

**The Town of Mansura has a Sexual Harassment Policy and Harassment
Complaint Form. If you have any questions, you can call the Town Hall at
(318)964-2153**

Monday- Friday

8am to 4pm

Thanks,

Mayor Kenneth Pickett

HARASSMENT COMPLAINT FORM

(EMPLOYEE)

Complainant: _____

Home Address: _____

Home Phone: _____

Work Address: _____

Work Phone: _____

Date(s) and time(s) of alleged incident(s): _____

Name of person you believe harassed you or another person:

If the alleged harassment was toward another person, identify that other person:

Describe the incident(s) as clearly as possible. Include a full description of the events, and verbal statements (i.e., threats, requests demands, etc.), and what, if any, physical contact was involved. Attach additional pages as necessary.

Where did the incident occur? _____

List any witnesses who were present: _____

How did you or the person harassed (if not you) react to the harassment? _____

This complaint is based upon my honest belief that _____ has harassed me or another person. I hereby certify that the information I have provided in this complaint is true, correct to the best of my knowledge.

Complainants signature

Date

Received by

Date

SEXUAL HARASSMENT POLICY

Introduction

Town of Mansura

(Name of the business) is committed in providing a work environment which is free of harassment, to promote and advance sound and productive working relations and mutual respect among employees. (Name of the business) supports the fact that everyone has inherent dignity and has the right to have his/her dignity respected and protected.

Purpose

Sexual harassment is a sensitive and controversial issue, but also a challenge faced by many organizations. Productivity, focus and effectiveness may suffer as the victim of harassment attempts to cope with the situation.

Dealing with sexual harassment requires focusing on the entire range of harassment behaviours as well as gray areas of relationships. Adopting a narrower view can be critical because sexual harassment does not only differ from person to person but also culturally. The guidelines will be reviewed regularly in a responsive manner to address this.

The desired outcomes of this policy is to improve understanding of the seriousness of sexual harassment, as well as how some minor actions may lead to some serious ones. The cornerstone is that victims must speak out whether sexual harassment is intentional or unintentional.

Objective

The objectives for developing this document are:

- To eliminate acts of sexual harassment at (Name of business) *Town of Mansura*
- To provide appropriate procedures to deal with instances of sexual harassment
- To prevent the reoccurrence of sexual harassment
- To encourage and promote the creation of workplaces free of sexual harassment, in which employers and employees respect one another's dignity and integrity, their privacy and right to equality.
- To deal with sexual harassment in a sensitive, prompt, unbiased and confidential manner.
- To ensure that neither the aggrieved nor the alleged harasser are victimized in any way by either management or workers.
- To prevent employees, including applicants, casual and part-time employees to request or compel managers to engage in sexual activity in return for employment, job retention, salary increase, promotion or service benefits.
- To guarantee job security and job related benefits of the grievant
- To ensure that all employees are conversant about sexual harassment and its consequences.

Scope of application

This policy is intended to guide employer and employees, perpetrators and/or victims of sexual harassment which include:

- Managers
- Employees
- Guests
- Women specifically
- Children
- Suppliers
- Other Customers/ Service providers having dealings with the business

Where sexual harassment has taken place in the workplace or in the course of the harasser's employment, a non-employee being a victim of sexual harassment may lodge a grievance with the employer of the harasser.

1. Definition of sexual harassment

Sexual Harassment is defined as an unwanted or unwelcome sexual advance and/or requests for sexual favours that have a negative effect on the recipient. It can range from inappropriate gestures, innuendos, suggestions or hints to touching, comments, statements and/or remarks without consent and at worst, rape. Sexual harassment creates an intimidating, hostile or offensive environment. Sexual attention becomes sexual harassment if:

- a) The behaviour is persisted, although a single incident of harassment can constitute sexual harassment
- b) The recipient has made it clear that the behaviour is considered offensive
- c) The perpetrator should have known from the onset that the behaviour is offensive

2. Forms of sexual harassment

Sexual harassment can take various forms that range from subtle attention to the worst forms of violence such as rape. Examples of forms of sexual harassment are outlined below:

2.1 Non- verbal forms

These forms include unwelcome gestures, indecent exposure and the unwelcome display of sexually explicit pictures, objects, leering and winking.

2.2 Verbal forms

These forms of sexual harassment include unwelcome innuendos, suggestions and hints, sexual advances, comments with sexual overtones, sexual related jokes or

insults or unwelcome graphics comments about a person's body made in their presence or directed towards them, unwelcome and inappropriate enquiries about a person's sex life, and unwelcome whistling directed at an individual or group of persons.

2.3 Physical forms

Physical conduct of a sexual nature includes all unwanted physical contacts, ranging from touching to sexual assault and rape, and includes fondling breasts, pinching of buttocks, sexual patting, strip search by or in the presence of the opposite sex.

2.4 Quid pro quo

This form of harassment is an abuse of authority by a male or a female employer, supervisor and any member of management who has the power to employ / dismiss / change the working conditions of an employee. This can be done by suggestion of sex in return for a job, salary increase, and application of unfair disciplinary measures. This form amounts to sexual favouritism, which is totally unacceptable.

3. Guiding principles

Employers should create and maintain a working environment in which the dignity of an employee is respected. A climate in the workplace should also be created and maintained, and in which victims of sexual harassment will not feel that their grievances are ignored or belittled, or fear reprisals. Implementing the following guidelines can assist in achieving these:

- Managers and employees have to refrain from committing acts of sexual harassment.
- All managers and employees have to contribute towards creating and maintaining a working environment in which sexual harassment is unacceptable. They should ensure that their standards of conduct do not cause offence and they should discourage unacceptable behaviour on part of others.
- Management is required to take appropriate actions in accordance with this policy, when instances of sexual harassment that occurred at the workplace are brought to their attention.

4. Disciplinary procedures for dealing with sexual harassment cases

Although sexual harassment in its forms is not a criminal offence in South Africa, current legislation provides for dealing with such matters in terms of the Public Service Act, 1994.

Employers should develop clear procedures to deal with sexual harassment. These procedures should ensure the resolution of problems in a sensitive, effective and efficient way.

4.1 Advice and assistance

Sexual harassment is a sensitive issue and a victim may feel unable to approach the perpetrator, lodge a formal grievance or turn to colleagues for support. As far as is practicable employers should designate a person outside of line of management who the victims may approach for confidential advice. Such a person could be:

- Employee Assistance Programme Officer (EAP)
- Special Programmes Unit (SPU)
- Co employee,
- Union Representative
- Outside Professional

The person must have the appropriate skills and experience and properly trained to deal with the matter. They must also be able to provide support and advice on a confidential basis.

4.2 Options to resolve the problem

- a) Employees should be advised that there are two options to resolve the problem relating to sexual harassment.
- b) The employee should be under no duress to accept one or the other option.

4.2.1 Informal procedure

- a) The informal procedure shall be used for subtle forms of sexual harassment, the procedure shall not be used for serious cases that involve sexual assault, rape, strip search by or in the presence of the opposite sex, quid pro quo or persistent forms of sexual harassment, unless the grievant chooses to follow an informal procedure.
- b) Where possible, the grievant may wish to resolve the complaint without reference to formal procedures by approaching the alleged harasser, by writing a letter to the alleged harasser and/or by asking a member of management or other representative, such as a shop steward, to mediate.
- c) Should the informal mediation as prescribed above be successful in resolving the matter, no disciplinary action shall be taken against the alleged harasser? The grievant and the alleged harasser shall be referred to the trauma crisis centres for counselling should they wish so.

4.2.2 Formal procedures

When informal procedure is not applicable as stated in 4.2.1, the business shall adopt the formal procedure. The Disciplinary Procedure of the company will be followed in addressing such a complaint because of the sensitivity and seriousness of the sexual harassment.

5. Leave

In case where the grievant or the harasser has suffered emotional or physical stress, the business shall, on request, grant the individual sick leave for trauma therapy. Depending upon the environment and the extent of the sexual harassment claim, special leave may be granted on submission of a medical certificate.

6. Confidentiality

- a) The business has a duty to ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the person involved are kept confidential, although it may be difficult to guarantee that given the legal duties involved and frequent conflict of rights and obligations.
- b) Management, employees and the parties concerned must endeavour to ensure confidentiality in the disciplinary enquiry. Only appropriate members of management as well as the aggrieved person, representative, alleged perpetrator, witnesses and interpreter if required, must be present in the disciplinary hearing.
- c) Employers are required to disclose to the party or to their representatives, such information as may be reasonably necessary to enable the parties to prepare for proceedings of the enquiry.

(Name of manager)

Toun of Mansura Employee

(Date)