

LABOUR POLICY

This policy should be read together with the Qmuzik Conditions of Service policy. This policy deals with the following personnel related topics:

MISCONDUCT (DISCIPLINARY) PROCEDURE

POOR PERFORMANCE PROCEDURE

GRIEVANCE POLICY & PROCEDURE

SEXUAL HARASSMENT

EMPLOYMENT EQUITY

1. MISCONDUCT (DISCIPLINARY) PROCEDURE

1.1. Intent of Policy

To provide Management and Employees with a detailed framework for the Disciplinary Procedure within the ambit of the Department of Labour and relevant Labour Legislation. This Policy may be amended from time to time pending Legislative requirements in order to facilitate procedural and substantive fairness in the workplace.

1.2. Scope of Policy

The Disciplinary Policy & Procedure Policy applies to all Employees at all levels of authority.

1.3. Application of Policy

Management regards Disciplinary Procedures in the workplace as an integral part of managing the rules, regulations, practices, policies and procedures of Qmuzik. These regulatory measurements are to be followed to ensure that satisfactory conduct, work ethics and performance are maintained by Employees. Qmuzik endeavours to communicate the required standard of conduct and acceptable levels of performance to all Employees to ensure that they are well aware of what is expected of them. Management will endeavour to firstly handle disciplinary issues informally before escalating disputes between the Employee, Management and Colleagues. In any event that such disputes cannot be resolved informally, formal procedures will be implemented and referred to a higher level of authority.

1.4. Stages of the Procedure

1.4.1. Phase 1: Investigation

In the event that an alleged act of misconduct, incapacity, or poor performance may be identified or raised, a detailed investigation must commence. Management will, with immediate effect,

commence a detailed investigation into the situation and given circumstances at hand. The Employee will preferably, be actively involved. The investigation will be thoroughly documented and recorded for future references. Depending on the outcome of the investigation and given the facts and reports received, the Line Manager has the sole discretion whether to continue with further disciplinary action.

1.4.2. Phase 2: Allegation & Response

Management will endeavour to discuss the outcome of the investigation with the Employee. Written record of the preceded investigation will be communicated and discussed in full disclosure with the Employee.

The Employee will be advised of his/her rights following:

1.4.2.2. "Rights of Employee facing possible Disciplinary Action"

- The right to a Formal Enquiry;
- The right to be present at the enquiry;
- The right to be given time to prepare his/her case;
- The right to be given advance warning of the charges;
- The right to be advised of the allegations and charges;
- The right to be presented or assisted at the hearing by one person, a colleague of his/her choice;
- The right to ask questions of any evidence produced or of any statements made by witnesses;
- The right to call witnesses to testify on his/her behalf, and to ensure that his/her witnesses are available;
- The right to an interpreter, either by his/her choice or otherwise arranged by Management;
- The right to appeal within 5 (five) working days against any penalty which may be imposed and conveyed to him/her.

1.4.3. Phase 3: Use of Management Discretions

The manager decides whether to proceed with the action or not. He/she may also decide to handle the matter personally if the misconduct is of a less serious nature. However, all previously kept records of the incident are retained.

1.5. Disciplinary Procedure

The Primary objective of the Procedure is to initiate corrective action through progressive discipline where the behaviour of an Employee is unacceptable.

1.5.1. When applying discipline, the emphasis shall be, as far as possible, corrective rather than punitive.

- Discipline is the responsibility of line management. It is management's right and duty to maintain order and discipline in the workplace.
- Each case is treated on its own merits with due consideration to Company practices and precedents.
- When it is alleged that an Employee has misconducted himself/ herself, he/she shall be afforded an opportunity to explain his/her conduct. Should the misconduct be sufficiently serious, an Employee shall be afforded a full opportunity to state his/her case in a disciplinary inquiry.
- When determining whether an Employee is guilty of misconduct, only those facts and circumstances relevant to the alleged misconduct shall be taken into consideration.

Present at a disciplinary inquiry shall be:

- Chairperson
- Complainant
- Employee
- Employee Representative/Trade Union Representative (if applicable)
- Any other person with the consent of the parties.
- Witnesses where applicable.
- An Employee may be assisted or advised by an Employee Representative during stages of the disciplinary procedure.
- An Employee who does not accept the disciplinary action taken against him/her may appeal to higher authority.

1.6. Generic schedule of offences and possible penalties-

No		FIRST	SECOND	THIRD
	EXTREMELY SERIOUS			
1.	Unauthorised possession of employer's or other worker's property or any crime committed whilst on duty	DISMISSAL WITHOUT NOTICE PAY		
2.	Refusal to work, or participation in an illegal strike, or incitement to strike			
3.	Desertion/Unauthorised absence from work for longer than 3 days			
4.	Security Personnel sleeping whilst on duty			
5.	Wilful damage of employer's or other workers' property			
6.	Refusal to appear before disciplinary committee or to adhere to disciplinary procedure			
7.	Being under the influence of/or possession /consumption of liquor/drugs whilst on duty			
8.	Falsifying records or documents, or any other fraudulent act			
9.	Sexual harassment of, but not limited to, co-employees, employer and/or non-employees, in the workplace			
	VERY SERIOUS			
10.	Unauthorised use of dangerous weapons in work place	DISMISSAL WITH NOTICE PAY/ DEMOTION		
11.	Negligence/Dereliction of duty which may result in injury self, others or with serious/potentially serious consequences for employer			
12.	Dishonest clocking procedures or false entries in attendance register			
13.	Any conduct which may violate employer's image or adversely affect the employer's business			
14.	Failure to report without delay any accident or damages to employer's property			
	SERIOUS OFFENCES			
15.	Refusal/Failure to obey instructions or to report for overtime duty	FINAL WRITTEN WARNING	DISMISSAL WITH NOTICE PAY/DEMO- TION	
16.	Sleeping/Gambling/Unlawful Trading whilst on duty			
17.	Unlawful use of vehicle/equipment/material or leaving vehicle unattended			
18.	Failure to comply with fire-/health-/safety regulations			
19.	Adopting a threatening/insulting attitude towards superior			
20.	Unauthorised manufacture of/or repairs to private property with or without using employer's material			
21.	Failure to report accidents or damage			
22.	Posting or distributing notices or posters without employer's permission			
23.	Smoking in "No-Smoking" designated areas			
24.	The promotion of any political cause on work premises or during working hours.			
25.	Access websites or downloading information, which is pornographic, distasteful and/or illegal			
	OTHER OFFENCES			
26.	Failure to maintain set work standards	WRITTEN WARNING	FINAL WRITTEN WARNING	DISMISSAL WITH NOTICE PAY/ DEMOTION
27.	Unauthorised absence from work place whilst on duty			
28.	Low productivity or unsatisfactory work performance			
29.	Lack of punctuality (habitual late coming)			
30.	Receiving visitors during work hours or in work place without employer's consent			
31.	Entering or leaving work premises other than through official gates.			
32.	Forecasting a sales transaction that does not realised as forecasted.			
33.	Mismanagement of account			

1.7. Principles of the procedure:

Qmuzik considers the maintenance of discipline to be of paramount importance and expects every employee to act accordingly. Qmuzik undertakes to ensure that every Employee is treated fairly, and is therefore committed to the following:

- Qmuzik considers the implementation of a fair disciplinary procedure to be essential for the efficient running of its business, the safety and fair treatment of its Employees and sound industrial relations.
- Disciplinary action is aimed at correcting unacceptable behaviour and to encourage acceptable behaviour.

1.7.1. Steps should be taken to make every Employee aware of the Procedure.

- It is the responsibility of line management to apply discipline in accordance with the Procedure.
- No disciplinary action shall be considered against an Employee unless he/she is afforded an opportunity to explain the alleged misconduct. Before taking any disciplinary action, the Employee's explanation must be taken into consideration. However, in instances where an alleged misconduct is sufficiently serious, a disciplinary inquiry as provided for in this procedure must be held.
- If an Employee wilfully or intentionally fails to attend the disciplinary inquiry after he/she has been notified in terms of this Procedure, the disciplinary inquiry may proceed in the employee's absence.

1.8. Reviews

- Reviews may only be lodged against formal disciplinary action that has resulted in a final written warning or a dismissal. The review will be dealt with as follows:
- The employee must submit an application for review within 5 days of delivery of the findings of the enquiry. The application for review must contain the detailed grounds on which the employee wishes the decision to be reviewed. This application should be in writing. The chairperson will investigate the review, as he/she deems appropriate and reach a conclusion. An enquiry may be held in this respect if appropriate.
- A review finding must be communicated in writing to the employee within 15 days of the findings unless there is an agreement to extend the date.
- It should be noted that a review is neither an appeal nor a re-enquiry of the case.

2. POOR PERFORMANCE PROCEDURE

2.1. Intent of Policy

The purpose of the poor work performance procedure is to ensure that the employee improves his/her performance to the required level. At the same time, it is important to recognise that in some instances the performance of the employee may be so poor that it is impossible to accommodate the employee within the company. It therefore aims to assist management in handling cases where Employees are not performing to the standards of work required of them in terms of their Employment Contract.

2.2. Scope of policy

This policy applies to all employees of Qmuzik

2.3. Application of Policy

Where an employee is a poor performer, the employer is entitled to take steps directed at improving the performance of the employee to a required level.

2.4. Poor work performance counselling session (Informal)

- When an employee is not performing to the standard required of him/her, then performance management should commence. One aspect of performance management is counselling. It is advisable to hold more than one counselling session, but this will depend on individual circumstances.
- The manager will document the exact nature of the poor performance including specific details, dates and times.
- The manager will arrange a meeting with 24 hours' notice, and advise the employee that a discussion of his/her work performance will take place and that he/she has the right to be represented by a fellow employee if required.
- At the meeting, the manager must refer to the required performance standards and point out the exact nature of the employee's deviation from the expected standard. The manager must give the employee an opportunity to respond and state his/her perspective.
- The purpose of the discussion is to assist the employee to correct the poor performance and to re-define work objectives and standards.
- At the follow up meeting set objectives and progress should be reviewed and both manager and employee must give input to the discussion. Should the employee have met all the objectives, the manager must set a follow up session, it should be set for no later than 4 weeks and new objectives/ standards must be agreed for that meeting.

- Should the employee fail to meet the objectives at the first follow up meeting or at any subsequent meeting, a second written warning must be given, by again pointing out the shortfall in agreed performance expectations.
- Should the employee fail to meet the objectives on a third or subsequent occasion, the employee must be given a final written warning (following the procedure for final/written warnings) for poor performance. Following the final written warning, the employee may be dismissed for poor performance (following the procedure for dismissals).
- The discussion should be minuted and signed by both the manager and the employee as a record of the discussion. A record must be kept on the employee's file.

2.5. Formal poor work performance ENQUIRY

- Should the employee still fail to improve his/her performance to the appropriate standard, a poor work performance enquiry should be convened. An impartial chairperson should be appointed.
- A notice of the enquiry should be issued with at least 48 hours' notice of the enquiry.
- Notice of Poor Work Performance Enquiry must be used in this respect
- During the enquiry, the employee should be given the chance to state his/her case and a manager should have the opportunity to present the case on the part of the company. Witnesses may be called and limited cross-questioning may be allowed. An investigation, at the discretion of the chairperson, may be conducted into the employee's condition and his/her ability to work.
- The enquiry must be minuted.
- The chairperson must conclude whether or not the employee is a poor performer, and whether the poor performance procedure was properly followed during informal counselling.
- If the chairperson concludes that the employee is a poor performer, then alternatives to dismissal (e.g. demotion with or without a reduction in salary, part-time, or casual employment etc.) should be considered. Dismissal should be considered only as a last resort and only after a repeated record of poor work performance and corrective actions by the Company.
- The chairperson must record the findings of the enquiry in writing.
- If the result of the poor performance enquiry is DISMISSAL, then:
 - a member of senior management should attempt to assist the employee in minimising the harsh effects of dismissal (e.g. alternative employment)

- where an employee is dismissed for poor work performance, notice pay must be paid to the employee.

Where an employee is dismissed, the dismissal is final and takes effect on the date on which the findings are delivered to the employee. If the employee wishes to challenge the dismissal, the employee has 30 days from the date when the findings are issued to refer his/her case to the CCMA.

2.6. Flowchart of Counselling Procedure

1.	<u>Counselling Session: (Informal between Manager, Employee and HR Manager)</u>
1.1.	Perceived Poor Performance (All records that show signs of poor performance must be kept)
1.2.	Review of Standard
1.3.	Identify sub-standards
1.4.	Identify reasons
1.5.	Action Plans
1.6.	Assistance / Training
1.7.	Review dates
1.8.	The conversation must be minuted and afterwards signed by the appropriate parties involved)
2.	<u>Formal Work Performance Enquiry: (Formal between Manager, Employee, HR Manager and Impartial chairperson)</u> If the employee still do not comply with the standards of the company and he/she has been counselled and assisted, this Enquiry might lead to a dismissal
3.	<u>Termination</u> In considering a case, the Chairman of the formal Disciplinary Enquiry should take the following factors into account: <ul style="list-style-type: none"> • Is the extent and degree of the Employee's Poor Performance Material? • Is there a likelihood of future improvement by the Employee? • Is it possible to alter the Employee's Job Content to match his/her capabilities? • Consider at what Job Level the employee is appointed? • What are the possible effects on the safety and morale of the other Employee's? • What is the status of the Employee? • What opportunity was given to the Employee to improve? • Has the Employer done everything from his/her side to assist the employee? • The Employee must be aware of the standards he/she is required to meet and the standards must be fair, attainable, and preferably agreed.

3. GRIEVANCE POLICY & PROCEDURE

3.1 Intent of Policy

The aim of the Grievance Procedure is to enable employees to have their grievance resolved fairly, quickly and at the earliest possible stage. Employees may lodge Grievances without fear of victimisation.

3.2 Scope of policy

This policy applies to all employees of the Company.

3.3 Application of Policy

Any employee who has a grievance is entitled to make use of the Grievance Procedure.

A grievance is any feeling of dissatisfaction or perceived unfair treatment, which employees experience in relation to their work and employment situation.

3.4 General Principles

- No employee or employee representative shall be victimised as a result of his having advised or represented any employee lodging a grievance.
- Where victimisation is suspected, an employee must submit details in terms of the Grievance Procedure.
- Except in instances where the grievance is of a serious nature, or where the employee so requests, a formal grievance hearing need not be convened in each and every instance. Often an informal meeting between the employee and his/her manager is the most effective way of resolving minor complaints, and encourages direct communication between management and staff.
- When a formal grievance is lodged with Management, Management shall convene a formal hearing into the facts of the case, carried out in accordance with the following general principles:
 - Management shall appoint a chairperson of the grievance hearing.
 - The time, date and venue of the grievance hearing shall be set by the chairperson of the grievance hearing.
 - The grievant shall have the right to request an interpreter. It is the duty of the Company to provide an interpreter should the employee request one.
- The employee and his/her representative(s) shall have the right to present his/her case and lead evidence, to call witnesses and to question witnesses, and/or to have copies of any documents produced as evidence at the hearing. In presenting his case, the grievant will be required to state the grounds and reasons of his/her grievance, and where appropriate lead evidence and argument in this regard. The chairperson of the grievance hearing may request additional evidence and/or witnesses to be led in the hearing to determine the merits of the grievance. The Chairperson will then make a determination on the merits of the grievance and identify any appropriate remedial action.
- After hearing all available evidence, the Chairperson shall make a finding on the matter and make his decision known to all parties in writing.

- A record of the proceedings will be kept by a person appointed or nominated by the Chairperson of the grievance hearing.
- An employee shall be entitled to representation by an employee from the workplace at which he is employed. However, it is his duty to arrange for such representation.
- In cases where group grievances are addressed, a maximum of two observers (inclusive of the grievance) will be allowed to attend the grievance hearing in addition to the representatives. Any further grievance may be called individually into the grievance hearing to present their case.
- Should the grievance not be resolved to the satisfaction of the employee(s), he/she or they shall be entitled to proceed to the next stage of the grievance procedure.

3.5 Stages of the Grievance Procedure

3.5.1 Stage One

- An employee who believes he/she has a grievance must first report such a grievance to his/her line manager.
- The Manager must endeavour to resolve the grievance and communicate the outcome to the employee as soon as possible. Once a decision has been given by the Manager and the employee feels that the matter must be pursued further, then Stage 2 becomes effective.
- In the event of an employee having a complaint about his immediate line manager, he/ she must approach the next reporting level of his/her immediate line directly for the purpose of resolving the grievance.

3.5.2 Stage Two

If the employee elects to proceed with the grievance, he/she shall, with the assistance of his/her representative, if he/she so wishes, lodge the grievance with the Manager. A Chairperson of the same or higher status as the Chairperson of the original grievance hearing will then be appointed and a further grievance hearing convened.

3.6 LODGEMENT OF A GRIEVANCE form to be used

3.6.1. Time limits

The following schedule constitutes a guide as to the time periods within which the various stages of the grievance procedure are to be initiated. The time limits are in no way prescriptive and may be varied having regard to the particular circumstances of each case, subject to the requirements of fairness and reasonableness.

3.6.2. Schedule

PROCEDURAL STEP	TIME PERIOD
STAGE 1	
Incident(s) giving rise to the grievance	
Lodgement of a grievance	Within 7 Days of incident giving rise to grievance.
Notice of a Grievance Enquiry	Within 3 Days of lodgement of grievance.
Grievance Enquiry	Within 4 Days of Notification to Attend Grievance Enquiry.
Findings of Grievance Enquiry	Within 7 Days of Grievance Hearing.
STAGE 2	
Lodgement of Grievance	Within 7 Days of Finding of Grievance Enquiry.
Notice of Grievance Enquiry	Within 3 days of Lodgement of Grievance. (Stage 2)
Convening of Grievance Enquiry	Within 4 days of Notification of Grievance Enquiry (Stage 2).
Finding on Grievance Enquiry	Within 7 Days of Convening Grievance Enquiry (Stage 2)

4. SEXUAL HARASSMENT

4.1 Intent of Policy

4.1.1. Definition

Sexual harassment is a violation of the fundamental human rights of men and women and is a violation of the right to equality, human dignity, privacy, security of person and fair labour practices. Sexual harassment undermines the basic integrity of the employment relationship and is a direct violation of the values Qmuzik stands for.

4.1.2. The Company recognizes that:

- A healthy environment in which team work and co-operation are possible, is one in which all employees treat each other with mutual respect, dignity and courtesy.
- A productive environment is one in which employees are able to exercise their full potential without fear or victimisation, harassment or abuse.
- It is a fundamental right of all individuals to be treated with dignity and no form of racial or sexual harassment will be permitted or condoned, and employees have the right to complain should it occur.

4.2 Scope of Policy

- Disciplinary action will be taken against anyone found guilty of racially or sexually harassing a co-worker, or work associate, such as a client or supplier.

- It will further be a violation of the company policy and will constitute misconduct for any staff member who takes inappropriate action against an individual for reporting racial or sexual harassment or to victimise or discriminate against anyone in any way.
- The company will endeavour to protect employees, as far as possible, from repeated harassment by non-employees in the working environment.

4.3 Administration of Policy

Sexual harassment is the unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work.

Different forms of sexual harassment

Sexual harassment includes, but is not limited to the following types of behaviour:-

4.3.1. Verbal behaviour of a sexual nature, such as

- Unwelcome innuendoes, suggestions and hints.
- Unwelcome sexual advances.
- Unwelcome comments with sexual overtones.
- Unwelcome sex related jokes or insults.
- Unwelcome graphic comments about a person's body made in their presence or directed toward them.
- Unwelcome and in-appropriate enquiries about a person's sex life.
- Unwelcome whistling directed at a person or group of persons.
- Unwelcome jokes that cause awkwardness or embarrassment.
- Comments about a person's sexual habits.
- Verbal threats or abuse.
- Unwelcome telephone calls with sexual overtones.

4.3.2. Gestures and other non-verbal behaviour

- Unwelcome gestures.
- Indecent exposure.
- The unwelcome display of sexually explicit/undesirable pictures and objects.

- Persistent and unwelcome flirting.

4.3.3. Visual sexual harassment

- A public display of pornographic or other offensive, derogatory and/or sexually explicit pictures, photographs, cartoons, drawings, symbols and other material.
- Showing of pornographic or sexually explicit movies or slides.
- Indecent exposure of private parts in view of others.
- Displaying/sourcing offensive material/jokes on PC's and/or e-mailing such material to other employees.

4.3.4. Physical behaviour

- All unwanted physical contact, ranging from touching to sexual assault and rape and includes a strip search by or in the presence of the opposite sex.
- Attempted or actual kissing or fondling.

4.3.5. Psychological sexual behaviour

- Repeated unwanted social invitations for dinner, drinks or movies.
- Sexual favours.
- Requiring/requesting a subordinate to wear sexy, revealing, or suggestive clothes.

4.3.6. Quid pro quo harassment

When an employer, supervisor, member of management or co-employee undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefit of an employee or job applicant, in exchange for sexual favours.

4.3.7. Sexual favouritism

Exists where a person who is in a position of authority rewards only those who respond to his/her sexual advances, whilst other deserving employees who do not submit themselves to any sexual advances are denied promotions, merit rating or salary increases.

4.3.8. Behaviour that does not constitute sexual harassment

The following would not normally constitute sexual harassment:-

- Occasional compliments.
- Flirtatious banter when it is mutually acceptable.
- Forms of greetings that are deemed acceptable according to Company culture and behaviour.
- Occasional jokes or other behaviours whereby the intent is not meant to be offensive, except where the perpetrator should have known that the behaviour is regarded as unacceptable.

4.4 Procedure

Sexual harassment allegations need not follow the normal Grievance Procedure and will remain as confidential as possible. Any employee who believes that he or she has been the subject of sexual harassment should report the alleged charge immediately in accordance with the following procedure. All information disclosed pursuant to this procedure will be held in strictest confidence, and will only be disclosed on a need-to-know basis in order to investigate and resolve the matter.

4.5 The Informal Procedure

- If the complainant prefers informal action, the assigned investigator will call the accused to a private meeting and advise them of the details of the complaint lodged. The investigator will assure the accused that his/her own identity will remain as confidential as possible until the matter is resolved. The investigator must give the accused an opportunity to state their case; explain the outcome that the complainant requests (an informal settlement) and advise the accused of the possible consequences if proved guilty of sexual harassment in a formal disciplinary hearing.
- The investigator shall again meet with the complainant, advise him/her of the accused's response and, if the complainant is satisfied, invite both parties to meet to consider resolving and settling the matter without the need for formal discipline action.
- The investigator will assess what support and assistance the complainant may require after settlement.
- The role of the investigator is that of a mediator. On being appraised of the allegations, the investigator may of his/her own accord initiate the formal procedures set out below

4.6 The Formal Procedure

If the matter is not settled, or if the complainant or accused wants formal disciplinary action, the investigator will investigate the allegation sensitively, interview witnesses, if any, and obtain written statements if possible. If the allegations are substantial and serious and there are reasonable prospects of proving the allegations against the accused on a balance of probability,

the normal Disciplinary Procedures in respect of a formal disciplinary hearing, shall then be followed.

The above procedure may differ in two important respects:-

- if the complainant wishes, the formal discipline hearing will take place in camera, i.e. in private, only the persons directly involved, should attend; and
- The names of the parties shall remain as confidential as possible.

The usual disciplinary measures of Qmuzik apply, as well as the normal rules regarding appeals.

It is a disciplinary offence to victimise or retaliate against an employee who in good faith lodges a grievance of sexual harassment, or to pressurise a complainant to drop a complaint of sexual harassment.

In turn, it is a disciplinary offence to lay unfounded or unjustified complaints against a fellow employee with the intent to cause malicious harm to them or their reputation. The legal rights of the victim are reserved and are in no way limited.

4.7 Confidentiality

- Employers and employees must ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept as confidential as possible.
- In cases of sexual harassment, management, employees and the parties concerned must endeavour to ensure confidentiality as far as possible in the disciplinary inquiry. 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 inquiry.
- The Company is required to disclose to either party or to their representatives, such information as may be reasonably necessary to enable the parties to prepare for any internal or external civil or criminal proceedings.

5. EMPLOYMENT EQUITY

5.1 Intent of Policy

- The Company believes that the achievement of world-class standards and global competitiveness will require that the skills of every individual will have to be tapped.
- In order to ensure this, the Company will embark on a process of social transformation to remove the barriers to the employment and advancement of all South Africans and to accelerate the training and promotion of individuals from historically disadvantaged groups (blacks, women and people with disabilities).

- Through the implementation of Employment Equity programmes, the Company will create an environment of sustainable diversity as its competitive advantage for the future.

5.2 Employment Equity Goals

No discriminatory practices, implicit or explicit, are to exist anywhere in the organisation.

- All forms of sexual and racial harassment to be eliminated.
- No barriers to exist in the workplace that unfairly restrict employment and promotion opportunities of any person.
- An enhanced representation of currently underrepresented categories of people, with the emphasis on Black people and women, at all levels in the organization, focused on the long-term objective of reflecting the demographics of the population.
- An organizational culture in which diversity is encouraged and valued while focusing on shared values in order to develop team spirit, promoting mutual understanding, optimizing potential and achieving organizational goals in serving the community.

5.3 Application of Policy

- All the Company's Human Resource Policies, Procedures, Practices and the Working Environment will be audited to identify barriers that adversely affect the employment opportunities and advancement of black people, women and people with disabilities.
- Employment policies and practices include recruitment procedures, advertising and selection criteria, appointments process, job classification and grading, remuneration, job assignments, facilities, training and development, performance evaluation, promotion, transfer, demotion, discipline and dismissals.
- The Company will also conduct a Demographic profile of its workforce in each occupational category and level, focused on each business activity/Region to determine the level of under representation of blacks, women and people with disabilities.

5.4 Employment Equity Plan

- In order for the Company to realize its employment equity goals, a detailed Employment Equity Plan, which will be formed by the results of the Assessment of the Current Reality – the HR Audit, the Organisational Climate Assessment and the Demographic profile of the Workforce – will be developed in consultation with the various employee constituencies.

5.5 The Employment Equity Plan will address the following:

- The objectives to be achieved for each year of the plan, in realizing the Company's Employment Equity goals.

- The employment barriers that adversely affect the employment opportunities and advancement of black people, women and people with disabilities, identified through the HR audit, and the steps to be taken to eliminate those barriers.
- Affirmative Action measures to be implemented for black people, women and people with disabilities in the workplace will include:
 - Measures to further diversity regarding the equal dignity and respect for all people.
 - Modifications or adjustments to jobs or the working environment that will enable persons with disabilities to access, to participate or to advance in employment.
 - Preferential treatment to appoint and promote suitably qualified black people, women, and people with disabilities to ensure their equitable representation in all occupational categories and levels, and;
 - Measures to retain train and develop black people, women and people with disabilities.

5.6 In application of Employment equity Plans it is the view of the Company that:

- Equality of opportunity does not contradict the necessity to appoint competent people who are capable of meeting job requirements. The Company remains committed to maintaining high standards in the provision of its services and rejects all forms of tokenism and paternalism in its endeavours to achieve equality; and
- Employment Equity programmes will not unduly trample on the reasonable and legitimate interests of any individual, irrespective of race or gender.

5.7 Monitoring and Evaluation

The Managing Director will be tasked with the responsibility of overseeing the effective implementation of the agreed upon Employment Equity Plan.

- Line and Functional managers will report on the progress against the Employment Equity Plan for their units to the Managing Director on a regular basis. Progress reports will also be tabled at the Employment Equity Committee meetings for discussions of progress.
- Consolidated monitoring reports on implementation of equity Plans within the Company will be submitted to the Board on an annual basis.