

TOPIC: HUMAN RIGHTS, INCLUSIVITY & ENVIRONMENTAL ISSUES**Terms and definitions**

Term	Definition
Human rights	The rights of all human beings irrespective of their gender/race/nationality or any other status.
Inclusivity	Means that no one should be excluded because of their gender/age/race/ language/disability.
Environmental issues	Relate to preserving a clean/safe/sustainable environment.
Diversity	It means the workforce must include groups of a variety of people who are different in race/gender, class etc.
Poverty	Being unable to satisfy basic needs due to lack of income to buy goods/service
Inequality	Unfair differences between groups of people in society/When some have access to more wealth/status/opportunities than others.
Race	Classification of people according to their physical differences e.g. colour of their skin.
Gender	Refers to being male or female.
Disability	A physical or mental condition that limits a person's movements, senses, or activities.
Religion	A belief in and worship of a superhuman controlling power, especially a personal God.
Age	The length of time that a person has lived or a thing has existed.
Culture	The ideas, customs, and social behaviour of a particular people or society.
Equality	The fact of being equal in rights, status, advantages.
Respect	A polite behaviour towards or care for somebody/something that you think is important.

INTRODUCTION

Human rights are basic rights and freedoms to which human beings are entitled. Human rights must be respected by all including employers and business enterprises.

Businesses can make a positive contribution towards human rights issues by implementing poverty alleviation programmes e.g. donating land which can be used teaching people entrepreneurial skills by showing them how to use land productively.

THE MEANING OF THE FOLLOWING CONCEPTS

HUMAN RIGHTS

- Human rights are rights that everyone must enjoy by mere fact that they are human beings
- They are protected by the Bill of Rights contained in chapter two of the constitution of the Republic of South Africa.

INCLUSIVITY

- Means that no one should be excluded because of their gender/age/race/language/disability.
- Businesses can achieve inclusivity by promoting equality, respect and dignity in the workplace.

ENVIRONMENTAL ISSUES

- Environmental issues relate to preserving a clean/safe/sustainable environment.
- Businesses should assess, control and address all the physical, chemical and biological factors in the environment.

HUMAN RIGHTS

Privacy

Businesses may not violate the rights of the employees and clients.

They should not provide personal information about employees to anyone else.

Information on employees who have disclosed their HIV/Aids status/any chronic illness must be kept confidential.

It is illegal to read other people's emails/record conversations unless stated clearly and upfront.

Respect / dignity

Businesses must treat all employees with respect/dignity regardless of their socio-economic status.

They should not force workers to do embarrassing or degrading work.

Equity

Equal opportunities should be given to employees and there should be no discrimination on the basis of race, gender or disability.

Equal pay for work of equal value.

Managers should ensure that no employee suffers because of discrimination.

Freedom of speech and expression

Businesses should allow open communication channels between management and employees.

They should give employees a platform to raise their grievances without any victimisation.

An employee should not be discriminated against for voicing their opinion.

Freedom of association

An employer may not refuse employees to join the trade union of their choice.

Free choice of a trade, occupation or profession

Employees have free choice of a trade, occupation or profession.

Every employee has the right to receive suitable training for positions at their workplace.

The right to protest

An employer may not discriminate against an employee who follows the correct procedure to strike.

Employers should respect an employee's right to take part in a legal strike as long as the industrial action is within the law.

Freedom of thought and religion

Employers cannot prevent an employee from practising his religion.

Employees should be allowed to observe their religious holidays.

Employees should be allowed to practise their religion without any fear.

Health care / food / water and social assistance

Employees should have access to clean water and sanitation at the workplace.

Some employers subsidise healthy meals and arrange primary health care services to be available on site.

Fair labour practice

The employer should pay fair salaries and wages.

The employer should adhere to the terms and conditions of the BCEA.

The right to basic education

Employees should be sent for skills development training programmes.

Coaching / mentoring to prepare employees for managerial positions.

Every employee has the right to training, including ABET training for employees who have little formal education.

Safety / security / protection

Employees should work in a safe working environment free from hazardous products or areas.

Employees should receive protective clothing, e.g. gloves and footwear.

Employers should comply with legislation such as OHSA and COIDA.

Employers should take precautionary measures to ensure employees and their belongings are safe in the workplace.

Children's rights

Employers may not employ children from 15 years and younger.

Freedom of movement

Employees may not be prevented from applying for any suitable position at any other business.

The right to vote

Employers should ensure that their employees have time available to vote in general or municipal elections.

The right to information

Workers should have access to information, e.g. policies, work schedules, employment contracts and labour laws such as Skills Development Act, Employment Equity Act and Basic Conditions of Employment Act.

Business needs to be transparent in their financial statements/Employees may request to see these statements with motivation.

Employees should be informed/updated as new information becomes available.

Freedom to choose your own language/participate in own cultural life

Employers may not discriminate against any employee's cultural/language choice.

They must ensure that all employees are treated equally.

Employers should have a detailed policy dealing with diversity in the workplace.

Access to Labour institutions/Court

Employees have the right to apply to the CCMA / Labour Court for assistance, if discussions did not resolve any labour disputes.

ECONOMIC RIGHTS

Employees are free from forced labour

Employees are free to accept or choose work

Employees have the right to fair wages or equal pay

Employees have the right to reasonable limitations of working hours

Employees have the right to safe and healthy working conditions

Employees have the right to join or form a trade union

Employees have the right to participate in a legal strike

SOCIAL RIGHTS**Ways to promote social rights in the workplace**

Businesses should ensure that employees have access to health care or social security

Businesses should provide opportunities for skills training or basic education

Businesses should register their employees for UIF to provide for adequate protection in the event of unemployment or illness

Businesses should encourage employees to participate in special events e.g. World Aids day.

Businesses should establish site clinics to give employees access to basic medical care.

CULTURAL RIGHTS OF EMPLOYEES IN THE WORKPLACE

Ways to promote cultural rights in the workplace

Provide the environment in which employees are free to use their own language when interacting with others during their free time.

Encourage employees to participate in cultural activities.

Allow employees to provide solutions to challenges from their own cultural perspective.

Regular cultural information sessions will help employees to respect each other's culture in the workplace.

Make provision for different cultures, such as food served in the canteen/entertainment at staff functions.

Employ people from various cultural backgrounds.

Employees should be trained on cultural tolerance.

Implications of equality, respect and dignity for businesses

Businesses should treat all their employees equally, regardless of their race, colour, age, gender, disability.

All workers should have access to equal opportunities/positions/ resources.

Employers and employees need to comply with legislation with regard to equal opportunities/human rights in the workplace.

Businesses should develop equity programmes / promote strategies to ensure that all employees are treated equally regardless of status/rank/power.

Mission statement should include values of equality/respect.

Business policies should include issues such as diversity/ discrimination/harassment.

Employers should respond swiftly and fairly to reported incidents of discrimination in the workplace.

Ensure that employees work in an environment that is conducive to fairness / free from embarrassment.

Tasks should be given respectfully and allow the recipient/employee to have a say in the manner in which the task should be performed.

Treat workers with respect/dignity by recognising work well done.

TOPIC: DIVERSITY

Diversity refers to a variety or a mixture of people employed based on race, gender, disability, language, culture and / or education.

All employees should be empowered to improve personal performance, which ultimately will improve the performance of the whole business.

Diversity leads to creative ideas / different viewpoints which support problem solving.

Diversity can lead to conflict situations if not properly managed.

Diversity in the workplace implies that the workforce should provide equal employment opportunities for those previously excluded from the workforce due to race, gender, age, disability.

Addressing diversity in the workplace would also include issues such as:**Poverty**

- Businesses should employ people from different socio-economic backgrounds/status.
- Train all employees so that they can be able to deal with retrenchment.
- Reward employees for services well-rendered.
- Ensure that the prices of products are affordable for the identified consumer market.
- Sponsor learnerships for unemployed people or use grants received from SETAs to train more unemployed people from local communities.
- Train some unemployed people from local communities as part of a business's CSI projects.
- Offer subsidised meals or canteen facilities on the premises.

Inequality

- Implement equal opportunity policies when appointing new staff.
- Equal opportunities should be considered when promoting staff.
- Implement an Employment Equity Plan.
- Treating employees equally and fairly.
- There should be no unfairness and discrimination.

Race

- Implement affirmative action policies as required by law.
- Employees must represent the country's demographics.
- This means that the businesses must employ people from different racial groups.
- No discrimination should be made based on skin colour.

Gender

- Male and female workers should be paid the same salary for equal work performed.
- All posts should be accessible to male and female workers.
- Targets may be set for gender employment.
- Males and females are entitled to equal treatment in the workplace

Language

- A business may specify that all communication must be in one specific language only and the business would expect employees to have a certain level of fluency in that language.
- All business contracts should be in easy to understand language and should be available in the language of choice for the parties signing.
- It may sometimes be necessary to employ an interpreter so that everyone can fully understand what is being said in a meeting.
- to ensure that no one feels left out a common language for meetings and general communication should be used in the workplace

Age

- Promotions should not be linked to age, but rather to specific skills required.
- A business must not employ children aged 15 or younger.
- The age of permanent workers should vary from 18 – 65 to include all age groups.
- A business may employ a person who is older than the normal retirement age, provided that person is the most suitable candidate.
- Businesses must encourage older employees to help young employees to develop their potential.
- Young employees must be advised to respect and learn from older employees.
- Older employees may feel that younger employees lack experience to do certain tasks
- Businesses can use a mentorship system where a more experienced employee acts as a coach or mentor for an inexperienced employee.

Disability

- Provide employment opportunities for people with disabilities.
- Accommodate people with disabilities by providing facilities, e.g. ramps for wheelchairs.
- Ensure that workers with special needs do not feel excluded from workplace activities.
- Businesses should be well informed with how to deal with disabled employees.
- Policies and programmes should accommodate the needs of people with disabilities.
- Focus on the work performance of the disabled and not on the possible problems they may pose in the future.
- The Employment Equity Act encourages businesses to employ disabled people.
- Employers and employees must guard against showing prejudice towards disabled employees.
- Disabled people must receive equal treatment and equal access to opportunities.

Religion/Culture

- Business must be sensitive to special requests from different cultural groups, e.g. allow day(s) off for cultural holidays/festivals.
- Cater for special food/preparation methods in the workers' canteen.
- Businesses should acknowledge/respect cultural differences of employees.
- The business may not discriminate against employees on the grounds of their cultural background.
- Business must not force employees to do work that could be against their religion.

Benefits of a diverse workforce

- Workplace diversity improves the ability of a business to solve problems.
- Employees value each other diversity and learn to connect and communicate across lines of difference.
- Diversity in the workforce improves moral and motivation.
- Employees show more loyalty to the business because they feel respected.
- Employees from different backgrounds can bring different perspectives to the business.
- Businesses with a diverse workforce are more likely to have a good public image and attract more customers.

ENVIRONMENTAL ISSUES**Roles of health and safety representatives in protecting the workplace environment**

- Ensure that protective clothing is provided /available to all workers.
- Identify potential dangers in the workplace
- Initiate/promote/Maintain /Review measures to ensure the health and safety of workers.
- Monitor the effectiveness of health and safety measures with management.
- Ensure that all equipment that is necessary to perform work are provided or maintained regularly.
- Promote safety training so that employees may avoid potential dangers.
- Ensure that dangerous equipment is used under the supervision of trained/qualified workers.
- Ensure that workers' health and safety is not endangered by hazards resulting from production /processing/storage/transportation of material/equipment.
- Work together with the employer to investigate any accidents/complaints from the workers concerning health and safety in the workplace.
- Ensure that employers comply with COIDA.

NOTE: (Health and Safety Representatives are elected by co-workers to act on their behalf in resolving health and safety issues in the workplace.)

Responsibility of workers in promoting human health and safety in the workplace

- Workers should take care of their own health and safety in the workplace.
- Co-operate and comply with the rules and procedures, e.g. wear prescribed safety clothing.
- Report unsafe working conditions to the relevant authorities or management.
- Report accidents to the employer by the end of the shift.
- Use prescribed safety equipment.
- Take reasonable care of their own safety.
- Inform the employer of any illness that may affect the ability to work.

Responsibilities of employers in promoting human health and safety in the workplace

- Provide and maintain all the equipment that is necessary to perform the work.
- Keep the systems to ensure that there will be no harmful impact on the health and safety of workers.
- Reduce dangers to workers and provide personal protective clothing.
- Ensure that the workers' health is not damaged by hazards resulting from production /processing/storage/transportation of materials or equipment
- Employers must know where potential dangers might be and take measures to eliminate or limit the harm.
- Workers must be informed and supervised to limit potential dangers to them. Emergency exit door signs should be visible to all employees.
- Equipment must be used under the supervision of a designated trained worker.
- Comply with safety laws which seek to promote a healthy working environment

Ways in which businesses could protect the environment and promote human health in the workplace

- Laws and regulations should be adhered to so that profits are not generated at the expense of the environment.
- Pollution and other environmental issues should always be considered in all business activities, e.g. safe disposal of waste/dumping of toxic waste.
- Become involved in environmental awareness programmes.
- The environment can be protected by altering production techniques in favour of cleaner and greener technologies.
- Water for human consumption should be tested before it is used.
- Promote nature conservation by looking after natural resources.
- Minimise pollution, by re-using, reducing and recycling.
- Reduce consumption of goods/services which are environmentally unfriendly.
- Register with recognised bodies that promote green peace.

Human health

- Physical working conditions should always be worker friendly, safe and promote occupational health.
- Physical working conditions, e.g. adequate lighting/ventilation should be available and functional.
- Machines must be serviced/maintained regularly.
- Educate people about hygiene issues.
- Encourage employees to do regular health checks.

(NOTE: The focus should on how the business should do it)

CONCLUSION

Our human rights are protected in the Bill of Rights, which is part of the Constitution. If a business discriminates against employees or applicants in terms of race, gender, disability, age, religion, culture, the business is violating the person's human rights. A business's policy should not show favour, prejudice or bias against anyone. Businesses must guard against unfair discrimination and treat all employees and people they do business with equal and fair.

TOPIC: HUMAN RIGHTS, INCLUSIVITY & ENVIRONMENTAL ISSUES – ACTIVITY

1. Explain the concept of diversity in the workplace. (6)
2. Identify **FIVE** workplace diversity issues unique to South African businesses. State **ONE** strategy to address each issue. (15)
3. Analyse the benefits of a diverse workforce to businesses. (10)
4. Advise on ways to address gender and poverty issues in the workplace. (12)
5. Explain how business policies can address any **FIVE** human rights issues in the workplace. (15)
6. List any **FIVE** economic rights of employees in the workplace. (5)
7. Suggest ways in which businesses may promote social rights in the workplace. (6)
8. Suggest ways in which businesses may promote cultural rights in the workplace. (6)
9. Elaborate on the implications of equality, respect and dignity for businesses. (10)
10. Write an essay on how Clean Team Ltd can address human rights, inclusivity and environmental issues. Include the following aspects in your essay.

CLEAN TEAM Ltd

Clean Team Ltd is a newly established company rendering general cleaning services to large office blocks. Clean Team Ltd wants to develop business policies that address human rights, inclusivity and environmental issues in the workplace.

- An explanation of how Clean Team Ltd can address any **FIVE** human rights issues in the workplace.
- Discuss the role of health and safety representatives in ensuring a healthy and safe working environment.
- A discussion on the positive impact of a diverse workforce.
- Suggest ways in which Clean Team Ltd can address diversity issues such as language, age, disability and gender in the workplace. (40)