

1. NON – DISCRIMINATION POLICY

1.1. OUR MISSION

1.1.1. OUR BELIEF SYSTEM

CJA Telecommunications (Pty) Ltd recognizes that as a result of apartheid and other discriminatory laws and practices, there are disparities of opportunity for certain categories of people in our society:

Disadvantages for certain categories of people cannot be redressed simply by repealing discriminatory laws;

As a result of unfair discrimination and exclusion from education and employment, black people, women and people with disabilities are the most disadvantaged group in our country;

Unfair discrimination has had a negative impact on the economic development of our country.

1.1.2. OUR COMMITMENT

Therefore, and in order to promote the constitutional right of equality and the exercise of true democracy **CJA Telecommunications (Pty) Ltd** will:

1.1.2.1 Eliminate unfair discrimination in education and employment;

1.1.2.2 Ensure the implementation of employment equity to redress the effects of discrimination;

1.1.2.3 Achieve a diverse staff complement broadly representative of the South African population;

1.1.2.4 Promote economic development and efficiency;

1.1.2.5 **CJA Telecommunications (Pty) Ltd** is committed to a non- racial, non-sexist culture within the employee organizations and governance structures and equality.

These policies contain procedures to ensure that **CJA Telecommunications (Pty) Ltd** meets its commitments.

1.2 OVERVIEW

1.2.1 WHAT IS DISCRIMINATION?

Discrimination can be categorized into five types, which are:

1.2.1.1 DIRECT DISCRIMINATION

Any (act or) practices which distinctions between individuals or group so as to disadvantage some others. This is overt that specifically excludes a person or group of people from a benefit or opportunity, or significantly reduce their chances of containing it, because a personal characteristic, irrelevant to the situation, is applied as a barrier. Most of the anti-discrimination laws aim at preventing this form of discrimination.

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Signatures				<i>Evert</i>	<i>Greef</i>		

1.2.1.2 INDIRECT DISCRIMINATION

Where a practice or a condition of employment is imposed which appears not to be discriminatory but has a disadvantageous effect on a certain group. E.g. full time benefits not available to part time employees. Also known as covert discrimination, it occurs where actions or policies appears non-discriminatory however in operation have adverse outcomes for a group or individual by reducing outcomes for a group or individual by reducing a benefit or opportunity. Indirect discrimination is also known a systematic discrimination as it built into the system. To counter this form of discrimination, Affirmative Action needs to be taken which convert discrimination by bringing employment opportunity specifically to the notice of the minority group.

1.2.1.3 HARASSMENT

Includes any unwelcome or offensive behavior or conduct which has legitimate workplace function and intimidates, humiliates or offends another person or persons. Two main types:

Quid Pro Quo: harassment with direct or implied threat, benefit or promise. In other words, blackmail.

Hostile work environment: Behavior which creates a hostile or sexually permeated environment. E.G.: porn, sexual banter, crude conversation, and offensive jokes.

1.2.1.4 VICTIMISATION

“Punishment etc.” for certain (usually allowable) behaviours e.g. for whistle blowing and includes ‘pay-backs’, retribution or Intimidation associated with a discrimination complaint or potential complaint. Protection against victimization

Extends to actual or potential complainants, witnesses, supporters and those investigating or resolving complaints. Another form of victimization is deliberate exclusion e.g. being cut out of office functions.


1.2.1.5 VILIFICATION

Includes public act which could incite, encourage, or urge others to hate, have serious-contempt for, or severely ridicule, a person or group of people because they are (or are thought to be) members of a particular group, and which have no justification in ‘free speech’. Other descriptors: disparagement, critical, backbiting, denigration, slander, libel or defamation.

1.3 DEFINITIONS

Prohibited grounds of discrimination include all of the following:

- Age
- Ancestry
- Colour
- Creed
- Ethnic origin

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- Family status
- Handicap
- Marital status
- Place of origin
- Race
- Receipt of public assistance
- Sex
- Sexual orientation

Prohibited grounds of discrimination also include such other types of discrimination as are by laws.

Prohibited grounds also include language, accent, or dialect, except as language, accent, or dialect may interfere with legitimate requirement of education or employment.

Prohibited grounds of discrimination also include discrimination because of political belief; membership or non-membership in a political organization; or non-membership in a trade union or employee or employer organization.

Discrimination means differential treatment of an individual or group of individual is based, in whole or in part, on one or more than one of the prohibited grounds of discrimination, and which thus an adverse impact on the individual or group of individuals.

Harassment means engagement in a course of vexatious comments or conduct that is known or ought reasonably to be known, to be unwelcome. "vexatious" comments or conduct made without reasonable cause or excuse.


The Managing Director is the individual appointed by **CJA Telecommunications (Pty) Ltd** to carry out the functions of the Anti-discrimination officer under this policy, exclusively or in combination with other employment responsibilities.

1.4 STATEMENT OF PRINCIPLE

Discrimination and harassment, as defined in this document are prohibited at **CJA Telecommunications (Pty) Ltd** and constitute punishable offenses under policy. Discrimination and harassment are serious human rights issues.

In as much as discrimination and harassment are demeaning to human dignity and are unacceptable in a healthy work environment and one in which scholarly pursuit may flourish, **CJA Telecommunications (Pty) Ltd** will not tolerate such Behaviour against any employee and strive to create an environment free from such Behaviour on its premises.

CJA Telecommunications (Pty) Ltd affirms the right every employee work in an environment that is free from discrimination and harassment. Discrimination and harassment are incompatible with standard of professional ethics.

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CJA Telecommunications (Pty) Ltd recognizes that it must uphold its fundamental freedom and to freedom of expression and association. It will maintain an environment in which employees and management can engage in free enquiry and open discussion of all issues.

We will ensure freedom of movement of access to facilities and resources without fear of harassment, discrimination or violence.

All persons entrusted with authority have a particular obligation to ensure that there is no misuse of that authority in action or relationship.

CJA Telecommunications (Pty) Ltd recognizes its legal and moral responsibility to protect all of its members from discrimination and harassment, and to take action if such behavior does occur. To these ends it has developed a policy on, and procedures for, dealing with complaints arising out of such Behaviour including a range of disciplinary up to and including dismissal.

CJA Telecommunications (Pty) Ltd prohibits reprisal or threats of reprisal against any employee who makes use of this policy or participates in proceedings held under its jurisdiction. Any individual or body found to be making such reprisals or threats will be subjected to disciplinary action.

The intention of this policy and its procedures is to prevent discrimination and harassment from taking place, where necessary, to act upon complaints of such behavior promptly, fairly, judiciously and due regards to confidentiality for all parties concerned.

All people in management position and other staff have obligation to familiar with and to uphold this policy and its procedures and to inform members of their departments about its existence.

Notwithstanding this policy, individuals have the right to seek the advice and services of the Human Right Commission.

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