

**Ministry**

**Employment & Labour**

**Republic of South Africa**

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**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 2924 [NW3550E]**

**2924. Mr S L Ngcobo (IFP) to ask the Minister of Employment and Labour:**

What (a) has he found to have been the effect of the inception of the Code of Good Practice on the Prevention and Elimination of Violence and Harassment in the World of Work in March 2022 on reported incidents of violence and harassment in the workplace and (b) are the details of how his department has tracked the effect of the code on the workplace? NW3550E

**REPLY:**

1. In relation to the effect of the inception of the Code of Good Practice on the Prevention and Elimination of Harassment in the workplace (Harassment Code) in March 2022 on reported incidents of violence and harassment in the workplace, it is too early to assess the impact of this Code on the reported incidents. It is important to highlight that the Employment Equity Act (EEA) empowers both the Commission for Conciliation, Mediation and Arbitration (CCMA) and the Labour Court to deal with unfair discrimination disputes, inclusive of all harassment cases.

Noteworthy is that, the primary objectives of this Harassment Code are to align our national laws with the provision of the ILO Convention, 190 that the country has ratified on 29 November 2021; and also to provide employers and employees, including the trade unions with practical guidelines on how to develop and implement workplace harassment policies and practices.

Therefore, we need to allow the employers in consultation with employees an opportunity to develop and implement workplace harassment policies and practices as required by section 60 of the EEA and this Code.

In order to raise awareness and educate employers and employees on the contents of the Code, the department together with the CCMA conducted EE workshops in all nine provinces from 17 August to 15 September 2022. In addition, the department has developed and published the Harassment Code pamphlet in all 11 official languages to ensure access to the majority of the population.

Thereafter, at the end of the first year of the implementation of the Code in March 2023, department together with the CCMA will then analyse the number of the harassment cases reported at the CCMA and based on the outcome, the department will then be able to assess the effect or impact of this Code on the labour market.

1. About the tracking of the effects of the Harassment Code on the workplace, the tracking will be done through the analyses of the number of harassment disputes/ cases referred to the CCMA and the Labour Court at the end of March 2023.

**END**