



United Nations Entity for Gender Equality
and the Empowerment of Women



ILO Pretoria Office, South Africa

ILO Pretoria Office interview with Clicks group South Africa, the winner of the International Women's Day (IWD) celebrations for taking leadership in setting up best practices on sexual harassment in the workplace and ensuring decent work platforms for women

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Introductions: Good morning ladies. My name is Boshigo Matlou (**BM**) from the ILO. I work as the Senior Manager Strategic Planning, Public Relations and Gender Issues. I am here following up on the centenary celebrations of March 08th IWD. As you know the ILO organized the event with UN Women with companies invited to compete for excellence on the workplace and sexual harassment. I understand Clicks Group of Companies participated. Please introduce yourselves.

Bert Engelbercht - BE:

First of all let me thank you very much. I am Bert Engelbrecht Group Human Resources, Senior Manager.

And I am Lorraine Hlapolosa- **LH:**

HR Executive for UPD which is one of the divisions for Clicks

BM: Thank you. Before I go into specific issues that Clicks does on this issue of sexual harassment I just wanted to ask if you think there is something worth celebrating women internationally, should we be celebrating anything?

BE: This year more than any other year I believe there are two things that strike me with regards to this. First I think its paying respect in terms of what happened a100 years ago.

Clearly it's a journey I think, in terms of the move for greater equality for women including working conditions in the workplace. Something that is important for us that first is to just be quiet and reflect in terms of what happened then and secondly, to reflect on how far we have come as women in the work environment over a past of 100 years. When I talk to young people just speaking as a young woman in corporate sector myself, I tell them then that 10 years ago when I had my son maternity leave meant you resigned from the organization but today I can go on leave. Today we can take maternity leave and many of the advances that women have made in the whole realm of women's equality in the workplace for granted. A lot of Women worked and struggled hard to bring about change in the work environment and for us young women today we are reaping the benefits of that and as young women of today we enjoy the rights they fought for. Take for instance the topic and the Theme you chose for the celebrations, on Sexual harassment and rights and yes decent work opportunities for women within the work environment, it's a reflection also allowing us to say what more do we have to do to enhance and really reach gender equality in work environment in the area of remuneration, work life balance, security for women in the work environment etc

BM: Interesting, but when you compare women in South Africa and internationally how far how far would you say South African women specifically have come with regards women's rights at the workplace?

BE: I actually think you know probably bolstered by two things; the first our democratization that our country is now enjoying has a fundamental impact, where the rights of women are embedded in the Constitution as the rights of all people in a democratic country and I think that obviously had a great impact. Secondly the presence of trade unions in the South African environment has meant that that was if you will, a third element within the social fabric of society where we say, how do we specifically ensure that all workers male and female enjoy the rights and protection that are equitable in the work environment.

Thirdly, Civil society in general we have always had a very active fabric of civil society in general, NGOs are very active and so I think all of those working together mean the government and civil society must now ask how do we use all these resources. I think all that including government, employers, workers and civil society should together ask how do we actually make use of all these resources, all the talent together men and women together with civil society to change our society for a better one. This means we have actually made some advances. We see that reflected in our Code of Practice dealing with sexual harassment in the workplace, we see it in the Employment Equity Act, in the Constitution, we see it in the representation of women in Parliament or within government. I think we have come a long way relative to other countries, but I think when you look at some areas specifically the Nordic countries there is still a lot that we have to do.

BNM: I find that in most issues South Africa is lauded for the laws we have in place, but do you think we are there or getting there regarding implementation of these laws?

BE: I think that government can only help us in terms of creating new labour laws I think the second thing is that all of us actually have to ensure the execution of the legislation because government has already provided the strategies and enabling environment. The government has created the framework.

Take for example the Employment Equity Act. I think there is still work that we have to do. And there you know I think it is as much business, together with labour and civil society and government obviously working together to ensure that these happen.

But in other respects I think that companies have to do and perhaps where government has created the labour legislation we need to begin to think about what are the mechanisms we have put in place to ensure that those mechanisms are actually being applied. So we fall short I think on execution, but that's not to say that there aren't individual companies that have not gone beyond what is required. So you know we were talking about the Code of Good Practice sexual harassment which is thematic I think, for women and the ILO in South Africa for this year. There are companies that have gone beyond the Code of Practice but there are those that have not yet embraced the positive obligation placed upon them in terms of the Code but now I think you know labour unions, employers in companies are obliged to take the fight to the board rooms to make sure that the positive obligations are being applied in those organizations so that sexual harassment is totally eliminated in the workplace.

BM: Let's talk about Clicks. Does your company have a specific policies or code of conduct that deals with sexual harassment in the workplace? How long has it been in place?

BE. We have a Policy on sexual harassment in the work environment which we put in place in 2009 so already you can see that, I think companies were beginning to ask themselves as what more they can do to have a safer work environment. It is not that we did not have a policy, we has a generic Code of Conduct, but when we reflected on it we said let us be more specific because our environment is largely a retail organization. We are largely a retail organization. You know that majority of people working in our company are women. Many of the people who come to our environment are coming straight out of school 18 to 20 year olds at that age they are quite

vulnerable and do not have the skills yet or really know their rights are, as to how do I actually deal with for example unwarranted attention and what is the vocabulary to use. So it was reflecting on it saying a generic code of conduct is not good enough let's be more specific and actually put in place a Code of Conduct on sexual harassment which talks to the mutual obligations in the work environment.

Secondly, the reason for doing that was also the acknowledgment that a lot has changed. Many people now actually meet a partner within a work environment and so we saying now how do we begin to reflect that society itself has changed and how do we provide for disclosure in terms of relationships within the work environment, so that even when a relationship ends and one party actually continues to press for the continuance of the relationship, the unwilling partner must feel that there is support within the organization.

BM: What prompted you to come up with that specific policy on sexual harassment, was it that cases were now arising or because there were reports of people who had experienced sexual harassment within the organization? Or you just felt you needed to put it in place?

BE: It came about as a result of eeh, well obviously you know we go through total review of our policy from time to time. But what actually led to it was that we had an incident, not involving an employee but involving an outsourced labour contractor on one of our work sites. And so you know when looked at the case obviously we said well we had to proceed with the case. And then we said well under what pretext can we do that? Can we say well we have got the Code of Good Discipline and on the other hand we have the Code of Good Conduct but what after the case, when we reviewed it we said what is there that is lacking in our organization? We said actually we needed to be more specific in terms of the Code on sexual harassment in particular, because you know most people would say, 'oh I just flirted because I found her attractive' and so it was recognized that how do you actually equip people to say that 'there is a document within your organization that I can rely upon that enables me and gives me particular rights'.

LH: Besides that I wanted to say that we do not just rely on policy alone we also participate in national days commemorating issues of women to create awareness, such as the 16 Days on Action Against Violence Against Women and Children, last year we went big during the 16 days, not just on Women's Day. We do go out and talk to people and use all opportunities for advocacy to raise awareness.

BM: Do you have training that you conduct for your members of staff, specific training on this issue or is it just advocacy that you do?

BE: Training in general on the policy framework when would have an incidence such that one we had for example what we would then do is get targeted training and deal with it in particular.

I think as Lorraine said here we have a total programme where we try and mirror the agendas of national government or of international organizations e.g Sixteen Days of Action on Violence Against Women and Children, you know we commemorate that and we work actively on the programme like this. There are many opportunities where we are able to bring all the different strands together. Even in instances where there has been allegations of sexual harassment which through the process of enquiry has been disproved, what we will nevertheless still do is then say this is still an opportunity for us to begin to talk about or what is really acceptable or appropriate for the work environ- ment or how do you access assistance in the organization should you need it.

LH: And like many organizations we do make people aware of our policies when they start or join organization. We introduce the policies to new members through the induction courses where we say 'here are the policies, please familiarise yourselves with them'.

BM: Coming to the Award I see that Clicks won the number one spot, what does the Award mean for you, what are the plans going forward what are going to do with, or is it that you received a certificate you are going to hang it on your wall and that's it or you got plans you know, what are your plans to make use of this honour and award that you received?

BE: I am going to let Lorraine answer because she actually represented us, but just to say to us we are obviously proud of the institutions that invited us and are involved in this and when we look at the other companies that participated. We are proud that we are doing the things that are important for our employees. And it begins to reflect where it is that we would like to see this response

How we will use this?

To us it is an opportunity to communicate about what I at stake and when we reflect on the information that you made available to us saying that in many companies just 20% of the people are aware that there is the sexual harassment policy, begins to say to me certainly as the HR Director that, is there more work that we have to do? How do we use our channels for communication? You know we got internal magazines, we have an internal Radio Station. So how do we make use of these begin to once again to spread the message. It is not just about a policy as you will see in our submission that we as an example, have support in terms of trauma counselling, we have support in terms of professional psychologists that are actually able to assist and help people either telephonically or in terms of face to face and extend that for the family.

So it is really saying to us you know, that this is just giving us a real good excuse to continue to communicate about what it is that we stand for and what are the particular avenues that are available for men and women in the work environment. Because I think about a month ago we had a case of sexual harassment of one female against another. So you know we must also not be caught in stereotypes that say sexual harassment is only males against females. We must realise that society has changed and it is requiring of us to look very differently at the things that we do within the work environment.

Lorraine: I think for me this is a challenge for us I think from now onwards we have to be seen to be doing more because we have won the prize we can't just relax and say we have won the prize. It means we have to do more than just upholding these policies and the mere fact that we are going to be putting it on the wall it means that employees are going to challenge us to say now that we have won the award what are we going to be doing about it. Not that we would have won the prize but are not doing anything for them.

It is not going to be a nice ride we are going to be challenged to do more and of course we would like to maintain our number one spot.

BM: I am curious, you say you have just had one case so far but suppose you have had a serious case of sexual harassment, what are the measures and mechanisms that you have put in place to deal with perpetrators, how are you going to handle that?

BE: Oh no, actually we have had quite a number of cases and to me that is an acknowledgement that they are aware of the policy. It's an acknowledgement that people know where you access support and assistance from. So we actually are with it in terms of our disciplinary procedure. You know we do the enquiry, because we want to be fair to all parties so we proceed. We have dismissals attached to it. So what are the avenues that are available to people? First of all in December we had an instance where somebody accessed the grievance procedure and we took it from the grievance and said just to look at it in terms of grievance procedure, now that there is a case to be made isn't sufficient. Our advice is that can a grievance procedure actually be done through the disciplinary procedure so that's one way. People can access the grievance procedure

or they can actually lay a charge of alleged misconduct and the enquiries kick in. They also exit directly to our forensic department or to our internal audit department because we have a sub-department and an internal audit or they can go and complain there, or they can also call through anonymously. And from there on actually an external company can engage with us and to say how do you respond to this and once again when there is a case to be made we go forth from there and in the process we ensure that we do not prejudge the case and that we provide support to all the parties throughout the process and then when we have completed it we then say, what is the work that we have to do as an agent in the community in the whole department, because people are going to be traumatized in that department. So how do we ensure that we make sure that the department is settled down so that there is clarity about what the appropriate norms and behaviour within the work environment.

BM: Just to ask now that you have received this award what if outside of your own workplace other companies come ask that 'well we see that you have good practices at the workplace can you come and assist us with setting up at our own workplace' would you do that?

BE: Absolutely, Lorraine is here in Gauteng where we are and I am coming up from Cape Town to Johannesburg soon and this is going to be a case of you know where company that is not even in the retail industry has asked 'look could you assist us with in terms of enterprise development with what you guys are doing on corporate social development'. So by all means we are more than happy to get involved and to assist because it is something we believe in, and for myself personally I have seen the benefit of some of these things as a woman within the work environment and would like to ensure that other women reap the fruits of that as well.

BM: Well thank you very much. The ILO would like to once again congratulate you and to say for us you are an example of implementing decent work at the work place. We will be happy to continue to work with you. We intend to make this collaboration we had with companies and UN Women an annual thing and we will be contacting you to inform you on what our plans are for next year.

Enjoy your award and continue to make women rise from the oppression that they have experienced thus far. And I laud both of you for the work that you are doing. Thank you so very much.

CLICKS: Thank you.