



NUMSA Policy Resolutions

1987 to June 2020

Complete Texts

Section 7

Numsa Gender

Introduction

This complete version of Numsa's Resolutions contains all policy resolutions of National Congresses, Central Committees and National Executive Committees in the 33 years between the Founding Congress of Numsa in 1987 and the Special National Executive Committee in June 2020.

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Gender Perspective

Empowering women: Overview

Women's empowerment¹

1. In Employment / at the Workplace
 - 1.1. There is a need for extensive challenge of the sexual division of labour and stereotypes that limit women's access to certain positions.
 - 1.2. Encourage employment of women in our sectors and abolish gender bias in promotion and recruitment procedures (eg. bias in advertisements).
 - 1.3. Employers should implement affirmative action programmes to redress the sexual division of labour by employing females in typical male jobs.
 - 1.4. Education & Training in companies should target women and ABET should be run during working hours with paid education leave.
 - 1.5. Job-creation schemes should prioritise the employment of women.
 - 1.6. The state & employers should assist with the implementation of childcare facilities to facilitate the full participation of women in the workplace and with parental rights agreements.
2. Wage Equity
 - 2.1. That Cosatu work towards an increase in the employment of women in all areas of work and especially in higher paid job categories. This requires a conscious attempt to integrate gender aspects in Cosatu affiliate wage policies by linking the demand of equal wages for equal work and equal wages for work of equal value to the living wage campaign. This will ensure that affiliates take up the struggle against the oppression & exploitation of women, ensuring that this is not regarded as a "women's" issue but a problem of every member of the union.
 - 2.2. Women and men should have equal status in all facets of life.
 - 2.3. The present ideology plays a major role in restricting women to typical female jobs. Education from pre-school to tertiary education is necessary to combat a stereotype sex role.
3. The Union
 - 3.1. We need to devise mechanisms which will empower women in the union.
 - 3.2. Develop education & training modules (on women's needs). These to be given to Numsa's women membership from factory to regional level.
 - 3.3. Develop organisers to understand women's demands/concerns.
 - 3.4. Encourage male comrades to take part in gender education programmes so as to raise understanding of the concept of gender.
 - 3.5. Integrate gender into mainstream union activity.
4. Implementing these ideas
 - 4.1. We should target all sectors.
 - 4.2. Short term goal - by 1998 50% in all organised companies/plants in our union must implement the above policy.
 - 4.3. Factory gender committees shall monitor progress and report from time to time to local gender co-ordinators and local shopstewards council.
 - 4.4. Locals to forward reports to region.

¹ NC 1996

- 4.5. Implement an affirmative action campaign including training shop stewards to serve as Affirmative Action officers.
- 4.6. Provide 2 training courses per year for women.
- 4.7. Campaign for safe transport.
5. Women everywhere
 - 5.1. Support implementation of CEDAW, Beijing Platform of Action and the Women's Charter for effective equality.
 - 5.2. Participate in the process towards the formation of a movement for the emancipation of women.
6. Sexual harassment
 - 6.1. Sexual harassment must be outlawed.
 - 6.2. We need to define policy principles and adopt a code on Sexual Harassment.
 - 6.3. Such a code to include sections on:
 - 6.3.1.confidentiality
 - 6.3.2.report procedure
 - 6.3.3.procedures for settling grievances
 - 6.3.4.informal procedure
 - 6.3.5.correctional / disciplinary procedures
 - 6.3.6.dispute resolution
 - 6.3.7.implementation of policy.

Gender Strategy

Numsa as an Organization and Gender Issues²

Noting that:

1. Whilst resolutions on gender from previous congresses remain relevant, it is noted that none of these have been implemented for a variety of reasons.

Further noting:

2. That no concrete National programme exists which deals with the implementation of existing resolutions.

We Therefore Resolve:

1. Women as shop stewards:
 - 1.1. We must continue to campaign for the election of women as shop stewards and actively work towards the election of women into leadership positions and ensure that gender sensitive people are elected as office bearers.
2. Meetings:
 - 2.1. Childcare facilities should be provided at all union meetings.
 - 2.2. In accommodating family responsibilities, partners of shop stewards should be invited to union activities to conscientise them on what the union is all about.

² NC 2000

3. Gender Co-ordination:
 - 3.1. Nationally
 - 3.1.1. Numsa should employ a National Gender Co-ordinator whose functions and duties should be clearly spelt out with a view to address co-ordination of gender structures from factory to national level.
 - 3.1.2. The NGC should ensure the effective monitoring of labour legislation i.e. EEA, Skills Development, OHSA etc.
 - 3.1.3. A discussion document to be developed and we must work with Cosatu and the Party on the content. This document is to help us to clarify what must constitute gender.
 - 3.1.4. The above document must be given to the regions so that they can drive it so that the next Congress has a different gender breakdown.
 - 3.2. Regionally:
 - 3.2.1. The Regional secretary is an overall co-ordinator in the Region as he has the Political responsibility of ensuring that this particular department is functioning and that Co-ordination is done in his/her Region.
 - 3.2.2. The Regional Education Officer to co-ordinate Gender at the Regional Level and in the absence of the REO (in the case of the position being vacant), in those instances a suitable person be identified, if not, the ROB and REC to appoint a responsible person to co-ordinate Gender.
 - 3.3. Locally:
 - 3.3.1. A committed staff members must be given this task of co-ordinating gender and a Local Office Bearer should be tasked with the responsibility of the portfolio of gender.
 - 3.4. Factory Level:
 - 3.4.1. Shop stewards and Organizers to co-ordinate gender issues at Company level.
4. Gender committees/structures
 - 4.1. Structures should be established from factory to national level. Congress should decide on the following two options in relation to responsibility of establishing gender structures.

Option 1:
Shop stewards, Organisers and Regional Co-ordinators should be responsible for establishing gender structures on an ongoing basis

Option 2:
Gender structures should be incorporated in to the Regional Secretaries department who will establish Regional and Local structures.
5. In improving the functioning of gender structures, the following measures should be implemented:
 - 5.1. Factory Gender Committees to report to factory shop steward committees,
 - 5.2. Gender reps should elect Office Bearers who should attend and sit in shop stewards meetings, be part of meetings with management,
 - 5.3. Male and female members to participate in gender structures,
 - 5.4. The union should negotiate for the recognition of gender structures in the factories,
 - 5.5. Local Gender Committees to report to Local Shop steward Councils, Regional Gender Committees to report to REC and National Gender Structures to report to CC.

6. Budget for Gender Programmes:

- 6.1. The union to draw up a National Programme and budget to be submitted for overseas donation. The National Gender Co-ordinator and International Officer to be responsible for drawing up proposals after the National Congress.

Resolution on gender and youth³

This Congress resolves

1. To build youth and gender structures from factory level, to report to the local structure, which will report to the regional structure, which will report to the national structure.
2. To ensure that both structures have programs. If the structures do not function at the lower levels, the Union must not release funds for Regional and National activities of the structures.
3. To ensure that structures are not used for individuals to push their own agendas.
4. To capacitate both Youth and Gender structures.
5. To call for 20% female delegation in meetings

Gender Transformation⁴

Noting that:-

1. Poor attendance at local shop stewards council in particular by women has been experienced by most locals.
2. Numsa has achieved 100% payment on maternity leave in engineering sector through sick pay fund.
3. Numsa is mainly male dominated sector because of the nature of the industry where we are organised
4. It is important that the programme of gender structures be linked to an integrated strategy to build women's leadership in unions. Any programme or strategy, which deals with gender issues, must be accompanied by affirmative action with concrete mechanisms to put women in leadership positions.
5. Gender structures remain weak at factory and local levels, since gender work remains the responsibility of gender activists.
6. The union is failing to mobilise women as shop stewards, since it is assumed that women decline or resign after elections due to lack of understanding the importance of being a shop steward.
7. Gender co-ordinators are still struggling to balance between the core work of union and gender campaigns.

Therefore Resolve

1. Union to ensure that women get home safely after late meetings.
2. That 50% of apprenticeships should be females.
3. Numsa through the Setas must make a budget available for training employees; preference given to women on skills like welding, boiler etc. (technical skills).
4. Concrete affirmative action measures and strategies must be developed and implemented ensuring that women in leadership positions are effective, that they are linked to programmes of empowerment and that decision making structures are transformed.

³ NC 2016

⁴ Mini NC 2009

5. Union to make sure that national and regional leadership take responsibility for effective co-ordination and running of gender structures within their respective regions and locals.
6. Local gender co-ordinators with factory office bearers must ensure that women are capacitated politically at factory level.
7. Gender co-ordinators to be involved in policy formulation so that they understand the context of resolutions for monitoring and implementation purposes and attend to sexual harassment cases.(KZN).
8. We support the Cosatu resolution 9th NC (*see shaded box below*) and should ensure that these and Numsa's resolutions are implemented.
9. Support the women capacity building including on union activities and structures. And again also on education curriculum enforcement at all levels from grade R (Gender importance).
10. Also childcare facilities were achieved in principle in 2005. It just needs proper coordination and implementation programmes in engineering sector but emphasis must be on providing crèches for children in townships not adjacent to workplaces.
11. Numsa to research women's representation and submit to CC.

Marxist feminism

1. The CC agreed that Numsa must do much more to bring about a proper understanding of Marxist Feminism with particular reference to its programmatic application

Numsa as an Employer and Gender issues⁵

Noting that:

1. Gender division of labour in Unions in relation to who gets employed as what, Numsa has no policy on affirming women.

Resolves that:

1. An employment policy should be developed to ensure that female staff are trained and empowered to take up previously male-dominated jobs.
2. To implement the Cosatu resolution which calls for the appointment of women in top positions traditionally reserved for male comrades.

Numsa policy on childcare at Numsa meetings⁶

To be inserted when NPC draft finalised by Central Committee

⁵ NC 2000

⁶ CC March 2013

Women and employment

Women in the workplace and the labour market

Women workers: Resolution on Women Workers⁷

This union noting:

1. That women workers experience both exploitation as workers and oppression as women and that black women are further discriminated against on the basis of colour.
2. That women are employed in a limited range of occupations, doing boring and repetitive work with low and often unequal pay.
3. That due to overtime and night work, women workers are subjected to many dangers while commuting.
4. That women workers often suffer sexual harassment in recruitment and employment.
5. That most women workers in South Africa lose their jobs when they become pregnant.
6. That pregnant women often have to work under conditions harmful to themselves and their unborn child.

Resolves to fight:

1. Against all unequal and discriminatory treatment of women at work, in society and in the union.
2. For the equal right of women and men to paid work as an important part of the broader aim to achieve full and freely chosen employment.
3. For equal pay for all work of equal value - the value of work must be determined by organised women and men workers themselves.
4. For the restructuring of employment so as to allow women and men the opportunity of qualifying for jobs of equal value.
5. For childcare and family facilities to meet workers' needs and make it easier for workers to combine work and family responsibilities.
6. For full maternity rights, including paid maternity and paternity leave and job security.
7. For the protection of women and men from all types of work proved to be harmful to them, including work which interferes with their ability to have children.
8. Against sexual harassment in whatever form it occurs.
9. For adequate and safe transport for workers doing overtime and night work.

Now commits itself:

1. To actively campaign in support of these resolutions.
2. To negotiate agreements with companies wherever possible as part of this campaign.
3. To actively promote within its education programme, a greater understanding of the specific discriminations suffered by women workers and ways in which these can be overcome.
4. To actively promote the necessary confidence and experience amongst women workers so that they can participate fully at all levels of the union.
5. To establish in each region of the union a worker controlled sub-committee to monitor the progress in implementing this resolution and to make proposals to the regional congress in order to promote these aims. These regional sub-committees shall be coordinated nationally in a way to be formulated by resolution from the regional congresses to the Central Committee.

⁷ NC 1987

6. To budget for the workings of such sub-committees.
7. To actively encourage women members' involvement in women's organisations in the community.

Women in the Workplace and Economy⁸

Noting that:

1. There is a slight improvement in the workplace as a result of legislation and improved collective bargaining agreements. However many problems as identified by the 1996 congress, remain such as the wage gap and occupation levels between men and women.

We therefore resolve:

1. On education, Training and ABET
 - 1.1. Through collective bargaining in 2001, Numsa should demand industry training for women to ensure that by 2003, a significant % of women occupy male-dominated jobs.
 - 1.2. Education and training in companies should prioritise and target women. Adult basic education and training during working hours and with paid education leave should be implemented in all companies.
 - 1.3. Office bearers from local to national level as well as bargaining team members should drive this programme.
2. **Employment Equity**
 - 2.1. The need to move beyond traditional gender roles in the labour market should find expression through the Employment Equity Act by giving male dominated jobs to women in order of preference.
 - 2.2. Numsa through Cosatu should work hard to realise this demand for equal wages for equal work and equal wages for work of equal value. In this regard thorough research should be done to determine to what extent there is discrimination in wages. This process must be completed by 2002 and should tie in with our demand for one grading system in our industries.
 - 2.3. The Promotion of Equality and Prevention of Unfair Discrimination Act, the Employment Equity Act and the Convention of Elimination of Discrimination against Women should through active campaigning be implemented in all workplaces.
 - 2.4. Organisers, Shop stewards and education department should co-operate to realise these objectives.

Collective Bargaining and Gender Issues⁹

Noting that:

1. No progress has been recorded in our demands on childcare, parental rights (partially), affirmative action, job creation, employment equity to address gender bias in the industries.

Resolve that:

1. Numsa should therefore employ a full-time gender co-ordinator to ensure that these programmes relating to collective bargaining are seriously taken up by all sectors in the union whilst women should be included in the respective bargaining teams.

⁸ NC 2000

⁹ NC 2000

2. Bargaining teams in general should provide regular report backs and be educated on gender politics. All sectors should prioritise the demand for childcare facilities at workplaces.
3. In this regard, the engineering bargaining team should be requested to provide a report on how far we have come with the implementation of this agreement (childcare facilities agreement in that industry.)
4. There should be a continuous campaign in our resolve for:
 - 4.1. Maternity leave of 6 months at full pay,
 - 4.2. Paternity leave of 16 days,
 - 4.3. Childcare leave of 20 days,
 - 4.4. Nightwork for pregnant women should not be permitted,
 - 4.5. 20 hours a day safe transport for women in particular and all other employees in general should be provided for by employers and government.

Women and the Economy¹⁰

Noting:

1. Even though the number of women in key institutions has increased, women remain marginalised when it comes to making key decisions in the economy
2. Companies are not complying with the EE and Skills development legislation, particularly as it relates to women's empowerment and upward mobility on the factory floor.
3. The Industrial Policy Action Plan has estimated that 2 477 000 direct and indirect jobs will be created over the next ten years.

Resolve:

1. That there must be a review of the Schedule on Maximum Permissible Fines that may be imposed for contravening the Act with the aim of imposing stiff penalties on those who do not comply with EEA, particularly in relation to black women.
2. Whenever a Department of Labour inspector visits the company, they must first see the employees representatives and make them part of the visit.
3. To advocate fully fledged woman development and co-operative education training institutes that will provide the necessary skills for the success of women businesses. We further say that black women must be given first access to the market and ensure that their participation in decision making is increased.
4. Black Women should make up 50% of the target of new jobs in the Industrial Policy Action Plan.

Sexual Harassment and violence

Sexual Harassment¹¹

Noting that:

1. NEDLAC adopted the sexual harassment code. Little attempt was made to conscientise our members on the code.

We therefore resolve that:

1. To conscientise our members on sexual harassment code through workshops and meetings.

¹⁰ NC 2012

¹¹ NC 2000

2. The code should be presented to our respective industries and negotiated at company level with immediate effect.

Violence against women¹²:

Noting that:

1. Whilst there is legislation on violence against women in particular the Domestic Violence Act, this scourge is on the increase.
2. Numsa must be seen as the driving force of change and seen to champion the plight of working class women who are most vulnerable.

Therefore resolve that:

1. Linking violence against women as a workplace issue
2. Continuous education on this issue to raise awareness and change the attitudes of our members
3. Step up our participation in the campaign (nationally and internationally) by networking more closely with similar minded organizations.
4. Designate International Women's Day (March 8) as a Cosatu Day of Action, to demonstrate our serious commitment to eradicating violence against women.

Numsa Code of Good Practice on Handling Sexual Harassment Cases¹³

1. Preamble

- 1.1. Numsa is obliged to provide a safe and healthy environment for its employees. This means an environment free from sexual harassment or any conduct incidental thereof. Sexual harassment poses a real threat to the image and efficiency of the organisation and if it is not properly monitored, it may have hazardous consequences to the organisation.
- 1.2. This protection is reinforced by the Employment Equity Act, which perceives harassment as a form of unfair discrimination. This code encourages and promotes the development and implementation of policies and procedures that will lead to the creation of workplaces that are free of sexual harassment, where employers and employees respect one another's integrity and dignity, their privacy, and their right to equity in the workplace. This code provides appropriate procedures to deal with the problem and prevent its recurrence. Sexual harassment affects the employees' performance at work, their productivity, focus and effectiveness and the organization may suffer when the victim of harassment attempts to cope with his/her situation.

2. Objectives

- 2.1. The objective of this code is to eliminate sexual harassment in the workplace.
- 2.2. To endeavour to eliminate sexual harassment in the union and to provide appropriate measures to deal with such matters and prevent their recurrence.
- 2.3. To deal with sexual harassment cases in a very sensitive, prompt, unbiased and confidential manner.
- 2.4. To ensure that neither the aggrieved nor the alleged perpetrator is victimized in any way by either management or workers.
- 2.5. To prevent employees, including job applicants, casual and part-time employees from requesting or compelling to engage in sexual activity in return for employment, job retention, salary increase, promotion or service benefits.

¹² NC 2000

¹³ CC Dec 2010

3. Application of the code
 - 3.1. Leadership
 - 3.2. Officials
 - 3.3. Shop stewards
 - 3.4. Job applicants
 - 3.5. Others having dealings with the organization
4. Definition of sexual harassment
 - 4.1. Harassment shall be defined as follows:
 - 4.1.1. Sexual harassment is an unwelcome conduct of a sexual nature which is either direct or indirect.
 - 4.1.2. Sexual harassment is any speech and/or conduct of a sexually discriminatory nature, which is neither welcomed nor encouraged, committed by any person as listed in paragraph three (3) above, which would be so offensive to a reasonable person as to create an abusive working environment and/or impair his/her job performance
 - 4.2. Sexual attention becomes sexual harassment if:
 - 4.2.1. The behavior is persisted in, although a single incident of harassment can constitute sexual harassment
 - 4.2.2. The recipient has made it clear that the behavior is considered offensive
 - 4.2.3. The perpetrator should reasonably have known that the behavior is regarded as unacceptable
5. General Principle
 - 5.1. Sexual harassment is discriminatory against victims, and can even occur within a relationship. It reflects the unequal power relations between men and women in society and in most cases entrenches the subordinate position of women.
 - 5.2. No union official or union member shall demand sexual favours in return for representation, employment, retention of employment promotion or to secure a salary increase
 - 5.3. Sexual harassment cases shall be dealt with in a very sensitive, honest, quick and confidential manner
 - 5.4. The union shall create a working environment that is free from sexual harassment.
 - 5.5. No union leadership, officials and members shall victimize the grievant or jeopardize his/her job security.

6. Forms of sexual harassment

Sexual harassment can take various forms that range from unwelcome subtle attention to the worst forms of violence such as rape. Examples of forms that sexual harassment can take are outlined but are not limited to the following:

- 6.1. Physical forms: Physical conduct of a sexual nature includes all unwanted physical contacts, which is touching, sexual assault or rape, and includes but not limited to fondling breasts, pinching of buttocks, sexual patting, and strip search by or in the presence of the opposite sex. This includes people of the same sex, females harassing males and vice versa and also refers to where unconventional sexual orientations are maintained.
- 6.2. Verbal forms: Verbal forms of sexual harassment include unwelcome innuendo, suggestions and hints, sexual advances, comments with sexual overtones, sex related jokes or insults or unwelcome graphic comments about a person's body made and directed towards them. Unwelcome and inappropriate enquiries about a person's sex life, and unwelcome whistling directed to an individual or group of individuals

- 6.3. Non-verbal forms: These forms include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures, computer graphics and objects, leering and winking.
 - 6.4. Quid Pro Quo/Abuse of Authority: This intentional act of harassment is an abuse of authority by an employer, supervisor or any member of management who has the power to employ or dismiss or change the working conditions of an employee. This can be done by suggestion of sex in return for a job, salary increases, application or threatened application of unfair disciplinary measures and the like. This form amounts to sexual favouritism, which is unacceptable.
7. Policy Statement
- 7.1. As a first step in expressing concern and commitment to deal with the problem of sexual harassment, the union should issue a policy statement which should provide that:
 - 7.1.1. All employees, job applicants and other persons, who have dealings with the business, have the right to be treated with dignity.
 - 7.1.2. Sexual harassment in the workplace will not be permitted or condoned.
 - 7.1.3. Persons who have been subjected to sexual harassment in the workplace have a right to raise a grievance about it should it occur and appropriate action will be taken by the employer.
 - 7.2. The leadership should be placed under a positive duty to implement the policy and take disciplinary action against employees who do not comply with the policy.
 - 7.3. policy on sexual harassment should also explain the procedure which should be followed by employees who are victims of sexual harassment. The policy should also state that:
 - 7.3.1. Allegations of sexual harassment will be dealt with seriously, expeditiously, sensitive and confidentially.
 - 7.3.2. Employees will be protected against victimization, retaliation for lodging grievances and from false accusations
 - 7.4. Policy statements on sexual harassment should be communicated effectively to all employees.
8. Procedures regarding sexual harassment cases
- It is important to remember that as with very conflict there are always two sides to a story. While this is a diplomatic approach, sexual harassment of any nature is inexcusable. Identifying sexual offensive behaviour in the workplace and proceeding with the necessary action is both vitally important to both employees as well as the employer.
- 8.1. 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, the union should designate a person outside the leadership whom victims may approach for confidential advice. Such a person:
 - 8.1.1. Could include persons employed by the organization to perform inter alia such a function.
 - 8.1.2. Should have the appropriate skills and experience or be properly trained and given adequate resources.
 - 8.1.3. Could be required to have counseling and relevant labour relations skills and be able to provide support and advice on a confidential basis.
 - 8.2. Options to resolve a problem
- Employees should be advised that there are two options to resolve a problem relating to sexual harassment. Either an attempt can be made to resolve the problem in an informal way or a formal procedure can be embarked upon.

The employee should be under no duress to accept one or the other option.

8.2.1. Informal Procedure

8.2.1.1. It may be sufficient for the employee concerned to have an opportunity where she/he can explain to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable, and that it interferes with their work.

8.2.1.2. If the informal approach has not provided a satisfactory outcome, if the case is severe or if the conduct continues, it may be more appropriate to embark upon a formal procedure. Severe cases may include: sexual assault, rape, a strip search and quid pro quo harassment.

8.2.2. Formal Procedure

Where a formal procedure has been chosen by the aggrieved, a formal procedure of resolving the grievance should be available and should:

8.2.2.1. Specify to whom the employee should lodge the grievance.

8.2.2.2. Make reference to time frames which allow the grievance to be dealt with expeditiously.

8.2.2.3. Provide that if the case is not resolved satisfactorily, the issue can be dealt with in terms of dispute procedures.

9. Investigation and disciplinary action

9.1. Care should be taken during any investigation of a grievance of sexual harassment that the aggrieved person is not disadvantaged, and that the position of other parties is not prejudiced if the grievance is found to be unwarranted.

9.2. An employee may be dismissed for serious misconduct or repeated offences. Serious incidents of sexual harassment or continued harassment after warnings are dismissable offence

9.3. The range of disciplinary sanctions to which employees will be liable should be clearly stated, and it should also be made clear that it will be a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a grievance of sexual harassment.

10. Dispute Resolution

10.1. Should a complaint of alleged sexual harassment not be satisfactorily resolved by the internal procedures set out above, either party may within thirty (30) days of the dispute having arisen, refer the matter to the C.C.M.A for conciliation. Should the dispute remain unresolved, either party may refer the dispute to the Labour Court within thirty (30) days of receipt of the certification issued by the commissioner.

11. Confidentiality

11.1. Employers (in this case referred to as the union) and employees must ensure that grievances about sexual harassment are investigated and handled in a manner that the identities of the persons involved are kept confidential.

11.2. 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 enquiry.

11.3. Employers are required to disclose to either party or to their representatives, such information as may be reasonably necessary to enable the parties to prepare to any proceedings in terms of this code.

12. Additional sick leave

12.1. Where an employee's existing sick leave entitlement has been exhausted, the employer should give due consideration to the granting of additional sick leave in cases of serious sexual harassment where the employee on medical advice requires trauma counseling.

13. Implementation of this policy

13.1. The organization shall ensure that education and awareness raising programs, which encourage gender sensitive practices and behaviour, are put in place to educate union leadership and employees about rights and appropriate procedures pertaining to cases of sexual harassment. Pamphlets and brochures shall be made available for the benefits of job applicants as well since they are also covered in the definition of an "employee" in terms of the Labour Relations Act, 1995 (as amended)

14. Mandates

14.1. Labour Relations Act, 1995 (No. 66 of 1995) (as amended)

14.2. Constitution of RSA, 1996 (Act 108 of 1996)

14.3. Employment Equity Act, Act, 1998 Act No. 55 of 1998)

Gender-based violence¹⁴

15. NUMSA must intensify education and training on the subject of violence against women and children

¹⁴ CC Dec 2019

Women beyond the workplace

Empowering women in the community

Women in the community¹⁵

Noting that:

1. Women in comparison to men are still perceived as being less capable and able members of society.
2. Women still have to contend with a lack of education, participation in community structures, lack of support from families and many other prejudices.
3. Culture and religion still influence how we behave and how communities operate. The 1997 resolutions in this respect have not been implemented.

We therefore resolve:

1. Women should be empowered with education and information sharing.
2. With involvement of National Gender Co-ordinator (who should be employed as a matter of urgency) women should be encouraged and persuaded to actively participate in community structures.

Women's Emancipation

Women Everywhere¹⁶

1. Numsa supports the implementation of CEDAW, the Beijing platform of Action and Women's Charter for effective Equality.
2. We should participate in the process for the emancipation of women.

¹⁵ NC 2000

¹⁶ NC 2000

Gender Structures, Representation and Coordination in Numsa and Cosatu

Gender Representation on Structures

NCC: Women's representation¹⁷

After further discussion it was resolved on a motion by Cde Madlala seconded by Cde Bokaba that the women's structure would be allocated three places on the National Campaign Committee. Not less than two of the three representatives shall be workers.

Agreed that the National Women's Committee shall elect the three representatives.

Gender: representation and the constitution¹⁸

The meeting debated the issue extensively noting that there is no constitutional guideline on how gender structures should link to constitutional structures. That has caused inconsistencies where some locals allow gender representatives to attend Local shop steward councils while others don't. The Central Committee therefore agreed that from the factory shopsteward councils, local shopsteward council and regional level, a minimum of two gender representatives from gender sub-structures or gender office bearers must be nominated to be represented on all constitutional structures. The Central Committee must be reflective of Gender balance. The national Gender worker office bearers must be appointed to represent gender at both the National Executive Committee and the Central Committee.

Gender: representation¹⁹

1. Gender structures should be formed at local level.
2. The NOB's will decide on the gender representative to sit in the constitutional structures.

Coordination

Gender: co-ordination (March 1995)²⁰

1. The proposal to create new regional gender posts across regions was rejected.
2. Further resolved that all gender co-ordinators should sit in constitutional structures at all levels.

Gender: co-ordination (December 1995)²¹

Regional gender co-ordinators are not going to be new posts but staff will be given additional responsibility with no additional incentive. The appointment will be entirely at the region's discretion. This arrangement will be applied for 12 months after which there will be an assessment. we should fund-raise for gender activities approved a code of conduct to end discrimination against HIV positive workers.

¹⁷ CC Feb 1989

¹⁸ CC Dec 1998

¹⁹ CC Nov 2003

²⁰ CC March 1995

²¹ CC Nov/Dec 1995

Gender: co-ordination (1998)²²

Taking into cognisance current problems with the co-ordination of gender in some regions the Central Committee agreed that:

1. Regional Education Officers should co-ordinate Gender activities.
2. Regions should look at how best to streamline gender activities. eg structures

Gender Co-ordinator (2000)²³

1. The N/Tvl region wanted to know when the union intends to employ a Gender co-ordinator. It is because gender issues are neglected and there is no one who coordinates the desk at the head office. It is difficult to locate gender issues in the union.
2. The meeting reminded the region that in terms of the previous decisions is that all gender activities will be co-ordinated by the ERPU in all the structures of the union including the head office.

Agreed

1. The ERPU should co-ordinate gender at national level and regional educators do the same at regional level. The union should deal with an emerging culture of comrades who want to specialise. The NOB's will call a meeting with the relevant department to communicate the decision.

Gender, women and people with disabilities²⁴

Noting:

1. All current gender programmes have not reached the factory floor or managed to mobilize society e.g. the recent mini-skirt saga at Noord Taxi Rank.
2. NUMSA GENDER STRUCTURE exists at all national union levels, but very little progress has been registered in the objectives as set out in the launching NUMSA national congress in 1987 because:
 - 2.1. Up to now we have never been able as a national union to successfully fight all forms of discrimination against women inside and out-side NUMSA structures including work-places
 - 2.2. As we speak, in our ranks we have very few female shop stewards, and locals have failed dismally to extend this structure at workplace level.
 - 2.3. The gender structure at all levels has fallen prey to those targeting it for their political accomplishment within NUMSA.
 - 2.4. There has been a lack of adequate support from the side of NOB, ROBs and LOBs and the only thing we have been successful in doing is the re-launching of gender structures at all levels and then turning our backs until the end of the term in gender structures and we come back again to re-launch
 - 2.5. We have lacked a clear and comprehensive national framework with clear priorities

Believing:

1. If gender programmes can be launched jointly with progressive NGOs, they can advance gender equality.

Resolve:

1. Gender must fall under the OCCB department and together with the Youth Forum form a working unit.

²² CC Dec 1998

²³ NEC April 2000

²⁴ NC 2012

2. The CC must decide the allocation of the coordination of people with disability. There are two proposals: this coordination must be allocated to the national gender officer or a new person must be appointed to coordinate.
3. The structure must continue to be structure gender forum and we cannot go back to women's structure because the concept of gender also includes men.

Gender Issues

Cosatu Gender Issues²⁵

1. Numsa to implement resolution that says that all affiliates should include women in their delegations to federation meetings and workshops.
2. The federation and affiliates to ensure that conditions under which shop steward elections take place are conducive to electing women shop stewards.
3. The federation should draft a gender profile of its staff which seeks to set targets for increasing the number of women and disabled persons in job categories where they are under-represented.
4. Cosatu and Numsa to network with local and international Non-Government Organisations on gender.

Botched Circumcision²⁶

1. The gender structure of NUMSA has appealed to the NUMSA NEC of 9-10 July 2013 to condemn the practice of circumcision when it is done by under-qualified people who claim that they are experts.
2. The Numsa NEC is repulsed by the dying of young people and those who are being severely maimed by botched circumcisions.
3. The Numsa Gender structure together with the Numsa Youth Forum are tasked by the NEC to develop a campaign that will start anytime soon in mobilizing people about this practice, so that during the next round of circumcisions at the end of the year, the deaths and emasculations of initiates comes to an end.
4. As Numsa we respect the national custom and tradition of circumcision but we demand of provincial and national government to stamp out the unhealthy and unsafe practices that result in the death and maiming we have seen in Mpumalanga and the Eastern Cape provinces.
5. The Numsa NEC calls for the arrest of those responsible for the killings and maiming so that the law may take its course

²⁵ NC 2000

²⁶ SNEC July 2013 Statement

