

**BUSINESS STUDIES****GRADE 12****TERM TWO****CHAPTER 7****NOTES ON HUMAN RIGHTS, INCLUSIVITY&ENVIRONMENTAL ISSUES****2019****TABLE OF CONTENTS**

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**CONTENT DETAILS FOR TEACHING, LEARNING AND ASSESSMENT PURPOSES****Learners must be able to:****HUMAN RIGHTS**

- Outline/Name human rights in the workplace
- Identify human rights from given scenarios /scenarios
- Recommend ways in which businesses can deal with human rights in the workplace.
- Explain/Discuss the implications of human rights in the workplace.
- Explain human rights, inclusivity and environmental issues.

**ECONOMIC RIGHTS**

- Outline/Mention economic rights of employees in the workplace

**SOCIAL RIGHTS**

- Outline/Mention social rights of employees in the workplace
- Recommend ways in which businesses could promote social rights in the workplace.

**CULTURAL RIGHTS**

- Recommend ways in which businesses could promote social rights in the workplace.

**EQUALITY, RESPECT AND DIGNITY AND ITS IMPLICATIONS ON BUSINESSES**

- Explain the implication of equality, respect and dignity on businesses.

**DIVERSITY**

- Explain/Elaborate on the meaning of diversity in the business.
- Outline/Name diversity issues in the workplace e.g. Poverty, inequality, race, gender, language, age and disability.
- Recommend ways in which businesses could deal with issues of diversity in the workplace, e.g.
- Discuss the benefits/advantages of diversity in the workplace.

**ENVIRONMENTAL ISSUES**

- Outline/Explain/Discuss the roles of the health and safety representatives in protecting the workplace environment, e.g. checking on the effectiveness of health and safety measures/identifying potential dangers in the work environment/ investigating workers' complaints, etc.
- Identify the roles of health and safety representatives from given scenarios.
- Explain the responsibilities of workers in promoting human health and safety in the workplace.
- Explain the responsibilities of employers in promoting human health and safety in the workplace.
- Suggest/Recommend ways businesses may use to protect the environment and human health.

**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
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 etc.
Respect	A polite behaviour towards or care for somebody/something that you think is important.
Dignity	A calm and serious manner that deserves respect.
Economic rights	The rights each person has to be economically active.
Social rights	Right to welfare benefits.
Cultural rights	A right to participate in cultural activities and events of your choice.

## 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 IN THE WORKPLACE

The following human rights are applicable in the workplace:

- Privacy
- Respect/Dignity
- Equity
- Freedom of speech and expression
- Information
- Freedom of association
- Free choice of a trade /occupation
- Labour rights/Freedom of assembly/Right to protest
- Freedom of thought and religion
- Freedom of movement
- Health care /food/water and social assistance
- Fair labour practices
- Education and training/universal right to basic education
- Safety/Security and protection/Life
- Freedom to choose your own language
- Access to labour court/institutions
- Freedom of slavery, servitude or forced labour
- Vote
- Children's right
- Freedom to choose your own language/ participate in own cultural life

**Note: (These human rights should be viewed in the context of the business/workplace)**

## **Implications of human rights in the workplace**

### **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**

- Businesses must give equal opportunities/not discriminate against their employees on the basis of gender/race/religion/sexual orientation, etc.
- Equal pay for work of equal value.
- They should apply relevant legislation fairly on all levels.
- 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 punished/discriminated against for voicing their opinion.

### **Information**

- Workers should have access to information, including all information held by the government, e.g. policies/work schedules/employment contracts/labour laws such as BCEA/EEA/SDA, etc.
- 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 of association**

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

### **Free choice of a trade, occupation or profession**

- Every employee has the right to receive suitable training for positions at their place of work.

**Safety, security and protection of life**

- Employees should work in a safe working environment free from hazardous products/areas.
- Provide workers with protective clothing, e.g. gloves and footwear, etc.
- Comply to safety legislation such as OHSA/COIDA, etc.
- Take precautionary measures to ensure employees and their belongings are safe in the workplace.

**Labour rights/Freedom of assembly/Right to protest**

- Businesses may not discriminate against any employee who opts to follow the correct process to strike/withhold labour.
- They should respect employees' membership to unions/taking part in legal strikes as long as the industrial action is within the law.

**Freedom of thought and religion**

- Businesses may not prevent an employee from practising his or her religion.
- Employees should be allowed to observe their religious holidays/given time off.
- Employees should be allowed to practise their religion without any fear.

**Freedom of movement**

- An employer may not prevent an employee from applying for any suitable position at another office of the employer/at any other business.

**Health care/food/water and social assistance**

- Employees should have access to clean water and sanitation at the workplace.
- Some employers subsidise healthy meals/arrange for primary health care services to be available on site.
- Businesses must promote the basic human rights, e.g. support workers living with HIV/Aids/those affected by occupationally related illnesses.

**Fair labour practices**

- Pay should pay fair salaries and wages.
- They must adhere to the terms and conditions of BCEA.

**Education and training/universal 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 and Protection/Life**

- Employees must work in a safe working environment free from hazardous areas/products.
- Businesses should provide workers with protective clothing e.g. gloves and footwear.

- They should comply to legislation such as the OHS/COIDA, etc.
- Employers should take precautionary measures to ensure employees and their belongings are safe in the workplace.

**Freedom of slavery, servitude or forced labour.**

- Employers should comply with legislation such as BCEA/Labour Relations Act.
- No business should threaten/apply pressure on/intimidate an employee, to perform a specific act.

**Vote**

- Businesses should ensure that their employees have time available to vote in general elections.

**Children's rights**

- Employers may not employ children of 15 years and younger.

**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 with the employer did not resolve any labour disputes.

**Economic rights of employees in the workplace**

- Free from forced labour
- Free to accept or choose work
- Fair wages/ Equal pay/ Equal pay for work of equal pay
- Reasonable limitation of working hours
- Safe and healthy working conditions
- Join, form trade unions
- Right to participate in a legal strike

**SOCIAL RIGHTS OF EMPLOYEES IN THE WORKPLACE****Ways to promote social rights in the workplace**

- Businesses should ensure that employees have access to clean water/social security.
- Encourage employees/Provide opportunities for skills training/basic education.
- Register workers with UIF to provide adequate protection in the event of unemployment/illness.
- Encourage employees to participate in special events, e.g. World Aids day.
- Provide health care services by establishing site clinics to give employees access to basic medical examinations.

## **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, etc.
- 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.
- Training/Information/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 safety/fairness/free from embarrassment.
- Orders/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/the value of human capital.

## **Diversity in the workplace**

### **The meaning of diversity**

- Diversity refers to the variety of people employed based on age/race/gender/ethnic groups/disabilities/material wealth/personalities/how employees see themselves and others.
- Businesses employ people from different cultural backgrounds.
- Businesses should have systems in place to support diversity issues.

### **Diversity issues in the workplace**

- Poverty
- Inequality
- Race
- Gender
- Language



- Age
- Disability
- Religion/Faith
- Culture

## **Dealing with diversity issues in the workplace**

### **Poverty**

- Businesses should employ people from different socio-economic backgrounds/status.
- Give previously disadvantaged individuals a chance to be educated by incorporating Adult Basic Education and Training (ABET) into training programmes of the business.
- 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/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/canteen facilities on the premises.
- Supply free uniforms to employees for safety purposes.

### **Inequality**

- Implement equal opportunity policies when appointing new staff.
- Equal opportunities should be considered when promoting staff.
- Implement an Employment Equity Plan for the business.

### **Race**

- Implement affirmative action policies as required by law.
- No discrimination should be made based on skin colour.
- Comply with the Employment Equity Act and BBBEE when appointing people.
- Ensure that the workplace is diverse by employing people from different race groups.
- When appointments are made, previously disadvantaged people should get preferential treatment.

### **Gender**

- Males and females should be offered equal employment opportunities.
- Business directors should promote both men and women in managerial positions.
- Women should be employed to comply with EEA.
- Targets may be set for gender equity in the business.
- New appointments should be based on skills and ability.
- Introduce affirmative action by ensuring that male and female employees are remunerated fairly/equally.

**Language**

- Business may specify that all communications should be in one specific language only and would expect employees to have a certain level of fluency in that language.
- Provide training in the official language of the business.
- Employ an interpreter so that everyone can fully understand what is being said in a meeting.
- All business contracts should be in an easy-to-understand language and should be available in the language of choice for the relevant parties signing the contract.
- No worker should feel excluded in meetings conducted in one language only.

**Age**

- Promotions should not be linked to age, but rather to a specific set of skills.
- A business may not employ children aged 15 or younger.
- The ages of permanent workers should vary from 18 to 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.
- The business should encourage employees to be sensitive to different perspectives of various age groups.

**Disability/Physically challenged/People living with disability**

- Business should provide employment opportunities for people who are physically challenged.
- Accommodate people who are physically challenged by providing facilities/ ramps for wheel-chairs, etc.
- Ensure that workers with special needs are not marginalised/feel excluded from workplace activities.
- Business should be well informed on how to deal with disabled employees.
- Policies and programs should accommodate the needs of people with disabilities.
- Create an organisational culture/climate that is conducive for people with disabilities.
- Employees should be trained on how to deal with colleagues with disabilities.
- Business should bring in external experts to help with disability and accommodation issues.
- Ensure that employees with disabilities are treated fairly.
- Focus on skills/work performance of the disabled worker, rather than his/her disability/possible problems he/she may pose in future.

**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 DIVERSITY IN THE WORKPLACE**

- Workforce diversity improves the ability of a business to solve problems/innovate/cultivate diverse markets.
- Employees value each other's diversity and learn to connect/communicate across lines of difference.
- Diversity in the workforce improves morale/motivation.
- Employees demonstrate greater loyalty to the business because they feel respected/accepted/understood.
- Diversified workforce can give businesses a competitive advantage, as they can render better services.
- Being respectful of differences/demonstrating diversity makes good business sense/improves profitability.
- Diverse businesses ensure that its policies/practices empower every employee to perform at his/her full potential.
- Stakeholders increasingly evaluate businesses on how they manage diversity in the workplace.
- Employees from different backgrounds can bring different perspectives to the business.
- A diversified workforce stimulates debate on new/improved ways of getting things done.
- Employees represent various groups and are therefore better able to recognise customer needs and satisfy consumers.
- 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.
- Check/Monitor the effectiveness of health and safety measures with management
- Ensure that all equipment that is necessary to perform work are provided /maintained regularly
- Promote safety training so that employees may avoid potential dangers/act pro-actively
- 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/unhealthy working conditions to the relevant authorities/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/Remove 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 /instructed/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, etc.
- 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/Engage with recognised institutions/bodies that promote green peace.
- 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)**