

Umgqaqo-nkqubo(Ipolisi) wokuziPhatha-gwenxa ngokweSondo:

Izenzo zoLwaphulo-mthetho ngokweSondo kunye nokuXhatshazwa ngokweSondo

Lo mgqaqo-nkqubo kwakube kuthethathethwane uze wamkelwe, uya kutshitshiswa uze uthabathe indawo yomgqaqo-nkqubo wamaTyala ezeSondo kunye nomgqaqo-nkqubo weSexual Harassment.

Iphunyezwe	yiKhansela	Ngo-2008
Ihlaziyiwe ukuze yamkelwe	yiKhansela	
Uza kujongwa kwakhona si-	Sandla-Sekela-Tshansela soTshintsho (ngonyaka) ngoncedo lweeforam ezahlukeneyo	
Umgcini-nkqubo wePolisi	I-Ofisi yoBandakanyo noTshintsho	
Imibuzo	Umlawuli: i-Ofisi yoBandakanyo noTshintsho	
Ukuphononongwa rhoqo	Iminyaka emithathu	

KwiYunivesithi yaseKapa

Ukuziphatha-gwenxa ngokwesondo: Amatyala esondo kunye noMgaqo-nkqubo weSexual Harassment. NgokweNkqubo-sikhokelo soMgaqo-nkqubo we-DHET sokujongana nobuNdlabongela obuSekelwe kwiSini kwiNkqubo yezeMfundo noQeqesho lwasemva kwesikolo, iZikhokelo zaBasetyhini zeZizwe eziManyeneyo malunga nokuvuma imiGaqo yeKhowudi yokuziPhatha kakuhle ekuPhatheni amaTyala eSexual Harassment eMsebenzini. (Isaziso Ngokubanzi 1357), uMthetho wokuLingana kwezeNgqesho, we-55 ka-1998, uMthetho wezoBudlelwane eMsebenzini we-66 ka-1995, kunye neminye imithetho efanelekileyo yezabasebenzi, njengoko ulungisiwe.

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1 INTSHAYELELO

Iyunivesithi izimisele ukudala nokugcina imeko yeziko apho isidima sabasebenzi bayo, abafundi, abafake izicelo zomsebenzi, abaxumi, iindwendwe, ababoneleli beenkonzo, abanikezeli beenkonzo kunye nabanye abajongene neziko; nalapho bonke banokuqhubeka nezifundo zabo, amakhondo emisebenzi, imisebenzi kunye nemisebenzi ngaphandle kwalo naluphi na uhlobo lokuhlukumeza, kubandakanya iSexual Harassment kunye/okanye iZenzo zobuNdlabongela zeSondo (njengoko kuchaziwe kwiCandelo 3 lalo mgaqo-nkqubo). Injongo yalo mgaqo-nkqubo kukukhuthaza nokukhuthaza uphuhliso lwemo yeziko kunye nenkcubeko engenazo zonke iintlobo zobundlabongela obuphathelele kwezesondo kunye ne-Sexual Harassment, nalapho wonke umntu ahlonela isidima nesidima somnye, imfihlo kunye nelungelo lokulingana kwiziko lokusingqongileyo. Iyunivesithi iyaqonda ukuba amabango omntu ofaka isikhalazo nawo angasekelwa kunyhashwa kwamalungelo omgaqo-siseko ekulinganeni, kwisidima, kwimfihlo nakumzimba othembekileyo. Amabango anjalo anokulandelwa ngeendlela ezikhoyo ezibonelelwa ngumthetho oqhelekileyo nomthetho. Zonke izikhalazo zamatyala ezesondo kunye / okanye iSexual Harassment ziyakuthathelwa ingqalelo ephuzulu kwaye ziphathwe ngentlonipho nangokuzithemba, kwaye onke amaqela achaphazelekayo aya kunikwa izibonelelo zenkqubo efanelekileyo kunye nobulungisa. Impendulo efanelekileyo kwindlela yokuziphatha engamkelekanga kunye nezenzo ezinxulumene noko ziya kuhlala ziphambili kubunkokeli.

2 UBUME BENKQUBO NEENJONGO

Lo mgaqo-nkqubo usebenza kubo bonke abasebenzi nakubafundi beYunivesithi yaseKapa kwaye kuphela komgaqo-nkqubo nenkqubo esebenzayo kwizenzo zokuziphatha gwenxa kwezesondo e-UCT. Eminye imigaqo-nkqubo ebhekiselele ekuziphatheni kakubi ngokwesondo iya kuhlaziywa ukuze iqondise umfundi kulo mgaqo-nkqubo. Imigaqo-nkqubo enokubhekisa kukuziphatha gwenxa kwezi zinto zilandelayo:

- a) Umgaqo-nkqubo woLuleko waBasebenzi bezeMfundo
- b) Inkqubo yoluleko kubasebenzi bePASS
- c) Incwadana yesi-3 yemigaqo-nkqubo kunye nemigaqo-nkqubo ngokubanzi.
- d) UMgaqo-nkqubo woCalucalulo

2.2 Lo mgaqo-nkqubo wenzelwe ukuqinisekisa ukuba iYunivesithi ineenkqubo zokuthintela nokulungisa ezikhoyo ukuphendula kwizityholo zokuziphatha gwenxa ngokwesondo. Injongo yalo mgaqo-nkqubo kukufaka igalelo kwinkcubeko yokubandakanywa nokuhlonitshwa kweYunivesithi ngendlela enobulungisa kubafundi nakubasebenzi.

2.3 Iyunivesithi kulindeleke ukuba ibambelele kwizibophelelo ezibandakanya inqanaba elifanelekileyo loKhathalelo (Duty of Care) lwabo bonke abasebenzi bayo kunye nabafundi ngokubhekisele kwiimeko ezifanelekileyo. Uxanduva oluphambili lweYunivesithi kukuqinisekisa ngokhuseleko lwabasebenzi, abafundi kunye nabatyebileli bekhampasi. Xa kuvavanywa lo mbandela ingakumbi ngokubhekisele kukhuseleko lwabantu, iYunivesithi inokufuna ukuba umtyholwa afuduswe, acelwe ukuba asebenzele ekhaya, bahlenga-hlengise imisebenzi yabo okanye indlela yokunika ingxelo enokuthi kwimeko apho umtyholwa ingumqeshwa, iphazamisa iindlela zokusebenza kwiYunivesithi, lo gama umcimbi uphethwe.

2.4 Ubume beZiko

2.4.1 Umgaqo-nkqubo uyakusebenza kuwo onke amalungu oLuntu lweYunivesithi, kubandakanya yaye kungaphelelanga kubo kuphela:

a) abasebenzi beYunivesithi

b) abafundi beYunivesithi

c) abantu abangaqeshwanga yiYunivesithi abenza imisebenzi yaseburhulumenteni kwiYunivesithi

2.4.2 Nabaphi na abaNikezeli beNkonzo zangaPhandle ababonelela ngeenkonzo kwikhampasi yeYunivesithi baza kuziqhelanisa nalo Mgaqo-nkqubo wokuziphatha gwenxa ngokwesondo kunye nendlela yeYunivesithi yokunganyamezeli ukungaziphathi kakuhle ngokwesondo. Iyunivesithi iya kuqinisekisa ukuba zonke iikhontrakthi phakathi kweYunivesithi / abasebenzi kunye nabantu bangaphandle abanikezela ngeenkonzo ekhampasini ziya kubandakanya ukuthotyelwa kwalo mgaqo-nkqubo ziikhontrakthi.

2.4.3. Ububanzi balo mgaqo-nkqubo bufikelela kuwo onke amaziko oluntu kwiYunivesithi kwaye ubandakanya yaye ungaphelelanga kwiYunivesithi kuphela:

a) iikhampasi

b) indawo yokuhlala yabasebenzi

c) indawo yokuhlala yabafundi

d) iiklabhu zemidlalo nolonwabo kunye namaziko angena kuLuntu lweyunivesithi

e) Imimandla yedijithali elawulwa yi-UCT

f) imisebenzi kunye neemeko ezinxulumene neshishini leYunivesithi ezingaqhutywa kumasango eYunivesithi, kubandakanya yaye kungaphelelanga apho kuphela:

g) iihambo zangaphandle

h) iinkomfa

i) iinkampu zabafundi

j) iminyhadala yeYunivesithi

k) amaqela neminye imisebenzi yoluntu

2.5. Ukuziphatha gwenxa ngokwesondo ngaphandle kweYunivesithi

2.5.1 Ukuba ilungu leYunivesithi ngeli lixa libandakanyeka kwimisebenzi enxulumene neYunivesithi ngokusemthethweni, liziphethe kakubi ngokwesondo kwindawo engaphandle koLuntu lweYunivesithi, iYunivesithi iya kunxibelelana nabasemagunyeni abanoxanduva lokuqinisekisa ukuba kuya kulandelwa iinkqubo ezifanelekileyo kwaye iya kuqhubeka ukubonelela iinkonzo zenkxaso kummangali.

2.5.2 Ukuba ilungu loluntu leYunivesithi libandakanyeka ekuziphatheni gwenxa ngokwesondo kwindawo yedijithali elawulwa yiYunivesithi liya kuwela ngaphakathi komgaqo-nkqubo.

2.5.3. Ukuba ukulandelwa kokuziphatha kakubi ngokwesondo kuqhutywa kwindawo yedijithali engalawulwa yiYunivesithi, iYunivesithi iya kubona ukuba ingaba iyaqhubeka na nophando apho ummangalelwa engumqeshwa okanye umfundi. Imiba emayithathelwe ingqalelo kukufikelela kulwazi kunye nokuba ingaba indlela yokuziphatha inefuthe elingakanani kukhuseleko lomntu ngaphakathi kweYunivesithi.

2.5.4. Ukuba ukuziphatha kakubi ngokwesondo kuqhutyelwa kwindawo engalawulwa yiYunivesithi, iYunivesithi iya kusebenzisa ingqiqo yayo malunga nokuba iya kuqhubeka kunye nophando apho ummangalelwa engumqeshwa okanye umfundi. Imiba emayithathelwe

ingqalelo kukufikelela kubungqina kunye nokuba ingaba indlela yokuziphatha inefuthe kangakanani kukhuseleko lomntu ngaphakathi kweYunivesithi.

3 IINJONGO

3.1 Umgaqo-nkqubo ujolise ekuziPhatheni kakubi ngokweSondo kuthintelo kunye nokuphendula kwiingxelo zezenzo zesondo kunye ne-Sexual Harassment kwiYunivesithi. Iyunivesithi iyabubona ubume bokuziphatha gwenxa ngokwesondo kufuneka kufundwe uMgaqo-nkqubo woBandakanyo lwe-UCT lwenkcukacha ngezeSondo; uMgaqo-nkqubo wokuKhathaza abantu ngokobuHlanga noCalucalulo ngokobuHlanga, uMgaqo-nkqubo osayilwayo wokuxhatshazwa kunye noMgaqo-nkqubo wokuLamla ukongeza kukhuselo lomgaqo-siseko ochasene nocalucalulo olungenabulungisa kunye nomthetho othile olawula ukulingana nokusebenza kwabasebenzi.

3.2 Lo mgaqo-nkqubo ujonge ekuqinisekiseni ukuba iYunivesithi iyayithobela imithetho-siseko ebhekisele kwizenzo zokuziphatha gwenxa ngokwesondo ngokuncedisa ekupheliseni iSexual Harassment kunye nezenzo zesondo ngokunika iinkqubo ezifanelekileyo zokujongana nokuziphatha gwenxa ngokwesondo kunye nokuthintela ukuphinda phinda.

3.3 Lo mgaqo-nkqubo ubonelela ngesakhelo esivumelana nenkqubo engenamkhethe ngokubhekiselele kuphumezo, ulwakhiwo, iindlela kunye neenkqubo zolawulo lwangaphambili lweYunivesithi, kunye nokuphendula kokuziphatha gwenxa kwezisondo kwiYunivesithi. Kwimeko apho eminye imigaqo-nkqubo okanye imigaqo yeYunivesithi ephikisanayo kulawulo lokuziphatha gwenxa ekhampasini, lo mgaqo-nkqubo uya kugqitha yonke enye into, kwaye ufumane ukhetho kuyo yonke imiba enxulumene nolawulo lwezisondo

3.4 Ukuziphatha gwenxa kwiYunivesithi.

Lo mgaqo-nkqubo uquka uqeqesho olubanzi kunye nenkqubo yemfundiso ejolise ekwaziseni ngolwazi ukuphelisa isimilo esibi sokuziphatha gwenxa ngokwesondo phakathi kwabahlali beYunivesithi.

4 IINKCAZELO

4.1 **'Umcebisi'** uthetha umsebenzi weYunivesithi oqeqeshiweyo kwaye otyunjwe yi-Ofisi yoBandakanyo noTshintsho (OIC) ngendima yokubonelela ngeengcebiso eziyimfihlo noncedo, kubandakanya nenkxaso yomphenduli wokuqala kunye nokuxhasa abakhalazi phantsi kwalo mgaqo-nkqubo.

4.2 **'ukungcungcuthekisa'** kuthetha ukungaziphathi kakuhle kwindawo yokusebenza, into eqhubekayo okanye isehlo esinye esinzulu nesithukayo, esihlisa isidima, esinyelisayo, esithoba isidima okanye ukuzithemba okanye ukudala imeko eyoyikisayo okanye ebalwa ukuba ingeniswe ngokungeniswa, okanye ngeziphumo ezibi okanye ezisongelayo, ezibandakanya ukusetyenziswa gwenxa kwamandla anyanzeliswa ngumntu okanye liqela labantu emsebenzini okanye ngaphakathi emsebenzini okanye ngumthengi wangaphandle.

4.3 **'CCMA'** ithetha iKhomishini yoXolelwaniso, uLamlo noLamlo, elisekwe licandelo 112 loMthetho wezoBudlelwane eMsebenzini (section 112 Labour Relations Act).

4.4 **'Okhalazayo/Umkhalazi'** uthetha umntu ofake isikhalazo esibhaliweyo okanye somlomo phantsi kwalo mgaqo-nkqubo, kwi-OIC, nokuba ngumntu ngokwakhe, okanye ngenkqubo

yokunika ingxelo kwi-intanethi, ngokuchasene nomntu okanye abantu abathi batyholwa ngokwenza isenzo seSexual Harassment, okanye isenzo ekunokukholelwa ukuba siyahambelana nenkcazo emiselweyo.

4.5 **'Ukuvumelana'** kungokuzithandela ngemvume ecacileyo ngelizwi okanye ngesenzo, ukubandakanyeka kwisenzo ekuvunyelwene ngaso ngokwesondo. Abantu banokufumana ukusebenzisana okufanayo ngeendlela ezahlukeneyo kwaye iqela ngalinye linxanduva lokuqinisekisa ukuba omnye uvumile ngaphambi kokubandakanyeka kwesi senzo. Ukuze imvume isebenze kufanelekile ukuba kubekho intetho ecacileyo yamagama okanye yezenzo athe omnye umntu wavuma kuloo ndlela yokuziphatha ngokwesondo. Umntu akanakuvuma ukuba akakwazi ukuqonda ukuba kwenzeka ntoni okanye uphazamisekile, akanakunceda, ulele okanye uqulekile nangasiphi na isizathu, ngenxa yotywala okanye ezinye iziyobisi. Umntu unokurhoxisa imvume nangaliphi na ixesha ngexesha lokwabelana ngesondo. Umntwana ongaphantsi kweminyaka yobudala bemvume ngokomthetho akanakho ukuvuma isenzo sokwabelana ngesondo.

4.6 **'Imfihlelo'** ithetha naziphi na iinkcukacha ezichazwe lelinye iqela, nokuba kungokuthe ngqo okanye ngokungathanga ngqo, ngokubhaliweyo okanye ngomlomo, kuthiwa yi 'Confidential/yiMfihlo'. Ulwazi oluchaziweyo lugcinwa ngokukhuselekileyo kunye noluhlu oluvunyiweyo lwabantu abafikelela kolu lwazi. Iyunivesithi inoxanduva lokugcina ulwazi luyimfihlo kwaye luyimfihlo ephantsi kolawulo lwayo.

4.6.1 Iyunivesithi iyayamkela kwaye iyayixhasa imiba yokugcinwa kweemfihlo kwiCandelo le-11 leKhowudi eYilwayo yeZenzo eziLungileyo (2020, njengoko ilungisiwe), kwaye iya kuqinisekisa ukuba zonke izityholo zokuziphatha gwenxa ngokweSondo kunye ne-Sexual Harassment ziqwalaselwa ngendlela enobuzaza, ekawulezayo, ebuthathaka kwaye eyimfihlo. Iyunivesithi iyakwenza konke okusemandleni ukugcina nokuhlonipha imfihlo yolwazi oluphantsi kwayo ngalo lonke ixesha lokuphathwa kwezikhalazo kunye neenkqubo ezinxulumene noko.

4.6.2 Kodwa, kwiimeko ezithile, kunokuba nzima okanye kungenzeki, ukugcina imfihlo ngokupheleleyo. Ezi meko zinokubandakanya oku kulandelayo apho:

a) umcebisi okanye umntu othunywe ngokufanelekileyo osebenzisana nommangali okanye ummangalelwa unyanzelwa ngumyalelo wenkundla ukuba achaze ulwazi, okanye apho

b) umdla woluntu ungaphezulu komntu ngamnye. Kwimeko enjalo kuphela, igunya lokukhupha olo lwazi luyimfihlo, luya kwenzeka kuphela emva kokuba uMlawuli we-OIC okanye umntu othunywe ngokufanelekileyo kwi-OIC okanye iNkokeli yoBungqina benze iinzame ezifanelekileyo zokubonisana namaqela achaphazelekayo afana nommangali kunye / okanye umphenduli

c) ityala lihlala ngaphandle kolawulo lweYunivesithi. Amaqabane angaphandle kwimibutho yoluntu kunye / okanye kwinkqubo yezolwaphulo-mthetho eya kuba luncedo kummangali; kwiimeko ezinjalo, kuya kwenziwa iinzame ezifanelekileyo zokubonisana namaqela achaphazelekayo afana nommangali kunye nokugunyaziswa nguMlawuli okanye umntu othunyelwe ngokufanelekileyo kwi-OIC.

4.6.3 Onke amaqela aya kuzama ukuqinisekisa ukugcinwa kwemfihlo kwaye ngaba bantu balandelayo kuphela abanokubakho kwiNgxoxo yoLuleko okanye kwiNkundla yabaFundi, apho (a) izikhalazo ezinxulumene nolwaphulo-mthetho ngokwesondo kunye/okanye iSexual Harassment ziviwa:

- a. ngamalungu agunyazisiweyo asemthethweni;
- b. umkhalazi;
- c. ummangalelwa;
- d. umntu onika inkxaso kufuneka abelwe ukuxhasa umkhalazi;
- e. abameli bommangali;
- f. abameli babaphenduli abangenisa olwabo uxwebhu olubhaliweyo noluvunywe ngempumelelo yiprokta;
- g. amangqina;
- h. iitoliki.

4.7 **'Inkqubo yoLuleko yaBasebenzi bezeMfundo kunye nePASS'** ithetha inkqubo yoluleko esebenzayo kubo bonke abasebenzi beYunivesithi.

4.8 **'Umqeshwa'** uthetha umqeshwa weYunivesithi okanye umntu ovumileyo ukubanjwa yimigaqo nemigaqo-nkqubo yeYunivesithi enxulumene nabasebenzi.

4.9 **'iNkokeli yoBungqina'** ithetha umntu ofanelekileyo/ofanelekileyo ngokusemthethweni onamava afanelekileyo anikezelwe ukulungiselela nokubeka ityala kwiYunivesithi kwinkqubo yoluleko yangaphakathi, ngokusesikweni nokuba ingangoyena mntu wabelwe ukuphanda elo tyala.

4.10 **'iNkundla yezemiSebenzi'** ithetha iNkundla yezemiSebenzi yaseMzantsi Afrika.

4.11 **'Umpathi/Umanejala'** uthetha nawuphi na umsebenzi weYunivesithi onoxanduva lokuphatha nokongamela. Oku kubandakanya abasebenzi bezemfundo abajongene nemisebenzi yokuphatha.

4.12 **'Ukuziphatha gwenxa'** kuthetha indlela yokuziphatha njengoko ichaziwe kwiNdlela yokuziphatha yabasebenzi, iNkqubo yokuLungiswa kwaBasebenzi kunye neNkqubo yesi-3 yemigaqo nemigaqo-nkqubo yabafundi.

4.13 **'i-OIC'** ithetha i-Ofisi yoBandakanyo noTshintsho njenge-ofisi yokuqala yokunika ingxelo, ukulawulwa nokubekwa kweliso kuwo onke amatyala aphaathelele kubundlobongela obusekelwe kwisini;

4.14 **'iMingcipheko yeNgqondo'** ibhekisa kwiziphumo ezibi zokuziphatha gwenxa ngokwesondo kwintembeko yengqondo nentlalontle yommangali. Umngcipheko wengqondo

ukwabhekisa kwiingozi zengqondo nemingcipheko enxulumene nolungelelwaniso kunye neempawu zombutho.

4.15 **'Umntu onika ingxelo'** uthetha umntu onika ingxelo egameni lomkhalazi apho ummangali engathandabuzi okanye engakwazi ukufaka isikhalazo ngokwakhe.

4.16 **'Ummangalelwa'** kuthetha umntu ekufakwe kuye isikhalazo esibhaliweyo okanye somlomo phantsi kwalo mgaqo-nkqubo, kwi-OIC, nokuba kungomntu, ngenkqubo ye-OIC yokunika ingxelo kwi-intanethi, kwaye utyholwa ngokwenza isenzo se-Sexual Harassment

4.17 **'Imigaqo yokuziphatha kwabafundi'** ithetha imigaqo njengoko icacisiwe kwiNcwadi yesi-3 yeMigaqo Jikelele neMigaqo-nkqubo njengoko ilungiswa liBhunga amaxesha ngamaxesha.

4.18 **'Ukuhlukunyezwa kwaBantu beSini esiNye'** kuthetha ukuba iSexual Harassment apho ummangalelwa nommangali bengabesini esifanayo okanye besini esithile;

4.19 **'SAPS'** ithetha iNkonzo yaMapolisa oMzantsi Afrika.

4.20 **'Izenzo zoLwaphulo-Mthetho ngokweSondo'** zithetha isenzo esingekho mthethweni nesenziwe ngeenjongo zokunxibelelana ngesondo nomnye umntu ngaphandle kwemvume yaloo mntu; okanye apho umntu ebengenakho ukuvuma, ngokusebenzisa amandla omzimba, ukoyikisa okanye ukunyanzela, kubandakanya yaye kungaphelelanga koko:

- a) ukuhlaselwa ngokwesondo okuqatha (ukuhlaselwa ngokwesondo ngesixhobo);
- b) ukuzama ukudlwengula;
- c) ukubetha okungafanelekanga;
- d) ukungena kwezinto kunye nokunyanzelwa kwesondo okungaphelelanga ekungeneni;
- e) ukudlwengula (ukungena ngokwesondo ngaphandle kwemvume);
- f) ubundlobongela obusekelwe kwisini;
- g) ubundlobongela obuphathelele kwezesondo;
- h) Olunye ulwaphulo-mthetho ngokwesondo njengoko lubonisiwe kuMthetho woLungiso loMthetho woLwaphulo-mthetho (Amatyala eSondo kunye neMicimbi eNxulumene noko), 2007.

4.20.1 Izenzo zolwaphulo-mthetho ngokwesondo zinokwenziwa okanye zifunyanwe ngabantu balo naluphi uhlobo lokuziphatha ngokwesini okanye ngokwesini.

4.20.2 Izenzo zolwaphulo-mthetho ngokwesondo inokuba sisiganeko esinye okanye indlela ethe gqolo yokuziphatha okungafunekiyo

4.21 **'Ukuphathwa gadalala ngokwesondo'** Iziganeko zesondo ezenzeka phambi kweminyaka yobudala bemvume, eyi-16 yeminyaka yobudala ithathwa njengeMpatho-gadalala ngokwesondo kwaye iya kuxelwa kwabasemagunyeni abayimfuneko.

4.22 **'Ukuhlukunyezwa ngokwesini'** kuthetha ukungaziphathi kakuhle ngokwesini esinyhasha amalungelo omntu kwaye esenza umqobo kulingano kwiziko, kuthathelwa ingqalelo, kodwa kungaphelelanga, kwezi zinto zilandelayo:

- (a) ingaba ukuxhatshazwa kuxhomekeke kwizizathu ezingavumelekanga zesini kunye/ okanye isini kunye/ okanye ulwalamano ngokwesondo;
- b) impembelelo yokuziphatha ngokwesondo kummangali;
- c) ingaba indlela yokuziphatha ngokwesondo yayingamkelekanga;
- d) uhlobo kunye nobungakanani bokuziphatha ngokwesondo.

4.22.1 'Ukuziphatha okungamkelekanga ngokwesondo' kubandakanya indlela yokuziphatha ebonwa ngummangali njengokuthoba isidima, ukubeka esichengeni, ukuhlazisa, ukugrogrisa kunye/ okanye ukukhubekisa;

- a) ukuvavanywa kwento engamkelekanga kufuneka kufundiswe ngokomxholo, kubandakanya inkcubeko kunye nolwimi;
- b) ukuthatha inxaxheba kwangaphambili kwisondo akuthethi ukuba isenzo eso siqhubekayo samkelekile;
- c) xa umkhalazi enobunzima ekuboniseni umtyholwa ukuba isenzo eso asamkelekanga, umkhalazi angafuna uncedo nongenelelo lomnye umntu ukuze abonakalise ukuba isenzo eso asamkelekanga;
- d) lindidi ezithile zeSexual Harassment kukuba umtyholwa kufuneka azi ukuba indlela yokuziphatha ayamkelekanga;
- e) indlela yokuziphatha ebangela ukwenzakala okanye evuselela inkolelo efanelekileyo yokuba ukwenzakala kunokubangelwa ngulowo ukhalazayo ngokulandela ngokungekho ngqiqweni, ukubukela okanye ukufaka kuye umkhalazi ngokobuqu okanye ngokwe-intanethi;
- f) ukoyikiswa, apho umntu woyikiswa ngokuhlaselwa ngokwesondo kwaye kukhuthaza inkolelo ekholelekayo yokwenzakaliswa okukufuphi.

4.22.2 Isenzo esingamkelekanga sesondo sibandakanya isenzo somzimba, esomlomo kunye nesingengomlomo: ezo zenzo zingangqala okanye zingangqalanga kwaye zingabandakanya izixhobo zeteknoloji, imifanekiso kunye/okanye upapasho kumajelo asekuhlaleni. Isiganeko esinye sokuziphatha ngokwesondo okungamkelekanga sinokubangela iSexual Harassment.

4.22.3 Ukuziphatha okungamkelekanga ngokomzimba, ukusuka ekuchukumiseni ukuya ekuhlaselweni ngokwesondo kunye nokudlwengulwa.

4.22.4 Ukuziphatha okungamkelekanga kubandakanya intetho, iingcebiso, okanye iingcebiso zesini, inkanuko ngokwesini, izoyikiso ngokwesondo, ukuthetha ngendlela ekrwada ngesondo, iziqhulo ezinxulumene nezesondo okanye izithuko, amagqabantshintshi ngomzimba womntu/inkangeleko/impahla yakhe, imibuzo engafanelekanga malunga ngesondo emntwini, ukubetha umlozi ngokwesini kunye nokuthumela ngeendlela zemifanekiso ye-intanethi okanye ukubhala ngokuphandle ngesondo.

4.22.5 Ukuziphatha okungamkelekanga okungafunekiyo kubandakanya izijekulo, ukuveza uburhabaxa kunye nokubonisa okanye ukuthumela imifanekiso nge-elektroniki okanye ezinye iindlela zokuhambisa imifanekiso engamkelekanga okanye izinto ezibonisa isondo.

4.22.6 Izityholo zeSexual Harassment zingathathwa njengezizisulu, ukuxhatshazwa ngokukodwa (*quid pro quo*) ukudala imo engentlanga:

a) Ukuxhatshazwa ngokukodwa kwenzeka xa umntu exhatshazwa okanye esoyikiswa ngokusilela ekuthobeleni inkanuko yesondo;

b) Ukuphathwa gadalala (*Quid pro quo* harassment) kwenzeka xa umtyholwa:

i. ephembelela okanye ezama ukuphembelela imeko yengqesho yomntu ngokunyanzela okanye ngokuzama ukunyanzela loo mntu ukuba abandakanyeke kwizenzo zesondo;

ii. iimpembelelo okanye iinzame zokuphembelela ukwamkelwa komfundi eYunivesithi okanye kwiindawo zokuhlala zeYunivesithi ngokunyanzela okanye ngokuzama ukunyanzela loo mntu ukuba abandakanyeke kwizenzo zesondo; kwaye kwakhona;

iii. iimpembelelo okanye iinzame zokuphembelela ukufikelela komfundi kuqeqesho, kumanyano lombutho okanye kumathuba enkxaso-mali, okanye ukulobela okanye kuvavanyo, ngokunyanzela okanye ukuzama ukunyanzela umfundi ukuba abandakanyeke kwimicimbi yesondo.

b) ukwenziwa kwemeko-bume enobutshaba kwenzeka apho injongo okanye isiphumo ikukuphazamisa ukusebenza komnye umntu emsebenzini okanye ekufundeni.

4.22.7 Ukongeza koku, kuya kusetyenziswa la macandelo abanzi alandelayo ukumisela uhlobo lokuziphatha olubonisa ukuba iSexual Harassment:

a) Ukulotywa ngokwesondo, kubandakanya imigungqo nenzame zokufumana ithuba lokwenza gwenxa ngokwesondo, kwaye kwenza iimeko zengqesho (okanye imfundo, yabafundi) ixhomekeke kubonelelo ngesondo.

b) Umtsalane wesondo okungafunekiyo ubandakanya ukwenza inzame ezibonisa imfuno yesondo, kodwa inganiki mathuba okuphumelela okanye izoyikiso zokunyanzelisa ukuthotyelwa. Eli candelo libandakanya ukubonakaliswa kwezothando okanye umdla wesondo ongamkelekanga, ongabuyiswanga, kunye kujoliswe ekuhlaseleni; imizekelo ibandakanya ukuphathaphatha okungafunekiyo, ukuwola, ukubetha, kunye nokucela okuqhubekayo kwemihla okanye indlela yokuziphatha ngokwesondo ngaphandle okungathibazekiyo okanye kubandakanya ukubetha.

c) Ukuphathwa gadalala ngokwesini kubhekisa kuluhlu olubanzi lokuziphatha kunye nokungathethi kakuhle okujolise kubonelelo ngesondo kodwa kuthumela izithuko,

ubutshaba, kunye nokuzithoba kweempawu zesini somntu esikhethiweyo. Ukuphathwa gadalala ngokwesini kuchazwe ngakumbi njengeendidi ezintathu: ukuthetha kakubi ngesini; Ubundlobongela kunye nokuphathwa gadalala. Imizekelo yesini kunye/okanye ubundlobongela obufunyanwa ngabasetyhini kunye nabantu abahlelekileyo abahlukeneyo ngokwesini. Ukuphathwa gadalala ngokwesini kuthatha uhlobo lokujongela phantsi, iziqhulo okanye izimvo okanye indlela yokuziphatha efuna ukunciphisa isikhundla somntu ngokusekwe kwisini sakhe. Uhlobo lokuhlukumeza ulwaphulo-mthetho ngokwesini luchazwa njengokusetyenziswa kwamagama angcolileyo ngokwesini athoba isidima sabantu ngokubhekisele kwisini sabo (UFitzgerald, Gelfand noDrasgrow, 1995).

d) Ukuxhatshazwa ngokwesondo kubhekisa ekuziphatheni, ngokwasemzimbeni nangaphandle komzimba, apho isini okanye isini sisetyenziswa njengesixhobo komnye umntu. Ukuxhaphaza ngokwesondo kuko nakuphi na ukuziphatha okuthoba isidima somntu, kukhetha umntu ngaphandle ngokusebenzisa ulwimi lwezondo, izijekulo okanye ubundlobongela, kunye nokuxhaphaza umntu ngenkangeleko yakhe.

4.23. 'Ukuziphatha gwenxa ngokwesondo' kwimeko yalo mgaqo-nkqubo ligama elibanzi elibhekisa kwi-Sexual Harassment, ubuNdlombongela obuphathelele kwezondo kunye namaTyala ezoSondo.

4.24 'INkundla yamaTyala ePhethe ngokuSesikweni' ibhekisa kwiqela elizimeleyo labantu abaqeqeshiweyo abongamelayo ukuxoxwa kwetyala loluleko kwiNkqubo eQhelekileyo.

4.25 'Umfundi' uthetha umfundi obhalisiweyo weYunivesithi okanye umntu obhalise njengomfundi okanye isithuba sobugqirha kunye namalungelo abafundi athe wavuma ukubotshelwa yimigaqo nemigaqo-nkqubo yeYunivesithi enxulumene nabafundi. Apho umfundi akhutshiweyo kwirejista okanye wanikwa ikhefu lokungabikho emsebenzini unokunikwa ngumbhalisi weyunivesithi ngokubonisana noMlawuli we-OIC ukuba anike ukufikelela kwiinkonzo ezinikezelwa yi-OIC.

4.26 'iYunivesithi' ithetha iYunivesithi yaseKapa.

5. UKUPHUNYEZWA

Iyunivesithi iyavuma ukuba ubukho, uphuhliso, kunye nokuphuhlisa, nokukhuthaza ubunkokheli ekhampasini kuya kuba yinto ebalulekileyo kuzo zonke izicwangciso ezinxulumene nokuphendula okusebenzayo kwiindlela zokuziphatha gwenxa ngokwesondo. Kananjalo, kuya kulandelwa le nkqubo-sikhokelo ilandelayo:

5.1 lindima

Aba bathathi-nxaxheba balandelayo baya kuba noxanduva kunye/okanye baphendule ekuphunyezweni kwalo mgaqo-nkqubo:

5.1.1 Ubunkokeli noLawulo

USekela-Tshansela kunye neqela leNkokheli zeYunivesithi, njengeyona nkokheli ephezulu, banokuphendula, kwaye baqhubeke nokukhuthaza ukuphunyezwa kwalo mgaqo-nkqubo. Ngapha koko, bonke abaphathi bamacandelo abakwizikhundla zobunkokeli, banoxanduva lokukhuthaza ukuqondwa, ukuphendula, ukuphathwa kunye nokuthintelwa kwamatyala ezesondo neSexual Harassment kwiYunivesithi.

5.1.1.1 Usekela-Tshansela kunye neqela leNkokheli lijongene ngokukodwa:

a) nonxibelelwano rhoqo nabantu baseyunivesithi malunga nobukho, ulawulo kunye nokuthintela amaTyala ezeSondo neSexual Harassment njengemeko eyoyikisayo kakhulu kwiYunivesithi;

b) iintetho ezimfutshane mazenziwe rhoqo zinkokheli zesigqeba seYunivesithi malunga noMgaqo-nkqubo kunye nezakhiwo ezahlukeneyo ezinikwe uxanduva lokulawula kunye nokubeka iliso kwiZenzo zoSondo kunye ne-Harassment.

5.1.1.2 Iqela leNkokheli, zeHR, iHOD kunye / okanye bonke abaphathi babasebenzi baya kuba noxanduva loku:

a) lokuphakamisa ubuTyala beSini kunye nokuTshutshiswa ngokwesondo njengenxalenye yayo yonke inkqubo yophuhliso lobunkokheli okanye amalinge ajolise ekukhuthazeni izakhono zobunkokheli;

b) ukudala, ukugcina nokulawula izalathiso zomsebenzi njengenxalenye yabo bonke abantu izivumelwano zokusebenza zabaphathi zibandakanya ukulawulwa nokuphathwa kwazo zonke iingxelo zeSexual Harassment kunye ne-Sexual Harassment kunye namanyathelo othintelo;

c) ukuthatha onke amanyathelo afanelekileyo okuzifundisa ngayo yonke imiba yomgaqo-nkqubo wamaTyala eSexual Harassment kunye nefuthe leSexual Harassment kwiYunivesithi nasekudaleni nasekugcineni imeko eyaziwayo yobukho, isoyikiso nefuthe kumatyala ezeSondo kunye nokuXhatshazwa ngokwesondo;

d) ukwenza zonke iinzame ezifanelekileyo ukugcina amanyathelo akhoyo aya kuthi alwe ngokufanelekileyo kwaye anciphise amaTyala ezeSondo kunye nokuTshutshiswa ngokwesondo kwiYunivesithi;

e) ukusebenzisa ubunkokheli ngokwazi nokuqonda imigaqo yalo mgaqo-nkqubo, nangokuthatha uxanduva lokuphumeza iinkqubo ezikulo mgaqo-nkqubo;

f) Ukuya kwiiseshoni zoqeqesho nezemfundo ngalo mgaqo-nkqubo ufundiswayo kunye/ okanye uququzelelwe yi-OIC kunye nabanye abaphathi-nxaxheba beYunivesithi;

g) ukwazisa umgaqo-nkqubo kubo bonke abaqeshwa nabafundi kwiindawo zabo zoxanduva;

h) ukuqinisekisa ukuba bonke abasebenzi abatsha nabafundi baxelelwe ngomgaqo-nkqubo kwaye banikwe ithuba lokuxoxa ngeziphumo zawo;

i) ukunxibelelana noPhuhliso loMbutho, amasebe ezoBudlelane babasebenzi kunye ne-OIC ukuze kulawulwe imeko yomsebenzi;

j) ukuthatha amanyathelo afanelekileyo xa imeko zolwaphulo-mthetho ngokwesondo kunye/ okanye zeSexual Harassment zenzeka, kwaye zenze ngokungqinelana neenkqubo zokunika iingxelo nezoluleko ezibekwe kulo mgaqo-nkqubo. Kule nkalo abaphathi kufuneka:

i. baphathe zonke izikhalazo njengeziyimfihlo nabo bonke abachaphazelekayo ngesidima nembeko;

ii. thumela zonke izikhalazo kwi-OIC;

iii. xa lo mgaqo-nkqubo waphuliwe kodwa kungekho sikhhalazo sifakiweyo, nika iingxelo ngalo mba kwi-OIC;

iv. Xa kufanelekile, thatha amanyathelo ngokubonisana ne-OIC ukuthintela izikhubekiso zesondo kunye/okanye iSexual Harassment.

5.1.2 I-OIC

I-OIC iya kuthi inikezele iYunivesithi ngesenzo sobundlobongela obupheleleyo ngokwesondo kunye/okanye ukuphathwa gadalala ngokwesondo. Oku kuya kuquka ukunikezelwa kwamanyathelo enkxaso kunye nokukhusela ummangali, nokuba iinkqubo zoluleko zimanyiwe okanye akunjalo. Iya kubandakanya ulwakhiwo lwenkxaso oluya kubonelela ngolawulo lwabaphendulayo, apho amalungelo, iinkqubo kunye nokumelwa, kunye neenkqubo zabaphendulayo zibonelelwayo.

5.1.2.1 I-OIC iya kuba noxanduva lo:

- a) mmangali kunye nommangalelwa
- b) uqeqesho kunye nokubonelela ngenkxaso nezikhokelo ngokubanzi kuBacebisi
- c) ukubeka iliso kumatyala
- d) uqeqesho nokuphakamisa ulwazi:

i. Iyunivesithi iyazibophelela kuqeqesho nasekuphakamiseni ulwazi ngobundlobongela obusekelwe kwisini.

ii. I-OIC iya kuthatha uxanduva oluphambili kuyilo nakulawulo lomxholo, ukulungelelanisa, kunye nokuphumeza apho kufanelekileyo, uqeqesho kunye nokwazisa malunga nobundlobongela obuphathelele kwezisini kunye neminye imiba enxulumene noko, ngakumbi apho kufanelekileyo kuwo nawuphi na umba ekubhekiselwe kuwo kulo mgaqo-nkqubo.

iii. Uqeqesho lobunkokeli kumgaqo-nkqubo wamaTyala ezeSondo kunye nokuTshutshiswa ngokwesondo luya kuba yinto eqhubeka rhoqo njengoko kucwangcisiwe kwiZiko lokuFunda laBasebenzi.

iv. Injongo yolu qeqesho iya kuba kukubonelela ngokubhengeza okokuqala, ulwazi, ulwazi malunga nomgaqo-nkqubo kunye nemiceli-mngeni enxulumene nemfundo malunga namatyala ezesondo kunye nokuhlukunyezwa ngokwesondo ukuze ube nefuthe kwisimo sengqondo esifanelekileyo kunye notshintsho ekuziphatheni.

5.1.2.2 Amanyathelo enkxaso

Kukho ukwahlukana okucacileyo kubume be-OIC ekuboneleleni ngenkxaso ekujonganeni nabakhalazi nabaphenduli. Kujongiswana ngamahlelo amabini: Inkxaso yomkhalazi kunye nabalawuli abangabaPhenduli:

a) Amanyathelo enkxaso yabakhalazi:

Inkxaso yabakhalazi abangamaxhoba iyakunika ingcebiso, ingcebiso noncedo kubakhalazi kwizenzo zobundlobongela obuphathelele kwezisondo kunye/okanye imicimbi ye-Sexual Harassment. Amanyathelo enkxaso kubamangali anokubandakanya, kodwa angapheleli kwi:

i. lungelo lokuhlala ungaziwa;

ii. ilungelo lokuxela;

iii. ilungelo lokufaka isikhalazo;

iv. ilungelo lokumelwa ngokwasemthethweni;

v. ukucetyiswa ngexesha lesiganeko, kulandele ukuthunyelwa kwiinkonzo zengqondo, iinkonzo zonyango ezingxamisekileyo, iingcebiso ngezomthetho nezinye iinkonzo ezifanelekileyo;

vi. amanyathelo enkxaso ethoboza ifuthe leSexual Harassment okanye ukuxelwa kwesi siganeko ngummangali.

b) Amanyathelo enkxaso kubaphenduli:

Umntu ophendulayo angaya okanye acelwe yi-OIC ukuba afumane iingcebiso noncedo. Le nkqubo inokwenzeka nakweliphi na inqanaba kulandela isityholo sokuziphatha gwenxa esiyeyona nto kugxilwe kuyo kulo mgaqo-nkqubo. Kwiimeko ezinjalo i-OIC iya kubonelela umphenduli ngoku kulandelayo, ukuba oko kuyimfuneko:

i. Ithuba lokudibana nomntu onikwe igunya ngokufanelekileyo yi-OIC kulawulo lwabaphendulayo;

ii. ummangalelwa uya kucetyiswa ukuba afumane ukumelwa ngokwasemthethweni okanye ngenye indlela;

iii. ilungelo lokumelwa kwangaphandle ngokwasemthethweni likhona ngokubona komthetheli ofaka iziphakamiso ezibhaliweyo kummangalelwa ekufuneka ezithobele nenkqubo yoLuleko equlethwe kwiNcwadana yesi-3: Imigaqo Jikelele neMigaqo-nkqubo;

iv. iingcebiso malunga nokuhanjiswa kweenkonzo zengqondo;

v. ingcebiso ngohlobo lweyantlukwano phakathi kokusesikweni kunye nenkqubo engekho sesikweni;

vi. ingcebiso malunga nokuba iYunivesithi inokukhetha ukulandela imigaqo yoluleko nokuba umkhalazi akayilandeli, unqwenela ukwenza njalo, okanye kwimeko yothethathethwano olungaphumelelanga ngenkqubo engekho sesikweni;

vii. inkcazo ngokubhekisele kumanyathelo okhuselo iyafumaneka kumkhalazi;

viii. ulwazi malunga nokufumaneka kolawulo lwabaphendulayo;

ix. iinkqubo ezibandakanya kodwa zingaphelelanga kwiinkqubo zemfundo;

x. ukuba kufanelekile ukucebisa ngenkqubo apho umphenduli anokufunda ukutshintsha indlela aziphethe ngayo;

xi. Ummangalelwa angazisa umntu omnye omxhasayo, enganxibelelananga netyala engenakho ukusebenzisana nommangali okanye amangqina.

5.1.3 Abasebenzi nabaFundi

Bonke abasebenzi nabafundi banoxanduva lokuphendula ngokuziphatha kwabo kwaye banoxanduva lokulandela, ekwakheni nasekunikeni inkcubeko enganyamezeliyo isimilo esingqubana nalo mgaqo-nkqubo.

5.1.4 Inkokeli yoBungqina

Inkokeli yoBungqina iya kongamela, ibeke iliso kwaye ilawule yonke imiba yenkqubo esesikweni emalunga neengxelo kunye/okanye izehlo zeSexual Harassment. Oku kubandakanya oku kulandelayo:

a. ukulawula nokubeka iliso kwinkqubo yophando kwiingxelo zeZityholo zeSexual Harassment kunye ne-Sexual Harassment kunye/okanye nokophulwa kwalo Mgaqo-nkqubo;

b. ukulungiselela nokwazisa onke amatyala ezesondo kunye/okanye iimeko zeSexual Harassment kwiYunivesithi, kuwo onke amanqanaba oluleko;

c. ukulungiswa kwangaphambi kwetyala;

d. ukongamela nokuqalisa ngoqeqesho kuphando neenkqubo zoluleko zamatyala apho kukho imfuneko

5.1.5 Abacebisi

Abacebisi abagunyazisiweyo nabamiselweyo abaqeshwe yi-OIC baya kuba noxanduva loku kulandelayo:

a. Ukwamkela izikhalazo zamatyala esini kunye / okanye ukuxhatshazwa ngokwesondo kunye / okanye izityholo zesondo ezivela kwi-OIC;

b. ngokubonisana ne-OIC, ukuncedisa, ukuxhasa, ukubonisana nokunxibelelana nabakhalazi, kunye nabo baqala izikhalazo kwizenzo zesondo kunye/ okanye iSexual Harassment;

c. ukunika ingcaciso (ngohlobo lweengxelo kunye / okanye iirekhodi) kwi-OIC kuwo onke amatyala adlulisiweyo kusetyenziswa inkqubo yolawulo lwamatyala ekhompuyutha, kwaye uqhoboshele nayiphi na imbalelwano ephathelene nalo mba, ukuba kufuneka njalo;

d. Ukuthatha amanyathelo abalulekileyo omkhalazi ngokunika inkxaso noncedo;

e. Ukuqhagamshelana neNkokeli yoBungqina ngokunxulumene noxanduva olunokuvela kumatyala oluleko;

f. ukuxhasa umsebenzi wokufundisa we-OIC apho kufanelekileyo kwaye kusengqiqweni;

g. ukubonelela ngenkxaso yenkundla kummangali xa eceliwe;

h. ukubonelela ngenkxaso kummangalelwa xa eceliwe.

5.1.6 Iphaneli yokuVavanya

5.1.6.1 Emva kwengxelo okanye izehlo zeSexual Harassment / ukuziPhatha gwenxa ngokwesondo, iNkokeli yoBungqina iya kuba nokuqonda, ngokubonisana noMlawuli we-OIC kunye naBasebenzi/ uBudlelwane bezeNgqesho apho elinye okanye omabini amaqela engabasebenzi, achonge iQela lokuVavanya elinabasebenzi abonyuliweyo, kubandakanywa uMbutho waBasebenzi/ uBudlelwane bezeNgqesho, okanye inkokeli yabafundi xa kufanelekile.

5.1.6.2 Indima yeQela loVavanyo iya kuba kukwenza isindululo sokuncedisa ekuthathweni kwezigqibo ezinolwazi eziya kuthi zibe zezilungiselela ummangali ngokunjalo noluntu lweYunivesithi.

5.1.6.3 Iphaneli yokuVavanya kwiimeko ezifanelekileyo kunokwenza ithathe uphando lokuqala, kuxoxwe ngalo apha ngezantsi, ukuze kuthathwe isigqibo sokuba ngaba isikhalazo kufuneka senziwe okanye akufuneki senziwe ngokwasemthethweni.

5.1.7 AmaQela esiThathu eeNkonzo zangaPhandle

5.1.7.1 Ngelixa iYunivesithi ingenalo igunya kubantu benkonzo zangaphandle abangafundi okanye abaqeshwa beYunivesithi, iYunivesithi ijonge ukuba le nkqubo kunye neminye imiba enxulumene nayo iya kugcinwa ihlonitshwe ngabo bonke abasebenza, okanye abatyelele iYunivesithi okanye abathatha inxaxheba kwimisebenzi yeYunivesithi nakweyiphi na indawo.

5.1.7.2 Abatyeleli abangavunyelwanga okanye abangabhaliswanga eYunivesithi njengabafundi okanye abangaqeshwanga yiYunivesithi abanokumenyelwa kwiYunivesithi kwaye baya kuvuma ukuthobela imigaqo neemeko zabafundi nabasebenzi.

5.1.7.3 Nawuphi na umntu ovumayo ukuthobela imithetho nemiqathango yabafundi kunye nabasebenzi uyakuthathwa njengovunyelweyo ukuba abe phantsi kolawulo loluleko kunye neenkonzelo zeYunivesithi, njengoko kumiselwe yiYunivesithi. Apho abo bantu bangaphandle abaphantsi kwemithetho okanye iinkqubo zabasebenzi okanye zabafundi, okanye izibonelelo zeKhowudi yokuziPhatha, i-OIC iyakugcina irekhodi lezikhhalazo kunye nokwaphula oku kunye nemigaqo-nkqubo enxulumene noko, kwaye iya kukuxela oku iofisi ngerekhodi ukuze ulwazi luthathelwe ingqalelo kuthathelwa ingqalelo nokuqhubeka nekhontrakthi yeenkonzo.

6 UNXIBELELWANO

6.1 Iyunivesithi iyakuthatha onke amanyathelo afanelekileyo ukunxibelelana ngomgaqo-nkqubo kubo bonke abasebenzi kunye nabafundi rhoqo kunye nokwazisa malunga nesidingo sokuthintela ubundlobongela obuphathelele kwezondo kunye ne-Sexual Harassment.

6.2 Iyunivesithi iya kwenza ukuba lo mgaqo-nkqubo ufumaneke kumaphepha ayo ewebhu kwaye inikezele ngolwazi oluqhelekileyo nolukhoyo ngoku ekuphunyezweni kwayo kusetyenziswa amaphepha ayo ewebhu.

6.3 Usekela-Tshansela okanye umntu otyunjwe ngokufanelekileyo uya kuqinisekisa ukuba u-6.1 no-6.2 bayenzeka kwaye babonelele ngobunkokeli nezikhokelo eziyimfuneko kuwo onke amalungu eQela lobuNkokheli ukuze unxibelelwano oluqhubekayo lomgaqo-nkqubo luhlale luluxanduva oluphambili kuzo zonke izikhundla zobunkokeli beYunivesithi. Ingxelo enye edibeneyo yonyaka yokuziphatha gwenxa ngokwesondo eya kuthi ichaze izityholo zeSexual Harassment kunye namatyala okuziPhatha gwenxa ngokwesondo iyakwenziwa ifumaneke kwiSigqeba seBhunga nakwiBhunga kwaye iyakwaziswa kuluntu lwekhampasi liSebe lezoNxibelelwano kunye neNtengiso (i-CMD), ngokokubona kweNguqu ye-DVC kunye ngokubonisana noMlawuli we-OIC, okanye umntu othunyelwe ngokufanelekileyo kwi-OIC.

7 IINKQUBO ZOLULEKO

Esi sikhokelo sale nkqubo silandelayo sichaza amanyathelo amakalandelwe xa kunokubakho isehlo seSexual Harassment okanye ulwaphulo-mthetho ngokwesondo phakathi kwabafundi kunye/okanye nabasebenzi. Inkqubo yoluleko ibandakanya iimpendulo kubamangali; iimpendulo kubaphenduli; amanyathelo okhuseleko; iinkqubo ezingekho sikweni kunye neenkqubo ezisesikweni.

7.1 Iimpendulo kwiSikhalazo

7.1.1 Izikhhalazo zeSexual Harassment okanye izenzo zokuziPhatha gwenxa ngokweSondo mazaziswe kwi-OIC ngokukhawuleza kangangoko kunokwenzeka.

7.1.2 Ukuba isikhhalazo sizisiwe kumphathi, umphathi uya kwazisa i-OIC ngoko nangoko, njengomntu onika ingxelo.

7.1.3 Izityholo zeSexual Harassment okanye ulwaphulo-mthetho ngokwesondo zinokwaziswa kwi-OIC ngummangali okanye nawuphina omnye umntu owaziyo ngesincwaso okanye ngesondo. Ummangali nangona kunjalo uyakhuthazwa ukuba azise i-OIC buqu.

7.1.4 Isicelo sokungafuni kwaziwa igama lomangali siya kulandela ngulowo wenza ingxelo.

7.1.5 Nasiphi na isikhalazo nesinyanzeliso sesincwaso okanye ulwaphulo-mthetho ngokwesondo siya kurekhodwa ngokubhaliweyo ngumntu othunywe ngokufanelekileyo yi-OIC.

7.1.6 I-OIC iya kunyula uMcebisi okhoyo kwityala elo xa kufuneka njalo.

7.1.7 Amanyathelo amakathathwe ngumntu othunyelwe ngokufanelekileyo kwi-OIC, xa kufunyanwa isikhalazo kufuneka aquke, kodwa angapheleli koku kulandelayo:

a. ukucebisa umkhalazi ukuba kukho iinkqubo ezisesikweni nezingacwangciswanga ezinokulandelwa malunga nokuxhatshazwa ngokwesondo kunye namatyala ezesondo;

b. ukucebisa ummangali ukuba kwiimeko zolwaphulo-mthetho ngokwesondo iYunivesithi ibonelela ngenkqubo ezisesikweni ezichazwe kwiCandelo 8;

c. ukuchaza iinkqubo ezisesikweni nezingacwangciswanga kummangali apho kwenzeke khona isiganeko seSexual Harassment;

d. ukucebisa ummangali ukuba kwiimeko zeSexual Harassment kukho ukhetho malunga nenkqubo ekufuneka ilandelwe yiYunivesithi;

e. ukucebisa umkhalazi ukuba uMcebisi oncedisayo akanakubizwa njengengqina ngexesha layo nayiphi na inkqubo esesikweni;

f. ukucebisa umkhalazi ukuba akabophelelwanga sisiphumo senkqubo engekho sesikweni, kwaye uya kuligcina ilungelo lokuqhubeka nenkqubo esesikweni;

g. ukucebisa umkhalazi ukuba umba lowo uza kusingathwa ngokuyimfihlo;

h. ukuba kuyasebenza, mcebise umkhalazi ukuba akukho mgaqo mbi wokuthembeka oya kulandela ngenxa yokuxelwa kade;

i. Nika ummangali ulwazi malunga nokufumana iingcebiso kunye nolwazi malunga nendlela yokufikelela kwiinkonzo zokufumana iingcebiso ezizimeleyo;

j. ukucebisa umkhalazi ngelungelo lokuba athumele nawuphi na umcimbi kwiNkonzo yamaPolisa oMzantsi Afrika (SAPS) kwaye afumane ezinye iingcebiso zomthetho kunye/ okanye ummeli wezomthetho apho ummangalelwa ewela ngaphandle kolawulo lweYunivesithi;

k. Ingcebiso yezomthetho yangaphandle kunye nokumelwa kuya kusebenza kwiinkqubo ezingaphandle kolawulo lweYunivesithi.

7.1.8 Ngemvume yommangali, udliwano-ndlebe lokulungiselela oluqhutywa yiNkundla yamaTyala aKhethekileyo okuZiphatha gwenxa ngokwesondo, nommangalelwa angabanjwa xa engekho ummangali kunye naye nawuphina omnye umntu okanye abantu abanokunika ulwazi lokuncedisa ngokungekho sikweni kunye nenkqubo esesikweni.

7.1.9 Ukuba umkhalazi akafuni kuqhubeka nomcimbi, kwaye isikhalazo sibaluleke kakhulu, iNkokeli yoBungqina, ngokucebisana ne-OIC inokubiza iPhaneli yokuHlola.

8. IMIQATHANGO YOKHUSELEKO LWABAFUNDI NABASEBENZI ABAKHALAZAYO

Inkqubo yokhuseleko inokubandakanya, kodwa ingaphelelanga kwi:

a. lungelo lokufaka isicelo sokungaxibelelani(no contact order) apho kufanelekileyo;

b. utshintsho kwindawo yokuhlala abafundi xa kufanelekile;

- c. ukulungiswa okwethutyana kweemeko zokusebenza okanye ubume babasebenzi apho kuyimfuneko nalapho kufanelekileyo;
- d. uncedo ngoncedo lwezifundo kubafundi apho kukho imfuneko kwaye kufanelekile;
- e. ikhefu elilodwa labasebenzi, okanye ikhefu lokungabikho kwabafundi, apho kuyimfuneko kwaye kufanelekile;
- f. ikhefu lokungabikho kwezicelo zabafundi;
- g. ukukhutshelwa koMmangalelwa isaziso sokungaxibelelani okanye iSaziso sokuNqunyanyiswa kummangalelwa;

h. Isaziso sokunqunyanyiswa

8.1 Akukho kuNxibelelana okubhekiselele kubafundi (mazifundwe kunye neNkqubo yoLuleko/ imigaqo ye-DJP equlethwe kwincwadana yesi-3: Imigaqo Jikelele neMigaqo-nkqubo)

- a. Umyalelo wokungaNxibelelani ngumyalelo wokukhusela ummangali kuzo zonke iintlobo zobundlobongela obusekelwe kwisini, nokuba ngaba inkqubo yoluleko esemthethweni iye yaqaliswa okanye isacingwa.
- b. Umyalelo wokungaxibelelani asingomyalezo osisohlwayo koko yindlela yokhuselo yommangali.
- c. Umphenduli (Umqeshwa okanye umfundi) unelungelo lokukuchasa ukunikezelwa komyalelo wokungaxibelelani kwaye angakwenza oko kwisithuba seeyure ezingama-72 zokusebenza.
- d. Imigaqo yomyalelo yokungaNxibelelani inokwahluka ngokuxhomekeke kwiimeko zetyala kwaye inokulungiswa ligunya elifanelekileyo emva kwesibheni ngummangali okanye ummangalelwa ngokucebisana neNkokeli yoBungqina kunye ne-OIC.
- e. Ukophulwa komyalelo wokungaNxibelelani kuthetha ukungaziphathi kakuhle kwaye kunokuxhomekeka kwinkqubo yoluleko elifanelekileyo kubasebenzi nakubafundi. Ukophula okanye ukwaphula umthetho woQhakamshelwano kungakhokelela kwisicelo seNkokeli yoBungqina yokuba ummangalelwa anqunyanyiswe kangangexesha elithile kwiYunivesithi.
- f. I-odolo yoQhakamshelwano yabafundi, ikhutshwa nguMgqirha oMkhulu okanye umntu otyunjiweyo, ngokwemigaqo yemigaqo yoLawulo lweNkqubo zoLuleko kunye neNkqubo (i-DJP).
- g. Umthetho wokungaNxibelelani nabafundi usebenza ixesha elimiselwe phantsi kwemigaqo ye-DJP kwaye unokuhlaziywa xa umenzi wesikhalazo efake isicelo kwigunya elifanelekileyo.

8.2 Akukho Nxibelelwano lubhekiselele kubasebenzi

- a. Akukho kuNxibelelana kwabasebenzi okukhutshwa nguMlawuli oLawulayo: uLuntu/ ubuDlelwane kwezeNgqesho okanye iGosa eliyiNtloko lemiSebenzi okanye umtyunjwa ngokwemiqathango yeKhowudi yoLuleko yeYunivesithi yabasebenzi, emva kokuthathela ingqalelo isindululo se-OIC njengexalenye yesaziso sokumiswa emsebenzini.
- b. Umyalelo wokungaxibelelani nabasebenzi uyinxalenye yesohlwayo usebenza ixesha elingekho ngaphezulu kwekhulu (100) leentsuku okanye iinyanga ezintandathu (6) kwaye unakho ukuvuselelwa njengesikhalazo kwigunya elifanelekileyo.

8.3 Ukunqunyanyiswa

- a. Isaziso sokuNqunyanyiswa yindlela ekhuselayo ekhutshwayo ngaphandle kokuthintela ummangalelwa ukukhusela ummangali kubundlobongela obusekelwe kwisini nokuba inkqubo yoluleko esemthethweni iye yaqaliswa okanye yacingwa. Ikwavumela iYunivesithi ukuba iphande kwaye isombulule isikhalazo.
- b. Isaziso sokuNqunyanyiswa asiyomilinganiselo yokohlwaya koko sisenzo sokhuselo kummangali okanye kummangalelwa.
- c. Isaziso sokunqumamisa sikwaqulathe umyalelo kummangalelwa ukuba ayeke ukunxibelelana nommangali ngokwakhe kwi-intanethi.

IINKQUBO ZOPHANDO

Inkqubo yophando inokuba nezigaba ezininzi apho kufanelekileyo kwaye ibandakanya:

9.1 Uphando lokuqala

Uphando lokuqala lwenziwa yiNkokeli yoBungqina

- a. Iphaneli yokuVavanya njengoko kubonisiwe kwicandelo 4.1.6. ngamanye amaxesha kungenziwa ukuba kwenziwe uphando lokuqala ngenjongo yokufumanisa ukuba isityholo asihlangabezani nomgangatho wobungqina obufunekayo. Ukuba oku kufunyaniswe kunjalo, akusayi kuphinda kuthathwe manyathelo.
- b. Ngelixa kuqinisekiswa ukuba imigaqo-nkqubo yenkqubo engenamkhethe iyajongwa kufuneka kuthathelwe ingqalelo, ityala lingawela nakuliphi na iqela okanye lichithwe njengomcimbi ongabalulekanga.
- c. Apho uphando lokuqala lubonisa ukuba isityholo sinobungqina obaneleyo, ummangali uya kuthunyelwa kuphando olusesikweni ngokweKhowudi yoLuleko yaBafundi.

9.2 Uphando

Isikhalazo siphandwa ngokusesikweni yiNkokeli yoBungqina. Kwimeko apho umkhalazi engafuni ukulandela inkqubo esesikweni umcimbi awuzi kuqhubela phambili. Ummangali uya kwaziswa malunga nobuntununtunu bobungqina obunokungafumaneki ukuba bakhethe ukulandela umba kamva.

- a. Onke amaqela achaphazelekayo kuphando aya kunikwa ubulungisa benkqubo kwaye anelungelo lokuba nomntu obaxhasayo.
- b. I-Ofisi yoKhuselo lweKhampasi iya kuphanda emva kokubonisana neNkokeli yoBungqina, okanye ibangele ukuba kuphandwe, isityholo sokuziphatha gwenxa ngokwesondo ngumfundi okanye ngumqeshwa. Umphandi wangaphandle angatyunjwa ukuba kufanelekile.
- c. UMLawuli we-OIC kunye noMlawuli wezaBasebenzi/ubuDlelwane kwezeNgqesho baya kuthathela ingqalelo kwaye baqwalasele ukumiswa kummangalelwa ongumeshwa ngexesha lophando. Oku kuya kuhambelana neKhowudi yoLuleko.
- d. UMLawuli we-OIC ngokubonisana neNkokeli yoBungqina uya kuqaphela ukuba ngaba umphenduli ongumfundi kufuneka anqunyanyiswe ngexesha lophando. Oku kuya kuhambelana neKhowudi yoLuleko.

10 IINKQUBO EZIMISELWEYO NEZINGAMISELWANGA

Amaqela achaphazelekayo anelungelo lokukhetha inkqubo engamiselwanga elawulwa yi-OIC, kwiimeko zeSexual Harassment. Inkqubo engekho sesikweni ayisebenzi kwimeko zolwaphulo-mthetho ngokwesondo. Inkqubo ezisesikweni ziyafumaneka kubakhalazi abathi baxele ukuxhatshazwa ngokwesondo kunye nobundlobongela obuphathelele kwezesondo. Apho omnye angumqeshwa, ummeli ovela kubudlelwane bezengqesho kufuneka athathe inxaxheba kule nkqubo.

10.1 Inkqubo ezingamiselwanga

Inkqubo engamiselwanga yinkqubo, elawulwa yi-OIC, ejolise ekubuyiseleni ubudlelwane phakathi kommangali nommangalelwa, oku kuxhomekeke kwimvume yawo onke amaqela.

10.1.1 Inkqubo engekho sesikweni inakho okanye ingagqibi umcimbi kwaye isenokulandelwa yinkqubo emiselweyo. Ummangali kunye nommangalelwa banelungelo lokuqhubeka nenkqubo esesikweni, nokuba bakhethe ukwenza ntoni na ngokungekho sesikweni.

10.1.2 Ummangalelwa unelungelo lokwala ukuthatha inxaxheba kwinkqubo engamiselwanga kwaye angasebenzisa eli lungelo nakuliphi na inqanaba lenkqubo engekho sesikweni. Akukho bungqina bugwenxa buya kuthathelwa ingqalelo, xa ummangalelwa engafuni ukuthatha inxaxheba okanye erhoxa kwinkqubo engekho sesikweni.

10.1.3 Kwinkqubo engekho sesikweni, kubhalwa le ngcaciso ilandelayo:

a) Ulwazi ngobomi bakhe kunye nenkcazo yesiganeko sommangali nommangalelwa

b) iziphumo zenkqubo engekho sesikweni.

10.1.4 Kwimeko yolamlo, ulwazi lukhutshwa kuphela ngemvume yamaqela athatha inxaxheba.

10.1.5 Inkqubo ezingekho sesikweni zinokuqala ukuvunywa nguMlawuli we-OIC/ umthunywa kwi-OIC kwaye afune imvume ebhaliweyo yommangali kunye nommangalelwa.

10.1.6 Inkqubo zokufundisa ngobulungisa obubuyisela kwisimo esisesikweni ziya kunikwa yi-OIC, ziya kulandela uhlobo lweNkqubo eNgekho Sikweni kwimeko zesincwaso. Ukuthatha inxaxheba kwinkqubo engekho sesikweni kufuna imvume ebhaliweyo yommangali kunye nommangalelwa.

10.1.7 Inkqubo engamiselwanga inokubandakanya:

Ingxoxo phakathi komntu othunyelwe ngokufanelekileyo yi-OIC kunye nommangalelwa ngaphandle kokuveza ukuba ngubani umkhalazi (kuxhomekeke ekukhetheni kommangali). Apho injongo iyile ilandelayo:

i ukubonelela ummangalelwa ithuba lokuxolisa ukuba ummangali ufuna oko. Imiqathango yemeko nokwamkelwa kokuxolisa kuya kuququzelelwa ngummeli otyunjwe ngokufanelekileyo osuka kwi-OIC

ii isicelo kummangalelwa sokuba arhoxe ekuziphatheni gwenxa kummangali ukuba ufumanisa iyinto ecekisekayo. Oku kungachazwa kwisivumelwano esibhaliweyo, esityikitye ngummeli we-OIC onikwe igunya kunye nommangalelwa, kwaye iyakuhlala iyimfihlo

iii Isimemo sommangalelwa ukuba athathe inxaxheba kwezinye iinkqubo zobulungisa bokubuyisela kwimeko yesiqhelo zinokubandakanya iindlela ezahlukeneyo zemfundo, uqeqesho kunye/okanye ulamlo lwenkqubo engekho sesikweni njengoko kubhekisiwe kuMgaqo-nkqubo woLamlo weYunivesithi. Uthethathethwano noxolelwaniso emva kokufumana imvume ebhaliweyo ngenkqubo kummangalelwa nangesikhalazo. Umqaphela wokuba ezinye iindlela zemfundo zenziwa kuphela kwiimeko zeSexual Harassment kwaye

azifumaneki kubaphenduli apho izikhubekiso ngokwesondo okanye ukuhlaselwa ngokwesondo kuthi kwenzeka.

b) Inkqubo engekho sesikweni mayigqitywe, apho kufanelekileyo, zingadlulanga iintsuku ezilishumi elinesine (14) zesehlo esixeliweyo kwi-OIC.

c) Ukugcinwa okuyimfihlo ngokungqongqo malunga nenkqubo kunye nabo bathatha inxaxheba, kunye nokwenza ingxelo kuya kugcinwa.

11. IINKQUBO EMISELWEYO

Apho ummangali (umqeshwa okanye umfundi) egqiba ekubeni aqhubeke netyala ngokusesikweni, lo mbandela uya kuthunyelwa yi-OIC kwiNkokeli yoBungqina beNkundla eYodwa yokuZiphatha gwenxa ngokwesondo njengeziko loluleko leYunivesithi. Ukuba umsebenzi ubandakanyekile ummeli ovela kwisebe lezabasebenzi/iSebe lezoBudlelane bezeNgqesho uyakubandakanywa kulo mbandela. Iyunivesithi nayo inokuseka ukuqhubeka ngokusesikweni ngaphandle kweminqweno yommangali yokuba kungaqhubeki, okanye ukuhlala engaziwa. Abasebenzi abangabaphenduli kwityala, kufuneka babhekise kuMgaqo-nkqubo woLuleko wase-UCT kunye nokuziphatha gwenxa ngokwesondo: Amatyalala eSondo kunye noMgaqo-nkqubo weSexual Harassment.

Inkqubo ezisesikweni ziyafumaneka kwi-Sexual Harassment kunye nokuziPhatha gwenxa ngokweSondo okubandakanya ukubetha kunye nezikhalazo zobundlobongela obuphathelele kwezondo njengoko kuchaziwe.

11.1 Ukuba ummangali (umqeshwa okanye umfundi) unqwenela ukuqhubeka nenkqubo esesikweni, iNkokeli yoBungqina iyakwaziswa ngokufanelekileyo, kwaye inikwe ingxelo ebhaliweyo enikezela ngeenkukacha ezipheleleyo zesityholo sesondo okanye iSexual Harassment njengoko kuchaziwe. Kwezi meko:

a) I-OIC iya kuwuchaza lo mbandela kwiNkokeli yoBungqina ngokwemiqathango yoMthetho we-DJP1.1 kwaye lo mbandela uya kusingathwa ngokwemiqathango ye-DJP;

b) apho elinye lamaqela lingumqeshwa, kuya kwaziswa ubudlelwane bezabasebenzi, kwaye ke kuya kuqeshwa ummeli;

c) I-OIC iya kubonelela ngoncedo kwiNkokeli yoBungqina ukuze inike eli tyala kwiNkundla yamaTyala;

d) amagunya eTribunal ngokwenjenje ayandiswa ukuze kuvumeleke iNkundla yamaLungu yaBafundi eYunivesithi ebambeleyo ngokwemiqathango yoMgaqo DJP 5 ukuba ibandakanye kuso nasiphi na isohlwayo umyalelo wokunganxibelelani ngelixesha kude kugqitywe;

e) Umvavanyi oPhezulu, ngokubonisana ne-OIC uya kuqinisekisa ukuba oochwephesha abaqeqeshelwe ukusingatha imicimbi ye-Sexual Harassment kwaye abayi kunika tyala kumlingisi ongakhange aqeqeshwe ngokufanelekileyo. Aba ngoGqirha abanokuba ngaphakathi kwi-UCT okanye abavavanyi abaqeqeshwe ngaphandle.

11.2 Inkokeli yoBungqina iya kulungiselela ize ihambise ityala kwiYunivesithi ngaphakathi kulwakhiwo olululo lweYunivesithi. Inkqubo yabasebenzi iya kusingathwa yi-Ofisi yoBudlelwane baBasebenzi neyabafundi, kwiNkundla yabaFundi:

11.3 INkokeli yoBungqina neQela loVavanyo ziya kuqaphela lonke ulwazi olufanelekileyo, kubandakanya kodwa kungaphelanga koku kulandelayo:

a. umngcipheko kwabanye abantu kwiYunivesithi;

- b. Ubukrakra beSexual Harassment / ukoniwa ngokwesondo;
- c. Imbali yommangalelwa ethathela ingqalelo iimeko zangaphambili kunye nezikhalazo zeSexual Harassment.

11.4 Ukuba isindululo sePhaneli sokuVavanya sixhasa ukulandela inkqubo esesikweni ngaphandle kweminqweno yommangali, lo mbandela mawuthunyelwe kuSekela-Tshansela okanye kwiGosa elithunyelwe nguSekela-Tshansela ukuze enze isigqibo sokugqibela.

11.5 Inkokeli yoBungqina inganika ingcebiso ebhaliweyo kuSekela-Tshansela eya kubandakanya (kodwa ingalinganiselwa) koku kulandelayo:

- a. Inkcazo yesityholo sokuxhatshazwa ngokwesondo okanye isenzo sobundlobongela.
- b. izizathu zommangali zokungafuni kwakhe ukuqhubeka nomcimbi okanye ukubizwa njengengqina;
- c. isindululo sePhaneli yokuVavanya;
- d. ukunyanzelisa izizathu zokuxhasa inkqubo esesikweni;
- e. ukungakwazi ukusebenza kommangali.

12 ULAWULO

Izigwebo zingabandakanya, kodwa zingapheleli ku:

umfundi:

- a. Inkonzo yoluntu efanelekileyo kwikhampasi;
- b. iinkqubo zokubuyisela kwimo yesiqhelo/yemfundo/yokubuyisela kwimeko yesiqhelo;
- c. ixesha lokunqunyanyiswa kwindawo yokuhlala okanye kwiYunivesithi;
- d. ukugxothwa kwindawo yokuhlala okanye kwiYunivesithi;
- e. nasiphi na esinye isohlwayo esifanelekileyo njengoko siqwalaselwe yinkundla yamatyala.

Abasebenzi:

- a. inkonzo yasekuhlaleni;
- b. iinkqubo zokubuyisela kwimeko yesiqhelo;
- c. isilumkiso
- d. ukugxothwa;
- e. nasiphi na esinye isohlwayo esifanelekileyo njengoko siqwalaselwe yinkundla yamatyala.

Isohlwayo esingathathelwa ngqalelo siya kubandakanya ukuthathelwa ingqalelo komthetho ofanelekileyo kunye nemigaqo-nkqubo yeziko kunye neenkqubo njengoko zisebenza kwimeko yommangalelwa nokuba ungumfundi okanye ungumqeshwa.

13 ISIBHENO

13.1 Ummangali ongumfundi ongonelisekanga sisigqibo angafaka isibheno ngesigqibo ngokwenkqubo ebekiweyo kule nkqubo ehamba nale nkqubo.

13.2 Umphenduli ongumfundi ongonelisekanga sisigqibo esimalunga nesityholo sokuziphatha gwenxa ngokwesondo kufuneka abhekisele kwinkqubo yokubhena njengoko kubekiwe kule nkqubo ilandelayo.

13.3 Abasebenzi abangakhulisekanga sisiphumo bangafaka isibheni kulo mbandela kwiCCMA.

14 UKUBEKA ESWENI NOVAVANYO

Iyunivesithi iyakuqonda ukubaluleka kokubeka esweni leNdlela yokuziphatha gwenxa ngokwesondo: umgaqo-nkqubo wamaTyala ezeSondo kunye nokuTshutshiswa ngokwesondo uya kuqinisekisa ukuba uqokelela amanani kunye nedatha echaza ukuba isetyenziswa njani na kwaye iyasebenza na. Ukubeka iliso nokuvavanywa kwalo mgaqo-nkqubo kuya kwenziwa nguMnini-Polisi. Abaphathi, nomanejala kunye nabo banoxanduva lokujongana namatyala eSexual Harassment baya kunika ingxelo ngokuthobela lo mgaqo-nkqubo, kubandakanya nenani leziganeko, indlela emakusetyenzwe ngayo kunye nazo naziphi na iziphakamiso ezenziweyo. Oku kuya kwenziwa qho ngekota. Ngenxa yale ngxelo, iYunivesithi iya kuvavanya ukusebenza kwalo mgaqo-nkqubo ize yenze naluphi na utshintsho olufunekayo.