

Sexual Harassment and Harassment Policy

HUMAN RESOURCES DEPARTMENT

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HUMAN RESOURCES MANAGEMENT									
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ACRONYMS ACRONYMS AND RELEVANT LEGISLATION AND ITS AMENDMENTS

This policy will be read in conjunction with the following and other relevant Legislations and their amendments; and the list is non-exhaustive.

BCEA	Basic Conditions of Employment Act, 75 of 1997
COIDA	Compensation for Occupational Injuries and Disease Act, 130 of 1993
CPA	Criminal Procedure Act, 51 of 1977
EEA	Employment Equity Act, 55 of 1998
LRA	Labour Relations Act, 66 of 1995
MSA	Municipal Systems Act, 32 of 2000
OHSA	Occupational Health and Safety Act, 85 of 1993
PAIA	Promotion of Access to Information Act, 2 of 2000
PDA	Protect Disclosures Act, 26 of 2000

GLOSSARY

The following terms, abbreviations and acronyms used in this policy document are described below with their corresponding definitions or meaning:

TERM	DEFINITION
Customer Care Centres	Means the regions that exist within the City of Ekurhuleni, and includes the administrative units
Disciplinary Committee	Means the Sexual Harassment Disciplinary Committee
Disciplinary Code	Refers to applicable Collective Agreement as determined by Parties in the SALGBC; as amended from time to time.
COE	Means City of Ekurhuleni
Municipality	Refers to City of Ekurhuleni
Sexual Harassment	Is defined as any conduct of a sexual nature that is unwanted or unwelcome and exclude behaviour that is

	mutual or welcome.
Other forms of Harassment	<p>Are defined as unwanted behaviour of any other nature, which may include physical, verbal or non-verbal conduct.</p> <p>The CCMA had developed 'information sheets' [1] which state that 'harassment' in the workplace also extend to-</p> <p>Bullying;</p> <p>Spreading malicious rumours;</p> <p>Insulting persons;</p> <p>Degrading, or picking on, another;</p> <p>Exclusion or victimisation;</p> <p>Unfair treatment;</p> <p>Unwelcome sexual advances and/or gestures;</p> <p>Making unsubstantiated threats about job security;</p> <p>Undermining a competent worker by means of overloading or constant criticism; or</p> <p>Intentional blocking of promotion or training opportunities</p>
Gender Coordinator	It is HR Practitioners that are appointed by the HOD: HR to assist with coordination of the Sexual Harassment Issues arising from the CoE departments.
Employees	Employers, Managers, Supervisors, Employees, Job Applicants.
Non-Employees	Refers to all Service Providers, Customers, Suppliers, Contractors and others having dealings with CoE
Councillors	Executive Mayor, Chief Whip, MMC, Ward Councillors, PR Councillors, Section 79 Committees
Investigator	Refers to the Manager appointed by the City Manager to investigate complaints or alleged incidents of sexual harassments.
Presiding Officer	Refers to a Manager appointed by the City Manager to

	chair a Sexual Harassment Disciplinary Committee.
Aggrieved Person/Employee (Victim)	Refers to the victim who may be an employee; Councillors of CoE or a member of Public who was allegedly harassed by one of the CoE employees within Municipality premises while discharging their duties and/or harassed by the CoE employees while discharging their official duties outside Municipality premises.
CoE liability	The CoE liability is limited or restricted to persons allegedly harassed by one of the CoE employees within Municipality premises while discharging their duties and/or harassed by the CoE employees while discharging their official duties outside Municipality premises.
Sexual Harassment Disciplinary Committee	Refers to the committee that is appointed by the City Manager and it will consist of the HOD: HR or Nominee, DH: ER, Gender Coordinator, Presiding Officer and Investigator
Workplace Bullying	<i>“Is repeated, health-harming mistreatment of one or more persons by one or more perpetrators. It is abusive conduct that is threatening, humiliating, or intimidating. It can also involve work interference, such as sabotage, which prevents work from getting done and often includes verbal abuse”</i> by HR Pulse
Discrimination	In terms of the Employment Equity Act, No 55 of 1998 (Act), harassment of an employee is a form of unfair discrimination and it is prohibited on any one or combination of grounds of unfair discrimination listed in the Act; Sexual harassment is a form of unfair discrimination based on the grounds of sex, gender and/or sexual orientation.

<p>Consent</p>	<p>According to the Criminal Law (Sexual Offences and Related Matters) Amendment Act 6 of 2012, 'consent' means voluntary or unforced agreement. Consent does not have to be verbal, but verbally agreeing to different sexual activities can help both you and your partner respect each other's boundaries.</p>
<p>Section 66 of the Municipal Systems Act</p>	

PART 1: POLICY

1.1. STATEMENT OF INTENT

The City of Ekurhuleni:

- 1.1.1 Is committed in creating workplaces that are free of sexual harassment and other form of harassment;
- 1.1.2 Is committed towards creating and maintaining a safe working environment where the dignity and respect of all employees, non-employees and the Municipality is upheld;
- 1.1.3 Is concerned about the occurrence of Sexual Harassment and is committed to ensure that no form of sexual harassment will be condoned;
- 1.1.4 Disapproves of any form of Harassment;
- 1.1.5 Encourages all employees who have been or are being subjected to Sexual Harassment and other forms of harassment to bring it to the attention of the Gender Coordinators by way of the procedures set out in this policy and in the disciplinary procedures;
- 1.1.6 Will deal with all allegations of Sexual Harassment in a serious, exceptional, sensitive and confidential matter, and
- 1.1.7 Will strive to protect the parties involved in alleged Sexual Harassment against victimisation or other forms of harassment;
- 1.1.8 Will not tolerate any false allegations of sexual harassment or other harassment and those found to be making false allegations will be subjected to disciplinary action.

1.2. INTRODUCTION

- 1.2.1 Chapter 2 of the Employment Equity Act regards harassment, which includes sexual harassment, as a form of unfair discrimination.
- 1.2.2 Sexual harassment and other forms harassment undermines the dignity of victims, creates a hostile working environment and has the potential to create unfair labour practices.
- 1.2.3 Victims of sexual harassment and other forms of harassment could suffer psychological problems, low self-esteem and depression resulting possible absenteeism from work and poor work performance.

- 1.2.4 It is to this end that the COE commits itself to eradicating all forms of harassment in the workplace and protecting the rights of all employees, Councillors, service providers and non-employees from any form of harassment.

1.3. PURPOSE

This policy is designed to eradicate sexual harassment and other forms of harassment within all COE workplaces. It aims to promote a work environment that is free of sexual harassment; where human dignity is respected and equal rights flourishes. It also provides guidelines on how to manage and deal with incidents of sexual harassment.

1.4 LEGISLATIVE FRAMEWORK

This policy is framed within the following legislative framework:

- i. Basic Conditions of Employment Act, 75 of 1997 (as amended)
- ii. Constitution of the Republic of South Africa 108 of 1996
- iii. Code of Good Practice on the Handling of Sexual Harassment Cases
- iv. Employment Equity Act 55 of 1998 (as amended) (EEA)
- v. The Labour Relations Act 66 Of 1995 (as amended) (LRA)
- vi. Municipal Systems Act, 33 of 2000
- vii. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- viii. Criminal Sexual Offences and Related Matters Amendment Act 32 of 2007
- ix. Protection of Harassment Act 17 of 2011
- x. Disciplinary Code

1.5 SCOPE OF APPLICATION

1.5.1 This policy is applicable to all employees as prescribed in the LRA which includes Job Applicants, Senior Management and Councillors of City of Ekurhuleni. It also covers non-employees (such as suppliers, clients, contractors and all members of the public) who allege to be victims of Sexual Harassment within Municipality premises and employees discharging their official duties outside Municipality premises. It equally applies to job applicants, service providers and any person conducting business with the Municipality.

1.5.2 The COE has no jurisdiction to take disciplinary action against non-employees but will endeavour to assist employees who have been victims of

sexual harassment by non-employees by providing Psychological Services and/or Legal Support. These services will be considered depending on the circumstance of each incident.

- 1.5.3 Non-employees who have been subjected to sexual harassment by COE staff must bring this to the immediate attention of COE management.

1.6 OBJECTIVES

The objectives of this policy are to:

- 1.6.1 Create a non-discriminatory work environment that is free of sexual harassment; and
- 1.6.2 Prevent abuse of Human Rights
- 1.6.3 Promote a professional relationship amongst all employees
- 1.6.4 Promote a professional client relationship,
- 1.6.5 Create a non-discriminatory work environment that is free of sexual harassment; and
- 1.6.6 Have guidelines in dealing with incidents of Sexual Harassment.

1.7 DEFINITION OF SEXUAL HARASSMENT

- 1.7.1 This policy relies on the Code of Good Practice in handling Sexual Harassment cases in defining sexual harassment.
- 1.7.2 Sexual harassment is defined as any conduct of a sexual nature that is unwanted or unwelcome and exclude behaviour that is mutual or welcome. Sexual attention may be construed as sexual harassment where:
 - i. The behaviour is repeated, although a single incident of harassment may constitute sexual harassment; and/or
 - ii. The recipient has made it clear that the behaviour is offensive and unwelcome; and/or
 - iii. The perpetrator knows or ought to know that the behaviour is offensive and unacceptable.
- 1.7.3 Other forms of harassment are defined as unwanted behaviour or any other nature, which may include physical, verbal and non-verbal conduct. The unwanted nature of behaviour distinguishes it from acceptable behaviour, which is welcome and mutual. Unwanted behaviour becomes harassment if:
 - 1.7.3.1 The behaviour is persisted, although a single incident of harassment can constitute harassment in itself;

- 1.7.3.2 The recipient has made it clear that the behaviour is not welcomed and considered offensive; and
- 1.7.3.3 The perpetrator should have known that the behaviour is regarded as unacceptable.

1.8 TYPES OF SEXUAL HARASSMENT

1.8.1 Sexual harassment manifests itself in various forms and may range from subtle attention to the worst form of violence such as sexual assault and/or rape.

1.8.2 Sexual harassment may include, but is not limited to the following listed examples:

i. Physical Conduct

Includes, but not limited to touching, patting, pinching, fondling, molestation, assault, attempted rape, strip search;

ii. Verbal Conduct

Unwelcome sexual innuendos, telephone calls with sexual overtones, sex related jokes or insults, enquiries about a person's sex life, whistling, and comments about a person's body;

iii. Non-verbal form

Leering, winking, unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects, displaying or sending material of a sexual nature through any electronic means such as emails, short message services or any multi-media system, indecent exposure.

iv. Quid pro quo harassment

This occurs when an employer, supervisor, member of management or co-employee, undertakes or attempts to influence the process of employment, promotion, training, salary increment, bonus, or any other job benefit for an employee or job applicant in return for sexual favours.

v. Sexual favouritism

This occurs where a person who is in a position of authority rewards only those who respond to his/her sexual advances, whilst other deserving employees who do not submit themselves to any sexual advances are denied promotions, merit rating or salary increases.

vi. Hostile working environment

This happens when an intolerable or abusive work environment is created. This can be because of jokes, sexual innuendos, display of sexually explicit material or displays of affection by co-workers, which are offensive but not directed at a particular employee.

1.9 IMPACT OF THE CONDUCT:

1.9.1 The conduct should constitute an impairment of the employee's dignity, taking into account:

- i) Circumstances of the employee; and
- ii) The respective positions of the employee and the perpetrator in the workplace.
- iii) A single incident of unwelcome sexual conduct may constitute sexual harassment.

1.10 CONDUCT PROHIBITED BY COE

1.10.1 Any conduct that has been stipulated in the definition of Sexual Harassment (see 1.7 and 1.8 above) constitutes prohibited conduct particularly where:

- i. Submission to such conduct is either an explicit or implicit term of the condition of employment; promotion or favourable performance review
- ii. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- iv. Retaliation or reprisal by the municipality, its officers, agents or employees against any employee who objects to, has filed a complaint of, or has reported an occurrence of Sexual Harassment is prohibited.

1.11 LIABILITY OF COE

1.11.1 In terms of section 60 of the Employment Equity Act, COE, as the employer, will be held liable for any acts of sexual harassment committed by an employee, if COE fails to implement corrective action after the employer becomes aware of an act of sexual harassment.

- 1.11.2 Such liability may include, but is not limited to, compensation, medical expenses, psychological assessment and treatment.
- 1.11.3 COE, as the employer, will not be liable if it can be proven that the employer did all that was reasonably practicable to ensure that the employee would not act in contravention of this Act.
- 1.11.4 If an employee is a victim of sexual harassment, COE has a responsibility to assist the employee to claim any compensation, which may be due in terms of the Compensation for Occupational Injuries and Diseases Act.
- 1.11.5 The CoE liability is limited or restricted persons harassed by employees within Municipality premises while discharging their duties and/or harassed by the CoE employees while employee/s are discharging their official duties outside Municipality premises.

1.12 SEXUAL HARASSMENT DISCIPLINARY COMMITTEE

- 1.12.1 The City Manager shall appoint the members to the Sexual Harassment Disciplinary Committee (SHDC) in line with the Disciplinary Code.
- 1.12.2 The Sexual Harassment Disciplinary Committee shall be responsible for the investigation of all sexual harassment allegations and shall appoint a presiding officer to any possible disciplinary hearing that may arise as a result of the investigation.
- 1.12.3 The SHDC will operate in line with the COE Disciplinary Code.
- 1.12.4 The SHDC may also appoint a manager to prosecute the hearing.
- 1.12.5 The SHDC shall comprise the following individuals:
- Head of Human Resources or his/her nominee (who must be at a management level);
 - Divisional Head: Employee Relations or his nominee (who must be at a management level);
 - Head of Department of the Complainant or his/her nominee who must be at a Management Level;
 - Gender Coordinator;
 - Presiding Officer;
 - Investigating Officer (Employer Representative/Prosecutor).

1.13 INFORMATION SHARING AND EDUCATION

- 1.13.1 The policy should be made accessible to all employees and there should be ongoing training and education on sexual harassment.
- 1.13.2 Employees should be made aware of their rights under this policy and should be empowered to understand this policy and how to handle allegations of sexual harassment.
- 1.13.3 This policy should be placed in all information and communication platforms of COE, notice boards, displayed CCC Centres, COE Intranet and internet.

1.14 COMMUNICATION

1.14.1 The Head of Department: Human Resources must ensure that this policy is communicated to all employees.

1.14.2 This policy should be distributed to all employees and must be included in the workplace orientation of new employees.

1.14.3 The Human Resources Department must ensure that this policy is easily accessible to all employees.

1.15 IMPLEMENTATION

1.15.1 The implementation, monitoring and enforcement of this policy shall be the responsibility of the head of Human Resources.

1.15.2 This policy will be effective from the date on which it's approved by Council.

1.16 COUNSELLING AND ADDITIONAL SICK LEAVE

1.16.1 Where necessary, counselling will be provided via the Employees Assistance Programme should the employee require this.

1.16.2 The EAP as mentioned above, shall make determination on the allocation of special sick leave days for the employees; in the cases of serious sexual harassment; where the

employee, based on medical advice requires trauma counselling and any other referral made by EAP.

1.17 CONFIDENTIALITY

1.16.1 COE and all employees must ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept confidential.

1.17.2 In cases of Sexual Harassment, management, employees and parties concerned must endeavour to ensure confidentiality at the disciplinary enquiry. Only appropriate members of management, and aggrieved person, his or her representative, the alleged perpetrator, witnesses and an interpreter, if required, should be present at the disciplinary enquiry.

1.17.3 COE is required to disclose to either party or their representatives such information as may reasonably be necessary to enable the parties to prepare for any proceedings in terms of the policy.

PART 2: PROCEDURES

2.1 COMPLAINTS PROCESS

2.1.1 ADVICE AND ASSISTANCE

- Sexual harassment and any other form harassment of a fellow employee or non-employee will constitute a serious act of misconduct, therefore, any allegations of sexual harassment and harassment will be dealt with in a serious, expedited, sensitive and confidential nature.
- Sexual harassment is a sensitive issue and a victim may feel unable to approach the perpetrator, lodge a formal grievance or turn to colleagues for support.
- Harassment cases will be underpinned by consistent, fair and non-discriminatory practices and procedures.
- The Gender Coordinators are designated to provide confidential advice and assistance in handling of sexual harassment or other forms of harassment that transpire in CoE premises or conducted by CoE employees.
- The Gender Coordinator should interview the recipient to determine if the recipient of the alleged harassment requires any professional assistance or advice and to pursue the matter further.
- The Gender Coordinator shall investigate the complaint and conclude the investigation within 3 days.
- The EAP Unit shall be tasked to provide EAP assistance to the victim within 24 hours of laying complaint.
- If the aggrieved employee works in the same workplace and/or department as the alleged perpetrator, the City will make efforts, while the matter is under investigation, to arrange that there is minimal or if necessary no contact between the aggrieved employee and alleged perpetrator.

2.1.2 COMPLAINTS PROCESS

Section 60 (1) of EEA provides that conduct in contravention of the Act must immediately be brought to the attention of the employer:

The word “immediately” shall mean, as soon as is reasonable possible in the circumstances and without undue delay, taking into account the nature of sexual harassment, including that it is a sensitive issue, that the complainant

may fear reprisal and the relative positions of the complainant and the alleged perpetrator in the workplace.

Sexual Harassment and other harassment complaints shall be reported to the Gender Coordinator who is accountable to the Employment Equity Section.

Once a complaint has been received, the Gender Co-ordinator shall investigate and report back to his/her Head of Department. The investigation shall be concluded within 3 days.

If the investigation reveals that the allegation is false, then disciplinary proceeding must be instituted against the complainant.

2.2 STRUCTURAL REPORTING OF HARASSMENT CASES

2.2.1 Reporting by non-employees

2.2.1.1. In cases where the offence has occurred outside the Municipality premises but within the jurisdiction of City of Ekurhuleni in the execution of official duties, the victim can immediately:

- i. Report the offence to the immediate supervisor/HOD of the employee, who shall report it to the Gender Coordinator.
- ii. Report to his/her Ward Councillor, the Chief Whip of the Council or any member of the Mayoral Committee.

2.2.1.2 In cases where the offence has occurred within the Municipal premises, the victim can immediately:

- i. Report to the immediate supervisor of employee (if known), HOD of the perpetrator or Gender Coordinator.
- ii. Report to his/her Ward Councillor or Ward Committee Member who should inform the Gender Coordinator.
- iii. Report to the Chief Whip of the perpetrator or any member of the Mayoral Committee.

2.2.2 Reporting by Councillors

- i. Any councillor who is a victim of sexual harassment can report the matter to:
- ii. The Chief Whip
- iii. Any member of the Mayoral Committee
- iv. Any councillor serving on the Gender Committee, who will then take the appropriate steps.

2.2.3 Reporting by employees

An employee who is a victim of sexual harassment offences can report the matter to:

- i. His/her immediate supervisor who should inform the Head of Department;
- ii. Head of Department who should write a report to the Gender Coordinator, who will then take the appropriate steps.
- iii. Should the employee deem fit, s/he can refer the matter straight to the Gender Coordinator.

2.3 INVESTIGATIONS

- 2.3.1 Once a complaint has been received by the Gender Coordinator, the nature of the complaint must be assessed and concluded within 2 working days, if the nature of offence is gross or serious in nature; the matter shall be referred to the ER Division within the 2 working days in order to formally appoint an investigator in line with the Disciplinary Code and clause 2.4.3 of this Policy.
- 2.3.2 The investigation should be concluded within 7 days after appointment of the Investigator, unless an extension has been recommended to the DH: TA & HRBP and approved by HOD: HR.
- 2.3.3 The Investigator should conduct a thorough and confidential investigation and present the findings to the Sexual Harassment Disciplinary Committee that will consist of (Presiding Officer in conjunction with the ER Division, HOD or his nominee, Investigator; who shall be appointed by the City Manager).
- 2.3.4 The Gender Coordinator will form part of all Sexual Harassment Disciplinary Hearings and can be appointed by HOD: HR.
- 2.3.5 The ER Division shall convene the Sexual Harassment Disciplinary Hearing within 7 days of receipt of the Investigation Outcome.
- 2.3.6 The presiding officer **should be from** Management (Only HODs, DHs and Managers reporting to the DHs).
- 2.3.7 The matter will then proceed as per the COE disciplinary process.

2.4 PROCEDURES

2.4.1 The procedure is divided into two levels:

- i. Informal
- ii. Formal

When a complainant of harassment is brought to the attention of employer; such employer should:

- i) Immediately advise the complainant that there are either formal or informal procedure which could be followed to address the harassment issues.
- ii) The grievant has an option to decide whether he or she wants to follow a formal or informal procedure.

2.4.2 INFORMAL PROCEDURE

(The informal process is not compulsory, if the case warrants a formal process, the employee may proceed to a formal process without engaging in the informal process)

- i. The recipient, with the guidance of a Gender Coordinator, should speak to the perpetrator and inform him/her that the behaviour is unacceptable. The recipient should try to remain calm and courteous.
- ii. Sexual Harassment is a sensitive issue, a victim may feel unable to approach the perpetrator, the victim is encouraged to approach the Gender Coordinator for confidential advice.
- iii. The recipient should keep records of each event namely, the date, time, location, what happened, what was said, how he/she felt, the names of any witnesses and the name of anyone else victimised by the perpetrator.
- iv. The victim, with the guidance of a Gender Coordinator, should also write a letter to the perpetrator (Please see Annexure A). The letter should include the following:
 - a description of the unwelcome behaviour;
 - date(s) and time(s) when the behaviour occurred;
 - a clear message that the recipient wants this behaviour to stop immediately;
 - a warning that if the behaviour does not stop the recipient will take further action;
 - the recipient's signature and date.
- v. The recipient should ask Gender Coordinator to talk to the perpetrator, or to accompany him/her when he/she talks to the perpetrator.

- vi. The recipient can also report the incident to his /her supervisor or line manager and request help in dealing with the problem.

2.4.3 FORMAL PROCEDURE

- i. Firstly, the recipient should report the matter to his/her immediate supervisor or the next Manager of the Supervisor who will then report to the HOD.
- ii. Otherwise, the employee may contact the Gender Coordinator who will advise and guide to the process to follow in line with the Disciplinary Code including the matter to the HOD.
- iii. The Formal Procedure must be referred and managed by the ER Divisional Head within the stipulated timeframes as stipulated in the Disciplinary Code and this Policy.
- iv. The matter will be investigated and should the situation warrant it, the matter should be referred to the Sexual Harassment and Harassment Disciplinary Committee for formal action.
- v. A victim of sexual assault has the right to press separate criminal and /or civil charges against an alleged perpetrator.

2.4.4 FALSE ALLEGATIONS

If after a thorough investigation is concluded and the allegation is found to be false or fabricated, the Disciplinary Committee should institute disciplinary action against the complainant.

2.5 SANCTIONS IN HARASSMENT CASES

If after the disciplinary hearing the perpetrator is found guilty, the following sanctions, or a combination of them, may be imposed:

- i. Counselling
- ii. Verbal Warning
- iii. Written Warning
- iv. Final Written Warning
- v. Demotion
- vi. Suspension without pay
- vii. Dismissal

2.6 CRIMINAL AND OR CIVIL CLAIMS

This policy does not limit or restrict the right of any victim of sexual harassment to institute any criminal and/or civil claim against the alleged perpetrator. The processes can run concurrently.

2.7 DISPUTE RESOLUTION

Any complainant who is dissatisfied with the outcome of the process set out in this policy may refer the matter to the CCMA or any relevant dispute resolution body as provided for in the Labour Relations Act.

2.8 MONITORING

- 2.8.1 The process for monitoring the implementation and usage of the policies, procedures, standards, and other related governance documentation is the responsibility of the various process owners and end users.
- 2.8.2 All managers must take all necessary steps to ensure that all employees who report to them are aware of and comply with this policy.
- 2.8.3 Any conduct which violates this policy would be considered to be ultra vires (outside the scope) of the employee's authority and therefore expose him or her to possible disciplinary action.
- 2.8.4 This policy will be implemented holistically with the Standard Operating Procedure. The Procedure may be reviewed on a regular bases and will add certain processes that will be relevant at the time but not necessary covered on the approved Sexual Harassment and Harassment Policy.
- 2.8.5 Any possible breaches of this policy and procedure would be monitored by Human Resources Management and Development and reported to the City Manager for appropriate action.

2.9 POLICY REVIEW

- 2.9.1 This policy will be reviewed every 5 years in line with the Political Term or according to Section 66 of the MSA, as and when it becomes necessary to review. Minor changes can be reviewed through an SOP/Guidelines/Circulars as determined by Delegated Authority or relevant LG/COE Forums.

- 2.9.2 Notwithstanding the above; the policy shall be reviewed as and when required by legislative changes or developments noted by stakeholders that have an impact on the policy.
- 2.9.3 HOD: HR shall effect changes upon approval by the City Manager; by revising the Standard Operating Procedures (SOP).

3. RECOURSE ON APPLICATION

- 3.1 Any dispute to policy shall be adjudicated under the auspices of SALGBC.

4. PRECEDING POLICIES RESCINDED

- 4.1 The previous policies in respect of this subject are WITHDRAWN and REPLACED with this new policy.
- 4.2 CoE HR reserves a right to rectify any error or wrong implementation of the revised policy.

ANNEXURE

ANNEXURE A – INFORMAL SEXUAL HARRASMENT COMPLAINT FORM

The objectives of this Form is three fold:

- Firstly, it aims to deal with the nature of the offence that you have experienced in as much detail as possible.
- Secondly, it is intended to be a letter that you hand over to your perpetrator in order to (a) let him/her know that he/she has offended you and (b) let him/her know that you want his/her behaviour to change.
- Thirdly, this form is to be kept as a record of the perpetrator’s behaviour should the need for a formal disciplinary hearing arise.

Please fill out the form as honestly as possible and remember that what you write is confidential between you and your perpetrator.

COMPLAINANT’S NAME: _____

COMPLAINANT’S DEPARTMENT: _____

DATE (DD/MM/YY): _____

PERPETRATORS DEPARTMENT: _____

NUMBER OF OFFENCES: _____

1. Particulars of the incident. Please describe the nature of the offence (s) in as much detail as possible. In other words, was the offence verbal, non-verbal or physical? Describe it/them.

.....
.....

2. Where and when did the incident (s) take place?

.....
.....

3. Who was present at the time of the offence?

.....
.....

4. How did the incident make you feel?

.....
.....

5. Please state how you would like this problem to be solved. In other words, what would you like the perpetrator to do?

.....
.....

DATE: **SIGNATURE:**

