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**DOCUMENT CONTROL**

<b>Policy Name</b>	Group Anti-Harassment Policy Framework
<b>Owner</b>	Group Corporate and Shared Services (GCSS) Group Human Capital Management (GHCM)
<b>Version</b>	Final (1)
<b>Approved by</b>	City of Johannesburg Council
<b>Effective date</b>	1 <sup>st</sup> Day of the month after Council approval (01 October 2024)
<b>Audit date</b>	Every two (2) years or when required
<b>Policy Number</b>	GCSS_GHCM_20241001_114_Group Anti-Harassment Policy Framework
<b>Related documents</b>	<ul style="list-style-type: none"> <li>✓ Change Management Strategy</li> <li>✓ Collective Agreement Conditions of Service</li> <li>✓ Disability Management Code of Good Practice</li> <li>✓ Group Disability Management Policy Framework</li> <li>✓ Group Employee Assistance Programme Policy Framework</li> <li>✓ Group Employee Health and Wellness Policy Framework</li> <li>✓ Group Employment Equity Policy Framework</li> <li>✓ Group Health and Safety Policy Framework</li> <li>✓ Group Incapacity Leave Management Policy Framework</li> <li>✓ Main Collective Agreement</li> <li>✓ SALGBC Disciplinary Procedure Collective Agreement</li> </ul>
<p>It is hereby confirmed that this is the current approved Group Anti-Harassment Policy Framework with effect from the 1<sup>st</sup> day of the month after Council approval (Resolution attached).</p>	
 <hr/> Mbulelo Ruda Group Executive Director: Group Corporate and Shared Services	14/10/2024 <hr/> Date:

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## 1. INTRODUCTION

The City of Johannesburg has an inherent duty to foster a conducive and/or friendly work environment in which all employees, and others associated with the City may work or interact effectively.

Unwelcome behaviors of any the kind described in this Group Anti-Harassment Policy Framework are unacceptable and prohibited. Groups or individuals reflected in the scope of application below (Section 6), are responsible for ensuring that others do not suffer from any type or form of harassment. Individuals who become victims of harassment are encouraged to follow due process, and that they will be supported and protected in any legitimate complaint.

To give effect to the South African Constitution in respect to the protection of human dignity, the City shall prioritise any case brought forward in order to eliminate any occurrence or recurrence of such harassment practices and to ensure the restoration of the dignity of individuals.

## 2. PURPOSE

The purpose of this Group Anti-Harassment Policy Framework is to guide the City and its employees on the handling of harassment cases. It provides appropriate procedures to deal with these matters and prevent its occurrence or reoccurrence.

The Group Anti-Harassment Policy Framework is aimed at developing a workplace that is free from all types of harassment where employees respect each other's integrity, dignity, privacy and right to equality in the workplace.

Harassment is deemed an unfair discrimination in terms of the Employment Equity (EE) Act 55 of 1998 and therefore the most heinous misconduct within the workplace. Not only is it demeaning to the victim, but it also undermines the dignity, integrity and self-worth of the harassed employee and creates a barrier to substantive equality in the workplace. The harshness of this wrong behavior gets compounded when a victim suffers harassment at the hands of their superior.

Given the seriousness of the offense, the South African Courts, including the Constitutional Court level, have acknowledged that should an employer fail to take reasonable steps towards protecting an employee, the employer may become liable for the wrongs of its delinquent employee(s).

### 3. VALUES AND ETHICAL STANDARDS

#### 3.1 Values

The City of Johannesburg stands for:

<b>Innovation</b>	Introducing better ways of doing things, no matter how big or small, so that we can contribute to increased service delivery targets.
<b>Competency</b>	Displaying the effective and efficient use of our skills, experience and qualifications at all times to improve turnaround times and be more productive.
<b>Excellence</b>	We shall excel in all we do, execute our tasks with pride, integrity and professionalism. We strive for customer service excellence.
<b>Commitment</b>	We are committed to be solution and results driven in order to exceed the expectations of our customers and to use the synergies between Business Units to address challenges.

#### 3.2 Ethical Standards

The City Group i.e. City Core Administration, Municipal Entities (MEs) and their employees:

- a. Are accountable to the community that they serve and act on behalf of the residents of the City of Johannesburg by focusing their efforts in discovering and meeting the needs of the community / customer.
- b. Are transparent and open to scrutiny in all that they do.
- c. Will be honest and uncompromising in producing work that meets service delivery requirements of the City.
- d. Are committed to the transformation of their society and workplaces and will ensure equity and anti-discrimination in all that they do.
- e. Shall show concern for people, support and respect their colleagues and encourage the growth and development of everyone they work with.
- f. Will value and ensure the fair and consistent treatment of their employees (promote fair employee practices) and customers / public.
- g. Will support transparent participation promoting fair, yet efficient decision making, while encouraging individuals to accept responsibility for their work and contribution to the City.

### 4. LEGISLATIVE FRAMEWORK

This Group Anti-Harassment Policy Framework is underpinned and must be read in conjunction with the following legal frameworks:

- a. All Collective Agreements.
- b. All applicable Group Human Capital Management Policy Frameworks.
- c. Constitution of South Africa Act No. 108 of 1996.
- d. Code of Good Practice on the Prevention and Elimination of Harassment in the

Workplace of 2022.

- e. Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32 of 2017 and No. 85 of 1993.
- f. Employment Equity (EE) Act No. 55 of 1998.
- g. Labour Relations Act (LRA) No. 66 of 1995.
- h. Municipal Staff Regulations of 2022.
- i. Occupational Health and Safety Act No. 85 of 1993.
- j. Promotion of equality and prevention of unfair discrimination Act of 2000.
- k. Protection from Harassment Act No. 17 of 2011.
- l. Protection of Personal Information (POPI) Act No. 4 of 2013.
- m. Unemployment Insurance Act of 2001.

## **5. OBJECTIVES OF THE GROUP ANTI-HARASSMENT POLICY FRAMEWORK**

The objectives of the Group Anti-Harassment Policy Framework are as follows:

- a. Provide guidelines to the City on the prevention and the elimination of all forms of harassment in the workplace.
- b. Provide appropriate procedures to deal with harassment and prevent its recurrence.
- c. Reflect the City's concern and commitment in providing guidance on how harassment cases should be handled within the workplace.
- d. Addresses all types of harassment as serious and sensitive forms of misconduct in line with the provisions of the disciplinary procedure.
- e. Promote equal opportunity and fair treatment through the elimination of unfair discrimination against women and men.
- f. Create a safe working environment, which is free from harassment that may affect people from various environments.
- g. Establish a common understanding of what constitutes harassment amongst employees. All forms of harassment against women, men and LGBTQIA+ and vulnerable persons in the workplace is an abuse of power and should be eradicated.

## **6. SCOPE OF APPLICATION**

This Group Anti-Harassment Policy Framework is applicable to all employees within the City Group including external job applicants and further by extension to all external people as provided for in the Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace e.g. job seekers, volunteers, clients and customer etc.

City Core Departments shall implement this Group Anti-Harassment Policy Framework and MEs are expected to follow a similar approach. MEs may customise or align their Policies with this Group Anti-Harassment Policy Framework without downgrading the set guidelines and standards. Over and above the alignment to this Group Policy Framework, MEs can adopt and implement City Policies as is, through approval by the respective Boards of Directors.

## 7. WORKPLACE ENVIRONMENT

The protection of an employee or any other person covers within the scope of application, item 6 above, shall be protected by the City, in any area deemed a workplace as provided for below:

- a. Public and private spaces in which people perform their work.
- b. Places where the employee is paid, take a rest or a meal or uses sanitary, washing or changing, breastfeeding and medical facilities.
- c. Work-related trips, travel, training, events or social activities.
- d. Work related communication, including those enabled by Information Communication Technology (ICT) and internet-based platforms.
- e. Employer-provided accommodation, which includes housing.
- f. When commuting to and from work in transport provided or controlled by the employer.
- g. In cases where employees are approved for hybrid working, or any place other than the employer’s premises.

## 8. DEFINITIONS

Term	Definition
<b>Alleged perpetrator</b>	A person alleged to have committed an act of harassment.
<b>City / CoJ</b>	City of Johannesburg: A Local Government Institution as prescribed in Chapter 7 of the Constitution, that functions to provide basic amenities such as water, electricity, roads etc.
<b>City of Johannesburg (City)</b>	City Group i.e. Core Administration and Municipal Entities.
<b>Complainant</b>	A person who lodges a complaint under this Group Anti-Harassment Policy Framework .
<b>Confidentiality</b>	Ensuring that information is kept safe and is only accessible to authorised people.
<b>Consent</b>	A free and informed agreement. In deciding whether such consent was present in an alleged incident, the employer will be guided by the circumstances listed in s1(3) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007.
<b>Department</b>	Includes: <ul style="list-style-type: none"> <li>• City Core Departments, Branches, Divisions, Sections and all Business Units.</li> <li>• Municipal Entities and all Business Units.</li> <li>• Legislature.</li> </ul>
<b>EAP</b>	Employee Assistant Programme.
<b>Employee</b>	<ul style="list-style-type: none"> <li>• An employee of the City, or any person who has agreed to be bound by the rules and policies of the City relating to employees.</li> <li>• Including volunteers who may in any manner assist in the carrying on or conducting the business of an employer.</li> </ul>
<b>Employer</b>	City of Johannesburg represented by the City Manager or an authorised representative.
<b>GHCM</b>	Group Human Capital Management.

Term	Definition
<b>Group (context)</b>	<ul style="list-style-type: none"> <li>• Common policy framework with enough flexibility to cater for the uniqueness of the City Group in terms of service delivery demands and to enhance service delivery capabilities.</li> <li>• This is underpinned by the principle that the City Group sets the overarching policy and Municipal Entities may customise their policies to make it relevant to their specific business requirements.</li> </ul>
<b>Harassment</b>	Unwanted or unwelcomed verbal or physical behaviour that is based on the listed grounds e.g. race, gender, sex, sexual orientation disability, religion, etc.
<b>Head of Department (HoD)</b>	City Manager or Head of a Department (Senior Manager) reporting directly to the City Manager.
<b>ICT</b>	Information Communication Technology
<b>LGBTQIA+</b>	Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual, +
<b>Organised Labour</b>	Recognised trade unions of the City i.e. South African Municipal Workers Union (SAMWU) and Independent Municipal and Allied Workers Union (IMATU).
<b>Rape</b>	Unlawful and intentional act of sexual penetration of any part of another person with any body part or object, without their consent as defined in terms of Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32 of 2007.
<b>Sexual Assault</b>	Unlawful and intentional act of sexual violation of another person, without their consent as defined in terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32 of 2007.
<b>Unwelcome sexual conduct</b>	Behaviour that is perceived by the complainant as demeaning, compromising, embarrassing, threatening and / or offensive, in some cases even where the alleged perpetrator did not intend to harass the complainant.

## 9. VARIOUS TYPES OF HARASSMENT

The types of harassment are derived from various listed grounds as prescribed in Section 6 of the EE Act.

The City recognises the below enlisted examples of the types of harassment, which may occur within the working environment and as a result appropriate measures will be developed and implemented to eradicate such.

Harassment Types	Definition
<b>Disability</b>	Treating individuals differently in employment based on their disability, perceived disability or association.
<b>Gender</b>	Continuous persecution taunting of an individual because of their own gender or gender identity.

Harassment Types	Definition
<b>Harassment</b>	Unwanted conduct, which impairs dignity: <ul style="list-style-type: none"> <li>• Which creates a hostile or intimidating work environment for one or more employees or is calculated to, or has effect of, inducing submission actual or threatened adverse consequence; and</li> <li>• Is related to one or more grounds in respect of which discrimination is prohibited in terms of section 6 (1) of the EEA.</li> </ul>
<b>Racial</b>	An incident or a series of incidents intended or likely to intimidate, offend or harm an individual or group because of their colour or race.
<b>Religious</b>	Unwanted or offensive remarks about a person's religious beliefs or practices.
<b>Sexual</b>	Unwelcome verbal or physical behaviour that is based on gender, sex, sexual orientation, etc.
<b>Sexual Orientation / identity</b>	Unwanted conduct on grounds of sexual orientation which violates dignity or creates an intimidating, hostile, degrading or humiliation or offensive work environment.
<b>Workplace Bullying</b>	Persistent pattern of mistreatment from others in the workplace that causes either physical or emotional harm. This can include tactics such as verbal, non-verbal, psychological and physical abuse, as well as humiliation.

**10. FORMS OF HARASSMENT**

No.	Harassment Form	Definition & Examples
1.	Physical	a. Include physical attacks, simulated or threatened violence, or gestures. b. An act where someone inappropriately touched a person against their will, which is also known as workplace violence. c. Physical harassment behaviour intimidates, embarrasses, threatens, and makes the victim uncomfortable. d. Examples: <ul style="list-style-type: none"> <li>• Sexual assault or abuse or sexual rape.</li> <li>• Inappropriately touching or grabbing someone e.g. touching someone’s breast intentionally.</li> <li>• Using intimidating gestures.</li> <li>• Deliberately brushing or rubbing your body against someone.</li> <li>• Blocking another employee’s movements.</li> <li>• Kissing or hugging someone inappropriately.</li> <li>• Unwelcome touching of another person's hair, clothes or body.</li> </ul>
2.	Psychological	a. Slandering or maligning and employee or spreading rumours maliciously. b. Conduct which humiliates, insults or demeans a person. c. Withholding work related information or supplying incorrect information. d. Sabotaging or impeding the performance of work. e. Ostracising, boycotting, or excluding the employee for work or work related activities.



No.	Harassment Form	Definition & Examples
		<p>f. Persecution such as threat and the inspiration of fear and degradation.</p> <p>g. Intolerance of psychological, medical, disability or personal circumstances.</p> <p>h. Surveillance of an employee without their knowledge and with harmful intent.</p> <p>i. Use of disciplinary or administrative sanction without objective cause, explanation or effort to problem solving.</p> <p>j. Demotion without justification.</p> <p>k. Abuse of selective use of disciplinary proceedings.</p> <p>l. Pressuring and employee to resign.</p>
3.	Verbal	<p>a. Makes employees feel less comfortable, humiliated, threatened and intimidated.</p> <p>b. Most of the time people find it challenging to identify verbal harassment because of different reactions from people.</p> <p>c. Examples:</p> <ul style="list-style-type: none"> <li>• Making inappropriate jokes, remarks, teasing or asking sexually related questions.</li> <li>• Asking someone to go out, unwelcome sexual advances and sexual favours.</li> <li>• Inquiring about the sexual preference or history of a colleague at the workplace.</li> <li>• Gossiping about someone and spreading lies about them.</li> <li>• Using abusive language and offensive name calling.</li> <li>• Commenting negatively about a person’s clothing, body or personal behaviour.</li> <li>• Making inappropriate sounds such as kissing sounds, whistling or smacking lips.</li> <li>• Sending someone sexual emails, notes or letters.</li> <li>• Verbal attacks e.g. arguing with someone using threatening, discriminatory or demeaning words.</li> <li>• Embarrassing someone in front of people e.g. employer shouting and yelling at an employee over poor performance.</li> </ul>
4.	Non-Verbal or Visual	<p>a. A situation where the individual exposes themselves to another person without the consent of the victim and the act affected their performance or attitude.</p> <p>b. Examples:</p> <ul style="list-style-type: none"> <li>• Exposing of private parts.</li> <li>• Sending sexual images or videos to another person e.g. sending pornographic videos to another person through a social website without informing the person.</li> <li>• Unwelcome gestures to another person.</li> <li>• Staring at someone else’s body offensively, and making the person feel uncomfortable.</li> <li>• Placing a poster with information related to sexual behaviours.</li> <li>• Exposing someone else’s offensive pictures or images without their consent.</li> </ul>

No.	Harassment Form	Definition & Examples
		<ul style="list-style-type: none"> <li>• Displaying nasty messages or content from a website, book or magazine.</li> </ul>
5.	Vertical	a. Use of formal power (i.e. title, position, or supervisory control) or material leverage to intimidate, threaten, harass or ham an employee or to dominate and control the complainant.
6.	Horizontal	a. Harassment of employees in the same position or on the same level.
7.	Passive aggressive or covert	a. Include negative gossip, negative joking at someone’s expense, sarcasm, condescending eye contact, facial expression or gestures.
8.	Mobbing	a. Form of harassment by a group of people targeted to one or more individuals
9.	Online Harassment	a. It is committed, assisted or aggravated in part or fully, by the use of information and communication technology, including mobile phones, internet, social media platforms or email.

**11. POLICY STATEMENT**

- a. The City recognises and acknowledges that harassment constitutes unfair discrimination and abuse against men and women in the workplace.
- b. Harassment is rife in the world of work and in the main is sexual harassment as a result of patriarchy and the oppression of women. As a result both the City and employees play a meaningful role in the eradication of the scourge of harassment.
- c. The City acknowledges that harassment is an abuse of power, privileges and control that makes the complainant feel intimidated and degraded. It is therefore a barrier to equal rights and an unfair employment labour practice.
- d. Unequal power relations may contribute towards fear of confrontation or reporting by those in a disadvantaged position, however the City encourages all employees to make use of this Group Anti-Harassment Policy Framework to gain recourse and protection against alleged perpetrators.
- e. Victimisation and intimidation are discouraged and those found guilty of such shall be dealt with in terms of the City’s processes.

**12. HARASSMENT OF OR BY NON-EMPLOYEES**

Non-employees include job applicants, clients, suppliers, contractors and any other person who interacts with the City.

**12.1 Non-Employee Harassment Victim**

- a. A non-employee who is a victim of harassment may lodge a complaint with management where the harassment has taken place in the workplace or in the course of the harasser's employment with the City.
- b. The line manager to whom this case has been reported must investigate the matter.
- c. If line management is satisfied that there is a case against the alleged perpetrator or

employee, formal proceedings in terms of the City's internal disciplinary processes shall unfold.

- d. Failure to investigate may lead to line management being charged in accordance with the City's internal processes.

## 12.2 Non-Employee Perpetrator

- a. Where a non-employee is the perpetrator of any form of harassment, an employee of the City may lodge a grievance with the City who will in turn, pursue the matter with the perpetrator or their employer.
- b. The City shall offer formal support, which may include assistance with processes of opening a formal case in the equality court or any relevant body within the Republic.

## 13. EMPLOYER LIABILITY

- a. The City shall be held liable for the actions of an employee if it fails to take corrective measures after an incident of harassment was reported.
- b. The City is obliged to create a conducive and safe work environment free from harassment in line with the Compensation for Occupational Injuries & Diseases Act No. 130 of 1993.
- c. The City is obliged to take reasonable steps to assist or refer a complainant of harassment, if the incident has resulted in the employee developing a medical condition e.g. post-traumatic stress disorder.
- d. Once the employer becomes aware of harassment allegations, an investigation must be conducted, failure which, this could lead to vicarious liability.
- e. To avoid liability, the City shall ensure that the necessary steps are taken to discourage or eradicate harassment cases:
  - i. All Heads of Departments, including their direct reports, shall ensure regular (at least once every year) communication of the Group Anti-Harassment Policy Framework and specific procedures to be followed by all employees.
  - ii. Departmental interventions can include awareness sessions, staff meeting agenda items and distribution of the Group Anti-Harassment Policy Framework.
  - iii. Induction of newly appointed employees on the Group Anti-Harassment Policy Framework.
  - iv. Immediate investigation after a harassment allegation is reported.
  - v. Institute disciplinary action against an alleged perpetrator found guilty of the harassment misconduct.
  - vi. Ensure that managers are trained and capacitated on the handling of harassment cases.
  - vii. Employees are encouraged to report cases, however refrain from reporting false allegations.
  - viii. Explain the disciplinary procedure and time frames to complainants and respondents in both formal and informal procedures.
  - ix. Provide guidance (where required) on how to complete the appropriate grievance form.

- x. Proper vetting of recommended job seekers and directors of companies who were previously found guilty of harassment in line with the provisions of the Municipal Staff Regulations of 2022.

#### 14. LODGING A HARASSMENT COMPLAINT

In dealing with harassment cases, the complainant shall be allowed to follow an informal or formal procedure to address the harassment allegation. The line manager to whom the allegation is reported must ensure that the environment is conducive to avoid tension, as well as further victimisation of the complainant.

A proper explanation about the two (2) procedures outlined below in item 14.1 and 14.2, must be provided to the complainant in order to make an informed decision. The complainant may seek assistance from a colleague, superior or specialists outside their directorates / work environment on how best the matter can be handled.

##### 14.1 Informal Procedure

- a. The complainant informs the alleged perpetrator, verbally or in writing, that:
  - i. Their behaviour is deemed a harassment, unwanted and unwelcome.
  - ii. That it offends them and / or makes them uncomfortable.
  - iii. That it interferes with their personality, dignity and integrity.
- b. If there was no such communication, it is necessary to examine whether the harasser / perpetrator knew or should have known that conduct done or which was engaged in, is generally considered to be unacceptable.
- c. The complainant could also ask someone else to talk to or accompany them when talking to the harasser.
- d. The employee concerned is given an opportunity to explain to the person engaging in the unwanted conduct, that the behaviour in question is not welcome, that it offends them or makes them uncomfortable and that it interferes with their work.
- e. The employee concerned should where possible, keep records of the events i.e. date, time, location, what was said as well as names of any witnesses.
- f. If the behaviour continues, or if the informal approach does not resolve the matter satisfactorily, the City shall embark on a formal procedure.

##### 14.2 Formal Procedure

- a. The complainant shall lodge a formal grievance on harassment in line with the City's internal Grievance Procedure against the alleged perpetrator.
- b. The employer representative / chairperson shall be appointed in writing within three (3) days of the grievance being lodged by the complainant, in order to investigate the case accordingly.
- c. Line management may, after assessing the severity or the risk in relation to the allegation, follow the formal procedure to allow for proper investigation and recommendation by the employer representative.

d. The grievance shall follow the steps as prescribed below:

**NB:** *The nominee or employee representative appointment shall only apply from Step 2 of the grievance process.*

- i. **Step 1: Immediate Superior**
    - The aggrieved employee must lodge a grievance in writing, first with their immediate line superior.
    - Should the grievance concern the conduct of the employee's immediate superior, the employee may lodge it with the line manager of the affected immediate supervisor.
    - Immediate supervisor shall in line within the stipulated timeline, attempt to resolve the matter and issue an outcome.
    - If a grievance remains unresolved or the complainant / alleged perpetrator is unsatisfied with the outcome of the grievance, they are afforded the right of escalation the Step 2.
  - ii. **Step 2: Head of Department**
    - Head of Department or the employee representative shall within the stipulated timeline, attempt to resolve the matter and issue an outcome.
    - If a grievance remains unresolved or the complainant / alleged perpetrator is unsatisfied with the outcome of the grievance, they are afforded the right of escalation the Step 3.
  - iii. **Step 3: City Manager / Municipal Manager**
    - The City Manager or the employer representatives shall in line within the stipulated timeline, attempt to resolve the matter and issue an outcome to both the affected parties.
- e. In the event where the grievance procedure has been finalised and management is of the view that there is a prima facie case against the alleged perpetrator, disciplinary steps must be instituted as per the provisions of the Disciplinary Procedure.
- f. The City shall follow due processes to allow for procedural and substantive fairness.
- g. If the matter is not resolved satisfactorily by the internal procedures, either party may within thirty (30) days of the dispute having arisen, refer the matter to the Commission for Conciliation, Mediation and Arbitration (CCMA) or Labour Court for adjudication in accordance with Section 10 of the EE Act.

## 15. FALSE ACCUSATION ON HARASSMENT

False accusation on harassment is deemed a serious misconduct and shall be referred for investigation in line with the Collective Agreement Disciplinary Procedure.

## 16. EMPLOYEE WELLNESS

The employer representative / chairperson / line manager of the grievance process may refer a victim of harassment to the Employee Assistance Programme for further counselling to be able to cope with the aftermath of the harassment ordeal.

## **17. SICK LEAVE**

- a. Where an employee, on medical advice, requires trauma counseling as a result of sexual harassment and their existing sick leave entitlement has been exhausted, the City will give due consideration to the granting of additional leave in line with the Group Incapacity Leave Management Policy Framework.
- b. If harassment result in an employee being ill for longer than two (2) weeks, the employee may be entitled to claim illness benefits in terms of section 20 of the Unemployment Insurance Act of 2001.

## **18. CONFIDENTIALITY**

- a. Line management must ensure that harassment grievances are investigated as per the grievance procedure.
- b. Line management must ensure that harassment grievances are handled with confidentiality in line with Section 16 of the LRA No. 66 of 1995 and the disclosure of information in line with the POPI Act of 2013.
- c. All parties in harassment cases are bound by the confidentiality clause and shall not disclose any material information of the case to others.

## **19. CRIMINAL CHARGES AND / OR CIVIL CLAIMS**

A complainant of harassment has the right to externally pursue a criminal charge and / or civil claim against the perpetrator of harassment i.e. depending on the merit of the case. The legal rights of the complainant are in no way limited by this Group Anti-Harassment Policy Framework.

## **20. COUNCIL APPROVAL AND EFFECTIVE DATE**

The implementation of this Group Anti-Harassment Policy Framework is subject to approval by Council. The effective date of the approved Group Anti-Harassment Policy Framework will be on 01 November 2024.

## **21. AMENDMENT OF THE GROUP POLICY FRAMEWORK**

The Group Anti-Harassment Policy Framework may be reviewed, amended and / or revised at least every two (2) years or more frequently, as and when required. The proposed amendments will be made in consultation with all stakeholders including organised labour and will follow normal approval processes.

The management, maintenance and implementation of the Group Anti-Harassment Policy Framework is the responsibility of the Group Head: Group Human Capital Management or nominee.

## **22. COMPLIANCE AND ENFORCEMENT**

It will be the responsibility of line management and all employees to ensure and enforce compliance with this Group Anti-Harassment Policy Framework.

**23. BREACH OF THE GROUP POLICY FRAMEWORK**

Any person who breaches or fails to comply with any provision of this Group Anti-Harassment Policy Framework may be subjected to consequence management processes.

**24. DISPUTE RESOLUTION**

Disputes arising from the implementation and application of this Group Anti-Harassment Policy Framework shall be dealt with in line with the City's Dispute Resolution Mechanisms.

**END**



## **CITY OF JOHANNESBURG COUNCIL**

**MINUTES OF THE THE 25<sup>TH</sup> ORDINARY COUNCIL MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY, WILL BE HELD ON WEDNESDAY & THURSDAY, 18 & 19 SEPTEMBER 2024, AT 10:00, THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, BRAAMFONTEIN.**

**SPEAKER OF COUNCIL  
CLLR N MTHEMBU**

### **A G E N D A**

- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 OFFICIAL NOTICES**
  - 3.1 Statement by the Executive Mayor**
- 4 CONFIRMATION OF MINUTES  
(24<sup>th</sup> Ordinary Meeting held on 29 August 2024)**
- 5 QUESTIONS FOR WRITTEN REPLY OF WHICH NOTICE  
HAS BEEN GIVEN IN TERMS OF RULE 105(2) OF THE  
STANDING RULES AND ORDERS OF COUNCIL**
- 6 RECOMMENDATIONS TO COUNCIL**
- 7 MOTIONS**
- 8 ANNOUNCEMENTS**
- 9 CLOSURE**

**APPROVED AT  
CITY OF JOHANNESBURG COUNCIL**

**18/19 SEPTEMBER 2024**

**SIGNATURE:** \_\_\_\_\_



