

**NATIONAL ASSEMBLY  
QUESTION FOR WRITTEN REPLY  
QUESTION NUMBER: 1931 [NW2088E]  
DATE OF PUBLICATION: 8 JUNE 2018**

**1931. Mr N S Matiase (EFF) to ask the Minister of Finance:**

- (1) What (a) is the total number of incidents of sexual harassment that were reported to the human resources offices of (i) the National Treasury and (ii) entities reporting to him in (aa) 2016 and (bb) 2017 and (b) are the details of each incident that took place;
- (2) was each incident investigated; if not, why not in each case; if so, what were the outcomes of the investigation in each case?

NW2088E

**REPLY:**

**NATIONAL TREASURY**

- (1) (a) (i) (aa) (bb) Nil  
(b) Not applicable
- (2) Not applicable.

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**ASB**

No incidents of sexual harassment were reported to the human resources officer in the Accounting Standards Board during 2016 or 2017.

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**CBDA**

CBDA did not have any incidents of sexual harassment reported to the human resources offices.

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**DBSA**

- (1) (a) (b) None
- (2) N/A

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**FIC**

(1)(a)(ii)(aa)(bb)(b) The Financial Intelligence Centre confirms that there were no reports of

sexual harassment made to its Human Resources business unit.

(2) Not applicable.

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### **FSCA**

(1) 1 case.

(2) There was one case of sexual harassment reported during the month of October / November in 2017. An independent Chairperson was appointed to adjudicate the case. It was found that the employee made unsubstantiated allegations against the accused. She referred the matter to the CCMA but subsequently withdrew the case.

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### **GEPF**

There has been no incidents of sexual harassment reported.

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### **GPAA**

**Question 1 : In 2016/2017, The following incidents were reported;**

1. A female employee at level 6 lodged a grievance against a team leader at level 8.
2. Incident reported on 2/10/2017, where a junior employee at level 6 lodged a grievance against a senior employee acting at level 14.
3. A female employee at level 6 lodged a grievance against a fellow employee at level 5.

**Reply to Question 2;**

- 2.1 With regards the first incident, an investigation was conducted, the complainant subsequently withdrew her complaint.
- 2.2 Regarding the second incident, an investigation was conducted, the allegations were ruled to be unfounded.
- 2.3 An investigation was lodged and is still ongoing.

### **SUMMARY:**

- The total number of reported cases is 3 (Three);
- All three reported cases were investigated.
- One (1) case withdrawn by the employee;

- One (1) case ruled allegations as unfounded;
- One (1) case, investigation is ongoing.

**IRBA**

The IRBA hereby declares that no incidents of sexual harassment were reported to the human resources office in (aa) 2016 and (bb) 2017.

**LAND BANK**

There were no incidents of sexual harassment that was reported to the human resources office in 2016 and 2017 at the Land Bank.

**FAIS OMBUD**

- (1) Zero (0)
- (2) Not applicable

**PFA**

No incident of sexual harassment was reported to the human resources office of the OPFA.

**PIC**

- (1) No incidents of sexual harassment were reported at the PIC for 2016 and 2017.
- (2) Falls away.

**SAA**

**(1) & (2)**

**Total number of sexual harassment incidents report to HR in:**

**2016 = 1**  
**2017 = 4**

**Details are as follows:**

Year	Personnel Area	Matter was investigated	Status
2016	In-Flight Services	Offender was found guilty of sexual harassment	Offender was dismissed following a disciplinary hearing

2017	Airport Operations	Offender was found guilty of sexual harassment	Offender was dismissed following a disciplinary hearing
2017	Cargo	Alleged offender found not guilty due to inconclusive evidence	Matter closed
2017	In-Flight Services	Offender was found guilty of sexual harassment	Offender was dismissed following a disciplinary hearing
2017	Legal	Alleged offender found not guilty due to inconclusive evidence	Matter closed

## SARS

Over the period 2015 to 2017 there have been 3 Sexual Harassment cases reported to the Employer under the auspices of a Grievance process and 6 cases that resulted in a formal disciplinary process.

The tables below contain the list of these cases which includes the details as well as if the matter was investigated and the outcome of these formal cases.

Year	Type	Nature of Case	Details of Incident	Investigated Y/N	Outcome
2016	Grievance	Sexual harassment	1. Defamation of character 2. Emotional abuse 3. Sexual harassment/abuse	Yes	Through the grievance process, the aggrieved employee and the accused managed to resolve the matter on amicable terms.
2016	Grievance	Sexual harassment	Employee alleges that the Executive made advances of a sexual nature towards the aggrieved.	No	The complainant resigned and then lodged a Grievance during her notice period in which the alleged sexual harassment. After serving her notice period she referred the matter to the CCMA as Constructive Dismissal based on Sexual Harassment and Unfair Discrimination. The Award was not in favour of the Complainant.
2016	Grievance	Sexual harassment	Inappropriate comments	Yes	A Grievance Hearing held and the complainant accepted an apology. They agreed to have a respectful working relationship going forward.
Year	Type	Nature of Case	Details of Incident	Investigated Y/N	Outcome / Sanction
2015	Formal Disciplinary Hearing	Sexual harassment	A complainant, being a non-SARS employee, alleged that the SARS employee sexually assaulted the complainant.	Yes	The Presiding Officer found the employee "Not Guilty"

2015	Formal Disciplinary Hearing	Sexual harassment	It was alleged that the employee behaved in an inappropriate sexual manner towards a colleague.	Yes	Dismissal
2015	Formal Disciplinary Hearing	Sexual harassment	It was alleged that the employee behaved and made inappropriate and unwelcomed comments to a subordinate.	Yes	Final Written Warning plus Suspension Without Pay: 10 Days as an alternative to dismissal
2017	Formal Disciplinary Hearing	Sexual harassment	Employee allegedly committed Sexual Harassment	Yes	The suspension was uplifted and the employee was not charged as the investigation failed to substantiate the allegation of sexual harassment and the credibility of the complainant.
2017	Formal Disciplinary Hearing	Sexual harassment	Making inappropriate sexual comments towards 3 colleagues	Yes	The main complainant requested that SARS resort to the informal disciplinary process as a means of resolving her complaint and that she was not comfortable to give evidence in a disciplinary hearing. Due consideration was given regarding the weight of the totality of the evidence of the main complainant and her colleagues; there were slim possibilities of a guilty finding against the employee. An informal process is currently underway.
2017	Informal Disciplinary Hearing	Sexual harassment	Inappropriate Behavior - Sexual Harassment	Yes	Final Written Warning and a formal referral to Wellness.

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## SASRIA

Sasria has not had incidents of sexual harassment reported to Human Resources (Human Capital), for the financial years of 2016 and 2017 respectively.

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## TAX OMBUD

(1) (a) Only one incident was reported to the human resources office

(aa) there were no incidents reported in 2016

(bb) Only one incident was reported to the human resources office in 2017

(b) Allegations of sexual harassment were made by a female employee against her male manager. The complaint related to comments allegedly made by the manager to the complainant.

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(2) The allegations were investigated and a decision was taken to charge the manager.  
Disciplinary proceedings are in progress.

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