
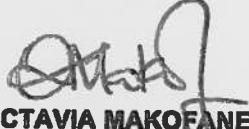
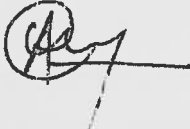






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EDUCATION LABOUR  
RELATIONS COUNCIL

# **Code of Conduct and Ethics**

	<b>EDUCATION LABOUR RELATIONS COUNCIL</b>	<b>Doc No. CS/COD&amp;E/001</b>	
		<b>Date: OCTOBER</b>	<b>Rev 0</b>
		<b>Page: 2 of 11</b>	
<b>Title: CODE OF CONDUCT AND ETHICS</b>		<b>Document type: POLICY</b>	
<b>This document has been seen and accepted by the following: EXECUTIVE COMMITTEE OF THE COUNCIL</b>		<b>COMPILED/ REVIEWED BY:</b>  <b>OCTAVIA MAKOFANE SNR MANAGER:CS</b>	
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<b>DATE OF LAST REVIEW: OCTOBER 2015</b>			
<b>DATE OF NEXT REVIEW: OCTOBER 2017</b> <b>NOTE: - This document may be changed before the stipulated period as and when a need arises as guided by the Documentation Policy</b>			

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## **1. PURPOSE**

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- 1.1 This Code of Conduct and Ethics outlines and provides for the ethical standards and behaviour that is required of all employees of the Council.
- 1.2 It is to ensure that employees live out the vision of the Council, its norms, standards and culture.

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## **2. SCOPE**

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- 2.1 The Code is applicable without limitations to all permanent employees, fixed term contractors, interns and the Council's stakeholders.

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## **3. APPLICATION OF THE CODE**

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- 3.1 The Council expects all of its employees to comply and to act in accordance with the principles established in terms of this Code at all times.
- 3.2 The aim of this Code of Conduct and Ethics is to ensure that the values of Council are upheld.
- 3.3 Any violation of this Code by an employee constitutes a misconduct and is a ground for disciplinary action that may lead to termination of employment where the Council deems it necessary as per the Disciplinary Policy.

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## **4. THE ELRC WAY – LIVING OUT THE ELRC VALUES THROUGH THE CODE**

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- 4.1 The Way, which is the Council's Code of Conduct and Ethics, defines the road we need to take as we walk together into the future. It reflects our organisation's commitment to the highest ethical standards and principles in all Council business. Our Code not only describes the acceptable behaviour and attitudes that are essential in living the ELRC values of Professionalism, Transparency, Independence, Accountability, Fairness & Equity, Social Responsibility and Efficiency, but it also establishes the foundation for the interaction of Council's Management and employees with colleagues, suppliers, the public and all other stakeholders.
- 4.2 Our Code of Conduct and Ethics will show us the way. The ELRC Way. This clear direction will ensure that we walk the talk.
- 4.3 Council commits itself to upholding its values and ethical standards and demonstrating this commitment to all its stakeholders. Therefore, the Council's management and employees are required to apply the Code of Conduct and Ethics in their day-to-day activities, especially if there are no rules governing decisions.

- 4.4 Adhering to this Code of Conduct and Ethics is not optional, it is the way we do business at the ELRC. This way, we will be role models for each other. And Council, in turn, will be exemplary amongst its competitors.
- 4.5 Our Code of Conduct and Ethics should be read in conjunction with other policies of the Council. Any contravention to the Code and applicable Policies and Standards will result in disciplinary action, which is transparent, just and equal for all.
- 4.6 Should you become aware of any unethical behaviour or non-compliance with this Code, it is your duty to address it and/or report it. Council will protect employees who have reported suspected violations of the Code against any form of victimisation or occupational detriment, and will make every effort to protect the confidentiality of anyone reporting a breach of the Code.
- 4.7 Together, we will build an ELRC that rests on the pillars of good ethics.

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## **5. PROFESSIONALISM**

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### **ACTING THE ELRC WAY**

At the ELRC we demonstrate Professionalism:

- 5.1 By promoting behaviour that is generally accepted to be correct and proper.
- 5.2 By treating our colleagues, suppliers and all other stakeholders with respect by being compassionate and by being considerate of their rights and dignity.
- 5.3 By keeping to our promises and providing accurate information.
- 5.4 By being professional at all times, and loyal to the organisation, our country and its people.
- 5.5 By taking responsibility for our actions by holding ourselves accountable for what we say and do and we report concerns in the workplace, including violations of the law and policies.
- 5.6 By showing that we care by leading by example and providing each other with direction, support and a workplace which is free of sexual harassment, discrimination and favouritism.
- 5.7 By supporting a safe and healthy environment for our internal and external stakeholders and comply with the safety, health and environmental legislation and Council policies.
- 5.8 By behaving in an honest and trustworthy manner, complying with the law while engaged in the work for the Council.

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## **6. TRANSPARENCY**

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### **BEHAVING IN AN OPEN AN HONEST MANNER**

At the ELRC we demonstrate Transparency:

- 6.1 By ensuring access to information by citizens.
- 6.2 By communicating openly and honestly with our colleagues and ensure that we use the correct channels to keep our stakeholders and suppliers informed on matters affecting them.
- 6.3 By protecting confidential information and only sharing it with those who are authorised to have access.
- 6.4 By openly communicating our goals and successes in order to attract new ideas and talented individuals.

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## **7. INDEPENDENCE**

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### **THINKING THE ELRC WAY**

At the ELRC we demonstrate Independence through:

- 7.1 The right to making informed decisions independently and minimising or avoiding conflict of interest.
- 7.2 Innovation and commitment to continuous improvement.
- 7.3 Our continuous endeavour to implement new and ethical ways of conducting our business. Ways that will improve processes, our impact on the environment and service delivery to satisfy our stakeholders.

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## **8. ACCOUNTABILITY**

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### **RESPONDING THE ELRC WAY**

At the ELRC we demonstrate Accountability:

- 8.1 By accepting responsibility for actions and decisions taken with allowance for corrective action and penalty for wrong doing.

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## **9. FAIRNESS AND EQUITY**

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### **TREATING EMPLOYEES THE ELRC WAY**

At the ELRC we demonstrate Fairness and Equity through:

- 9.1 Adjudication of grievances and disputes.
- 9.2 Appreciation of the diversity of our workforce and the uniqueness of each employee.
- 9.3 Establishing trust amongst our colleagues, suppliers and stakeholders through teamwork and open communication.

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## **10. SOCIAL RESPONSIBILITY**

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### **CARING THE ELRC WAY**

At the ELRC we demonstrate Social Responsibility by:

- 10.1 Being passionate and committed to service delivery of the highest standard for both internal and external customers.
- 10.2 Understanding our customers' needs and expectations and striving to offer timely, reliable and quality service.
- 10.3 Encouraging customer feedback, both positive and negative to improve our service.

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## **11. EFFICIENCY**

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### **WORKING THE ELRC WAY**

At the ELRC we demonstrate Efficiency by:

- 11.1 Being committed to employee satisfaction.
- 16.2 Maintaining a working environment we can be proud of.
- 16.3 Supporting a work-life balance.
- 16.4 Recognising and celebrating outstanding performance.

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## **12. CONDUCT IN THE WORKPLACE**

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- 12.1 The Council offers a work environment in which all employees are treated with respect and dignity and employees of the Council are at all times required to treat fellow employees with mutual respect and dignity.
- 12.2 The ELRC as employer does not discriminate against employees or potential employees on the basis of *inter alia* race, colour, religion, sex, national origin, age, sexual orientation or disability.

- 12.3 The Council will make reasonable accommodation for its employees in compliance with applicable laws and regulations. It is committed to ensuring that actions and policies are in place to ensure fair employment, equal treatment in hiring, promoting, training, compensation, termination and corrective action and will not tolerate discrimination by its employees.
- 12.4 The Council will not tolerate harassment including sexual and racial harassment of its employees.
- 12.5 The Council is committed to maintaining a safe and healthy work environment free of substance abuse. Employees are expected to perform their responsibilities in a professional manner and be free from the effects of drugs and/or alcohol at all times.
- 12.6 The workplace must be free from violent behaviour and/or victimisation. Threatening, intimidating or aggressive behaviour as well as bullying, subjecting fellow employees and others to ridicule or other similar behaviour towards fellow employees or others in the workplace will not be tolerated.
- 12.7 Employees are expected to comply in good faith at all times with all applicable laws, rules and regulations and to behave in an ethical manner at all times.
- 12.8 Employees are required to comply with the Council's Conflict of Interest Policy and all other policies and procedures applicable to them that are adopted by the Council from time to time.
- 12.9 Employees must also provide full, fair, accurate, understandable and timely disclosure in reports and documents submitted to any regulatory authorities and any materials that are made available to the public.
- 12.10 Employees may be exposed to certain information that is considered confidential by the Council, or maybe involved in the design or development of new procedures related to the Council. All such information and procedures, whether or not the subject of copyright or patent, are the sole property of the Council.
- 12.11 Employees shall not disclose confidential information to persons outside the Council, including family members and should share it only with other employees who have a need to know.
- 12.12 Employees of the Council are responsible and accountable for safeguarding the Council's documents and information to which they have direct or indirect access as a result of their employment with the Council.
- 12.13 Employees are required to sign confidentiality agreements in favour of the Council and to observe and comply with all of the undertakings contained in such agreements both during their employment with the Council and after it termination.



- 12.14 Employees who make entries into business records or who issue regulatory or financial reports, have the responsibility to fairly present all information in a truthful, honest, accurate and timely manner.
- 12.15 No employee shall exert any influence over, coerce, mislead, misrepresent or in any way manipulate or attempt to manipulate the auditors and/or independent auditors of the Council.
- 12.16 The use of the Council's property for individual gain or any unlawful personal or unethical purpose is prohibited. The Council information, technology, intellectual property, buildings, land, equipment, machines, software and cash must be used only for business purposes except as provided by this code or any applicable policies from time to time or except as approved by the General Secretary.
- 12.17 Employees shall not intentionally damage or destroy the property of the Council or of others or commit theft.
- 12.18 Employees may not reproduce, distribute or alter copyrighted materials without permission of the copyright owner or its authorised agents. Software used in connection with the Council's business must be properly licensed and used only in accordance with that license.
- 12.19 The Council's technology system, including computers, email, intranet and internet access, telephones and voice mail are the property of the Council and are used primarily for business purposes.
- 12.20 Employees may not use the Council's IT systems to:
- 12.20.1 Allow others to gain access to the Council's IT systems through the use of their passwords or other security codes.
  - 12.20.2 Send harassing, threatening or obscene messages.
  - 12.20.3 Send chain letters.
  - 12.20.4 Access the internet for inappropriate use.
  - 12.20.5 Send copyright documents that are not authorised for reproduction.
  - 12.20.6 Make personal or group solicitations unless authorised by a Senior Manager and the General Secretary.
  - 12.20.7 Conduct personal commercial business.

The IT Manager may monitor the use of IT systems from time to time.

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### **13. PROCEDURE TO REPORT VIOLATIONS**

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- 13.1 It is the responsibility of all employees to ensure that they are aware of, understand and comply with the provisions contained in this code.
- 13.2 If you observe or become aware of an actual or potential violation of this code or of any law or regulation, whether committed by an employee or by others

associated with Council, it is your responsibility to report the circumstances of such violation and to cooperate with any investigation by the Council.

- 13.3 Employees who become aware of any violations of this Policy will promptly report to the General Secretary or Human Resources Manager openly and confidentially. Any violations reported by employees will be kept strictly confidential.
- 13.4 Following the receipt of any complaints, the Council will investigate the matter reported and take corrective disciplinary action which may include, if appropriate, the termination of employment in accordance with the Council's Disciplinary Code and Procedure.

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## **14. ROLES AND RESPONSIBILITIES**

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### **14.1 MANAGERIAL RESPONSIBILITIES**

- 14.1.1 Managers are required to make a personal commitment to act in accordance with the Code of Conduct and Ethics, communicate this commitment to staff members and lead by example.
- 14.1.2 Guide staff members to behave in accordance with the Code of Conduct and Ethics.
- 14.1.3 Identify ethics risks in your business activities and establish ways to mitigate these risks and to address potential contraventions of the Code of Conduct and Ethics.
- 14.1.4 Take appropriate action to correct behavioural deviations and enforce disciplinary action where appropriate.
- 14.1.5 Managers are required to give their staff members opportunities to discuss ethics and concerns both formally (e.g. staff meetings) and informally (one-on-one meetings). It is recommended that Code of Conduct and Ethics is a standing agenda item for staff meetings, so as to encourage ethics dialogue.
- 14.1.6 Managers are required to make a personal commitment to act in accordance with the Code of Conduct and Ethics, communicate this commitment to staff members and lead by example.

### **14.2 HUMAN RESOURCES RESPONSIBILITIES**

- 14.2.1 The Human Resources department is required to ensure that new employees receive the Code of Conduct and Ethics document as part of the sign-on documentation that is given to them on the first day of employment.
- 14.2.2 Human Resources must also ensure that an induction programme is conducted within one month of joining the Council.
- 14.2.3 All individuals acting for the Council must be made aware of, and are expected to adhere to the Council's standards of conduct. Therefore, the Procurement and Supply Chain Management department is required to ensure that suppliers receive the Code of Conduct and Ethics document as part of the contract documentation received from the Council.
- 14.2.4 Corporate Audit must provide an assurance function that the respective departments are complying with legislation, policies and procedures of the organisation and that the organisational values and Code of Conduct and Ethics are lived out in the workplace.
- 14.2.5 Corporate Audit also serves an oversight function by monitoring the Code of Conduct and Ethics awareness.

### **14.3 HUMAN RESOURCES RESPONSIBILITIES**

- 14.3.1 Ensure that you are familiar with the Council's Code of Conduct and Ethics and that you receive proper workshop on this.
- 14.3.2 Use the Code of Conduct and Ethics to guide your decisions, especially when you are in doubt, or if there are no rules or policies that address a specific situation.
- 14.3.3 If you have questions or concerns, ask for advice (Refer to Finding your way).
- 14.3.4 Request detailed information from managers and policy custodians regarding policies and procedures affecting your work, and ensure that you understand and comply with these.
- 14.3.5 Use the appropriate channels to report unethical behaviour, crime, irregularities and grievances. The Council will protect employees who have reported suspected illegal activities and violations of the Code, against any form of victimisation or occupational detriment and will make every effort to protect the confidentiality of anyone reporting a breach.

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## **15. FINDING YOUR WAY**

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Code of Conduct and Ethics Office advice line: +27 12 663 7446 (Nonhle Mbatha)  
E-mail: [NonhleM@elrc.org.za](mailto:NonhleM@elrc.org.za)  
ELRC confidential whistle blowing: 063 257 9254

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**16. AMENDMENT AND/OR ABOLITION OF THIS POLICY**

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16.1 This Policy may be amended or repealed by the Executive Committee.