

EXTRACT OF THE EMPLOYMENT ACT NO. 11 OF 2007 SECTION 6

6. Sexual harassment

- (1) An employee is sexually harassed if the employer of that employee or a representative of that employer or a co-worker—
 - (a) directly or indirectly requests that employee for sexual intercourse, sexual contact or any other form of sexual activity that contains an implied or express—
 - (i) promise of preferential treatment in employment;
 - (ii) threat of detrimental treatment in employment; or
 - (iii) threat about the present or future employment status of the employee;
 - (b) uses language whether written or spoken of a sexual nature;
 - (c) uses visual material of a sexual nature; or
 - (d) shows physical behaviour of a sexual nature which directly or indirectly subjects the employee to behaviour that is unwelcome or offensive to that employee and that by its nature has a detrimental effect on that employee's employment, job performance, or job satisfaction.
- (2) An employer who employs twenty or more employees shall, after consulting with the employees or their representatives if any, issue a policy statement on sexual harassment.
- (3) The policy statement required under subsection (2) may contain any term the employer considers appropriate for the purposes of this section and shall contain:-
 - (a) the definition of sexual harassment as specified in subsection (1);
 - (b) a statement:-
 - (i) that every employee is entitled to employment that is free of sexual harassment;
 - (ii) that the employer shall take steps to ensure that no employee is subjected to sexual harassment;

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- (iii) that the employer shall take such disciplinary measures as the employer deems appropriate against any person under the employer's direction, who subjects any employee to sexual harassment;
 - (iv) explaining how complaints of sexual harassment may be brought to the attention of the employer; and
 - (v) that the employer will not disclose the name of a complainant or the circumstances related to the complaint to any person except where disclosure is necessary for the purpose of investigating the complaint or taking disciplinary measures in relation thereto.
- (4) An employer shall bring to the attention of each person under the employer's direction the policy statement required under subsection (2).