Harassment Prevention Pack – helping employers to prevent and eliminate harassment in the workplace in South Africa

All employers are under a legal obligation, in terms of section 60 of the Employment Equity Act No. 55 of 1998 (EEA), to take proactive and remedial steps to prevent and eliminate all forms of harassment in the workplace. Failure to do so may result in unfair discrimination and other claims instituted by employees, which may lead to financial liability and reputational harm.

In order to give effect to this legal obligation, the new Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace (Code) places various obligations on employers, including:

• to conduct a risk assessment of the harassment that employees may be exposed to;
• to implement awareness training initiatives and ongoing awareness programmes;
• to adopt a harassment policy; and
• to develop clear procedures to deal with harassment.

To assist employers in taking these steps, Bowmans has compiled a ‘Harassment Prevention Pack’. It provides the full suite of documents and training materials that employers require to comply with the provisions of the Code.

The pack caters for all employers and contains the following materials:

• guidance note on the application of the Code;
• template risk assessment;
• template harassment policy;
• poster on the different forms of harassment, which can be placed in prominent areas in the workplace/on the employer’s intranet page; and
• an eLearning training module to be completed by employees, which is made available through a secured Bowmans webpage.

The eLearning training module is an online and interactive training programme and includes an assessment that employers can use to test their employees’ understanding of the key legal principles and provisions of the employer’s harassment policy.

Contact Bowmans for further information: HarassmentPack@bowmanslaw.com.