

Chapter **7**

Human rights, inclusivity & environmental issues

INTRODUCTION

The Bill of Rights, chapter 2 of the constitution outlines all human rights that need to be observed and respected. Businesses must ensure that employees' rights are not violated in the workplace. They must also ensure that the workplace is diverse by appointing people from different race, culture and language.

Businesses are obliged to promote and protect human health and environment. This is why they must comply with occupational health and safety regulations. This chapter will focus on the implications of human rights, inclusivity and environmental issues on businesses.



Overview

TOPIC	CONTENT	CONTENT DETAILS FOR TEACHING, LEARNING AND ASSESSMENT PURPOSES
Human rights, inclusivity & environmental factors	<ul style="list-style-type: none"> • Definition/Description of human rights, inclusivity and environmental issues. • Ways to promote/address human/social/economic/cultural rights issues in a workplace. • Definition/Description of diversity in the business. • Dealing with diversity issues in the workplace. • Benefits/value of diversity in the workplace. • Strategies businesses may use to protect the environment and human health. • The responsibilities of employers & workers in protecting the workplace environment & promoting human health and safety. • The roles of the health and safety representatives in protecting the workplace environment. • The implications of equality, respect and dignity on businesses. • Strategies businesses may use to promote social/cultural rights in the workplace 	<ul style="list-style-type: none"> • Explain the meaning of human rights, inclusivity and environmental issues. • Outline human rights that are applicable to businesses. • Suggest ways in which businesses may promote/address human rights in a workplace. • Outline/Mention social, cultural and economic rights. • Recommend ways in which businesses may address the above mentioned rights. • Explain the meaning of diversity in the business. • Recommend ways in which businesses may deal with diversity issues in the workplace, e.g poverty, inequality, race, gender, language, age & disability. • Discuss the benefits/value of diversity in the workplace. • Suggest strategies businesses may use to protect the environment and human health. • Explain the responsibilities of employers & workers in protecting the workplace environment. • Recommend ways in which businesses can protect the environment and human health. • Discuss the roles of the health and safety representatives in protecting the workplace environment. • Explain the meaning of equality, respect and dignity and its implications on businesses.



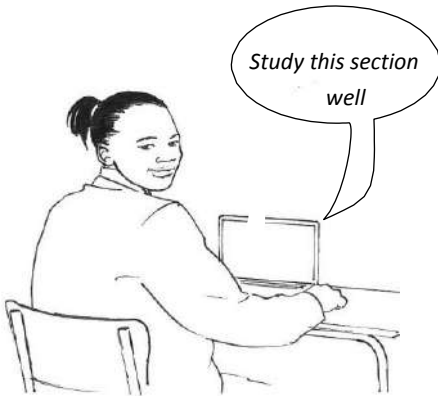
Learn the meaning
of these basic
concepts

7.1 Key concepts

These definitions will help you understand the meaning of key human rights, inclusivity and environmental concepts that are used in this study chapter.

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.

7.2 Human/economic/cultural and social rights



Ensure that you understand the implications of human rights in the workplace.

Human rights in the workplace

The following human rights are applicable in the workplace:

- Privacy
- Respect/Dignity
- Equity
- Freedom of choice and expression
- Information
- Freedom of association
- Free choice of a trade /occupation
- Freedom of assembly/Right to protest
- Freedom of thought and religion
- Freedom of movement
- Health care
- Fair labour practices
- Education and training
- Safety/Security
- Freedom to choose your own language
- Access to labour court
- Freedom of slavery, servitude or forced labour
- Vote
- Children's rights

Implications of human rights in the workplace

HUMAN RIGHT	IMPLICATION
Privacy	<ul style="list-style-type: none"> • Businesses may not violate the rights of the employees and clients. • They should not provide personal information about employees to anyone else.
Respect/Dignity	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.
Freedom of speech and expression	<ul style="list-style-type: none"> • Businesses should allow open communication channels between management and employees. • They should give employees a platform to raise their grievance without any victimisation.
Information	<ul style="list-style-type: none"> • 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. • Businesses needs to be transparent in their financial statements/Employees may request to see these statements with motivation.
Freedom of association	<ul style="list-style-type: none"> • An employer may not refuse employees to join the trade union of their choice.
Free choice of a trade, occupation or profession	<ul style="list-style-type: none"> • Every employee has the right to receive suitable training for positions at their place of work.
Labour rights/Freedom of assembly/Right to protest	<ul style="list-style-type: none"> • Businesses may not discriminate against any employee who opts to follow the correct process to strike/withhold labour. • Businesses 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	<ul style="list-style-type: none"> • Businesses may not prevent an employee from practising his or her religion. • Employees should be allowed to observe their religious holidays/given time off.
Health care/food/water and social assistance	<ul style="list-style-type: none"> • 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.
Fair labour practices	<ul style="list-style-type: none"> • Businesses should pay fair salaries and wages. • They must adhere to the terms and conditions of BCEA.
Education and training/universal right to basic education	<ul style="list-style-type: none"> • Employees should be sent for skills development training programmes. • Coaching/Mentoring to prepare employees for managerial positions.

Safety/Security and Protection/Life	<ul style="list-style-type: none"> • 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.
Vote	<ul style="list-style-type: none"> • Businesses should ensure that their employees have time available to vote in general elections.
Freedom of movement	<ul style="list-style-type: none"> • Businesses may not prevent an employee from applying for any suitable position at another office of the employer/at any other business.
Children's rights	<ul style="list-style-type: none"> • Businesses may not employ children of 15 years and younger.
Freedom to choose your own language	<ul style="list-style-type: none"> • Businesses may not discriminate against any employee's cultural/language choice. • They must ensure that all employees are treated equally.
Access to Labour institutions/Court	<ul style="list-style-type: none"> • Employees have the right to apply to the CCMA/Labour Court for assistance, if discussions with businesses did not resolve any labour disputes.

Economic rights of employees

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



Activity 1

1.1 Study the cartoon below and answer the questions that follow:



- 1.1.1 Identify THREE human rights that may also affect businesses from the cartoon above. Quote from the cartoon to support your answer. (9)
- 1.1.2 Explain how businesses should address the human rights identified in QUESTION 1.1.1 in the workplace. (6)
- 1.1.3. Recommend TWO ways in which businesses can address the following rights:
(a) Cultural
(b) Social (8)

ANSWERS TO ACTIVITY 1.1

1.1.1 Human rights from the cartoon

- Right to respect/dignity√√ e.g. more xenophobia √
- Right to health care/food/water and social assistance√√ e.g. 100%state patients die/17 million grants may not be paid.√
- Education and training/universal right to basic education√√ e.g. slow textbook delivery.√ (9)

1.1.2 Ways in which businesses may address the following rights:

Right to 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.√

Sub max (2)

Right to health care/food/water and social assistance

- Employees should have access to√ clean water/sanitation at the workplace. √
- Some employers subsidise healthy meals/arrange√ for primary health care services to be available on site. √

Sub max (2)

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.√

Sub max (2)

1.1.3 Ways in which businesses can address the following rights:

Cultural rights

- 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.√√

Social rights

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

7.3 Diversity in the business



- The main aim of diversity is to ensure that the workplace is inclusive. E.g. accommodate all types of people regardless of culture, race and gender.
- Businesses can only achieve inclusivity if they are able to address diversity issues in the workplace.

Dealing with diversity issues in the workplace

DIVERSITY ISSUES	RECOMMENDATIONS
Gender	<ul style="list-style-type: none"> • Businesses should employ both males and females. • Males and females are entitled to equal treatment in the workplace. • Businesses directors should promote both men and women. • Effectively deal with sexual harassment incidences.
Poverty	<ul style="list-style-type: none"> • Businesses should employ people from different socio-economic backgrounds/ status. • Reward employees for services well-rendered. • Ensure that the prices of products are affordable for the identified consumer market. • Offer subsidised meals/canteen facilities on the premises. • Supply free uniforms to employees for safety purposes.
Disability	<ul style="list-style-type: none"> • Businesses should provide employment opportunities for people with disabilities. • Accommodate people with disabilities by providing facilities/ramps for wheelchairs. • Ensure that employees with disabilities are treated fairly. • Businesses should be well informed with how to deal with disabled employees.
Language	<ul style="list-style-type: none"> • Businesses may specify that all communications must be in one specific language only and would expect employees to have a certain level of fluency in that language. • It may sometimes be necessary to employ an interpreter so that everyone can fully understand what is being said in a meeting. • All business contracts should be in easy-to-understand language and should be available in the language of choice for the relevant parties signing.
Cultural/Religion	<ul style="list-style-type: none"> • Encourage employees to participate in cultural activities in order to learn how things are done in other cultures. • Allow employees to provide solutions to challenges from their own cultural perspective. • Make provision for different cultures, such as food served in the canteen/entertainment at staff functions. • Employ people from various cultural backgrounds. • Business must not force employees to do work that could be against their religion.
Educational backgrounds	<ul style="list-style-type: none"> • Encourage employees to learn new skills from employees who are more qualified in certain fields e.g. technology. • Employees should be encouraged to take new courses to improve their educational skills. • Employers can offer bursaries to encourage their employees to further their studies.

	<ul style="list-style-type: none"> • Offer learnerships to employees who do not have a formal education qualification.
Race	<ul style="list-style-type: none"> • Implement affirmative action policies as required by law. • Comply with the Employment Equity Act and BBBEE when appointing/training staff. • No discrimination should be made based on skin colour. • Employ people from different race groups.
Age	<ul style="list-style-type: none"> • A business may not employ children aged 15 or younger. • 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.

Advantages/Benefits of diversity in the workplace



You must first understand ways in which businesses can deal with diversity issues so that you are able to explain the benefits of diversity in the workplace.

- Workplace diversity improves the ability of a business to solve problems/innovate/cultivate diverse markets.
- Employees value each other's diversity and learn to connect and communicate across lines of difference.
- Diversity in the workforce improves morale and motivation.
- Employees demonstrate greater loyalty to the business because they feel respected/accepted/understood.
- A 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.
- Customers/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 and improved ways of getting things done.
- Employees represent various groups/Encourages inclusivity and are therefore better able to recognise customer needs/satisfy consumers.
- Businesses with a diverse workforce are more likely to have a good public image and attract more customers.



Activity 2

2.1 Read the scenario below and answer the questions that follow:

NEO TRADING ENTERPRISE (NTE)

The management of Neo Trading enterprise has promoted Mr Tom as a senior manager even though Mrs Jane is more qualified than him. Some employees are not allowed to observe their spiritual practices. NTE prefer young employees to come up with new ideas than old employees.

2.1.1 Identify THREE diversity issues referred to in the scenario above. Quote from the scenario to support your answer. (9)

2.1.2 Advise the management of NTE on ways in which they can deal with each diversity issue identified in QUESTION 2.1.1. (12)

Use the table below to present your answer

Diversity issue	Quote	Recommendations

ANSWERS TO ACTIVITY 2.1		
Diversity issue	Quote	Recommendations
Gender√√	The management of Neo Trading enterprise has promoted Mr Tom as a senior manager even though Mrs Jane is more qualified than him.√	<ul style="list-style-type: none"> Males and females are entitled to equal treatment in the workplace.√√ NTE directors should promote both men and women. √√
Religion √√	Some employees are not allowed to observe their spiritual practices.√	<ul style="list-style-type: none"> Encourage employees to participate in cultural activities in order to learn how things are done in other cultures.√√ Business must not force employees to do work that could be against their religion. √√
Age √√	NTE prefer young employees to come up with new ideas than old employees. √	<ul style="list-style-type: none"> 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.√√
Sub max (6)	Sub max (3)	Sub max (12)

Max (21)

7.4 Environmental issues

Ways in which businesses can protect the environment and human health

- Adhere to laws/regulations so that profits are not generated at the expense of the environment.
- Consider pollution/other environmental issues in all business activities, e.g. safe disposal of waste/dumping of toxic waste, etc.
- Become involved in environmental awareness programs.
- Protect the environment by altering production techniques in favour of cleaner and greener technologies.
- Water for human consumption is tested before it is used.
- Promote nature conservation by looking after natural resources.
- Minimise pollution, by re-using/reducing/recycling.
- Reduce consumption of goods/services which are environmentally unfriendly.
- Register/Engage with recognised institutions/bodies that promote green peace.
- Ensure that physical working conditions are worker friendly/safe/adequate/functional/promoting occupational health.
- Maintain/Service machines regularly.
- Educate people about hygiene/health issues.
- Encourage employees to do regular health checks.



Ways businesses can protect the environment and human health must be discussed as a single item/concept.

Roles of health and safety representatives in the workplace

- Investigate incidents/complaints from workers about health and safety
- Initiate/Promote/Maintain/Review measures for ensuring the health and safety of the workers.
- Attend to any formal inquiry/investigation into an accident/health related incident in the workplace.
- Ensure that protective clothing is provided /available to all workers.
- 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.
- Co-operate with the employer to investigate any accidents/
- Ensure that employers comply with COIDA.



Activity 3

3.1 Read the scenario below and answer the questions that follow:

ENVIRO PLASTIC (EP)

Enviro Plastic produces plastic waste bags which do not leave toxins when disposed of. EP has put safety measures in place for their workers and customers. Their waste bag labels indicate that they use material which is not harmful to the environment. The employees of EP feel that it is not their responsibility to take care of their safety in the workplace.

- 3.1.1 Quote TWO statements from the scenario above that indicate that EP protects the environment and promotes human health. (2)
- 3.1.2 Explain other responsibilities of EP in protecting the environment and promoting human health. (6)
- 3.1.3 Advise the employees of EP on how they should promote human health and safety in a workplace. (8)

ANSWERS TO ACTIVITY 3.1

3.1.1 Ways in which EP protects the environment and promotes human health.

- EP produces plastic waste bags which do not leave toxins when disposed of.
- EP has put safety measures for their workers and customers. ✓
- Their waste bag labels indicate that they use material which is not harmful to the environment. ✓ (2X1) (2)

3.1.2 Other responsibilities of EP in protecting the environment and promoting human health

- Register/Engage with recognised institutions/bodies ✓ that promote green peace. ✓
- Ensure that physical working conditions ✓ are worker friendly/safe/adequate/ functional/promoting occupational health. ✓
- Educate people ✓ about hygiene/health issues. ✓
- Encourage employees ✓ to do regular health checks. ✓ Max (6)

3.1.3 Responsibilities of employees in promoting human health and safety in the workplace

- Workers should take care of their own health/safety in the workplace. ✓✓
- They should co-operate and comply with the rules and procedures, e.g. wear prescribed safety clothing, etc. ✓✓
- Report unsafe/unhealthy conditions to relevant authorities/management /Health and safety representatives. ✓✓
- Report accidents to the employer as soon as possible. ✓✓ Max (8)

3.1.4 Study the cartoon below and answer the questions that follow:



Do you think business should rank employees according to skills or dignity? Justify your argument by referring to the implication of equality, respect, and dignity in the workplace. (10)

ANSWERS TO ACTIVITY 3.1.4

Implication of equality, respect and dignity in the workplace

- 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 a work 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.√

Max (10)



The implications for equality, respects and dignity must be discussed as a single item/concept.