



UNIVERSITY OF VENDA

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# **POLICY ON SEXUAL HARRASSMENT**

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### TITLE AND COPYRIGHT

Title Policy on Sexual Harassment  
Date 27 November 2009  
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## **1. DEFINITIONS AND APPLICATION**

Sexual harassment is a common phenomena in working environments which manifests itself in various ways. As an institution of higher learning with a large population of students, staff and the general public, the University of Venda must ensure that the University community including service providers and members of the general public who do business with the University are protected from sexual harassment. The institution therefore reserves the right to, at any time, in its sole discretion, revise and amend this policy from time to time.

### **1.1 DEFINITIONS**

- 1.1.1 “Sexual harassment” means a persistent, unsolicited and unwelcomed sexual advances (visual, physical, verbal and non-verbal gestures) in exchange for favours or other requests which are objectionable in the context of working environment.
- 1.1.2 “Groping” means handling or fondling for sexual pleasure.
- 1.1.3 “Molesting” means subjecting to unwanted or improper sexual activity.
- 1.1.4 “Intimidation” means an intentional behaviour which would cause a person of ordinary sensibilities fear or injury or harm.

### **1.2 APPLICATION**

This policy applies to all members of staff appointed at the University, students and all clients who do business with the University.

## **2. PURPOSE**

The purpose of this policy is to provide guidelines for handling cases of sexual harassment committed within the University.

## **3. POLICY STATEMENT**

The University is committed to promoting a working environment in which students employees and other persons who have dealings with the University are protected from sexual harassment.

## **4. POLICY GUIDELINES**

Sexual harassment covers a broad spectrum of unwanted behaviours which include amongst others the following:

- 4.1 Physical forms such as unwelcome contact through patting, pinching, fondling and kissing.
- 4.2 Groping, molesting and rape.
- 4.3 Non-verbal forms such as gestures, flirtation and exhibition of sexually offensive posters, cartoons and drawings.
- 4.4 A conduct of sexual nature, which the recipient has made it abundantly clear that the conduct is offensive and unwelcome.
- 4.5 A persistent behavior with sexual suggestive comments such as jokes with sexual overtones and enquiries about one's personal life shall constitute sexual harassment. However, a single incident of such behavior may constitute sexual harassment.
- 4.6 Request for sexual favours in return of employment or promotion.
- 4.7 The conduct which affects or interferes with an individual's work performance such as incessant telephone calls.
- 4.8 Promising or implying to grant an offer of employment or benefits in return of sexual favours.
- 4.9 Sexual favouritism which entails isolation and exclusion of a person from deriving justifiable rewards in work related activities due to refusal to submit to the sexual advancement by any person in higher authority.
- 4.10 Intimidation of students into submitting to unwanted sexual advances in return of marks.

## **5. PROCEDURES**

Anyone who feels that he or she is the victim of sexual harassment has the right to seek redress without prejudice. The procedure for dealing with complaints has two stages. The first stage is informal and the second is formal.

## **5.1 INFORMAL PROCEDURE**

A person who has a complaint may try to resolve the problem using the informal procedures. This involves discussion and/or mediation. Any person (student or member of staff) who has been sexually harassed may wish to resolve the problem through discussion: for example, he/she may believe that the harasser is unaware that his/her behavior is offensive and unacceptable. There will be cases when discussion between the parties will present particular stress and difficulties. In such cases, a person may seek the intervention of a mediator.

In the case of a mediator being appointed, the mediator has ten working days in which to provide help and seek a satisfactory solution. If there has been no resolution to the complainant's satisfaction within ten working days, the complainant may institute formal proceedings.

## **5.2 FORMAL PROCEDURE**

In cases of mediation where the mediator is unable to resolve the complaint within ten (10) working days, the complainant may lodge a written complaint with the Human Resources Department as early as possible. The Human Resources Department shall:

- 5.2.1 Call for a report from the mediator, where mediation was attempted;
- 5.2.2 Request the alleged offender to respond in writing to the allegations made against him/her and submit same in line with the Disciplinary Procedure Manual.;
- 5.2.3 If there is a prima facie case of misconduct the Director Human Resources will assist the relevant Head of Department to draft a charge sheet in terms of the Disciplinary Procedure Manual.

## **5.3 CONFIDENTIALITY**

Records and complaints filed, action taken to remedy the problem, the names of those involved, and the outcome, will be maintained by the Human Resources Department. Anonymous complaints will not be acted upon. The rights of complaints and the rights of the alleged offenders shall be protected.

**6. RELATED POLICIES AND DOCUMENTATIONS**

- 6.1 University of Venda Disciplinary Code
- 6.2 Grievance Procedure manual


**7. REGULATORY FRAMEWORK**

- 7.1 Criminal Procedure Act

**8. REVIEW DATE**

The policy will be reviewed after three years or as and when the need arises.

**9. RECORD OF CHANGES**

DATE OF APPROVAL BY COUNCIL	AUTHOR(S)	DATE OF REVIEW
27 November 2009	Mr T J Manenzhe	27 November 2012
<div data-bbox="224 1115 467 1297" style="border: 1px solid black; padding: 5px; width: fit-content;">                     UNIVERSITY OF VENDA                      UNIVERSITY REGISTRAR                        01 DEC 2009                        PRIVATE BAG X5050,                      THOHOYANDOU, 0950                 </div> <p data-bbox="191 1356 760 1423">Date stamp and signature by the Secretary of Council</p> 		

**10. LIST OF ABBREVIATIONS AND ACRONYMS**

HR.....Human Resources  
WWW.....World Wide Web  
UNIVEN.....University of Venda



01 December 2009

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Vice Chancellor & Principal

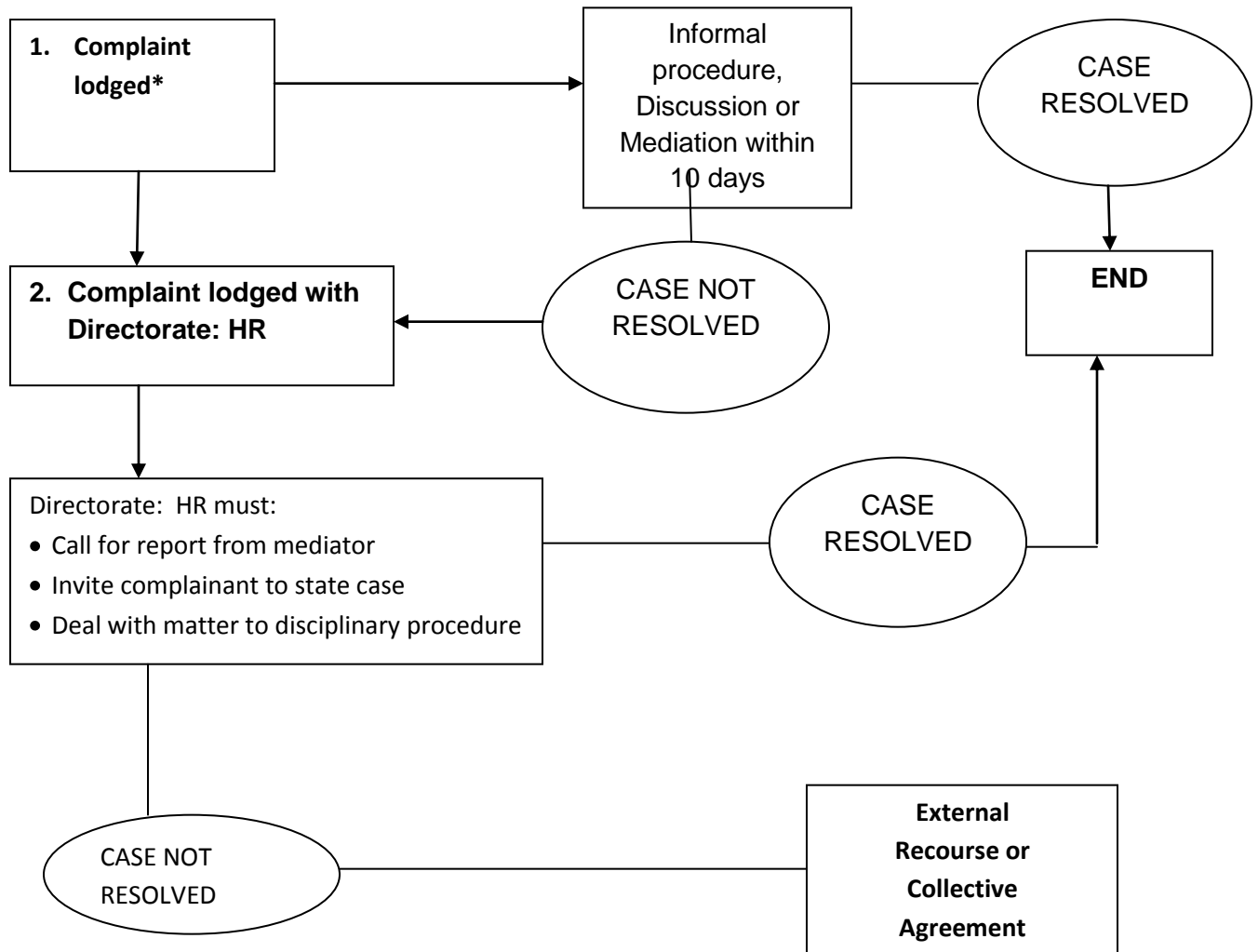
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Date



**ANNEXURE A**

**PROCESS FLOW**



**\*The complainant may lodge the complaint directly to HR.**

