

QUICKLAW

ANSWERS YOUR QUESTIONS

HARASSMENT

- Are you being bullied?
- Is someone spreading untrue rumours about you or insulting you particularly on gender, race or disability?
- Are you being ridiculed or degraded?
- Are you being excluded or victimised?
- Are you being treated unfairly?
- Is your boss misusing their power or position and making your working life unbearable?
- Are you receiving unwelcome sexual advances?
- Is someone making threats or comments without foundation about your job security?
- Are you being constantly criticised without a valid reason?
- Are you being prevented from

progressing at work by someone intentionally blocking your promotion or training opportunities?

If you answered YES to any of the above, then there is a great possibility that you are being harassed at work and you are entitled to protection from the person harassing you.

What must I do if I am being harassed?

- Keep a record of all the incidents, take notes of dates and times, potential witnesses and details of what took place.
- Speak to the person who harassed you if possible and tell them that you feel offended or that they made you feel uncomfortable.
- If this does not change the situation, lodge a formal complaint with your employer by following the grievance procedure set up at your workplace.

How do I lodge a formal complaint?

- Employers have a duty to protect their workers from harassment and to inform and educate them about the issue. Employers should therefore develop clear procedures to deal with harassment.
- Information on the grievance procedure should be available from your Human

Resources (HR) Department, Personnel Department or one of your managers.

- The grievance procedure will state the time frame within which to lodge your complaint.
- Your employer must investigate the matter and if necessary, discipline the perpetrator.
- If found guilty the employer can either give the harasser / offender a warning or if it is serious or if he / she has already had warnings, then he / she can be dismissed.

What if my employer does not do anything about the harassment?

- Contact your Bargaining Council or the CCMA immediately. The Bargaining Council or the CCMA will try and sort out the matter for you by conciliation and if they are unable to do so, you may refer the matter to the Labour Court.

KEY:

1. EMPLOYEE - a person who works for another in return for wages
2. EMPLOYER - a person or firm that employs people
3. HARASS - trouble and annoy continually
4. RIDICULED - to be made fun of
5. DEGRADED - to be humiliated/embarassed
6. VICTIMISED - to be singled out
7. CRITICISED - to find fault