

PROVINCIAL GOVERNMENT WESTERN CAPE



SEXUAL HARASSMENT POLICY

INDEX

Paragraph		Page
1	Preamble	3
2	Policy statement	3
3	Legal mandate	3
4	Policy objectives	4
5	Policy principles	4
6	Policy provisions	4
7	Implementation	5
7.1	Scope of Implementation	5
7.2	Definitions	5
7.3	Types and examples of sexual harassment	6
7.4	Procedures for handling of allegations	7
8	Roles, responsibilities and duties.	7
8.1	The Premier	7
8.2	Heads of Departments	7
8.3	Institutional heads, managers and supervisors	8
8.4	Designated sexual harassment contact officers	9
8.5	Employees	10
9	Communication	10
10	Victimisation and/or retaliation	11
11	Good faith/false report	11
12	Legal/Disciplinary consequences of sexual harassment	11
13	Dispute procedure	12
14	Confidentiality	12
15	Non compliance	12
16	Date of implementation	12
 ANNEXURE A		
	Procedure for the handling of allegations of sexual harassment	14
1	Stages to address complaints of sexual harassment	14
2	Steps to follow when sexually harassed	14
3	Education and training	15

1. PREAMBLE

- 1.1 As a responsible and caring employer, the Provincial Government of the Western Cape (PGWC) condemns and will not tolerate any behaviour which directly and/or indirectly:
 - 1.1.1 Discriminates against any of its employees and/or the general public, and/or
 - 1.1.2 Negatively affects its work environment and/or service delivery functions.
- 1.2 The PGWC has thus developed and implemented, and will continue to review, a policy which will provide a broad framework to sensitise against sexual harassment and manage cases if and when such an unacceptable practice occurs. Further to protect the PGWC against financial claims due to unacceptable behaviour of its employees.
- 1.3 The PGWC remains committed to ensure that all future contracts between departments that constitute PGWC and service providers for the supply of goods and services adhere to the provisions of this policy.

2. POLICY STATEMENT

- 2.1 Sexual harassment in the workplace will not be permitted or condoned under any circumstances. Thus this policy establishes and implements functional systems to enable the facts to emerge immediately and appropriately so that any infringement can be dealt with, through due process, in order to uphold the rights of all involved.
- 2.2 Failure to adhere to the provisions of this policy will be seen in a very serious light.
- 2.3 Sexual harassment in the working environment is a form of unfair discrimination and is prohibited on the grounds of sex and/or gender and/or sexual orientation.

3. LEGAL MANDATE

This transversal policy draws its mandate from the following legislation:

- 3.1 Constitution of the Republic of South Africa, 1996.
- 3.2 Employment Equity Act, 1998.
- 3.3 Labour Relations Act, 1995.
- 3.4 Basic Conditions of Employment Act, 1997.
- 3.5 Public Service Act, 1994.
- 3.6 Public Service Regulations, 2001.
- 3.7 Promotion of Equality and Prevention of Unfair Discrimination Act, 2000.

- 3.8 The Code of Good Practice on the Handling of Sexual Harassment cases in the Workplace
- 3.9 Resolution 1 of 2003 as amended (Disciplinary Code and Procedure for the Public Service)
- 3.10 The Employment of Educators Act, 1998
- 3.11 The Occupational Health and Safety Act, 1993
- 3.12 Code of Conduct for Public Servants.

4. POLICY OBJECTIVES

- 4.1 The objectives of the Transversal Provincial Sexual Harassment Policy are to:
 - 4.1.1 Create an environment which upholds personal integrity and freedom, and is free from any form of sexual harassment.
 - 4.1.2 Protect the rights of all persons employed by the PGWC and/or serve as political office bearers and those who have contact with the PGWC.
 - 4.1.3 Prevent and eliminate sexual harassment in the workplace.
 - 4.1.4 Provide internal procedures for dealing with cases of sexual harassment in the workplace.
 - 4.1.5 Ensure that the PGWC, as Employer, meets its obligations in terms of the Employment Equity Act, Labour Relations Act and the Code of Good Practice, as subsection of the LRA.

5. POLICY PRINCIPLES

- 5.1 All employees and other persons who have dealings/contact with the PGWC have the right to be treated with dignity, equity, respect and humanity.
- 5.2 The PGWC strives to create and maintain an atmosphere of mutual respect among its employees and will take all reasonable steps to discourage, prevent and eliminate any form of sexual harassment.
- 5.3 Persons who have been subjected to sexual harassment in the workplace have a right to lodge a complaint and/or grievance and have their allegations dealt with seriously, speedily, sensitively and confidentially.
- 5.4 Employees who in good faith lodge a complaint of sexual harassment must be protected against victimisation, retaliation for lodging grievances and persons accused of sexual harassment must be protected from false accusations, not only the complainant.

6. POLICY PROVISIONS

- 6.1 Conduct that is perceived to constitute sexual harassment must immediately be brought to the attention of the employer.
- 6.2 In this regard the word “immediately” shall mean as soon as is reasonably possible in the circumstances and without undue delay.

- 6.3 Perpetrators of sexual harassment may be dismissed from the Public Service if:
- 6.3.1 the conduct constituting sexual harassment is of a serious nature;
 - 6.3.2 the conduct continues after warnings were given; and
 - 6.3.3 the perpetrator victimises or retaliates against an employee who in good faith lodges a complaint of sexual harassment.

7. IMPLEMENTATION

7.1 SCOPE OF APPLICATION

The provisions of this policy apply to:

- 7.1.1. All office bearers and employees of the PGWC.
- 7.1.2. All applicants for advertised positions within the PGWC.
- 7.1.3. All suppliers, service providers and contractors of the PGWC, and
- 7.1.4. All clients and other members of the public interacting with the PGWC.
- 7.1.5. Non-employees who may be victims of sexual harassment, if the alleged harassment has taken place in the PGWC workplace or by an employee during the execution of his/her official duties.
- 7.1.6. An employee, who is sexually harassed by a supplier, contractor or other member of the public interacting with the PGWC may lodge a complaint if the alleged harassment has taken place in the workplace or in the course of the employees execution of his/her official duties.

7.2 DEFINITIONS

- 7.2.1. Sexual harassment is unwelcome conduct of a sexual nature that violates the rights of a person. The unwelcome nature of sexual harassment distinguishes it from behaviour that is welcome and mutually acceptable. Such conduct may substantially interfere with an employee's work performance and may create a hostile, offensive, and intimidating environment. In determining whether conduct constitutes sexual harassment the following factors are to be taken into account:
 - 7.2.1.1 whether the harassment is on the prohibited grounds of sex and/or gender and/or sexual orientation;
 - 7.2.1.2 whether the sexual conduct was unwelcome;
 - 7.2.1.3 the nature and extent of the sexual conduct; and
 - 7.2.1.4 the impact of the sexual conduct on the complainant.
- 7.2.2. Sexual attention becomes sexual harassment if:
 - 7.2.2.1 the recipient has made it clear that the behaviour is considered offensive; and/or
 - 7.2.2.2 the perpetrator should have known that the behaviour is regarded as unacceptable, and/or
 - 7.2.2.3 the unwanted behaviour persists, although a single incident of harassment can constitute sexual harassment.

- 7.2.3 It is important to note that the complainant's perception and experience of the alleged conduct/behaviour will largely determine whether the conduct was offensive and unwelcome.

7.3 TYPES AND EXAMPLES OF SEXUAL HARASSMENT

- 7.3.1 Sexual harassment may include unwelcome physical, verbal or non-verbal conduct, and is not limited to the examples listed within this policy.
- 7.3.2 Unwelcome sexual conduct includes behaviour that is perceived by the recipient as demeaning, compromising, threatening and/or offensive and:
- 7.3.2.1 The assessment of what is unwelcome should be informed by context including culture and language.
 - 7.3.2.2 Previous consensual participation in sexual conduct does not mean that the conduct continues to be welcome.
 - 7.3.2.3 When a complainant has difficulty indicating to the alleged perpetrator that the conduct is unwelcome, the complainant may seek the assistance and intervention of another person in order to make it clear that the conduct is unwelcome.
 - 7.3.2.4 Some forms of sexual harassment are such that the alleged perpetrator should have known that the behaviour would be unwelcome.
- 7.3.3. Unwelcome sexual conduct includes physical, verbal and non-verbal conduct. Such conduct may be direct or indirect and may include technological devices, images and weapons. A single incident of unwelcome sexual conduct can constitute sexual harassment.
- 7.3.4. Physical conduct of a sexual nature includes all unwelcome physical contact, ranging from touching to sexual assault and rape, and includes a strip search by or in the presence of the opposite sex.
- 7.3.5. Verbal conduct of sexual nature includes:
- 7.3.5.1 unwelcome innuendos, suggestions and hints, sexual advances, comments with sexual undertones, sex-related jokes, insults or unwelcome graphic comments about any person and/or
 - 7.3.5.2 unwelcome and inappropriate enquiries about a person's sex life, and/or
 - 7.3.5.3 unwelcome whistling or suggestive noises directed at a person or group of persons.
- 7.3.6. Non-verbal conduct of a sexual nature includes unwelcome gestures, leering (suggestive staring), indecent exposure, the unwelcome displays of sexually explicit pictures and objects, and electronic mail, text messages (sms), letters and faxes with a sexual connotation.
- 7.3.7. "Quid pro quo" (also known as power play, sexual bribery or 'this for that') harassment occurs where a supervisor, member of management or co-employee influences or attempts to influence the process of employment, recommendation, promotion, training, discipline, dismissal, salary increment, orders or other benefit of an employee or job applicant in exchange for sexual favours.

- 7.3.8. Sexual favouritism exists where a person who is in a position of authority rewards only those who respond to her/his sexual advances, whilst other deserving employees who do not accept any sexual advances are denied promotions, favourable merit rating or salary increases.
- 7.3.9. Creation of a hostile environment occurs where the purpose or effect of the alleged sexual harassment is to interfere with another's person's work performance.
- 7.3.10. Sexual harassment can occur in relationships of unequal power or amongst peers. It is possible for women to be harassed by men or other women and men to be harassed by women or other men.

7.4 PROCEDURES FOR HANDLING ALLEGATIONS

A procedural guide on the handling of allegations of sexual harassment is attached to this Policy as Annexure A.

8. ROLES, RESPONSIBILITIES AND DUTIES

8.1 THE PREMIER

- 8.1.1 As Executive Head of the PGWC, the Premier will appoint an appropriate official within his/her Office to co-ordinate and assist the designated Sexual Harassment Contact Officers (SHCOs) with the execution of their assigned roles and responsibilities. The aforesaid official will champion the PGWC's endeavours to rid the work environment of any form of harassment.
- 8.1.2 The Premier, or designated official in the Office of the Premier will schedule regular meetings with SHCOs in order to establish an overview of progress as well as to provide assistance as and when required.
- 8.1.3 The Department of the Premier will communicate this Policy to all of the employees in the PGWC, and will coordinate the training of the SHCOs as and when required.

8.2. HEADS OF DEPARTMENT (HOD'S)

- 8.2.1 While the PGWC Corporate Communications Directorate (CSC) will be responsible for the communication of this Policy to all PGWC employees, HODs must take all reasonable steps to ensure that their employees, clients, service providers and contractors interacting with their departments are informed thereof.
- 8.2.2 Each HOD must designate at least one employee as departmental Sexual Harassment Contact Officer (SHCO), ensure that the designated SHCO(s) attends relevant training interventions and has access to the necessary resources to fulfil his/her assigned functions. Employees may also volunteer to become SHCOs.
- 8.2.3 Based on historic data and trends, it is not envisaged that this responsibility would warrant the creation of any additional posts, rather it may result in additional responsibilities added to the daily tasks of a currently appointed official.
- 8.2.4 HODs must ensure that any reported incidents of sexual harassment are investigated and where warranted, actions are taken in accordance to the Disciplinary Code and Procedures.

8.3. INSTITUTIONAL HEADS, MANAGERS AND SUPERVISORS

Institutional heads, managers and supervisors are expected to familiarize themselves with this Policy and are required to:

- 8.3.1 Create and maintain an environment that will not support or tolerate any form of sexual harassment.
- 8.3.2 Exercise leadership by knowing and understanding the terms of this Policy, and by assuming responsibility for the implementation thereof.
- 8.3.3 Ensure that employees within their area of responsibility are familiar with the Policy and adhere to its provisions.
- 8.3.4 Ensure that every newly appointed employee is made aware of the contents of this Policy.
- 8.3.5 Inform staff that sexual harassment will not be tolerated in the workplace.
- 8.3.6 Ensure that their own behaviour provides a model of conduct in line with the principles of this Policy.
- 8.3.7 Attend training and educational sessions on this Policy and ensure that all persons designated by the Department to deal with sexual harassment, receive training.
- 8.3.8 On advice of the designated SHCO, take appropriate action in accordance with this Policy when instances of sexual harassment are brought to their attention.
- 8.3.9 Treat all alleged incidents as confidential and all concerned with dignity and respect.
- 8.3.10 Provide a supportive environment for the work of the designated SHCOs, including availing them with official time to fulfil their roles and responsibilities, to attend training programmes and to attend to any other activities associated with their functions.
- 8.3.11 After obtaining permission from the complainant, refer complaints to a designated SHCO, with due consideration of gender sensitive issues.
- 8.3.12 Take appropriate action on any complaints of victimisation that may follow a complaint of sexual harassment.
- 8.3.13 Where necessary, refer victim(s) of sexual harassment for counselling via Employee Assistance Programme.
- 8.3.14 When conduct in breach of this Policy is observed but no complaint is lodged, report the matter to a designated SHCO for further informal investigation and counselling.
- 8.3.15 In instances where she/he observes, or is informed of conduct that could constitute sexual harassment occurring within his/her area of responsibility, advise the person(s) involved that the behaviour could give offence and that the behaviour should cease with immediate effect.
- 8.3.16 Bring this Policy to the attention of all clients, the public, contractors, service providers, consultants, tenderers, etc.

8.4. DESIGNATED SEXUAL HARASSMENT CONTACT OFFICERS

The designated SHCOs shall:

- 8.4.1 Where required, refer victims of sexual harassment for counselling, assistance and advice through the Employee Assistance Programme.
- 8.4.2 Arrange for complainants to attend counselling and provide complainants with information about counselling services available as well as information on how to access independent counselling services.
- 8.4.3 Investigate complaints of sexual harassment and make recommendations.
- 8.4.4 Assess the risk to the complainant and others in the workplace and make recommendations to the employer as to whether precautionary suspension or transfer of the alleged harasser should be considered.
- 8.4.5 Take all reasonable steps to facilitate the conciliation and resolution of sexual harassment complaints.
- 8.4.6 Perform an educative role in the elimination of sexual harassment.
- 8.4.7 Develop and distribute relevant educative material in the workplace.
- 8.4.8 Arrange and deliver awareness-raising programmes for employees in conjunction with managers and supervisors.
- 8.4.9 Liaise with senior management to ensure that anyone engaged to provide a service for the PGWC is advised of the provisions of this Policy.
- 8.4.10 Maintain records on sexual harassment complaints in the specific institution concerned and on a quarterly basis inform the Office of the Premier, managers and supervisors of the incidence of sexual harassment occurring in their area of responsibility.
- 8.4.11 Monitor and review the implementation of this Policy.
- 8.4.12 Advise the complainant that the matter will be dealt with confidentially.
- 8.4.13 Serves in this additional responsibility until there is a need to re-assign the function.

8.5. EMPLOYEES

All employees shall:

- 8.5.1 At all times respect one another and refrain from behaviour which may be perceived as sexual harassment.
- 8.5.2 Immediately and in accordance with this policy, report acts that may constitute sexual harassment.

- 8.5.3 Provide their full support when required to assist with any enquiry regarding conduct which may constitute sexual harassment.
- 8.5.4 At all times be discreet and observe the conditions of this Policy relating to confidentiality around any investigation pertaining to an allegation of sexual harassment.
- 8.5.5 Not under any circumstances, purposefully falsely accuse any colleague, supervisor, and/or any other person, mentioned within this Policy of alleged conduct which may constitute sexual harassment.
- 8.5.6 Refrain from committing acts of sexual harassment.
- 8.5.7 Play a role in contributing towards creating and maintaining a working environment in which sexual harassment is unacceptable.

9. COMMUNICATION

- 9.1 The PGWC shall take all reasonable steps to communicate this Policy to all employees, and third parties on a regular basis and to raise awareness about the need to prevent sexual harassment.
- 9.2 The Office of the Premier, through Corporate Services Centre in the Department of the Premier shall ensure that 9.1 above occurs.
- 9.3 HODs are required to:
 - 9.3.1 communicate regularly by written and oral means, the seriousness of the issue and the existence of this Policy and its salient features to employees within their departments and to third parties interacting with their departments maintaining confidentiality in the process, and
 - 9.3.2 communicate regularly with all other managers and supervisors in their Departments concerning their responsibilities regarding the implementation of this Policy.
- 9.4 The Corporate Services Centre shall:
 - 9.4.1 Provide the Directorate: Corporate Communication with information that will enable the PGWC workforce, suppliers and clients to be informed regularly about the implementation of this Policy.
 - 9.4.2 Report annually to the Office of the Premier about the effectiveness of communication of this Policy.

10. VICTIMISATION AND/OR RETALIATION

Victimisation of- and/or retaliation against an employee, who in good faith, reports an alleged incident of sexual harassment and/or assists or participates in a proceeding, investigation or hearing relating to a

complaint of sexual harassment, shall constitute a violation of the provisions of this Policy and could lead to the institution of disciplinary proceedings.

11. GOOD FAITH / FALSE REPORT

An employee who reports alleged sexual harassment or provides information during the investigation of a complaint is presumed to have participated in the investigation in "good faith". It is a violation of this Policy for an employee or persons to knowingly make a false sexual harassment complaint or knowingly provide false information during the investigation of a complaint. Such malicious actions are subject to the provisions in the Disciplinary Code and Procedures of the Public Service/ Disciplinary Code of Educators.

12. LEGAL / DISCIPLINARY CONSEQUENCES OF SEXUAL HARASSMENT

12.1 Persons found guilty of sexual harassment may be issued with the following sanctions as contained in the Disciplinary Code and Procedure for Public Servants and that of Educators:

12.1.1 counselling;

12.1.2 Verbal warning;

12.1.3 a written warning valid for six months;

12.1.4 a final written warning valid for six months;

12.1.5 suspension without pay, for no longer than three months;

12.1.6 demotion;

12.1.7 dismissal.

12.2 If an employee is demoted, she/he may only, after a year, apply for promotion to a higher advertised post without prejudice

13 DISPUTE PROCEDURE

13.1 Public Service Personnel

Should a complaint of alleged sexual harassment not be satisfactorily resolved by the internal procedures either party may within 6 months of the dispute having arisen refer the dispute for conciliation to the Commission for Conciliation, Mediation and Arbitration or relevant Sectoral Bargaining Council in terms of the relevant dispute resolution procedures.

13.2 Educators

To be dealt with in terms of part 4 of Dispute Organisational Rights: General of the Education Labour Relations Council constitution.

14 CONFIDENTIALITY

- 14.1 Employers and employees must as far as possible ensure that complaints/grievances about sexual harassment are investigated and handled in a manner which ensures that the identities of the persons involved are kept confidential.
- 14.2 During informal disciplinary discussions, only relevant members of management as well as the aggrieved person, representative, alleged perpetrator, witnesses and interpreter may be present at disciplinary hearing
- 14.3 The PGWC is required to disclose to either party or to their representative such information as may be reasonably necessary to enable the parties to prepare for any proceedings in terms of this Policy.

15. NON COMPLIANCE

Non-compliance with the provisions of this Policy shall be dealt with in terms of the Disciplinary code of the Public Service; the Educator's Disciplinary Procedures and in terms of the provisions provided for in Section 12 of this Policy.

16. DATE OF IMPLEMENTATION

This Policy replaces the Sexual Harassment Policy of the PGWC as adopted by the Provincial Bargaining Council Western Cape on 01 December 1999. The revised policy was adopted on 20 May 2011.....2011 and will be implemented with immediate effect.

PROCEDURES FOR HANDLING ALLEGATIONS OF SEXUAL HARASSMENT

1 STAGES TO ADDRESS COMPLAINTS OF SEXUAL HARASSMENT

- (a) Employees elect either an informal or formal procedure to address the complaint.
- (b) A sexually harassed employee has a right to institute separate criminal and/or civil proceedings against the alleged perpetrator. His/her legal rights are in no way limited by this Policy.
- (c) An employee who is a victim of alleged sexual harassment by a fellow employee may lodge a complaint with his/her direct supervisor, SHCO or head of department if the alleged conduct has occurred in the workplace or in the course of the harasser's employment in which instance the disciplinary procedure, as provided for within the Policy, shall be applied
- (d) The informal procedure is appropriate for less serious cases of sexual harassment. Serious cases of sexual harassment, for example rape, sexual assault or other criminal conduct of a sexual nature, should be dealt with in terms of the formal procedure subject to section 2.2 below. Where warranted, precautionary suspension of the alleged perpetrator should be considered to protect the complainant, witnesses and/or evidence relating to the complaint.
- (e) A non-employee who is a victim of alleged sexual harassment may lodge a complaint with the relevant SHCO or head of department if the alleged conduct has occurred in the workplace or in the course of the harasser's employment in which instance the disciplinary procedure, as provided for within the Policy, shall be applied.
- (f) An employee, who alleges that she/he has been sexually harassed by a supplier, contractor or other member of the public interacting with the PGWC, may lodge a complaint with his/her direct supervisor, SHCO or head of department if the alleged conduct has taken place in the workplace or in the course of the harasser's employment in which instance the relevant HOD will request the alleged harasser's employer to take appropriate action. Such action may include not allowing the alleged perpetrator onto PGWC's premises until such time as an investigation has been concluded and the relevant HOD and SHCO has been informed of the outcome.

2 STEPS TO FOLLOW WHEN SEXUALLY HARASSED

2.1 THE INFORMAL APPROACH

- (a) As soon as an alleged incident of sexual harassment has been verbally brought to the attention of a SHCO, the said SHCO shall inform the complainant about his/her rights and options, including the complainant's option of following an informal process to resolve the said complaint.
- (b) Should the complainant wish to resolve the complaint in an informal manner, he/she shall in writing, request the SHCO to; as soon as possible arrange a meeting with the alleged harasser.
- (c) At the meeting, at which the SHCO will be present, the complainant will be given the opportunity to explain to the alleged harasser that his/her conduct is unwelcome, that he/she feels offended and/or

that he/she is uncomfortable with it and that he/she wants the alleged harasser to refrain from the unwelcome conduct.

- (d) At the aforesaid meeting the proceedings shall be minuted by the SHCO and kept on record by the SHCO. These minutes may be used at a later stage to indicate that despite following an informal process, the unwelcome conduct persisted.
- (e) During the above discussion, it may be agreed that he designated SHCO could refer the perpetrator for counselling through the EAP, with regard to his/her unwelcome conduct.

2.2 THE FORMAL APPROACH/ PROCEDURE

The formal procedure must be implemented in any of the following instances:

- (a) Where the alleged sexual harassment is of a serious nature.
- (b) The informal procedure has already been applied without success and the harassment continues after the informal procedure had been followed.
- (c) Where the complainant has chosen to follow a formal route, and/or
- (d) Where the alleged perpetrator has elected not to participate in the informal process.

2.2.1 In order to institute the formal procedure:

- (a) The complainant (when required with the assistance of the SHCO) must, in writing, lodge a formal complaint to his/her supervisor or institutional head, and/or the SHCO. In the case where the SHCO or supervisor is the alleged perpetrator, the complaint should be lodged with a manager at least one level higher than the perpetrator who will make alternative arrangements to investigate the complaint.
- (b) In cases where the complainant is unwilling to proceed with the formal process and the SHCO is of the opinion that it is in the interest of the employer to continue with such formal disciplinary process, the SHCO shall motivate his/her observations and findings in writing to the institutional head. Such motivation shall include:
 - i) a description of the alleged sexual harassment or assault,
 - ii) the complainants reasons for his/her unwillingness to pursue the matter further or to be called as a witness, and
 - iii) compelling reasons in support of a formal procedure, including risks to other individuals.

2.2.2 Upon receipt of a formal complaint, the Supervisor or Institutional Head shall follow the Disciplinary Code and Procedures for the Public Service, if she/he is satisfied that it is in the interest of the employer to do so.

Factors which may be considered by the Institutional Head include:

- (a) Risk to other employees and/or individuals, interacting with the PGWC, and/or
- (b) The severity of the sexual harassment, and/or

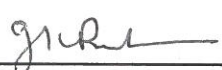
- (c) The history of the alleged perpetrator with regard to previous cases and complaints of sexual harassment.
- 2.3 Where a complainant has lodged a formal or informal complaint directly with the institutional head or a supervisor or manager, the complaint should be referred to the SHCO for further handling.
- 2.4 The SHCO should follow up on all complainants to ensure that complainants feel supported in the workplace and that the Employer has done all that was reasonably practicable to eliminate the harassment from the workplace.
- 2.5 The timeframe for the finalisation of the investigation shall be within three months from the date which the complaint was lodged unless exceptional circumstances dictate otherwise.
- 3. EDUCATION AND TRAINING**
- 3.1 A continuous process of education and training is necessary to ensure that employees and third parties are aware of the contents of this Policy and are able, as appropriate, translate it, implement and to prevent sexual harassment.
- 3.2 After approval of this Policy HOD's must ensure that the responsibilities of the SHCO are assigned to competent and dedicated officials, and that the names of designated officials are provided to the Office of the Premier for purposes of coordination. The Provincial Training Institute will source/provide relevant training to SHCOs as soon as possible after they have been identified.

THIS DONE AND SIGNED AT CAPE TOWN ON THE DATE INDICATED BELOW.

ON BEHALF OF THE EMPLOYER PARTY

	NAME	SGNATURE	DATE
PGWC AS EMPLOYER	R.C. Mohamed	R.C. Mohamed	2011-05-20

ON BEHALF OF THE TRADE UNION PARTIES

TRADE UNION	NAME	SIGNATURE	DATE
DENOSA			
HOSPERSA/NUPSAW			
NAPTOSA	R. AHMED		20 MAY 2011
NEHAWU	S. Wildschut		20 May 2011
PSA	J. A.B. Kruger		20 May 2011
SADTU	J. K. Rustin		20 May 2011