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Sexual Harassment Policy Draft

Prepared by RK Corporate Consulting | July 2025

A clear, well-communicated **Sexual Harassment Policy** is not just a legal requirement — it is a vital step in creating a safe, respectful, and productive workplace. In South Africa, employers have a legal duty to prevent harassment and take decisive action when it occurs. This policy helps you do just that.

Sexual harassment undermines dignity, affects mental health, damages workplace culture, and exposes employers to legal risk. When left unaddressed, it can lead to **labour disputes**, **CCMA referrals**, **reputational harm**, and **vicarious liability** for the employer.

This policy template has been drafted in line with:

- The **Employment Equity Act 55 of 1998**
- The **Labour Relations Act 66 of 1995**, Schedule 8
- The **2022 Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace**

It sets out:

- What constitutes sexual harassment
- How to report incidents
- Steps for informal and formal resolution
- Disciplinary measures for offenders

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- Your company's commitment to a zero-tolerance approach

This document can be adopted as-is or adapted to suit your organisation's size and structure. We recommend using this policy alongside harassment awareness training and confidential reporting procedures to build a culture of dignity and trust.

SEXUAL HARASSMENT POLICY TEMPLATE

[Your Company Name]

. Purpose and Scope

This policy sets out the company's commitment to a work environment that is free from sexual harassment. It applies to all employees, interns, contractors, clients, and service providers across all locations, including remote and online environments.

2. Zero Tolerance Commitment

[Company Name] adopts a **zero-tolerance approach** to sexual harassment. All allegations will be treated seriously, investigated promptly, and addressed through appropriate action, which may include disciplinary measures up to and including dismissal.

3. Definition of Sexual Harassment

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Sexual harassment is **unwanted conduct of a sexual nature** that violates the rights of an employee and creates a hostile, intimidating, or offensive work environment.

This includes, but is not limited to:

- **Physical:** Unwanted touching, assault, physical advances.
- **Verbal:** Sexual jokes, innuendos, suggestive comments, or propositions.
- **Non-verbal:** Leering, gestures, displaying sexual images.
- **Quid pro quo:** Demanding sexual favours in exchange for job security or advancement.
- **Sexual favouritism:** Rewarding compliance and penalising rejection.

4. Rights of Employees

All employees have the right to:

- Work in an environment free from sexual harassment.
 - Report harassment without fear of retaliation or victimisation.
 - Have complaints handled **confidentially**, fairly, and promptly.
 - Be protected from further harassment during and after investigations.
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5. Reporting and Complaints Procedure

Employees may report harassment through one of the following:

A. Informal resolution

Speak directly to the perpetrator (if safe), or report to a supervisor or HR manager for early resolution.

B. Formal complaint

Submit a written or verbal complaint to Human Resources or the appointed harassment officer. Complaints will be acknowledged within 48 hours and investigated within a reasonable timeframe.

6. Investigation and Disciplinary Action

All complaints will be investigated in accordance with **Schedule 8 of the Labour Relations**

Act. Investigations will be impartial, respectful, and involve:

- Gathering of evidence and interviews
- A finding and recommendation report
- Disciplinary action where misconduct is confirmed

Serious misconduct may result in **dismissal**, even for a first offence.

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7. Confidentiality and Non-Retaliation

All complaints will be treated confidentially. **No employee will suffer retaliation** for lodging a complaint or participating in an investigation. Disciplinary action will be taken against any person found to have victimised or intimidated complainants or witnesses.

8. Training and Awareness

The company will provide:

- Annual awareness training to all staff
 - Clear guidance during induction
 - Regular updates to reflect legal or internal policy changes
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9. Responsibilities

- **Managers** are responsible for enforcing this policy, responding promptly to complaints, and setting a respectful example.
 - **HR/Compliance Officers** must ensure that procedures are followed and records are maintained.
 - **Employees** are responsible for upholding a respectful, harassment-free workplace and reporting misconduct.
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10. Review and Policy Updates

This policy will be reviewed annually and updated as required by law or operational need. It is each employee's responsibility to familiarise themselves with the current version.

SIGNED

Managing Director / HR Manager

Date: _____

Name: _____

Navigating Workplace Harassment with Confidence

Implementing this policy is more than a compliance exercise, it is a commitment to creating a safe, respectful, and legally sound work environment. When employers take proactive steps to prevent and address harassment, they reduce risk, build trust, and improve staff retention. A clearly communicated policy, supported by training and a secure reporting system, lays the foundation for a workplace culture grounded in dignity, accountability, and fairness.

Book your free 30-minute consultation today

Ensure your policies are compliant, practical, and protect your business and your team.

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