



# HULAMIN

<b>TITLE</b>	HULAMIN HARRASMENT POLICY
<b>POLICY OWNER</b>	HUMAN CAPITAL EXECUTIVE
<b>APPROVAL AUTHORITY</b>	BOARD
<b>OVERSEEING BOARD COMMITTEE(S)</b>	SOCIAL, ETHICS AND SUSTAINABILITY COMMITTEE
<b>OVERSEEING MANAGEMENT COMMITTEE</b>	EXECUTIVE COMMITTEE
<b>POLICY NUMBER</b>	HRP0014
<b>APPROVAL DATE</b>	6 December 2024
<b>EFFECTIVE DATE</b>	6 December 2024
<b>REVISION DATE</b>	December 2027

<b>Author</b>	<b>Approved</b>
<b>Group Executive: Human Capital</b> <b>MA Janneker</b>	<b>Social, Ethics and Sustainability</b> <b>Committee: 18/11/2024</b> <i>V Khumalo</i>
<b>Responsible Executive:</b> <b>Group Executive: Human Capital</b> <b>MA Janneker</b> <i>MA Janneker</i>	<b>Board: 04/12/2024</b> <i>[Signature]</i>

**AMENDMENTS TO POLICY:**

Section/ Paragraph Number	Rev N°	Amendment	Date	Signature
	1	Creation of new policy		

## CONTENT

<b>1.</b>	INTRODUCTION	4
<b>2.</b>	OBJECTIVES	4
<b>3.</b>	SCOPE AND APPLICATION	4
<b>4.</b>	RELEVANT FRAMEWORK	4
<b>5.</b>	DEFINITIONS	5
<b>6.</b>	POLICY PRINCIPLES	6
<b>7.</b>	FAIRNESS, DIGNITY AND EQUITY	6
<b>8.</b>	GOVERNANCE	7
<b>9.</b>	HUMAN RIGHTS PROTECTION	7
<b>10.</b>	COMPLIANCE AND ENFORCEMENT - RESPONSE TO HUMAN RIGHTS VIOLATIONS	8
<b>11.</b>	RECORDS	9
<b>12.</b>	COMMENCEMENT OF POLICY	10
<b>13.</b>	AMENDMENT AND OR ABOLITION	10
<b>14.</b>	COMPLIANCE AND ENFORCEMENT	10
<b>15.</b>	POLICY REVIEW	10

## **1. INTRODUCTION**

Hulamin has adopted this Human Rights Policy as we recognize that Human Rights are the fundamental rights and values contained in the Bill of Rights in the Constitution of the Republic of South Africa. Hulamin also recognizes that these fundamental rights and values should not be viewed in isolation but must be applied as an integral part of all Hulamin Policies, Procedures and practices.

Accordingly, this policy shall be communicated to all employees within 30 days of final approval. Hulamin shall endeavor to train all employees which will include relevant communication to all employees to enhance the required understanding of the company's Human Rights Protection principles.

## **2. OBJECTIVES**

Objectives of the Hulamin Human Rights Policy:

- promote a culture of Human Rights, and their observance, respect and protection;
- develop an awareness of Human Rights within Hulamin and its external environment through its business relationships and employment relationships;
- monitor and assess the compliance with Human Rights with all our stakeholders;
- make recommendations to the Board on the promotion of Human Rights within the framework of the law and the Constitution;
- and to investigate any alleged violation of Human Rights within Hulamin and assist any person adversely affected thereby in order to secure redress.

## **3. SCOPE AND APPLICATION**

3.1 This policy is applicable to all Hulamin employees, (including prospective employees or candidate employees undergoing recruitment) in both their internal and external activities, in so far as such activities are performed or undertaken for the purposes of Hulamin operations, business or any other connected purpose.

3.2 The policy is also applicable to all service providers of Hulamin.

## **4. RELEVANT FRAMEWORK**

The Hulamin Human Rights Policy will be guided by the following documents, values and principles:

- The Constitution of the Republic of South Africa.
- The values contained in the Constitution, e.g. the democratic values of human dignity, equality and freedom.
- The Promotion of Access to Information Act (2 of 2000),
- The Promotion of Administrative Justice Act (3 of 2000),
- The Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000),
- The Protection of Personal Information Act (4 of 2013).
- Constitutional Court rulings and other relevant jurisprudence on Human Rights; People and Culture Human Rights Policy
- The South African Human Rights Commission decisions, publications and policy documents.
- International, regional and foreign documents and commentaries on Human Rights, in so far as these are not in conflict with the Constitution.

## 5. DEFINITIONS

**Human Rights** are the fundamental rights and freedoms that every person is entitled to, regardless of their nationality, race, gender, religion, or any other status. These rights are based on the principles of dignity, equality, and respect for all human beings.

**Categories of Human Rights mean:**

- **Civil and Political Rights:** These include the right to life, liberty, and security, as well as freedoms such as speech, assembly, and religion.
- **Economic, Social, and Cultural Rights:** These encompass the right to work, education, health, and an adequate standard of living.
- **Collective Rights:** These include the right to self-determination, development, and a healthy environment.

**Stakeholders:** Stakeholders in Human Rights at Hulamin include a wide range of individuals and groups who are directly or indirectly affected by the company's operations and policies, such as:

- **Employees:** All employees of Hulamin are primary stakeholders. This includes current employees, candidate employees, and those involved in various business relationships with the company.
- **Customers and Users:** Individuals who use Hulamin's products and services are also considered stakeholders. Their rights and well-being are taken into account in the company's Human Rights policies.
- **Suppliers:** Suppliers and their employees are important stakeholders. Hulamin aims to ensure that its supply chain adheres to Human Rights standards, including the prevention of child labour and forced labour.
- **Communities:** The communities in which Hulamin operates are stakeholders. The company engages with local communities to ensure that its operations do not negatively impact their rights and well-being whenever required.
- **Civil Organizations and Trade unions:** Societies and other civil organizations that represent relevant interest groups may also be regarded as stakeholders. These organizations can play a role in advocating for Human Rights and holding the company accountable.
- **Government and Regulatory Bodies:** Government agencies and regulatory bodies are stakeholders as they set and enforce Human Rights standards and regulations that Hulamin must comply with.

**Modern slavery** refers to various forms of exploitation that are against someone's free-will and where the person is used for commercial gain and such exploited person is unable to leave freely.

**Child Labour:** The Basic Conditions of Employment Act prohibits the employment of children below the age of 18 years. Hulamin abides not only by this standard but also to international regulations regarding child labour.

**Forced evictions** constitute gross violations of a range of internationally recognized Human Rights. When individuals, families, or communities are permanently or temporarily removed against their will from their homes and land, it constitutes forced eviction. Such actions often leave people living in extreme poverty and

destitution. Forced evictions can be severely traumatic, especially for those who are already marginalized or vulnerable in society.

## **6. POLICY PRINCIPLES**

6.1 The consequences of non-compliance with the observation and protection of Human Rights may lead to any of the following negative consequences for Hulamin or its business associates and customers (not an exhaustive list):

- Large financial penalties and fines for breaching regulations.
- Loss of productivity and revenue.
- Government sanctions and license suspensions.
- The risk of injury and potential lawsuits due to an unsafe working environment.
- Health and safety risks
- Criminal penalties /administrative fines /civil damages
- Blacklisting or exclusion from contracts /termination of business relationships
- Damage to our corporate reputation and unfavorable perceptions by the market

## **7. FAIRNESS EQUITY AND DIGNITY**

- 7.1 Our policies recognize the interconnection between equity, diversity, and inclusion, understanding that they are inseparable components essential to fostering a thriving and ethical corporate culture.
- 7.2 Hulamin is committed to preventing, abolishing, and where required, to report all forms of Human Rights violations that may occur within existing relationships with itself, through suppliers, communities, employees.
- 7.3 Hulamin prohibits practices that promote or create opportunities for child labour, modern day slavery and human trafficking, gender-based violence, xenophobia or any other violation of Human Rights in its employment, stakeholders' practices, policies and procedures.
- 7.4 Embracing these values goes beyond legal compliance and enhances innovation, resilience across our social capital.
- 7.5 The Employment Equity programme is in place to achieve equity in the workplace through the elimination of unfair discrimination and the implementation of Affirmative Action measures. This policy must be read in conjunction with the Hulamin Employment Equity Policy.
- 7.6 All employees have the right to work in an environment which is free from any form of harassment or unfair discrimination with respect to race, colour, gender, sexual orientation, place of origin, citizenship, creed, political persuasion, age, marital or family status or disability.
- 7.7 An employee should report any cases of actual or suspected discrimination or harassment.
- 7.8 Employees with illness or disabilities may continue to work only where they are able to continue to perform satisfactorily the essential duties of their jobs and do not present a safety or health hazard to themselves or to others.

- 7.9 Any form of bondage, coercion, or restriction of movement that infringes upon an individual's autonomy and freedom is absolutely unacceptable and will not be tolerated under any circumstances. This includes physical restraints, psychological manipulation, or any other means of exerting unlawful control over another person.
- 7.10 The protection of Human Rights is extended to include those of prospective or candidate employees of Hulamin.
- 7.11 Hulamin prohibits any exploitative job conditions or the perpetuation of any type of modern slavery through its supply chain processes internally or externally.
- 7.12 Although it is accepted that Child labour is not slavery in other forms of employment, it is not accepted at Hulamin as it is considered to hinder the children's education and development.

## 8. GOVERNANCE

- 8.1 In the event of any contradiction or ambiguity between this policy and any other Hulamin Policy, with regards to Human Rights, this policy shall take precedence.
- 8.2 This Policy incorporates any legislative provisions that may be enacted into law even prior to the express amendment of this policy to feature such policy, as long as such legislative amendment has obligatory implications for Hulamin or its employees.
- 8.3 Employees must prior to acting, seek the support of relevant subject matter experts e.g. Human Resources, Hulamin Legal representatives or any other consultant who renders services to Hulamin.
- 8.4 Failure to take any preventative measures to protect other's Human Rights may result in the employee concerned facing serious consequences such as possible termination of employment, fines and/or imprisonment and/or claims for damages.

## 9. HUMAN RIGHTS PROTECTION

- 9.1 Hulamin remains committed to preventing, abolishing, and where required to report all forms of Human Rights violations that may occur within existing relationships with itself, through customers, communities or employees.
- 9.2 Hulamin has assumed its responsibility to ensure that all Hulamin employees' rights are protected, that vulnerable employees (due to socio-economic background, health, race, gender or religious affiliation) are advocated for and that any Human Rights violations are avoided in the workplace.
- 9.3 Accordingly, employees are remunerated correctly for services rendered, are given adequate rest periods and are protected from any retaliation if they find themselves in the position of a whistleblower.
- 9.4 Hulamin also observes its legal obligations in terms of employees' rights, such as equal employment opportunities, occupational safety and health laws and privacy rights.

### Human Rights in the workplace

Examples of Human Rights every employee should expect within the workplace:

- **Freedom from discrimination:** Hulamin complies with all workplace anti-discrimination laws.
- **Right to a safe and healthy workplace:** Hulamin ensures that all employees have the proper safety equipment and work in a safe working environment.
- **Right to equal pay for equal work:** Hulamin is committed to eradicate any gender pay-disparity and that employees of all genders receive the same compensation for the same duties performed.

- **Right to reasonable working hours:** The Basic Conditions of Employment Act 75 of 1997 regulates how many days employees can work each week, how much overtime they can work and how many breaks they must take during a given shift.
- **Safety from retaliation in the event of whistleblowing:** Under the Protected Disclosures Act 26 of 2000, an employee speaking out against corporate wrongdoing has specific legal protections. Hulamini will not allow retaliation against an employee, such as by disciplining, demoting or firing them, for reporting transgressions to the appropriate agencies.
- **No Forced Evictions:** Hulamini will not in its quest to acquire business expansion projects or any other associated strategy, perpetuate any forced evictions of people. Only where there are exceptional circumstances that evictions may be permissible in terms of South African laws or international Human Rights law, will Hulamini embark on such activities and this will be done within the strict confines of relevant law, and in full compliance with relevant provisions of international Human Rights and humanitarian law. Such circumstances may be to prevent loss of life or hazardous exposure to human or animal life and or the environment.
- **Right to Equality:** South African equality laws prohibit discrimination on the basis gender, sex, sexual orientation, race and religious belief. Discrimination against those with disabilities is also forbidden.

Equality in the Recruitment Process: Companies and other hiring organizations are not allowed to unfairly discriminate against potential employees unless the discrimination is fair and in line with the Employment Equity Act provisions.

Equal Pay for Equal Work: The right to equality means that two people who are performing the same, or equivalent job function should be paid the same amount, unless there are legally justifiable reasons for the difference in pay such as length of service, specialized skills/ qualification.

Maternity leave, and the subsequent return to work are key times when women experience sex discrimination in the workplace.

## 10. COMPLIANCE AND ENFORCEMENT - RESPONSE TO HUMAN RIGHTS VIOLATIONS

Hulamini has adopted a response to Human Rights violations in the workplace which encompass the following:

- Educate and Prevent
- Stop and address.
- Utilize internal grievance processes.
- Implement Disciplinary processes.

### 10.1. EDUCATE AND PREVENT

10.1.1 Hulamini aims to provide regular training sessions on Human Rights, diversity, and inclusion to help employees understand their rights and responsibilities.

10.1.2 Hulamini also aims to incorporate Human Rights training into the Hulamini Policies, procedures and practices.



10.1.3 All new employees of Hulamin will be advised of the Harassment policy and Code of Ethics during the onboarding program as part of their induction.

## **10.2 STOP AND ADDRESS**

10.2.1. Hulamin will ensure that there is a complaint mechanism in place through its policies, procedures, engagement structures as well as support structures.

10.2.2. Hulamin maintains corporate awareness of what constitutes discrimination.

10.2.3. Hulamin responds promptly, adequately and seriously once an internal complaint is received.

10.2.4. Hulamin prohibits retaliation against complainants.

10.2.5. Hulamin will ensure effective communication with the complainant of Hulamin's actions in response to the complaint.

## **10.3 UTILISE INTERNAL GRIEVANCE PROCESSES**

10.3.1 Hulamin will not adopt a wait-and-see approach when it comes to complaints that may potentially have ongoing adverse effects on employees. In such cases, all avenues to expedite the outcomes of a grievance process will be explored to finalize the issue.

10.3.2 It is the duty of the Line Manager, working with Human Resources upon approval by the relevant Executive or Human Capital Executive, to assist an employee who alleges a serious complaint against another.

10.3.3 The following criteria may be used to assess where there is a need to expedite a resolution in conjunction with a pending grievance process:

## **10.4 IMPLEMENT DISCIPLINARY PROCESSES**

10.4.1 To ensure a just resolution of a Human Rights issue, it is extremely important that the people involved understand and are able to identify the violation correctly.

10.4.2 Depending on the complexity of the issue, the depth of the problem and the knowledge, skill and impartiality of the organization's representatives, immediate actions must be taken in line with paragraph 7.1 above.

10.4.3 Where legal non-compliance can be identified, relevant internal and processes must be followed., e.g. Notify relevant Executive, Human Resources, Internal Audit or the Office of the Company Secretary. Hulamin may also be required to conduct criminal or regulatory reporting. In such instance the internal disciplinary consequences have no bearing on the external processes and *vica versa*.

10.4.4 Experts such as Employee Assistance Program help can be extremely valuable where there are subtle allegations of discrimination.

## **11. RECORDS**

11.1. The retention of original personal identity documents, including but not limited to passports, driver's licenses, national identification cards, and any other official documents containing personal information, is strictly prohibited within Hulamin.

11.2. Where required, Hulamin may need to report noncompliance of Human Rights violations to external bodies and accordingly supply all relevant information.

**12. Commencement of the policy**

This policy shall come into effect on the date of adoption by the Board.

**13. Amendment and/or abolition**

This policy may be amended or repealed by a resolution of the Board.

**14. Compliance and enforcement**

Violation or non-compliance with this policy may give a just cause for disciplinary steps to be taken.

**15. Policy review**

This policy will be reviewed at least every three years to ensure applicability and relevance.