

WORKPLACE BULLYING POLICY



The purpose of this policy is to actively prevent and address bullying and intimidation within the workplace and to promote a harmonious working environment between all parties within the employment relationship, including but not limited to supervisors, subordinates and between associates. Associates who fail to act on incidents and/or report workplace intimidation and bullying may be subject to disciplinary action. It is also aimed at creating and maintaining a workplace environment which fosters mutual respect, integrity, and professional conduct. Rand Refinery is committed to creating this environment.

Context:

- Workplace bullying is defined as the repeated less favourable treatment of a person by another or others in the workplace, which may be considered an unreasonable and inappropriate workplace practice. It includes behaviour that intimidates, vindictive, malicious, threatening, offends, degrades or humiliates a fellow associate, visitor or contractor. Bullying may not only include physical behaviour, but also emotional and/or psychological. It can occur as a once-off act or as repeated negative acts perpetrated over time.
- Bullying and intimidation is a direct or indirect unsolicited imposed action. It may occur with person-to-person interactions, in the presence of managers or supervisors, co-workers, clients or customers or by means of visual, written or electronic communications such as letters, drawings, emails, telephonic communications, social media and text messages.
- One of the recent forms of bullying that has merged as increasingly common and fast spreading is cyberbullying or online bullying. Cyberbullying occurs when someone harasses others on the internet and other digital spaces, particularly on social media sites. The harmful bullying behaviour may include posting rumours, threats, hate speech, etc.
- Bullying can include withholding work-related information or providing wrong information, sabotaging someone's work performance, ostracizing or disregarding a person, surveillance with harmful intent and spreading malicious rumours.
- Bullying can also occur between managers or supervisors and their subordinates, between peers or between co-workers.
- To determine whether bullying has occurred, each situation must be examined reasonably and objectively, based on its facts. Once confirmed, the human resources process for remedying will take place.

Legal principle

A New Amended Draft Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace was tabled with parliament in 2021 and it is aimed at supplementing the existing provisions contained in the Employment Equity Act 55 of 1998. The Draft Code encourages Employers to implement policies that eliminate violence and harassment at the workplace which includes bullying as a form of harassment.

Application:

This policy applies to all Associates, Essential Contractors, visitors and third-party contractors of Rand Refinery

Responsibilities of Managers and Supervisors

Under this policy, Managers and Supervisors have a responsibility to:

- Proactively promote a working environment free of bullying and intimidation, and to act on such incidents.
- Provide appropriate instructions and information to associates about what is acceptable and unacceptable behaviours aligned to the Rand Refinery values and mindsets.
- Inform associates of the recourses available to them should they be subjected to bullying or intimidation

- Provide or arrange for adequate support to associates who refer complaints of bullying, including the assurance of the confidential handling of matters and the prevention of victimisation.
- Deal fairly with all persons involved in allegations of bullying and intimidation, and ensure due process is followed.
- Respect the rights to personal dignity, privacy and confidentiality pertaining to this Policy.

Formal Complaints of Bullying

Associates who feel that they are being bullied or intimidated are entitled to make a formal complaint to their managers and supervisors. Complaints regarding bullying can also be reported directly to HR. All complaints should be made in writing, with sufficient information provided to assess whether further steps are necessary. The complaint should include details of all informal steps taken to try to resolve the matter, or if such steps have not been taken, and reasons why this was not done.

Investigation of Formal Complaints

A complaint raised to management or HR may trigger a formal investigation into whether or not bullying or intimidation has occurred. The alleged perpetrator/s will be informed of the allegations against them and the fact that the outcome of the investigation could lead to disciplinary action. Management shall ensure that the complainant is not victimised, irrespective of the outcome of the investigation. Investigations may be conducted by Human Resources (with support from Corporate Security where applicable), as they will be tasked with gathering information and evidence from all relevant parties as well as making a recommendation.

Possible action

Once an investigation has been concluded on allegations of bullying and a recommendation is made by Human Resources, the responsible HOD and/or Executive will decide on the action that will be taken if any, including:

- Whether disciplinary action in terms of the disciplinary code is warranted against the perpetrator;
- Whether remedial action could be taken to prevent further bullying or intimidation;
- Whether counselling or mediation should be provided to parties involved in the incidents as reported..

Disciplinary Action

If the investigation has revealed that bullying or intimidation has been committed, disciplinary action for misconduct will be initiated against the perpetrator in accordance with the company disciplinary code

Privilege and confidentiality


All information gathered from participants in informal and formal complaints of bullying and intimidation in the workplace is privileged and confidential information.

Sanction

All matters of bullying and intimidation which are dealt with through this policy will be decided on the individual merits of each case in order to ascertain the sanction which would be appropriate for each particular incident. Cases will be managed through progressive discipline, and in cases where the gravity of the contravention so warrants, summary dismissal will be accepted as an appropriate sanction for a first offence.

Policy Validity


This policy comes into effect on **1 January 2022**.


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