

GROUP HARASSMENT POLICY

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HOW SHOULD THIS POLICY BE APPLIED?

Gold Fields Limited Group is committed to creating and maintaining an environment that is free from any form of harassment/sexual harassment and/or bullying.

Gold Fields is committed to establishing clear guidelines and rules regulating the conduct of employees of Gold Fields and the values and ethics employees are required to adhere to.

This Policy seeks to encourage the development and implementation of practices, which create a working environment that is free of sexual, other harassment and bullying in which the integrity, dignity, privacy and the right to equality of all employees, job applicants and persons who have dealings with the Company, is respected.

Gold Fields expects all of its employees to comply at all times and to act in accordance with the principles established in terms of Gold Fields's policies and procedures.

Any violations of this Policy by any employee constitutes misconduct and is a ground for disciplinary action and it may result in a sanction being imposed on the employee including termination of employment in terms of the Gold Fields's Disciplinary Code and Procedure.

TO WHOM DOES THIS POLICY APPLY?

This policy applies to all Regions/Operations and Head Offices that form part of Gold Fields and applies without limitation to all employees.

This Policy in addition applies to all other persons (including applicants for employment, contractors, members, suppliers and any other third party) who attend at any of Gold Fields's premises and/or functions and/or events hosted by the Gold Fields.

SCOPE OF POLICY

The policy sets the minimum standard in terms of sexual harassment/harassment and bullying procedures for Gold Fields. The right not to be subjected to harassment and or bullying extends not only to employees, but also to job applicants and all persons who have dealings with the Gold Fields and any of its Operations, including clients, suppliers and contractors.

STRATEGIC LINKAGE

Gold Fields believes that every individual has the right to be treated with dignity and with respect for his/her privacy. Any form of harassment and or bullying in the workplace will not be permitted or condoned. Persons who have been or are being subjected to harassment and/or bullying in the workplace have the right to lodge a grievance/complaint.

The purpose of this Policy is to give practical guidance to all employees, job applicants and other persons who have dealings with Gold Fields on what sort of conduct constitutes sexual or other harassment and to make provision for procedures to deal with any allegation of sexual or other harassment.

Gold Fields views harassment and or bullying of any kind in a serious light, and is committed to:

- Preventing harassment and or bullying from occurring in the workplace;
- Assisting all victims of such harassment and or bullying; and
- Taking appropriate disciplinary action against any employee who has been found guilty of harassment and or bullying.

DEFINITION OF HARASSMENT AND SEXUAL HARASSMENT

Harassment means any behaviour, which is hostile or offensive to a reasonable employee, job applicant, or any other person who has dealings with Gold Fields and any behaviour that creates an undermining of the integrity or dignity of an employee, job applicant or any other person who has dealings with Gold Fields.

Such behaviour can make a reasonable employee, job applicant or any other person who has dealings with Gold Fields feel uncomfortable, unsafe, frightened, embarrassed, and may be physical, verbal or non-verbal. The common link is that the behaviour would be unwanted by any reasonable employee, job applicant or any other person who has dealings with Gold Fields and could not be justified through a personal or family relationship.

Sexual harassment means any unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. Such unwanted conduct becomes sexual harassment if:

- The behaviour is persisted in, although a single incident of harassment can constitute sexual harassment; and/or
- The recipient has made it clear that the behaviour is considered offensive; and/or
- The perpetrator should have known that the behaviour is regarded as unacceptable.

FORMS / EXAMPLES OF SEXUAL HARASSMENT

Conduct that can constitute sexual harassment may include, but is not limited to, physical conduct, verbal conduct, non-verbal conduct, *quid pro quo* harassment and sexual favouritism.

Physical conduct of a sexual nature includes all unwanted physical contact ranging from touching to sexual assault, attempted rape and rape, and includes but is not limited to: a strip search by or in the presence of the opposite sex, hugging, invading another's personal space, attempted or actual kissing or fondling, petting or pinching.

Verbal forms of sexual harassment include but are not limited to:

- Unwelcome innuendoes or taunting (suggestions and hints),
- sexual advances, comments with sexual overtones, sex-related jokes or insults,
- unwelcome graphic comments about a person's body made in their presence or to them, unwelcome and inappropriate enquiries about a person's sex life,
- unwelcome whistling at a person or group of persons,
- wolf-whistling or kissing sounds,
- derogatory or patronising name calling
- and telephone calls or messages with sexual overtones.

Non-verbal forms of sexual harassment include but are not limited to:

Unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.

Quid pro quo harassment occurs where a principal, member of management or co-employee undertakes or attempts to influence or influences the process of employment, promotion, training, discipline, dismissal, salary increments or other benefits of an employee or job applicant in exchange for sexual favours.

BULLYING

Workplace Bullying is repeated, health-harming mistreatment of one or more persons (the targets) by one or more perpetrators.

Abusive conduct is Threatening, humiliating, intimidating or causes work interference — sabotage — which prevents work from being done.

Dealing with Grievances/Complaints pertaining to Harassment (Sexual or other) and bullying:

1. Gold Fields realises that harassment (sexual harassment) and bullying is a sensitive issue. In light thereof, Gold Fields undertakes the following:
 - not to ignore or trivialise grievances relating hereto and to deal with all allegations seriously, expeditiously, sensitively and with the utmost confidentiality; and
 - to protect its employees, to the best of its ability, against victimisation, false accusations or retaliation due to the lodging of a complaint/grievance.
2. In light of the undertakings, in point 1 above, management at an employing Operation/Region will take prompt and appropriate action where instances or allegations of harassment (sexual harassment) or bullying in the working environment are brought to their attention or reported.
 - When an incident has been brought to the attention of management of the employing Operation/Region, the Operation/Region must advise the employee of the procedures available to deal with the incident, where reasonably practical, offer the employee advice, assistance and counselling.
 - The employee should be re-assured that he/she would not face job loss or any other adverse consequence if he/she elects to follow the procedure pertaining to harassment or sexual harassment.
 - The employee may choose to attempt to resolve the matter in an informal or formal manner in terms of the employing Operation's/Region internal procedures, and/or to proceed with such civil or criminal steps as may be appropriate in terms of existing legislation.
 - The employee must invoke the procedures in the applicable Operational/Regional policy as soon as reasonably possible in the circumstances, and without delay.
 - The steps to be followed in an informal and formal procedure are set out in the *Grievance Procedure policy for each Operation/Region*.
 - Should the employee choose not to follow a formal procedure and the employing Operation/Region, after a proper investigation of the incident(s), is of the opinion that other employees may be at risk; the Operation/Region may follow a formal procedure irrespective of the wishes/consent of the employee.
 - Where reasonably practicable, the employing Operation/Region may offer the employee assistance from a person outside of line management, with the appropriate skills and experience, to advise, assist and counsel the employee through the procedures set out herein.
 - A non-employee (job applicant or any other person who has dealings with Gold Fields) who is a victim of harassment (sexual harassment) and or bullying perpetrated at the workplace may also lodge a complaint/grievance with the employing Operation/Region of the alleged harasser, if the alleged harassment/bullying has taken place in the course of the alleged harasser's employment.
3. Management has a duty to investigate all allegations of harassment (sexual harassment) or bullying and to take appropriate disciplinary action, in accordance with the Region/ Operation's Disciplinary processes against employees who have been found guilty of harassment or sexual harassment.
 - Harassment (sexual harassment) and bullying is a serious transgression, which may justify dismissal at the first offence.

- It is a disciplinary offence to victimise or retaliate against an employee who lodges a complaint/grievance. An employee, who takes part in such victimisation or retaliation, will be disciplined, having regard to all the facts and circumstances.
 - An Operation/Region may take disciplinary action against an employee who makes false allegations of harassment (sexual harassment) or bullying.
 - The employing Operation/Region does not have the authority to take disciplinary action against non-employees. Attempts should however be made by the Operation/Region's senior management, to deal with allegations with the relevant senior level of management of the third party involved.
4. Management at the employing Operation/Region will consider additional assistance that may be required by an employee who has been harassed or bullied, and will ensure that its stance on sexual harassment and the possible consequences thereof are made known at the Operation/Region.
 5. The content of the policy should be communicated and be accessible to all employees.

Document Control Sheet

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Role	Name	Position Title	Signature	Date
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CONCURRENCE

Required if contents impacts internal/ external groups, departments or processes. Concurrences must be listed within the document.

Name	Position Title	Signature	Date
1.			<i>Click to enter a date.</i>
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VERSION HISTORY

Ver. No.	Ver. Date	Revised By	Description of Revision
1	30 December 2017	Vicky Britz	New policy
2	1 January 2020	Shantelle Dlamini	Annual Review
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	<input type="checkbox"/> Confidential <i>Sensitive information that may have a noticeable impact on the organisation or employees</i>	<input type="checkbox"/> Classified <i>Need-to-know information, as it may have a severe impact on the organisation or employees</i>	