

TRUCK DRIVING SCHOOL

OTDS SEXUAL VIOLENCE & HARASSMENT POLICY

Policy Statement

Sexual assault and sexual violence are unacceptable and will not be tolerated at Ontario Truck Driving School. We are committed to challenging and preventing sexual violence and creating a safe environment for anyone in our college community who has experienced sexual violence. Ontario Truck Driving School is expected to be a safe place where members of the college community feel able to work, learn and express themselves in an environment free from sexual violence.

Definitions

Sexual Violence:

Sexual violence is defined as a sexual act committed against someone without that person's freely given consent. It is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms including sexual abuse and sexual assault. Acts of sexual violence include: unwanted sexual comments or advances; coercion of another person's sexuality by physical or psychological intimidation and/or the denial of another person's sexual decision-making rights. Sexual violence is divided into the following types: Completed or attempted forced penetration of a victim. Completed or attempted drug/alcohol-facilitated penetration of a victim. Sexual violence can profoundly impact physical and mental well-being of individuals and communities.

Sexual Harassment:

Sexual Harassment is prohibited by Ontario Human Rights Code and may be based on gender, including transgendered persons, or may involve the use of overt sexual language or sexual innuendo which makes an individual feel uncomfortable. Sexual harassment is different from flirting, playing around or other types of behavior that you enjoy or welcome. Sexual harassment can be requests for sexual favors or unwelcome sexual behavior that is bad enough or happens often enough to make you feel uncomfortable, scared or confused and that interferes with your schoolwork or your ability to participate in extracurricular activities or attend classes. Sexual harassment can be verbal; comments about your body, spreading sexual rumors, sexual remarks or accusations, dirty jokes or stories. Sexual harassment can be physical; grabbing, rubbing, touching, flashing or mooning, pinching in a sexual way and sexual assault. Sexual harassment can be visual; a display of naked pictures or sex-related objects and obscene gestures. Sexual harassment can happen to girls and boys. Sexual harassers can be fellow students, teachers, instructors, principals, janitors, coaches and other school officials.

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Sexual Assault:

Sexual assault is a form of sexual violence and is a criminal offence under the Criminal Code of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of that person and involves a range of behaviours from any unwanted touching to penetration. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened or that is carried out in circumstances in which the person has not freely agreed, consented to or is incapable of providing consent.

Reporting Process

Prompt reporting of all incidents is important so that appropriate action can be taken. All reported incidents of sexual violence and/or sexual harassment will be investigated to the best of our ability and in a manner that ensures due process. Students, faculty and staff of Ontario Truck Driving School will take all reasonable steps to prevent sexual violence involving our students on our campuses by reporting immediately to OTDS if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students, or have reason to believe that sexual violence has occurred or may occur which involves one of our students.

We, at Ontario Truck Driving School, recognize that sexual violence can occur between individuals regardless of sexual orientation, gender and gender identity or relationship status as articulated in the Ontario Human Rights Code.

- It is the responsibility of administrators/supervisors, at all levels, to be sensitive to the possible existence of sexual harassment and to act quickly and appropriately to put an end to it
- Employees or students who have engaged in sexual harassment of others will be subject to appropriate disciplinary action.
- If students, in good faith, report an incident of or make a complaint about sexual violence, they will not be subject to discipline or sanctions for violations of the private career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred
- Students who disclose their experience of sexual violence through reporting an incident of, making a complaint about or accessing supports and services for sexual violence, will not be asked irrelevant questions during the investigation process by the private career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

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Responding Process

After an investigation is completed, and if deemed necessary by OTDS, one or more of the following corrective actions may be considered:

- Meeting with appropriate staff
- A formal warning
- Removal from class
- Suspension
- Police involvement (In the event of criminal charges)
- Expulsion

Accommodations

Appropriate accommodations will be made to any student effected by sexual violence at no additional cost. The student must contact the OTDS HR Department or designate to begin the process. OTDS will determine an appropriate accommodation on a case-by-case basis. Students are not required to submit a complaint or formal report of a sexual violence incident in order to request accommodation.

Supports and Services

OTDS maintains information of community supports and services for students effected by sexual violence at each campus. Contact the campus coordinator, HR Department, or president for information regarding available resources. Students are not required to submit a complaint or formal report of a sexual violence incident in order to access support or services.

Due to the power imbalance that often exists between the harasser and the person being harassed, and worries about what will happen if they object, people may go along with the unwelcome actions. But in these cases, it is still harassment and it is still against the law.

The sexual violence and harassment policy should be consulted whenever there are concerns about sexual violence and/or harassment at Ontario Truck Driving School.