

SEXUAL HARRASMENT POLICY

Policy Statement

Bowls South Africa (Bowls SA) is committed to providing a safe environment for all its employees, members, officials and participants free from discrimination including sexual harassment on any ground and from harassment at work or at any event organised under its auspices.

Bowls SA will operate a zero tolerance policy for any form of sexual harassment in the workplace or any event organised under its auspices and will treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action in terms of the provisions of the Constitution, which could lead up to and including dismissal from employment or termination of membership of Bowls SA.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

Any breach of this policy will be construed as a breach of the Code of Conduct policy and subject to the provisions of such policy.

Definition of sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, engagement in event management, participation, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment is any speech and/or conduct of a sexually discriminatory nature, which was neither welcomed or encouraged and which makes a person feel offended, humiliated and/or intimidated. Such act committed by a co-employee, official, member or fellow participant which would be so offensive to a reasonable person as to create an abusive working or competitive environment, which is hostile intimidating or humiliating for the recipient. The impact of such actions may cause the offended party to impair his/her job performance, or ability to perform their normal duties including fair participation in an event.

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal.

Sexual attention becomes sexual harassment if:-

- the behaviour is persistent notwithstanding whether this is a single incident of sexual harassment or not;
- the recipient has complained that he/she considers this behaviour as offensive, and/or;
- the perpetrator should reasonably have known that the behaviour is regarded as unacceptable and/or;
- the incident took place within the premises of the employer or in any area where official duties were to be performed whether within the Republic of South Africa or outside such geographic boundaries.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related, performance threats or rewards to solicit sexual favours

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. Bowls SA recognises that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Bowls SA recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace or at events organised under its auspices, for example between manager or supervisor and employee, event organisers, team players and managers and team mates.

Anyone, including employees of Bowls SA, casual workers, event organisers, players who sexually harasses another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within Bowls SA premises or outside, including at social events or any event organised under the auspices of Bowls SA whether such event takes place within or outside the geographic boundaries of the Republic of South Africa.

Complaints procedures

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Bowls SA recognises that sexual harassment may occur in an unequal relationships and that it may not be possible for the victim to inform the alleged harasser.

If a victim cannot directly approach an alleged harasser, he/she can approach one of the members of the Executive of Bowls SA.

When a designated person receives a complaint of sexual harassment, he/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the Bowls SA procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant countries legal framework

Throughout the complaints procedure, a victim is entitled to such help as is needed. Bowls SA reserves the right to nominate such person as is needed to assist victims of sexual harassment. Bowls SA recognises that because sexual harassment often occurs in unequal relationships victims often feel that they cannot come forward. Bowls SA understands the need to support victims in making complaints.

Informal complaints mechanism

If the victim wishes to deal with the matter informally, the designated Executive member will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- ensure that the above is done speedily and within an acceptable time of the complaint being made

Formal complaints mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The Executive person who initially received the complaint will refer the matter to the disciplinary committee to instigate a formal investigation.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate action need to be taken
- if it cannot determine that the harassment took place, the reasons for such determination will be made known to the victim
- keep a record of all actions taken
- ensure that the all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible

Outside complaints mechanisms

A person who has been subject to sexual harassment can also make a complaint outside of Bowls SA. They can do so through such legal framework as provided to them.

Sanctions and disciplinary measures

Anyone who has been found to have sexually harassed another person under the terms of this policy may be liable to any of the following sanctions:

- suspension of employment or membership for such period as is considered appropriate
- termination of membership and all benefits associated therewith

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal or termination of membership of the harasser.

Implementation of this policy

Bowls SA will ensure that this policy is widely disseminated to all relevant persons.

It is the responsibility of every manager, staff member, official, event organiser and player to ensure that they are aware of the policy.

Monitoring and evaluation

Bowls SA recognises the importance of monitoring this sexual harassment policy and will ensure that it is effectively and impartially applied at all times. It reserves the right to amend this policy as needed and undertakes to advise all stakeholders of such changes.

SAWASF Petition against sexual harassment and gender-based violence in South African sport



SAWASF Foundation

50 Comments



We are the participants of the third National Advocacy Conference organized by the South African Women and Sport Foundation (SAWASF) express serious concern about the prevalence of sexual harassment and gender-based violence in South African sport. We urge the government and governing bodies to take action in order to eradicate sexual harassment and gender-based violence in sport at all levels, from grass-root to high-performance sports.

We would like to kindly remind you that the Republic of South Africa is a signatory of the Convention on the Elimination of All Forms of Discrimination against Women

(signed in 1993 and ratified in 1995). In 1997, the Republic of South Africa also signed the Declaration on Gender and Development for the Prevention and Eradication of Violence against Women and Children. The National Department of Sport and Recreation, National Sports Council and the Commonwealth Games Association, which is affiliated to the South African Sports Confederation and Olympic Committee (SASCOC), have also signed the 1994 Brighton Declaration on Women and Sport.

The commitment made by signing these declarations remains unfulfilled. We, therefore, ask the Department of Sport and Recreation and SASCOC to take necessary measures to ensure all women, children and other vulnerable populations in sports have the opportunity to participate in a safe and supportive environment that preserves the rights, dignity and respect of every individual. We specifically ask the authorities to take action in order to address sexual harassment and gender-based violence in sports.

The South African Women and Sport Foundation demands that immediate action be taken to make South African sports safer. While we recognize that there is no quick solution, we also believe that important steps must be taken so that sexual abuse and gender-based violence do not occur in sports. SAWASF can work with government departments namely Department of Sports, Arts and Culture, Department of Women, Youth and Persons with Disabilities and SASCOC towards creating a robust mechanism to address these issues.

We can no longer remain silent and fail to take action. We have committed to protecting our women, children and other vulnerable populations. It is time we, as a nation, honour those commitments and act.



Heather Boucher

Bowls South Africa, a National Sports Federation in membership of SASCOC and recognized as such by the Department of Sports, Arts and Culture, fully support this petition and commit to promote its cause within our affiliated members.