



Harassment Policy

Company Policy No: 1SA
Company: Greencastle Solutions Ltd
Issue No: 2
Revision Date: April 2026
Review Date: April 2027

Harassment Policy

1 Policy Objectives

- 1.1 The company is committed to the protection and promotion of dignity, equality, and fair labour practices in terms of the Bill of Rights.
- 1.2 In drafting of this policy, the company has had regard to the Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace 2022, the Employment Equity Act (EEA) 55 of 1998 (as amended), the International Labour Organisation (ILO) Conventions as well as the Labour Relations Act (LRA) 1995 as amended, Protected Disclosures Act 26 of 2000, Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA), Occupational Health and Safety Act 85 of 1993 and Protection from Harassment Act 17 of 2011.
- 1.3 This policy seeks to eliminate all forms of harassment in the workplace and in any activity linked to or arising from work.
- 1.4 This policy outlines procedures to deal with issues arising out of incidents or complaints of harassment and to prevent their recurrence.
- 1.5 The company has a zero-tolerance policy with respect to harassment. The employer and employees alike are to respect one another's integrity and dignity, their privacy, and their rights to equity in the workplace.

2 Application

- 2.1 This code is intended to guide employers, employees, perpetrators, and victims of any form of harassment. This may include:
 - 2.1.1 Owners (directors).
 - 2.1.2 Employers.
 - 2.1.3 Managers.
 - 2.1.4 Supervisors.
 - 2.1.5 Employees, including casuals, contractors, etc.
 - 2.1.6 Job applicants and job seekers.
 - 2.1.7 Persons in training including interns, apprentices, and those on learnerships.
 - 2.1.8 Volunteers.
 - 2.1.9 Clients and customers.
 - 2.1.10 Suppliers.
 - 2.1.11 Contractors.
 - 2.1.12 Other persons who have dealings with the company.
- 2.2 Nothing in this policy or associated codes precludes employees from taking civil action in respect of non-employees.
- 2.3 A non-employee who is a victim of sexual harassment or any other form of harassment, may lodge a grievance with the employer of the perpetrator where the harassment has taken place in the workplace or in the course of the perpetrator's employment.
- 2.4 This policy applies in any situation where an employee is working, or which is related to their work. This includes, but is not limited to:
 - 2.4.1 Public and private spaces in which employees perform their work.

- 2.4.2 Places where employees are paid, take rests/breaks, as well as sanitary, washing/changing, breastfeeding, and medical facilities.
- 2.4.3 Work-related trips, travel, training, events, or social activities.
- 2.4.4 Work-related communications.
- 2.4.5 Employer-provided accommodation.
- 2.4.6 When commuting to and from work in employer-provided transport.
- 2.4.7 Employees employed in the residence of employers, or individuals who they care for, or the residence is the workplace.

- 2.5 Where employees work virtually from their homes, or any place other than the employer's premises, the location where they are working is deemed the workplace.

3 Harassment Definition

- 3.1 Harassment refers to unwanted conduct, which impairs dignity, creates a hostile or intimidating work environment for an employee/s or is calculated to/has the effect of inducing submission by actual or threatened adverse consequences and is related to one (1) or more grounds in respect of which discrimination is prohibited in terms of Section 6(1) of the EEA.
- 3.2 It includes violence, physical abuse, psychological abuse, emotional abuse, sexual abuse, gender-based abuse and racial abuse.
- 3.3 It includes the use of physical force or power, whether threatened or actual, against another person or against a group or community.
- 3.4 Harassment may be a result of:
 - 3.4.1 Physical conduct including physical attacks, simulated or threatened violence, or gestures.
 - 3.4.2 Verbal conduct including threats, shaming, hostile teasing, insults, constant negative judgment, and criticism, or racist, sexist, or LGBTQIA+ phobic language.
 - 3.4.3 Psychological conduct associated with emotional abuse and involving behaviour that has serious negative psychological consequences for the complainant/s such as bullying and mobbing.

4 Types of Harassment

- 4.1 Sexual harassment is a form of unfair discrimination and is prohibited on the grounds of sex, gender, or sexual orientation. Harassment or sexual harassment may include unwelcome physical, verbal, or non-verbal conduct, not limited to the following examples:
 - 4.1.1 Physical conduct of a sexual nature, and/or all unwanted physical contact, ranging from touching to assault, sexual assault and rape, intimidation as well as a strip search conducted in the presence of the opposite sex.
 - 4.1.2 Verbal forms of sexual harassment include unwelcome innuendo, suggestions, and hints, sexual advances, comments with sexual undertones, sexually related jokes or insults, unwelcome graphical comments about a person's body made in their presence or directed at them, unwelcome and inappropriate inquiries about a person's sex life, as well as unwelcome whistling at a person or group of persons.
 - 4.1.3 Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the display of sexually explicit pictures and objects.
 - 4.1.4 Quid Pro Quo harassment is when an owner (director), employer, supervisor, member of management, or co-employee undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or job application in exchange for sexual favours.

4.1.5 Sexual favouritism exists when 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.

4.2 Racial, ethnic, or social origin harassment is a form of unfair discrimination prohibited by Section 6 (1) of the EEA which is related to a person's membership or presumed membership of a group identified by one or more of the listed prohibited grounds or a characteristic associated with such group.

4.2.1 It is defined as unwanted conduct which can be persistent or a single incident that is harmful, demeaning, humiliating, or creates a hostile or intimidating environment.

4.2.2 Racial harassment includes direct or indirect behaviour such as racist verbal and non-verbal conduct, remarks, abusive language, racist name calling, offensive behaviour, gestures, and racist cartoons, memes, or innuendos.

4.2.3 Racial harassment occurs when a person is subject to physical, verbal, or non-verbal conduct, or other conduct based on race which undermines his/her dignity, or which creates an intimidating, hostile, or humiliating work environment for the recipient.

4.2.4 The test to be applied in identifying whether conduct or language is racist, is whether it is reasonably capable of conveying a racist meaning to the reasonable hearer.

5 Guiding Principles

5.1 Any form of harassment, including acts of violence, will not be tolerated in the workplace.

5.2 Harassment on a prohibited ground is a form of unfair discrimination which infringes the rights of the complainant and constitutes a barrier to equality in the workplace.

5.3 The company will create and maintain a working environment in which the dignity of employees is respected. Victims of harassment should not feel that their grievances are ignored or trivialised, nor should they have a fear of reprisal.

5.4 Employers, management, and employees are required to refrain from committing any act that constitutes any form of harassment.

5.5 Employers, management, and employees shall play an active role in creating and maintaining a working environment in which harassment is unacceptable.

5.6 All stakeholders should ensure that their standard of conduct does not cause offense, and all should discourage unacceptable behaviour on the part of others.

5.7 Employers and management will attempt to ensure that persons such as customers, suppliers, job applicants, and other persons who have dealings with the company are not subjected to any form of harassment by the company or its employees.

5.8 Necessary steps will be taken against acts of harassment that occur within the working environment, which is brought to the attention of management.

5.9 All employees will be protected against victimisation, retaliation, intimidation, and from any false accusation occurring because of lodging a grievance.

5.10 Allegations of harassment shall be dealt with seriously, expeditiously, sensitively, and confidentially in the same manner as a disciplinary hearing.

- 5.11 Grievances or complaints about harassment will be investigated and handled in a confidential manner.
- 5.12 Where harassment has resulted in an employee's sick leave entitlement having been exhausted, the company may consider granting additional paid sick leave in cases of serious harassment where the employee on medical advice requires trauma counselling. If harassment results in an employee being ill for longer than two (2) weeks, the employee may claim illness benefits in terms of Section 20 of the Unemployment Insurance Act 2001.

6 Procedure to be Followed

- 6.1 Section 60 (1) of the EEA provides that any allegation of conduct by an employee in contravention of the EEA must immediately be brought to the attention of the employer. Allegations must be investigated, and appropriate steps must be taken to prevent a recurrence.
- 6.2 Harassment is a sensitive issue, and a victim may feel unable to approach the perpetrator, lodge a formal grievance, or even turn to colleagues for support. The employer should designate a committee (e.g., members of the Employment Equity Committee if applicable, comprising of two (2) or three (3) members) or a responsible person to whom victims may report an incident or who may be approached for confidential advice. This committee or individual should be given the required counselling and relevant labour relations skills and be capable of providing support and advice in a confidential manner.

7 Resolution Options

- 7.1 Employees will be advised that there are two procedures available to resolve a problem relating to harassment. Either an attempt can be made to resolve the situation in an informal way, or a formal procedure may be embarked upon.
- 7.2 The employee will be under no duress to accept either option and will be free to pursue their chosen course.

8 Informal Procedure

- 8.1 It may be sufficient for the complainant to have an opportunity to explain to the perpetrator that the behaviour directed towards him/her is offensive and unwelcome; that it is unsettling, uncomfortable, and interferes with his/her work.
- 8.2 Should the complainant be uncomfortable interacting with the perpetrator, an appropriate person can approach the perpetrator, without revealing the identity of the complainant, and explain to the perpetrator that certain forms of conduct constitute harassment on a prohibited ground, are offensive and unwelcome, make employees feel uncomfortable, and interferes with their work.
- 8.3 If the informal approach does not provide a satisfactory result and the behaviour continues, or the initial behaviour is of a more severe nature, then it is necessary to embark upon the formal procedure.

9 Formal Procedure

- 9.1 A complainant may choose to follow a formal procedure, either with or without first following an informal procedure.

- 9.2 The victim or the aggrieved party will report the incident to senior management or to the committee and a grievance will be lodged against the perpetrator. The grievance shall be dealt with as per the company grievance procedure policy.
- 9.3 The committee or senior management will investigate the grievance to ensure that the respondent is not disadvantaged, and the position of the other party is not prejudiced if the grievance is found to be unfounded.
- 9.4 If the conduct in question justifies further disciplinary action, disciplinary procedures will be initiated.
- 9.5 The company will protect the employee, having lodged the grievance in good faith, against victimisation or retaliation throughout the course of the grievance procedure.
- 9.6 Should disciplinary action follow as a result of the formal procedure having been followed, the following sanctions may be imposed proportionate to the seriousness of the harassment in question:
- 9.6.1 Warnings may be issued for minor instances of harassment.
- 9.6.2 Dismissal may ensue for continued minor instances of harassment after warnings, as well as for serious instances of harassment.
- 9.7 In appropriate circumstances, upon being found guilty of harassment, a perpetrator may be transferred within the workplace or to another workplace within the company.

10 Criminal or Civil Charges

A victim of harassment has the right to pursue separate criminal and/or civil charges against an alleged perpetrator. The legal rights of the victim are not limited by this policy.

11 Confidentiality

- 11.1 The employer and employees will ensure that an investigation into a grievance lodged in connection with harassment will be kept confidential, and that the identities of the involved parties remain confidential also.
- 11.2 All internal and external communications related to an incident of harassment will be treated as confidential.
- 11.3 Considerations of confidentiality do not preclude the company from taking appropriate steps to protect the safety or dignity of employees, either while conducting the investigation or subsequently.
- 11.4 The disciplinary inquiry shall be conducted as per the company's disciplinary procedure and policy.
- 11.5 Only management designated to handle disciplinary cases as well as the aggrieved person, representatives, the alleged perpetrator, witnesses when giving evidence, and an interpreter, if required, should be present in the disciplinary inquiry.

12 Agreement and Compliance

It is the employee's responsibility to contact management should he/she have any queries.

I, _____ (name), hereby agree that I have read and understood the contents of this policy and agree to comply with the provisions herein.

Employee signature as receipt hereof	
Date	