



GSSA Position Statement: Harassment and Discrimination



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Geological Society of South Africa Position Statement: Harassment and Discrimination The GSSA strongly condemns harassment, discrimination, victimisation or bullying of any kind either in or out of the workplace – whether it be based on gender, ethnicity, sexual orientation, or any other criteria. Any such actions by members are viewed as breaches of the GSSA Code of Ethics (the Preamble as well as Clause 2 and specifically, Clause 9; Code of Ethics lodged at www.gssa.org.za), and complaints will be dealt with through the Complaints and Ethics process of the GSSA. It is fundamental to appreciate that this statement on harassment and discrimination is binding on all GSSA members, irrespective of where in the world they live and/or work.

Harassment may be caused, for example, by a person following, communicating with, watching, or bothering another person; or sending letters, gifts, faxes, or emails to such a person. Harassment includes sexual harassment in the workplace and may include any unwelcome sexual attention, behaviour, suggestions, messages, or remarks of a sexual nature that offends, intimidates or humiliates. Unacceptable actions also include activities in the digital world and in social media.

In accordance with article 09 of the South African Constitution¹ (<https://mywage.co.za/main/decentwork/fair-treatment/discrimination>), all persons are equal before law and there cannot be any discrimination on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and/or birth. The law also prohibits anti-union discrimination by employers. The Employment Equity Act also prohibits discrimination on the basis of family responsibilities and HIV status in addition to those mentioned above.

In terms of the Employment Equity Act, the harassment of an employee is a form of unfair discrimination and is prohibited on any one, or a combination of grounds of unfair discrimination (<http://www.labourguide.co.za/most-recent/1648-protection-from-harassment-act>). Harassment occurs (<https://www.legalwise.co.za/help-yourself/quicklaw-guides/harassment>) when a person's behaviour is so extreme, abusive or rude that it causes harm to another person or makes another person believe that s/he will suffer harm. This may include mental, psychological, physical or financial harm.

Signed E Swindell (President)
T Marshall (VP Professional Affairs
C Smith) (Executive Manager)

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¹Although the references to the Constitution and Employment Equity Act mentioned here are specific to South Africa, it is recognised that other countries in which GSSA members may live and/or work will have similar legal statements, regulations or conventions which are equally appropriate. Where such do not exist, then the provisions of the GSSA Code of Ethics will be deemed to be applicable.