



WORK PLACE DISCIPLINE, ETHICS, AND HARMONY

Code of conduct

175. In order to carry out GL business in a disciplined and orderly manner, every employee of GL shall conduct himself/herself in a manner consistent with the express or implied terms and conditions of employment including:

- Carrying out work with due diligence, reasonable skill and competency as the employee expressly or impliedly holds himself/herself out to possess and in accordance with the terms and conditions of his/her employment regulations, or individual contract of employment, as the case may be;
- Reporting for work regularly, punctually and sober without neglect and, be properly dressed for the work he or she is employed to do;
- Obeying all lawful and reasonable orders and instructions as may be issued from time to time by the employer, or by any person to whom authority has been delegated;
- Taking reasonable care for the property of GL to avoid damage, loss, and destruction
- Making every reasonable effort to improve own efficiency and work experience so as to achieve a high standard of performance and to produce work of high quality;
- Using the employer's property entrusted for the performance of work for the purpose of the employer's business;
- Complying with occupational safety and health regulations and obligations
- Conducting self in a manner which is not harmful to the promotion of good relations with other employees, or members of the public;
- Not to not incite other employees to do, or omit to do any act which is inconsistent with their obligations in terms of their contracts of employment or employment regulations, as the case may be;
- Never engage in any criminal, fraudulent, dishonest or other discreditable conduct in, or outside the employment as set out in GL's anti-corruption policy.
- Treat all internal information gathered in the employ of Gender Links as confidential.

176. All staff members are required to actively promote the objectives and functions of GL.

177. No staff member is entitled to accept remuneration offered to him or her by virtue of his/her being a member of staff without the consent of the CEO.

178. In their public and internal dealings, staff members are required to be polite, efficient and to promote the good name of GL.

ANTI-BULLYING POLICY

179. Gender Links is committed to preventing workplace bullying as part of providing a safe and healthy work environment for all its staff, stakeholders and partners. Gender Links takes work place bullying very seriously.

180. Workplace bullying is a risk to health and safety as it has the ability to affect one's physical and psychological health. Failure to take steps to manage the risk of workplace bullying can result in a breach of Health and Safety laws.

181. Workplace bullying can occur wherever people work together and in all types of workplaces. It is best dealt with by taking steps to prevent it from occurring and responding quickly if it does occur. The longer the bullying behaviour continues, the harder it becomes to repair working relationships and the greater the risk is to health and safety.

Definition of workplace bullying

182. Examples of behaviour, whether intentional or unintentional, that may be workplace bullying if they are ***repeated, unreasonable*** and ***create a risk to health and safety*** include but are not limited to:

- abusive, insulting or offensive language or comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- practical jokes or initiation
- unjustified criticism or complaints
- deliberately excluding someone from work-related activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.

183. Gender Links is aware that workplace bullying can be carried out in a variety of ways including through verbal or physical abuse, through email, text messages, internet chat rooms, instant messaging or other social media channels. In some cases workplace bullying can continue outside of the workplace.

184. Workplace bullying can be directed at a single worker or group of workers and be carried out by one or more workers. It can occur:

- sideways between workers
- downwards from supervisors or managers to workers, or
- Upwards from workers to supervisors or managers.

185. Workplace bullying can also be directed at or perpetrated by other people at the workplace such as clients, patients, students, customers and members of the public. Everyone at Gender Links has a work health and safety duty and can usually help prevent workplace bullying. The following table sets out the various duties in relation to workplace bullying as outlined by Gender Links.

186. Gender Links ensures that the risk of workplace bullying will be minimised by taking a pro-active approach that involves:

- early identification of unreasonable behaviour and situations likely to increase the risk of workplace bullying occurring
- implementing control measures to manage the risks, and
- monitoring and reviewing the effectiveness of the control measures.

Controlling the risks

187. Gender Links manages the risk of bullying by creating and promoting a positive work environment where everyone is treated fairly and with respect. A combination of control measures aimed at the organisational level and at individual behaviours have been put in place:

a). Management Commitment

Gender Links senior management commits to identifying, preventing and responding to workplace bullying as one of the key factors for preventing unreasonable behaviour and managing psychological risks. This helps to send a clear message to staff that the organisation is serious about preventing workplace bullying and contribute to a positive workplace culture where unreasonable behaviour is not tolerated.

Managers can demonstrate commitment in various ways including by:

- modelling respectful behaviours at all times
- developing and implementing a bullying policy which clearly identifies the expected behaviours and consequences of not complying
- dealing with unreasonable behaviour as soon as they become aware of it
- ensuring that reports of bullying are taken seriously and properly investigated, and
- consulting with junior staff and interns.

b). Set the standard of workplace behaviour

Gender Links has set and enforced clear standards of behaviour through the code of conduct in the Human Resources Policy that outlines what is and is not appropriate behaviour and what action will be taken to deal with unacceptable behaviour. It can apply to all behaviours that occur in connection with work, even if they occur outside normal working hours. The standards of behaviour should also include a reference to reasonable management action.

GRIEVANCE PROCEDURES

188. The purpose of the grievance procedure is, as far as possible, to resolve work-related conflicts through mediation. Gender Links acknowledges that an employee who has a grievance or is dissatisfied with any matter concerning the employee's work situation or conditions of employment, shall have the right to lodge a grievance with the company. The company resolves to consider and attempt to resolve any such grievance at the earliest possible stage to the satisfaction of both parties. Accordingly, the company has agreed to implement a grievance procedure, the main purpose of which shall be to prevent and resolve conflict in the workplace and to protect the interests of Management and employees.

189. Principles

- Any employee or group of employees may lodge grievances which directly concern them with the company in terms of the grievance procedure.
- Any grievance lodged shall be attended, to as speedily as possible and shall not be unreasonably delayed.
- Management shall consider all grievances lodged in a fair and just manner.
- No victimisation of any employee who has lodged a grievance shall be tolerated.
- Allow an interpreter if necessary.
- Allow parties to call witnesses to testify.
- Question witnesses who testify.
- Cross-examination shall be allowed.
- Do not proceed with the investigation if the aggrieved party is not present. Any employee lodging a grievance may be accompanied and represented at any stage of the procedure by a colleague of his/her choice, or by a shop steward who is an employee of the company.
- The grievance procedure may be utilised by all employees of the company.
- Employees shall be remunerated at their normal pay rates for the time spent with management in discussing grievances on condition that the laid down procedure is being complied with.

Step 1- Supervisor/CEO

190. Any work-related concern shall be raised with the immediate supervisor or with the CEO if the CEO is the immediate supervisor. If the grievance concerns the CEO it shall be raised with the EC.

191. The staff member shall report the grievance verbally within 10 working days of its occurrence.

192. The EC/CEO/Supervisor must investigate the grievance and attempt to resolve it to the satisfaction of all parties. This shall be done within one week and all involved parties shall be advised of the outcome.

193. If the staff member is satisfied with the outcome of the investigation, this shall be appropriately recorded, and no further actions shall be taken.

194. If the staff member is dissatisfied with the outcome of the investigation, of step 1, he/she may ask the CEO to review the finding, if the CEO is not the immediate supervisor or if the complaint does not involve the CEO.

Step 2 – Appeal to the Executive Committee

195. If the staff member is not satisfied with the outcome, he/she shall report the matter in writing to the EC – please see Internal Memo template.

196. The EC or a person to whom he/she may delegate this task shall thoroughly investigate the complaint within one week of receipt thereof and reach a decision that must be conveyed to all parties.

197. The EC may call any witness and additional evidence that he/she believes is relevant to the matter.

198. The EC must also consult with all parties and inform all parties of his/her decision within one month of receiving the grievance.

199. The decision of the EC shall be final and binding on both parties.

Disciplinary Code

200. GL has adopted a framework of rules and procedures for the guidance of employees and management on disciplinary issues (see Annex A) drawn from the Basic Conditions of Employment Act – South Africa.

201. Areas of misconduct shall be correctly identified, the formulation of standard rules, guide lines and procedures, enable the uniform application of penalties for to every offending employee of GL.

202. A thorough investigation of the facts and circumstances in each case of alleged misconduct shall be carried out prior to any final disciplinary action being taken.

203. All employees shall be made aware of what is expected of them in respect of discipline by means of standard instruction, orders and copy of this Code.

204. Provision is made for appeal procedures.

Warnings: General

205. One of the primary aims of a disciplinary procedure is to give staff members an opportunity to correct misconduct, unless the misconduct is of a very serious nature, in which case, a staff member can be suspended, with immediate effect.

206. All warnings shall be given as soon as possible after the misconduct was brought to the attention of the supervisor.

Verbal warning

207. The warning shall be given to the staff member concerned by his/her immediate supervisor, or where the CEO is the supervisor by the CEO, or where the CEO is being warned by the EC.

208. The details of the warning shall be recorded, by the supervisor in the presence of the employee. (Details to include pointing out the nature of the misconduct to the staff member, what is expected of the staff member and consequences of the staff member failing to respond to the warning)

209. The staff member shall be given the opportunity to state his/her side of the case, and this shall also be recorded.

210. The parties must agree on a date (not more than three weeks after the warning has been given) on which the staff member's conduct shall be re-evaluated.

211. If both parties are satisfied that the issue has been satisfactorily resolved, no further action needs to be taken.

Written warning

212. A written warning is given where a verbal warning has failed to resolve the problem or when the nature of the misconduct is so serious that a verbal warning would not be adequate.

213. The staff member shall be required to sign a copy of the written warning to indicate that he/she has received it and shall be given a copy of the warning.

214. The written warning shall contain details of the misconduct and what is expected of the staff member. The staff member shall be afforded, an opportunity to respond. The response shall not necessarily negate the warning unless the CEO considers that the response warrants further investigation. Shall the staff member disagree with the CEO's assessment, the staff member may take the matter to the EC in terms of grievance procedures.

215. The written warning shall be placed in the staff members' personal file for a period of one year.

Final written warning

216. A final written warning may be given where the misconduct is of such a serious nature that a written warning would be inadequate or where the written warning has failed to resolve the problem.

217. The final written warning shall be given by the CEO, or if the CEO is involved, by the EC.
218. The staff member shall be required to sign a copy of the warning to indicate that he/she has received it. The staff member shall be given a copy of the warning.
219. The CEO or EC must give the staff member/CEO the opportunity to state his/her case prior to the written warning being issued.
220. The staff member shall also be given the opportunity to bring any witnesses and to be assisted by another member of staff.
221. The CEO/EC must also advise the staff member/ CEO that should it become necessary to take further disciplinary action against the staff member, following a final written warning; the staff member may be dismissed.
222. The final written warning must be placed in the staff member's personal file for a period of one year.

Disciplinary inquiry

233. In the case where the misconduct may warrant dismissal or where a final written warning has not resolved the problem, a disciplinary inquiry must be initiated by the CEO/EC or to any qualified person to whom he/she delegates that responsibility.
234. The CEO/EC may appoint a person to investigate the misconduct on behalf of GL.
235. The CEO/EC may at any time before or after a staff member has been charged with misconduct suspend that staff member in accordance with relevant legislation until the investigation is complete or until the disciplinary enquiry has been concluded.
236. The staff member shall be afforded, an opportunity to explain why he/she shall not be suspended, prior to such suspension.
237. The investigator may recommend to the CEO/EC that a disciplinary inquiry shall take place if he/she believes that sufficient grounds for such an enquiry exist.
238. A member of staff shall be given reasonable advance notice of the date and place of inquiry. The notice shall be in writing, shall clearly set out the nature of the alleged misconduct and shall advise the member of staff that he/she is entitled to be assisted at the inquiry.

Disciplinary hearing

239. The CEO/EC shall constitute a panel consisting of one or more persons to hear the inquiry. The panel shall be assisted by a person with legal training or mediation skills.
240. The investigator shall present to the panel his or her findings.
241. The member of staff/CEO or his/her representative, shall then be given an opportunity to lead any evidence in support of his case, including the calling of any witnesses. The staff member is entitled to legal advice, but not legal representation, at his or her own cost.
242. The panel shall decide on a balance of probabilities whether the alleged misconduct was committed and must inform the member of staff as soon as possible of its decision.
243. The member of staff/ CEO, if found guilty, may present further evidence in mitigation.
244. The panel may, depending on the nature and severity of the misconduct and after consideration of all relevant information recommend to the CEO that he/she may caution or reprimand the member of staff or dismiss him or her from the employ of GL.
245. The inquiry must be recorded, and the details thereof kept in the staff member's file for a period of one year after the inquiry.

Appeal

246. A member of staff, who is not satisfied with the decision of the panel, may appeal in writing within five working days to the Board.
247. The Board may afford the complainant and the CEO/EC the opportunity to submit a verbal and/ or written complaint/response.
248. The Board shall make a finding based on a consideration of the record of the inquiry and any other relevant information.
249. The Board shall inform the staff member/CEO in writing of its decision within ten working days.
250. The decision of the Board is final.

Confidentiality

251. All staff contracts and records shall be confidential kept in the HR office, except in instances where GL may legally be required to divulge these.

