

# United Transportation Driver Training Sexual Violence Policy and Response Protocol

United Transportation Driver Training is committed to providing a safe and healthy environment free from sexual violence, threats of sexual violence, sexual harassment, intimidation and disruptive behavior. All members of the United Driver Training facility have a right to work and study in an environment that is free from sexual violence. All individuals associated with the facility including students, instructors, contractors, staff and administrators are governed by the policy.

## WHAT CONSTITUTES SEXUAL VIOLENCE

Sexual violence is defined as any sexual act or act targeting a person's sexuality, gender identity or gender expression — whether the act is physical or psychological in nature — that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Consent: means giving permission for something to happen. Consent means a person voluntarily agrees, through words or actions, to engage in sexual activity. Consent also means there is a genuine willingness by both parties to actively participate in the sexual activity (only **yes** means **yes**).

Where consent does not exist, a person can express a lack of agreement verbally or through conduct (such as physically resisting advances).

In other words consent:

- Is never assumed or implied
- Is not silence or the absence of “no”
- Cannot be given if the victim is impaired by alcohol or drugs, or is unconscious
- Can never be obtained through threats or coercion
- Can be revoked at any time
- Cannot be obtained if the perpetrator abuses a position of trust, power or authority

## EDUCATION, AWARENESS AND PREVENTION

United Transportation Driver Training will ensure that all employees and students are trained and educated on sexual violence and that they are clear about their roles and responsibilities and all procedures.

The facility will take every reasonable precaution and implement measures to prevent sexual violence. Education and raising awareness of sexual violence will include training during orientation on sexual violence for all students as well as posting it in the classroom. Sexual violence can also be perpetrated through social media and digital communication.

United Driver Transportation will establish a sexual violence committee that is representative of the full scope of this policy. In addition, a copy of this policy will be made available to all employees and students.

The learning environment is meant to be a safe and positive space where members feel able to work and learn in an environment that values respect for all, civility, diversity, equality and freedom.

## **TRAINING**

Training will be provided to individuals on issues related to sexual violence and will vary based on the individual's role with the facility. Students and staff will receive information on sexual violence and appropriate responses to disclosures during orientation. Administration will receive more thorough training on the policy and the responsibilities under the policy so they are adequately prepared and equipped to follow them.

## **COMPLAINT PROCEDURES AND RESPONSE PROTOCOLS**

This protocol and its related policy sets out the way in which we address sexual violence. It ensures those affected by sexual violence are believed and appropriately accommodated as well as a process that protects the rights of individuals and holds individuals who commit an act of sexual violence accountable.

### If You Have Experienced or Have Been Affected by Sexual Violence

#### Go to a Safe Place

- Find a trusted friend, colleague, or speak with the Administration at United Driver Training
- Call the Sexual Assault Crisis Line
- Call your local law enforcement

### Complaint/Disclosure Options if You Have Experienced or Have Been Affected by Sexual Violence

The choice to report or not report the incident is entirely yours. We recognize that it is often difficult to disclose and report incidents of sexual violence, however, we strongly encourage you to do so. Reporting Options are as follows:

- No report
  - The victim discloses sexual violence to seek emotional support, medical support, counselling, and accommodations but not to report to police
- Medical Assistance
  - The victim attends a hospital or medical center for attention to address possible physical injury, pregnancy, or sexually transmitted infections
  - Forensic exam to collect any samples while the victim decides whether to report to police
- Police Report
  - the victim makes a police statement
- Complaint/disclosure to post-secondary institution

- Report to institution's administration

### **Complaint/Disclosure to Post-Secondary Institute**

In the case a victim wishes to disclose sexual misconduct, the administration will:

- Ensure the immediate safety of the victim/survivor
- Ensure the victim/survivor has access to medical care (if needed)
- Provide information about reporting options;
- Coordinate academic/workplace accommodations;
- Provide referrals to counselling services;
- Assist with decision-making processes;
- Assist with investigations and gathering evidence to collaborate with local police where appropriate;
- Manage information among departments or offices where necessary;
- Ensuring those affected by sexual violence are believed, and that their right to dignity and respect is protected throughout the process of disclosure, investigation and institutional response
- Treating those affected by sexual violence with compassion, recognizing they are the final decision-makers about their own best interests

The training facility recognizes the importance of protecting confidentiality to provide an environment in which survivors can disclose sexual violence and obtain support and to ensure reports of sexual violence can be addressed in a fair manner. The facility will make every reasonable effort to maintain confidentiality when it becomes aware of an incident of sexual violence. It will limit disclosure of information to those who need to know for the purposes of providing support and addressing incidents.

### **What to do if Someone Discloses Allegations of Sexual Violence**

An individual who has experienced sexual violence may also disclose to staff, faculty members or colleagues when seeking support and/or academic accommodation. Individuals should not go beyond their comfort level or expertise when responding to a disclosure. It is important to be supportive while also referring them to the right person who can provide the help needed.

A supportive response involves:

- listen without judgement and accept the disclosure as true
- communicate that sexual violence is not the survivor's fault
- help the individual access available services, including medical care and counselling
- respect the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police
- recognize that disclosing can be traumatic and an individual's ability to recall the events may be limited
- respect the individual's choices as to what and how much they disclose about their experience
- maintain confidentiality and anonymity

There are populations that are more vulnerable to sexual violence and our policy is sensitive to these individuals. These individuals include indigenous women, women living with cognitive or

physical disabilities, newcomer women and women from ethnocultural communities, individuals within the LGBT2SQ+ community, international students. Our support services accommodate all populations including individuals more vulnerable. If alternative disclosure options are preferred, we will try our best to accommodate those requests.

## **PUBLIC REPORTING & POLICY REVIEW**

United Transportation Driver Training will publicly report on activities being undertaken by the institution to raise awareness and contribute to the prevention of sexual violence at the institution.

This policy has been developed in conjunction with students of United Transportation Driver Training and will be reviewed as required by *The Sexual Violence Awareness and Prevention Act*, with students every four years and will post the policy in a conspicuous place in the workplace. Monitoring and updating this procedure helps to ensure it remains effective and consistent with legislation and other relevant procedures.

## **GLOSSARY OF TERMS**

Consent - Consent is the voluntary agreement to engage in the sexual activity in question.

Cyber harassment/cyber stalking - Often used interchangeably, cyber harassment and cyber stalking are defined as repeated, unsolicited, threatening behaviour by a person or group using cell phone or Internet technology with the intent to bully, harass, and intimidate a victim. The harassment can take place in any electronic environment where communication with others is possible, such as on social networking sites, on message boards, in chat rooms, through text messages, or through email.

Date Rape - The term "date rape" is interchangeable with "acquaintance sexual assault". It is sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

Disclosure - For the purposes of this document, a disclosure is made to any individual other than the police or other judicial official.

LGBT2SQ+ - The LGBT2SQ+ community includes people who identify as lesbian, gay, bisexual, transgender, Two-Spirit, queer, questioning, intersex, asexual, pansexual and/or gender fluid.

Rape - Rape is a term used to describe vaginal, oral or anal intercourse, without consent. Although the term is no longer used in a legal sense in Canada, it is still commonly used and widely understood.

Sexual Assault - Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. 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, carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to. Sexual assault is a crime.

Sexual harassment - Sexual harassment is unwanted sexual attention directed at an individual by someone whose conduct including comments, gestures, and/or actions are offensive, inappropriate, intimidating, hostile, and unwelcome. Sexual harassment often occurs in environments in which sexist or homophobic jokes and materials have been allowed.

Sexual violence - Any sexual act or act targeting a person's sexuality, gender identity or gender expression — whether the act is physical or psychological in nature — that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Stalking - Stalking is a crime called criminal harassment. Stalking consists of repeated behaviour that is carried out over a period of time, and which causes a person to reasonably fear for their safety.

Victim blaming - Victim blaming occurs when the victim of a crime or an accident is held responsible — in whole or in part — for the crimes that have been committed against them.