

ACADEMY

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**ANTI-HARASSMENT
POLICY AND PROCEDURES**

Anti-Harassment Policy and Procedures

Policy Statement

Academy Truck Driving School is committed to fostering a harassment-free college where all individuals are treated with respect and dignity.

The *Canadian Human Rights Act* protects individuals from harassment based on race, national or ethnic origin, color, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

Harassment at Academy Truck Driving School is not tolerated. Individuals who are found to have harassed another individual will be subject to disciplinary action. This includes any individual who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

Application

This policy applies to all current employees, students, and/or any visitors of Academy Truck Driving School, including full and part-time, casual, contract, permanent and temporary employees or students. This also applies to job and student applicants.

This policy applies to all behavior that is in some way connected to Academy Truck Driving School, including during off-site meetings and training sessions.

What is Harassment?

Harassment is a form of discrimination. It involves any unwanted physical or verbal behavior that offends or humiliates you. Generally, harassment is a behavior that persists over time. Serious one-time incidents can also sometimes be considered harassment. Harassment can take many forms, including but not limited to:

- Unwelcome remarks or jokes about your race, religion, sex, age, disability or any other grounds of discrimination
- Threats or intimidation
- Unwelcome physical contact; touching, patting, pinching, or punching, which can also be considered assault.

What is Sexual Harassment?

Sexual harassment is a form of discrimination that's against the law. It's unwarranted sexual conduct that interferes with the rights guaranteed by the *Canadian Human Rights Act*. Sexual harassment is not allowed in the workplace, at schools, colleges or universities, or on the provision of a public service. Sexual harassment

may be verbal, physical or visual. It may be one incident or a series of incidents. It is always unsolicited and unwelcomed behavior, and can take many forms, including but not limited to:

- Sexual remarks
- “jokes” with sexual overtones
- A sexual advance or invitation
- Displaying offensive pictures or photographs
- Threats
- Leering
- Physical contact like touching, patting, pinching or brushing against
- Sexual and physical assault

For further information refer to “Sexual Violence Policy”

Responsibilities and Expectations

Academy Truck Driving School is responsible for providing all employees and students a harassment free environment.

The President of Academy is responsible for:

- Ensuring that this policy is applied in a timely, consistent and confidential manner;
- Determining whether or not allegations of harassment are substantiated;
- Determining what corrective action is appropriate where a harassment complaint has been substantiated.

The Office Manager is responsible for:

- The administration of this policy;
- Reviewing this policy annually, or as required;
- Making necessary adjustments to ensure that this policy meets the needs of our college.

Instructors are responsible for:

- Fostering a harassment-free learning environment and setting an example about appropriate behaviour;
- Communicating the process for investigating and resolving harassment complaints made by students;
- Dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
- Taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate;
- Ensuring harassment situations are dealt with in a sensitive and confidential manner.

Students are responsible for:

- Treating others with respect at Academy Truck Driving School;
- Reporting harassment to the Office Manager;
- Cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

Students can expect:

- To be treated with respect at Academy Truck Driving School;
- The reported harassment will be dealt with in a timely, confidential, and effective manner;
- To have their rights to a fair process and to confidentiality respected during a harassment investigation;
- To be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

What can I do if I am harassed?

1) File a complaint

An individual may file a harassment complaint by contacting the Office Manager. The complaint may be verbal or in writing. If the complaint is made verbally, the Office Manager will record the details provided by the individual.

The individual should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Complaints should be made as soon as possible but no later than within one year of the last incident of perceived harassment, unless there are circumstances that prevented the individual from doing so.

The Office Manager will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against him or her.

Every effort will be made to resolve harassment complaints within 30 days. The Office Manager will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, he or she should contact the President of Academy.

2) Mediation

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

3) Investigation

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint was made against, and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure accuracy.

The investigator will prepare a report that will include:

- A description of the allegations;
- The response of the person the complaint was made against;
- A summary of information learned from witnesses (if applicable);
- A decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to the President of Academy. Both parties to the complaint will be given a copy.

4) Substantiated Complaint

If a harassment complaint is substantiated, the President of Academy will decide what action is appropriate.

Remedies for the individual who was harassed may include: an oral or written apology; compensation for lost training; and compensation for hurt feelings.

Corrective action for the individual found to have engaged in harassment may include: suspension or expulsion of the college.

Both parties to the complaint will be advised, in writing, of the decision.

Other Redress

An individual who is not satisfied with the outcome of the harassment complaint process may file a discrimination complaint with the Canadian Human Rights Commission.

Privacy and Confidentiality

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to those that need to know.

Academy Truck Driving School and all individuals involved in the harassment complaint process will comply with all requirements of the *Ontario's Freedom of Information and Protection of Privacy Act* to protect personal information.

Review

Academy Truck Driving School will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all individuals associated with it.

Enquiries

Enquiries about this policy and related procedures can be made to the Office Manager.

Date: July 22, 2016