi said employers themselves had provided employment equity statistics.

"Employers report online. It has nothing to do with us capturing the info. It's like filling out a tax return. Even the Western Cape government, they do the same. Nobody fiddled with the data," Mkalipi said.

Oliphant said she would take the issue up with Western Cape premier Helen Zille.

"When the report is debated, the premier will be there. If the National Council of Provinces wants me to address the issue, I will do this..." she said.

On the issue of amendments to the Employment Equity Act, Mkalipa said clauses contained in the provisional law currently before parliament would speed up the process of transformation, specifically in companies still resisting change.

This included fining companies which did not comply with employment equity.

"I believe in future they are going to consider... adhering to the laws of the country. I hope parliament will do justice to approve those particular amendments. Once approved, most companies will implement the laws, rather than pay high fees as fines."