

# SEXUAL HARASSMENT POLICY



## 1. PURPOSE

The purpose of this policy is to eliminate sexual harassment or any other form of harassment in the working environment. The policy further provides appropriate steps to deal with sexual harassment and to prevent their recurrence.

## 2. CONTEXT

Sexual harassment is attention of a sexual nature that is both offensive and unwanted. Sexual attention or any other form of such harassment becomes sexual harassment in the context of this code if:

- The behaviour by the person causing the offense is persisted with, although a single incident of harassment may constitute sexual harassment.
- The recipient has made it clear that this behaviour is considered offensive to him or her.
- The perpetrator ought to reasonably have been aware that the behaviour is unacceptable and offensive

## 3. FORMS OF SEXUAL HARASSMENT OR OTHER FORMS OF HARASSMENT

Sexual harassment may include unwelcome physical, verbal or non-verbal conduct, not limited to the following examples:

- 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.
- 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, unwelcome whistling at a person or group of persons.
- Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure and the display of sexually explicit pictures and objects.
- Quid Pro Quo harassment when a supervisor, manager, HOD, 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.
- Sexual favouritism exists when a person is in a position of authority, rewards only those who respond to his or 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. GUIDING PRINCIPLES

- The company will create and maintain a working environment in which the dignity of employees is respected. Victims of sexual harassment should not feel that their grievances are ignored or trivialised, nor should they have the fear of reprisal.
- All associates are required to refrain from committing acts of sexual harassment or any act that constitutes any form of harassment.
- Every associate shall play his/her role in contributing towards creating and maintaining a working environment in which sexual harassment is unacceptable.

- All associates shall also ensure that their standard of conduct does not cause offense and/or all should discourage unacceptable behaviour on the part of others
- The Company will ensure that persons such as customers, suppliers, job applicants and other persons who have dealings with the company are not subjected to sexual harassment or any other form of harassment by the company or its associates.
- Necessary steps will be taken against acts of sexual harassment or any other form of harassment that occurs within the working environment, which is brought to the attention of management.
- All associates will be protected against victimisation, retaliation, intimidation and from any false accusation occurring as a result of lodging a grievance/complaint.
- Allegations of sexual harassment shall be dealt with seriously, expeditiously, sensitively and confidentially in the same manner as a disciplinary hearing

## 5. COMPLAINTS OR DISPUTES PROCEDURE

- Sexual 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. Rand Refinery designates HR as the responsible personnel to whom victims may report an incident or who may be approached for confidential advice.
- There are two procedures available to resolve a problem relating to sexual harassment. Sexual Harassment incidents can be resolved in an informal or a formal procedure. The associate will be under no duress to accept either option, and will be free to pursue the chosen course.

### INFORMAL PROCEDURE


It may be sufficient for the complainant to have an opportunity where he or she can explain to the perpetrator that the behaviour directed towards them is offensive and unwelcome, that it is unsettling, uncomfortable and interferes with their work. 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.

### FORMAL PROCEDURE

A grievance must be lodged as per the grievance policy of the company and the business shall deal with the complaint as per the company grievance policy. If so it warrants, an investigation can be conducted into the allegations. Based on the outcome of the investigation, a disciplinary hearing may be initiated against the perpetrator.

## 6. CRIMINAL OR CIVIL CHARGES

A victim of sexual assault has the right to press separate criminal and or civil charges against an alleged perpetrator. The legal rights of the victim are not limited by this code

  
Praveen Baijnath (Apr 21, 2023 15:35 GMT+2)

Praveen Baijnath  
Chief Executive



Unathi Sihlahla  
General Manager: Human Resources

  
Dean Subramanian (Apr 11, 2023 13:52 GMT+2)

Dean Subramanian  
Chief Financial Officer

  
Terance Nkosi (Apr 5, 2023 13:21 GMT+2)

Terance Nkosi  
Executive Head: SHEQ and Technical Assurance

  
Peter Bouwer (Apr 5, 2023 14:25 GMT+2)

Peter Bouwer  
General Manager: Refinery and Fabrication



Collin Naicker  
General Manager: Smelter and Engineering Services

# Approval

Request Date	Email	Outcome	Response Date	Comments
2023-01-20 10:21:39	TeranceN@gold.co.za	Approved	2023-01-20 10:26:04	Approved
2023-01-20 10:27:53	UnathiS@gold.co.za	Approved	2023-01-23 11:51:04	
2023-01-23 11:53:33	Peterb@gold.co.za	Approved	2023-01-30 17:02:20	
2023-01-30 17:05:19	CollinN@gold.co.za	Approved	2023-02-02 07:26:16	
2023-02-02 07:55:38	DeanS@gold.co.za	Approved	2023-02-06 12:43:54	
2023-02-06 13:07:38	PraveenB@gold.co.za	Approved	2023-04-04 15:57:15	