

SEXUAL HARASSMENT POLICY

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PURPOSE

Gold Fields is committed to providing a safe environment for all its employees and third parties free from discrimination on any ground and from harassment at work including sexual harassment. Gold Fields will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. The purpose of this policy is to set out the Gold Fields Group Policy on sexual harassment and to ensure that reported cases are dealt with seriously, expeditiously, with the necessary level of respect, dignity and confidentiality.

SCOPE AND APPLICATION

This policy applies to all employees of Gold Fields Group.

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 any company within the Gold Fields Group.

Each Region should develop their own procedures which adhere to local regulatory environment in which they operate. This Group Policy should be the basis for any regional policy put in place. Members of the Gold Fields Limited Group Exco, in particular the EVP Organisational Effectiveness, the EVP Group General Counsel, CEO and CFO will have the right to intervene in any matter should the circumstance arise.

OBJECTIVES

The objectives of this policy are to:

- To eliminate, in compliance with the local legal regulations, sexual harassment in the working place.
- Provide appropriate procedures to deal with the alleged matter, investigate and conclude the matter appropriately and effectively and prevent its reoccurrence.
- Where applicable, take the necessary disciplinary action
- Encourage and promote development and implementation of policies and procedures that will lead to the creation of a workplace free of sexual harassment, where employers and employees respect one another's integrity and dignity, their privacy, and their right to equality in the workplace.

RESPONSIBILITIES

POSITION TITLE	ROLE	DESCRIPTION OF TASK
Vice President Human Resources	Develop and amend this document	Responsible for development and amendment of this procedure
Gold Fields employees	Adherence	Responsible for adhering to this procedure
Vice President Organisational Effectiveness	Training	Responsible for training Gold Fields Group Services employees
Vice President Human Resources	Communication	Responsible for communicating this procedure and matters associated with it

POLICY STATEMENT

In order to educate employees on their rights and to minimise misunderstandings, Gold Fields undertakes to:

- Conduct sexual harassment education workshops for existing employees and to include education on the Gold Fields Sexual Harassment Policy in the induction of new employees;
- Train management on the correct handling of cases of reported sexual harassment per the policy.

APPLICATION OF CODE

Sexual harassment against any other person in the workplace, including employees or suppliers, customers, their employees or any other person with whom Gold Fields has a business relationship is considered a material transgression and Gold Fields has a zero tolerance approach to any such harassment. Disciplinary action up to and including summary dismissal may be taken against an employee found to be guilty of sexual harassment.

Where sexual harassment is reported to a Line Manager, that individual is obliged to follow the prescribed procedure for dealing with such cases. Failure to take appropriate action after sexual harassment is reported will itself be deemed a material breach of this Policy.

Gold Fields recognises that the allegation and investigation of an allegation of sexual harassment can cause emotional trauma to the employees concerned. It is necessary to deal with these matters expeditiously, fairly, with the levels of respect and dignity to ensure that any vicious and frivolous allegations are dealt with appropriately and all employees are protected and where appropriate the necessary disciplinary action is taken against those initiating such vicious and frivolous matters. It is therefore necessary to protect employees from unfounded or frivolous allegations of sexual harassment.

Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser. Gold Fields recognises that sexual harassment may also occur between people of the same gender. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Should it be discovered that an allegation of sexual harassment made against an employee is unfounded, frivolous or malicious, this will be deemed to be a major transgression by the person who made the unfounded, frivolous or malicious complaint.

Definition of sexual harassment

Sexual harassment shall be considered as unwanted sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature. Sexual harassment may take place under the following circumstances but not limited to:

- When a person undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefit of an employee or job applicant in exchange for sexual favours;
- Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal
- When sexual conduct unreasonably interferes with a person's work performance or creates an intimidating or hostile working environment.

Forms of sexual harassment

Sexual harassment includes but not limited to:

- All unwanted physical contact, ranging from touching to sexual assault and rape
- A strip search by or observed by the opposite gender.
- Unwelcome verbal forms of sexual harassment include:
- Unwelcome innuendoes / suggestive remarks and hints;
- Comments with sexual overtones, sex-related jokes or insults;

- Insinuations or unwelcome graphic comments about a person’s sex or private life, appearance or body made in their presence or directed towards them;
- Unwanted whistling directed at a person or group of persons;
- Continued pressure for dates or for sexual favours;
- Letters or telephone calls, e-mails and short text messages (SMS’s) of a sexual nature.
- Non-verbal forms of sexual harassment include:
 - Staring, leering and unwelcome gestures;
 - Indecent exposure;
 - The unwelcome display of sexually explicit material including pictures, magazines, videos or objects, including sexually explicit material on computers.

REPORTING OF SEXUAL HARASSMENT

Advice and Assistance

An employee who wishes to report sexual harassment must do so promptly to one of the following persons:

- Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Gold Fields recognises that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser.
- Anyone who witnesses an act of sexual harassment should report the harassment to his/her supervisor.
- To his/her relevant Human Resources practitioner, who will provide guidance.
- The Employment Relations section
- Group Head of Legal and Compliance or as set out in the Group Code of Conduct
- The Gold Fields Hotline can also be used to report any form of harassment.
 - South Africa: 0800 203 711
 - Ghana: 0800 10987
 - Peru: 0800 54 760
 - Australia: 1800 623 245
 - USA: 1 888 611 1848
 - Chile: 800 914 279

Options to resolve a problem

When reporting sexual harassment employees, may choose to:

- Allow the matter to be handled informally. In such an event, management must arrange for the perpetrator to be counselled regarding the offending behaviour.
- If however, counselling has previously taken place or the sexual harassment is of a serious nature it may be more appropriate to embark upon the formal disciplinary procedure as per the applicable disciplinary process in the Region.
- The employee should be under no duress to accept one or the other.

FORMAL PROCEDURE

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.

Where a formal grievance has been lodged, the Vice President Human Resources in the Region will appoint an appropriate chairperson to investigate the grievance and, if warranted, initiate a disciplinary enquiry against the alleged perpetrator.

If the matter proceeds to a disciplinary enquiry, in certain cases, the Chairperson might recommend that the accused be referred through the Employee Wellness Program for professional rehabilitative counselling by an external counsellor.

Where, after investigation it is decided to convene a disciplinary enquiry, the Disciplinary Procedure must be followed.

CRIMINAL AND CIVIL CHARGES

Nothing shall prevent a grievant from pressing separate criminal or civil charges in their personal capacities, against an alleged perpetrator.

CONFIDENTIALITY

Employers and employees must ensure that grievances relating to sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept confidential. Not adhering to this requirement will be deemed a material transgression by either party.

Only those people defined by the Disciplinary Procedure may attend the disciplinary enquiry. No observers may attend.

Employers are required to disclose to either party or to their representative, such information as may be reasonably necessary to enable the parties to prepare for any proceedings in terms of this policy.

ADDITIONAL SICK LEAVE

Where deemed appropriate, Gold Fields may, at its discretion, grant additional sick leave to an employee who has been sexually harassed, where the employee's sick leave has been exhausted and where the employee on medical advice, requires trauma counselling.