



HARASSMENT & NON-DISCRIMINATION POLICY

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1. PURPOSE

Montego Pet Nutrition has a **zero tolerance** for harassment, discrimination, or victimisation in any form. These behaviours are incompatible with our values and will be addressed with urgency and seriousness.

This Policy sets out clear *Principles* and *Coordinated Guidelines* for addressing workplace harassment and discrimination. It aligns with the *Code of Good Practice on Preventing and Eliminating Harassment in the Workplace (Government Gazette No. 46056, 18 March 2022)*. It ensures compliance with Montego's *Employee Relations and Disciplinary Guidelines Policy*.

The aim is to adhere to *Labour Legislation* and *Best Practice Codes*, including protections for *Collective Bargaining*, *Anti-Discrimination Mandates*, and fair treatment of employees and workplace representatives.

The Policy also aligns with Montego Pet Nutrition's *Child Labour & Remediation Policy* and *Human Rights Policy*, promoting human dignity, protecting vulnerable groups, and fostering inclusive workplace practices. It explicitly references *Whistleblower Protection* and prohibits any form of unfair discrimination.

2. SCOPE

This Policy applies to all Montego Pet Nutrition Employees, Contractors, Clients, Job Applicants, Service Providers, Suppliers, and other persons associated with the workplace. It includes physical and remote workspaces and extends to all work-related events or interactions.

3. DEFINITIONS

TERM	DEFINITION
Arbitrary ground	This means a ground similar to the listed prohibited grounds that has the effect of excluding a person from the workplace, infringing on their dignity, and creating a hostile work environment.
Code	Refers to the <i>Code of Good Practice on Prevention and Elimination of Harassment in the Workplace</i> issued in terms of <i>Section 54(1)(b) of the EEA</i> published under <i>Government Notice No. 1890 of 18 March 2022 in Government Gazette 46056</i> .
Commentary	Means an expression of opinion(s), offering of explanation(s), or criticism in respect of an event, feature, object, or situation(s) directed at one or more persons.
Complainant	This means an employee against whom an act, or acts of harassment, have been committed (victim of harassment).
Discrimination (Annexure A)	Unfair treatment of an individual or group based on one or more prohibited or arbitrary grounds, as defined by the <i>Employment Equity Act</i> . This includes both direct and indirect discrimination that has the effect of impairing a person's dignity, limiting access to opportunities, or creating a hostile environment.
EEA	This means the <i>Employment Equity Act No. 55 of 1998</i> is amended occasionally.

Employer	Means Montego Pet Nutrition.
Harassment <i>(Annexure A)</i>	Any unwanted conduct that impairs a person's dignity, creates a hostile work environment, or results in psychological, emotional, or physical harm. This includes, but is not limited to, bullying, intimidation, verbal abuse, sexual harassment, discriminatory behaviour, and microaggressions.
Microaggressions	Subtle, often unintentional comments or behaviours that communicate bias or prejudice towards individuals based on race, gender, disability, or other prohibited grounds. While often minimised, they can accumulate and contribute to a hostile or unwelcoming work environment.
Prohibited Grounds	Includes race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, birth, or any other ground listed in <i>Section 6 of the Employment Equity Act</i> .
Reasonable Person Standard	An objective standard used to assess whether conduct would be perceived as offensive, demeaning, or harassing by a hypothetical reasonable person in the same situation as the complainant.
Unwanted conduct	Refers to any conduct that is offensive to the receiver, makes the receiver feel uncomfortable, or is considered unacceptable.
Unfair discrimination	As defined in the <i>Employment Equity Act</i> , this refers to harassment directed at a person or group based on any prohibited ground.
Victimisation	Any adverse action taken against a person because they raised a complaint, assisted in an investigation, or exercised a right under this policy or relevant labour laws. Victimisation includes threats, retaliation, exclusion, or other forms of punishment or intimidation.
Vulnerable persons	Includes minors, persons with disabilities, or any group identified under Montego Pet Nutrition's <i>Child Labour, Human Rights, or Non-Discrimination Policies</i> as being at heightened risk of abuse, discrimination, or exclusion.
Whistleblowing	The disclosure of information by an employee or any other person regarding any unethical, unlawful, or harmful behaviour taking place within the organisation, including harassment, discrimination, fraud, or other misconduct. Whistleblowing may be done confidentially or anonymously through designated reporting channels.
Workplace	Any location or environment related to work, including physical premises, remote or virtual spaces, or any location where work-related communication or events occur.

4. OBJECTIVES

Montego Pet Nutrition aims to:

- Protect the rights and interests of employees.
- Promote and maintain a safe, respectful, harassment and discrimination-free work environment.
- Create awareness and inform employees of their rights and responsibilities regarding the prevention of harassment and discrimination.

- Provide clear guidelines for identifying, reporting, and managing harassment and discrimination.
- Ensure fair, confidential, and consistent procedures for resolving harassment and discrimination grievances.
- Offer remedies and support, especially where vulnerable or minor individuals are involved.

5. LEGAL FRAMEWORK

This Policy draws on the following *Legislative and Policy Instruments*:

- Constitution of the Republic of South Africa
- Employment Equity Act, 1998 (as amended)
- Labour Relations Act, 1995 (as amended)
- Basic Conditions of Employment Act, 1997 (as amended)
- Protected Disclosures Act 26 of 2000 (PDA)
- Protection from Harassment Act, 2011
- Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA), 2000
- Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace (2022)
- Montego Pet Nutrition's Child Labour & Remediation Policy
- Montego Pet Nutrition's Human Rights Policy
- Montego Pet Nutrition's Employee Relations & Disciplinary Guidelines Policy
- Montego Pet Nutrition's Whistleblowing Policy

6. PROTECTION OF RIGHTS

Montego Pet Nutrition commits to upholding every individual's right to dignity, equality, and freedom from harassment and discrimination.

- Harassment or discrimination by or toward any individual within the scope of this Policy or beyond will not be tolerated.
- Non-discrimination covers all *Employment Practices* (hiring, promotion, training, termination) across all prohibited grounds.
- Montego Pet Nutrition recognises and upholds the rights of employees to *Freedom of Association* and *Collective Bargaining*. Workers' Representatives will not be discriminated against for performing their duties.
- There will be no unfair discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership, political affiliation, or any other unlawful ground.
- Montego Pet Nutrition affirms that no person shall be unfairly discriminated against or victimised for reporting misconduct or participating in an investigation under this Policy, the *Whistleblowing Policy* or any other relevant Montego Policy.

7. HARASSMENT IN THE WORKPLACE

Harassment is any unwelcome conduct based on prohibited or arbitrary grounds that impairs dignity. It may include direct or indirect, verbal or non-verbal, physical or psychological acts, whether once-off or persistent.

Harassment can take place:

- In person, online, or via any communication medium.
- During work hours or outside of work, if work-related.
- Between colleagues, managers, employees, clients, suppliers, or external persons.

Montego Pet Nutrition may implement *Progressive* or *Immediate Disciplinary Measures* depending on the severity and type of harassment, following the *Employee Relations & Disciplinary Guidelines Policy*.

8. SEXUAL HARASSMENT

Sexual harassment includes any unwanted attention of a sexual nature. Examples include:

- **Verbal:** Sexually suggestive remarks, jokes, or invitations
- **Non-verbal:** Gestures, staring, or displaying sexual images
- **Physical:** Unwanted touching or brushing
- **Digital:** Sending explicit messages or media

Sexual harassment is a **Category 1 Grievance** requiring immediate action and may result in *Dismissal on the First Offence*. Where a minor or vulnerable person is involved, additional protective measures and referrals are activated.

Montego Pet Nutrition may implement *Progressive* or *Immediate Disciplinary Measures* depending on the severity and type of harassment, following the *Employee Relations & Disciplinary Guidelines Policy*.

9. DISCRIMINATION IN THE WORKPLACE

Discrimination is defined as any unjust treatment of an individual or a group based on prohibited or arbitrary criteria, whether such discrimination is direct or indirect, intentional or unintentional. This encompasses decisions, behaviours, or systemic practices that lead to exclusion, disadvantage, or a compromise of dignity and access to opportunities.

Discrimination can occur:

- In recruitment, promotion, training, remuneration, benefits, or termination.
- Through Policies or Practices that result in unequal treatment.
- Via exclusionary language, assumptions, or stereotyping.

Based on any prohibited or arbitrary ground, including race, gender, disability, age, religion, sexual orientation, marital status, or Union Membership

Montego Pet Nutrition strictly prohibits all forms of discrimination. Confirmed cases – particularly those based on race, gender, disability, or other vulnerable grounds – will be treated as **Category 1 Offences** and may result in *Dismissal on the First Instance*. If a vulnerable person is affected, additional protective steps and referrals may apply.

Progressive or Immediate Disciplinary Measures may be taken depending on the severity of the discrimination, in accordance with the *Employee Relations & Disciplinary Guidelines Policy*.

10. COMMUNICATION AND REPORTING HARASSMENT & DISCRIMINATION

Any person may report harassment, victimisation or discrimination, including victims, witnesses, or representatives.

- Reports can be made verbally, in writing, or directly to a Line Manager, Human Resources on the *Internal Complaint Form (Annexure C)* or via the **confidential Whistleblower Hotline** outlined in the *Whistleblowing Policy*, using the *Whistleblowing Hotline (Annexure B)*.

Category 1 Offences, including grievances, victimisation, or discrimination (which encompasses as examples (not excluding others), physical threats, sexual harassment, racial slurs, hate speech, gender-based or religious exclusion, discriminatory refusal to train, promote, or pay equally, and retaliation against Union Members or Whistleblowers) must be responded to within two (2) working days.

11. CONFIDENTIALITY

Harassment Complaints will be handled discreetly. Only individuals directly involved in the *Investigation or Resolution Process* will have access to information.

In sensitive cases, such as sexual harassment, *Disciplinary Hearings* will be limited to essential participants only.

12. ADVICE, ASSISTANCE AND RESPONSIBILITIES

Manager and Supervisor Responsibilities

Supervisors and Managers are required to model respectful behaviour, take prompt action on complaints, and support affected individuals. Failure to address known harassment may result in *Disciplinary Action*.

Employee Responsibilities

All employees of Montego Pet Nutrition share the responsibility to uphold a workplace free from harassment and discrimination.

All Employees are expected to:

- Treat all colleagues, clients, and stakeholders with dignity and respect.
- Avoid behaviour that may be perceived as offensive, exclusionary, hostile, or intimidating – regardless of intent.

- Speak up against harassment, discrimination, or unfair treatment, whether directed at themselves or others.
- Report incidents of harassment or discrimination through the appropriate channels, including the *Whistleblowing Hotline* or Human Resources (HR).
- Cooperate fully and truthfully in any *Investigation* or *Resolution Process*.
- Respect the confidentiality of any parties involved in a complaint or investigation.

Affected individuals may:

- Approach their Manager, Supervisor or HR Department for confidential advice or assistance.
- Use a trusted colleague or Union Representative for support.
- Request access to the *Employee Assistance Programme (EAP)* for Trauma Support or Counselling.

13. INVESTIGATION AND DISCIPLINARY ACTION

Investigations will follow the *Employee Relations & Disciplinary Guidelines Policy*. Actions may include:

- *Precautionary Suspension*;
- *Disciplinary Enquiry* with forty-eight (48) hour notice;
- *Formal Hearing* and potential *Dismissal* for serious misconduct.

Where harassment is confirmed, *Sanctions* will reflect the seriousness, impact, and nature of the offence. Repeated or extreme offences may lead to immediate Dismissal.

14. CRIMINAL AND CIVIL CHARGES

Victims have the right to press separate *Criminal* and/or *Civil Charges*. Montego Pet Nutrition will support victims as far as reasonably possible without interfering with *Legal Processes*.

15. DISPUTE RESOLUTION

If a complaint is not resolved internally, it may be escalated in line with Montego Pet Nutrition's *Grievance Procedure* and referred to the *CCMA (Commission for Conciliation, Mediation and Arbitration)* within thirty (30) days, under *Section 135 of the Labour Relations Act*.

16. OTHER CONSIDERATIONS

If the complainant and alleged perpetrator work in the same area, Montego Pet Nutrition will take reasonable steps to separate them pending *Investigation*. Additional *Trauma Counselling* or *Special Leave* may be arranged, especially for minors and vulnerable complainants.

17. EMPLOYEE ASSISTANCE PROGRAMME (EAP)

Montego Pet Nutrition provides access to confidential support through the *EAP*.

Up to three (3) *Trauma Counselling* sessions will be sponsored. If the incident involves a minor or vulnerable employee, referrals may be made to external support professionals.

18. ADDITIONAL SICK LEAVE

In severe cases where harassment causes extended illness, additional *Sick Leave* may be considered. Where applicable, employees may also apply for *UIF (Unemployment Insurance Fund) Illness Benefits*.

19. QUERIES

All questions regarding this Policy must be referred to your HR Representative.

ANNEXURE A - Types of Harassment & Discrimination

TERM	DEFINITION
Bullying	This entails <u>seeking to harm, intimidate, or coerce</u> individuals perceived as vulnerable (regardless of whether this perception is accurate) who belong to a group or are persons at a higher risk of unfair discrimination. Examples of vulnerable individuals include those with disabilities, women, older adults, and others.
Harassment	This pertains to conduct that encompasses violence, physical abuse, psychological abuse, emotional abuse, sexual abuse, gender-based abuse, and racial abuse, expressed through various behaviours that include, but are not limited to: • Slandering an employee or maliciously spreading rumours. • Conduct that humiliates, insults, or demeans an employee. • Providing incorrect work-related information or withholding it. • Sabotaging or impeding work performance. • Ostracising, boycotting, or excluding employees from work or work-related activities. • Persecution involving threats and instilling fear and degradation. • Intolerance towards psychological or medical disabilities and personal circumstances. • Surveillance of an employee without their knowledge and with harmful intent. • Use of <i>Administrative Sanctions</i> without objective justification, explanation, or efforts to resolve the issue. • Demotion without justification. • Abuse or selective use of <i>Disciplinary Proceedings</i>. • Pressuring an employee to engage in illegal activities or not exercise their Legal Rights. • Pressuring an employee to resign. • Other examples include: negative gossip, hostile joking at someone's expense, sarcasm, condescending eye contact, condescending facial expressions or gestures, mimicking to ridicule, intentionally causing embarrassment and insecurity, invisible treatment, marginalisation, social exclusion, professional isolation, and deliberately undermining someone's dignity, well-being, happiness, success, and career performance.
Discriminatory Harassment:	Unwelcome conduct based on prohibited or arbitrary grounds (e.g., race, gender, religion, sexual orientation, disability), creating a hostile, offensive, or intimidating environment.
Horizontal Harassment	Refers to harassment among employees in the same position or at the same level.
Mobbing	Refers to harassment committed by a group of people directed at one or more individuals.
Online Harassment	Refers to harassment that is committed, assisted, or aggravated entirely or partially, using information and communications technology such as mobile phones, smartphones, the internet, social media platforms, or by email.
Physical Harassment	It encompasses any behaviour that involves physical attacks, simulated or threatened violence, or gestures that imply violence. Examples include raising fists, throwing objects at or near someone, and hitting, kicking, or tripping someone.
Vertical Harassment	Refers to harassment between the employer or Manager / Supervisor and an employee, which involves using formal power or material leverage to intimidate, threaten, or harm the employee, or to dominate and control a complainant. Power imbalances – such as those between supervisors and subordinates – may amplify the impact of harassment and will be considered in disciplinary outcomes.

ANNEXURE B: Whistleblowing Procedure

Montego Pet Nutrition is committed to promoting a transparent, ethical, and respectful workplace. Employees, suppliers, contractors, and other stakeholders are encouraged to speak up about any conduct that appears unethical, unlawful, discriminatory, or harmful, without fear of retaliation.

Reporting Options

You may report concerns through the following independent and confidential channels:

- Toll-Free Number: **0800 212 689**
- Email: montego@whistleblowing.co.za
- Website: www.whistleblowing.co.za
- Availability: 24/7, 365 days a year
- Languages Supported: **English, Afrikaans, isiXhosa, isiZulu**

Reports may be submitted anonymously or with your name. You will receive a reference number for follow-up.

How Reports Are Handled

An independent Service Provider receives reports.

- The case is referred to the designated Montego Ethics Committee or HR Representative.
- A *Preliminary Assessment* is conducted within forty-eight (48) hours.
- Where necessary, a full *Investigation* is launched.
- Feedback will be provided to the complainant (if not anonymous) while maintaining appropriate confidentiality.

Confidentiality

All reports will be treated with the highest level of confidentiality. Your identity will not be disclosed without your permission, except where legally required.

Reminder

Using this Procedure responsibly is essential. False Reports made maliciously or in bad faith may result in Disciplinary Action.

Procedure:

1. Use any of the contact options to submit a Report.
2. Describe the Incident with as much detail as possible.
3. Submit anonymously or include your name.
4. Receive a *Reference Number* for tracking.
5. The Service Provider refers the case to authorised Montego Representatives.
6. Reports are confidentially managed and acted upon under this Policy.

ANNEXURE C: Internal Complaint Form



INTERNAL COMPLAINT FORM

Confidential – To be submitted to HR

EMPLOYEE DETAILS			
Name & Surname:		Employee Number:	
Department:		Contact number:	
COMPLAINT TYPE (tick applicable)	☐ Discrimination	☐ Harassment (verbal, physical, cyber)	☐ Sexual Harassment
	☐ Bullying	☐ Victimisation	☐ Microaggression
	☐ Other:		
INCIDENT INFORMATION	Date(s):		
	Time(s):		
	Location(s):		
	Person(s) involved:		
DESCRIPTION OF INCIDENT (add a page to this form if required)			
PRIOR REPORTING	Reported before? ☐ Yes ☐ No		
	If yes, to whom:		
DESIRED OUTCOME			
DECLARATION: I, the undersigned, declare the above information is accurate to the best of my knowledge.			
NAME & SURNAME:		SIGNATURE:	
ID NUMBER:			
DATE:			

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Montego
—Pet Nutrition—