Harassment, Violence and Sexual Violence Policy

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<tr>
<th>Approved By:</th>
<th>David Cornell, President</th>
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<tr>
<td>Date Approved</td>
<td>December 12, 2017</td>
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<td>Date Effective</td>
<td>December 12, 2017</td>
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The Criminal Code of Canada.  
The Ontario Human Rights Code.  
The Regulated Health Professions Act.  |
| Developed By      | Indu Dhir (Program Director) |
| Reviewed By       | Karen Cornell (Dean)     |
| Controlled Document | This is a controlled document and may not be altered. Policies will be reviewed and changed as required. |

Record of Policy Change

<table>
<thead>
<tr>
<th>Date</th>
<th>Approved By</th>
<th>Information Changed</th>
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<tbody>
<tr>
<td>December 12, 2017</td>
<td>David Cornell, President</td>
<td>Merged policies on Harassment and Violence with Sexual Violence.</td>
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<tr>
<td>July 24, 2019</td>
<td>David Cornell, President</td>
<td>32.0.6 (1) (2)OSHA: Addition of amendment to add additional Content (1.c)); 32.0.7 (1)(2) OSHA, NEW-Employer’s Duties Re: Harassment(1.c));55.3 OSHA, NEW-investigation by a third-party person; Expanded definitions of workplace harassment; workplace sexual harassment; workplace violence; review month has changed from December to November</td>
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<td></td>
<td>Mark Harrington, Vice President</td>
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students, faculty, volunteers, staff, clients, career college management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college's affairs, and their agents), contractors and visitors. CADH will ensure that, in consultation with the Joint Health and Safety Committee, it will develop and maintain and written program to implement the policy with respect to workplace harassment, workplace violence and sexual violence.

1. General

(a) The Canadian Academy of Dental Health and Community Sciences (CADH) is committed to providing an environment free of harassment, violence and sexual violence, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunities. Individuals who report incidents of sexual violence will be treated with dignity and respect.

(b) CADH complies with the Ontario Human Rights Code (the Code), under which every person has the right to be free from any kind of behaviour that makes him/her feel threatened, intimidated or assaulted, whether it is physical, sexual, bullying or verbal in nature. CADH will not ignore, condone, or tolerate harassment, violence or sexual violence against any member of its community. If a claim of harassment, violence, or sexual violence is proven, disciplinary measures will be applied, up to and including termination from employment, studies and/or client care, as appropriate.

(c) CADH is committed to a comprehensive strategy to address harassment, violence, and sexual violence including:
   • Providing training and education to ensure everyone is aware of their rights and responsibilities
   • Regularly monitoring organizational systems for barriers related to Code grounds
   • Preparing an effective and fair complaints procedure,
     i. Including measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor
     ii. Including measures and procedures for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the alleged harasser is the employer or supervisor
        a. CADH will set out how information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law
        b. CADH will set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he/she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation
   • Promoting appropriate standards of conduct at all times.

(d) CADH acknowledges that an inspector is allowed to order an employer to have an inspection of workplace harassment be conducted by a third-party person

(e) The person accused of engaging in harassment, violence, or sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant”.

2. Policy Purpose and Objectives
The purpose of this policy is to establish procedures to reduce the risk of harassment, violence and sexual violence within the study and workplace environment and to foster a study and workplace that is safe and secure. Please note that there will be no negative consequences for reports made in good faith. To establish this policy, CADH has consulted the Joint Health and Safety committee (JHSC) and the following legislation governing workplace harassment, violence and sexual violence in Ontario:

- The Occupational Health & Safety Act.
- The Criminal Code of Canada.
- The Ontario Human Rights Code.
- The Regulated Health Professions Act.

Copies of the above are available in the CADH Learning Resource Center.

The objectives of the Harassment and Violence Policy are to:
- Ensure all members of the CADH community are aware that harassment, violence and sexual violence are unacceptable practices, do not align with CADH standards of conduct and are in violation of the law
- Provide definitions of workplace harassment, violence, sexual violence and other terms related to the policy
- Set out the types of behaviours, although not exhaustive, that may be considered offensive and are prohibited by this policy.

3. Definitions

**Workplace Harassment**
As outlined in the Code, is defined as "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome". As outlined in the OHSA, means

a) Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or

b) Workplace sexual harassment

**Workplace Violence (as outlined in the OHSA)**
Violence occurs when physical force is used against one or more other individual(s) and means:

a) The exercise of physical force by a person against a worker, in a workplace that causes or could cause physical injury to the worker

b) An attempt to exercise physical force against a worker, in a workplace that causes or could cause physical injury to the worker

c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker

**Sexual Violence**
Sexual violence refers to 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.

**CADH Community**
The CADH community refers to students, faculty, volunteers, staff, clients, career college management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college's affairs, and their agents), contractors and visitors.
4. Education and Training on Harassment, Violence and Sexual Violence

(a) CADH shall include a copy of the Harassment, Violence and Sexual Violence Policy in every contract made between it and its students.

(b) CADH shall provide a copy of the Harassment, Violence and Sexual Violence Policy to career college management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college's affairs, and their agents), faculty, staff, other employees and contractors, and train them about the policy and its processes of reporting, investigating, and responding to complaints involving members of the CADH community.

(c) Any company participating in offering student internships on their premises must provide an undertaking in writing that it is in compliance with all applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act and will provide students access to those policies should they encounter issues relating to harassment, violence, or sexual violence during the internship.

(d) The Harassment, Violence, and Sexual Violence Policy shall be published on its website and/or posted in a conspicuous location on each of its campuses.

5. Roles and responsibilities

(a) All individuals present at CADH are expected to uphold and comply with these policies and procedures by:

i. Understanding these policies and procedures through review of the policies and/or participation in training

ii. Refraining from engaging in any form of harassment, violence or sexual violence and cooperate fully in any investigation of a harassment, violence or sexual violence complaint

iii. Following established organizational procedures and guidelines that protect individuals from any type of harassment or violence.

(b) Any member of the CADH community that has been a victim of, or has knowledge of, harassment, violence or sexual violence is responsible to immediately report it.

(c) CADH management is responsible to:

i. Provide a copy of this document and training to members of the CADH community

ii. Post a copy of this document in the study and workplace

iii. Ensure all staff are trained on these policies when they are hired and then annually

iv. Ensure compliance by all who have a relationship with the organization (contractors, volunteers, etc.)

v. Ensure all reports of harassment, violence, or sexual violence are taken seriously, dealt with promptly, appropriately and objectively

vi. Ensure confidentiality of the victim is maintained, as reasonably as possible
vii. Report incidents of workplace harassment, violence, sexual violence to the appropriate authorities:

- Joint Health & Safety Committee (JHSC): within 4 days of an incident of workplace harassment or violence when an individual is disabled from performing their own work or receives medical attention as a result of an incident
- Ministry of Labour (MOL) inspector, police (as required), and the JHSC: within 48 hours of occurrence, notify these parties, in writing explaining circumstances as prescribed by the Occupational Health and Safety Act and regulations

viii. Conduct annual risk assessments within the facility and establish control measures in consultation with the JHSC

ix. Ensure Directors and Supervisors consider assessing potential high-risk areas when developing/constructing new or existing areas within the facility.

(d) CADH Director, Supervisor, Workplace Coordinator or CADH Designate is responsible to:

i. Enforce these policies and procedures monitor study and workplace compliance

ii. Periodically conduct a “walk-through” of the work area(s) to identify the potential for the occurrence of a violent incident. Should a new hazard be identified, it should be communicated and controls implemented.

iii. Work with the JHSC to develop and modify written study and workplace violence prevention guidelines or procedures.

iv. Ensure that appropriate instruction, training and/or information is provided to CADH community members who may be exposed to the risk of workplace violence.

v. Ensure all reports of harassment, violence or sexual violence are taken seriously, are immediately investigated and reported to the Workplace Coordinator and victims are treated with respect and dignity and provided with the appropriate medical and emotional support.

vi. Ensure confidentiality of the victim is maintained, as reasonably as possible

vii. If injury has been sustained, a Study or Workplace Harassment, Violence, and Sexual Violence Reporting Form must be completed.

viii. Report incidents of workplace harassment, violence, sexual violence to the appropriate authorities:

- Joint Health & Safety Committee (JHSC): within 4 days of an incident of workplace harassment or violence when an individual is disabled from performing their own work or receives medical attention as a result of an incident
- Ministry of Labour (MOL) inspector, police (as required), and the JHSC: within 48 hours of occurrence, notify these parties, in writing explaining circumstances as prescribed by the Occupational Health and Safety Act and regulations

ix. Ensure that the confidentiality of the victim is maintained, as reasonably as possible.

x. Track and analyze incidents for trending and prevention initiatives.

(e) Joint Health & Safety Committee (JHSC) is responsible to:
i. Make recommendations for developing, establishing and providing training in harassment, violence and sexual violence prevention measures and procedures

ii. Review the workplace harassment, violence, and sexual violence prevention program annually

iii. Immediately review reports of critical injury or death. The worker-designate is responsible for investigating all critical violence-related injuries.

6. Reporting and Responding to Harassment, Violence, and Sexual Violence

(a) Career college management, faculty, staff, other employees and contractors of CADH will report incidents of or complaints of harassment, violence or sexual violence to the Campus Manager or other CADH designate [hereafter referred to as “CADH Designate”] upon becoming aware of them.

(b) Students who have been affected by harassment, violence, and sexual violence or who need information about support services should contact a CADH Designate.

(c) Subject to Section 7 below, to the extent it is possible, CADH will attempt to keep all personal information of persons involved in the investigation confidential except in those circumstances where it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others on its campus or the broader community are at risk. This will be done by:

i. Ensuring that all complaints/reports and information gathered as a result of the complaint/reports will be only available to those who need to know for purposes of investigation, implementing safety measures and other circumstances that arise from any given case; and

ii. Ensuring that the documentation is kept in a separate file from that of the Complainant/student or the Respondent.

(d) CADH recognizes the right of the Complainant not to report an incident of or make a complaint about sexual violence or not request an investigation and not to participate in any investigation that may occur.

(e) Notwithstanding (d), in certain circumstances, CADH may be required by law or its internal policies to initiate an internal investigation and/or inform police without the Complainant’s consent if it believes the safety of members of its campus or the broader community is at risk.

(f) In all cases, including (d) above, CADH will appropriately accommodate the needs of its students who are affected by harassment, violence and sexual violence. Students seeking accommodation should contact the CADH Designate.

In this regard, CADH will assist members of the CADH community who have experienced harassment, violence, or sexual violence in obtaining counselling and medical care, and provide them with information about harassment, violence, and sexual violence supports and services available in the community as set out in Appendix 1 attached hereto. Individuals are not required to file a formal complaint in order to access supports and services.

7. Investigating Reports of Harassment, Violence, and Sexual Violence
(a) Under this Harassment, Violence, and Sexual Violence Policy, any member of CADH community may file a report of an incident or a complaint to CADH Designate in writing. The other officials, offices or departments that will be involved in the investigation may include Program Director and Dean.

(b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, CADH Designate will respond promptly and:

i. determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation;

ii. determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;

iii. determine whether the incident should be referred immediately to the police; in such cases or where civil proceedings are commenced in respect of allegations of sexual violence, CADH may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and

iv. determine what interim measures ought to be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.

(c) Once an investigation is initiated, the following will occur:

i. the Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;

ii. interviewing the Complainant to ensure a complete understanding of the allegation and gathering additional information that may not have been included in the written complaint such as the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred;

iii. informing and interviewing the Respondent of the complaint, providing details of the allegations and giving the Respondent an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation;

iv. interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses;

v. providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and

vi. following the investigation, the CADH designate will:

- review all of the evidence collected during the investigation;
- determine whether harassment, violence, or sexual violence occurred; and if so,
- determine what disciplinary action, if any, should be taken as set out in Section 8 below.

8. Disciplinary Measures
(a) If it is determined by CADH that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

i. disciplinary action up to and including termination of employment of instructors or staff; or

ii. expulsion of a student; and/or

iii. the placement of certain restrictions on the Respondent’s ability to access certain premises or facilities; and/or

iv. any other actions that may be appropriate in the circumstances.

9. Appeal

(a) Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to the Program Director within 5 business days by submitting a letter addressed to the Program Director advising of the person’s intent to appeal the decision.

10. Making False Statements

(a) It is a violation of this Harassment, Violence and Sexual Violence Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint.

(b) Individuals who violate this Harassment, Violence and Sexual Violence Policy are subject to disciplinary and / or corrective action up to and including termination of employment of instructors or staff or expulsion of a student.

11. Reprisal

(a) It is a violation of this Harassment, Violence and Sexual Violence Policy to retaliate or threaten to retaliate against a complainant who has brought forward a complaint of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

(b) Individuals who violate the Harassment, Violence and Sexual Violence Policy are subject to disciplinary and /or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

12. Review

(a) CADH shall ensure that student input is considered in the development of its Harassment, Violence and Sexual Violence Policy and every time it is reviewed or amended.

(b) CADH shall review its Harassment, Violence and Sexual Violence Policy before one year after it is first implemented (in December, 2017) and in November of each subsequent year. Amendments will be made where and when appropriate.

13. Collection of Student Data

(a) CADH shall collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such data and information as required according to Subsections 32. 3 (8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.
Appendix 1

The following represents a list of Provincial Rape Crisis Centres that could be provided as resources:

Canadian Association of Sexual Assault Centres

Provincial - Ontario

English

Assaulted Women’s Helpline
Toll Free: 1-866-863-0511
#SAFE (#7233) on Bell, Rogers, Fido or Telus mobile
TTY: 416-364-8762
www.awhl.org

Français

Fem’aide
Telephone Toll-Free: 1-877-336-2433
ATS: 1 866 860-7082
www.femaide.ca

Sexual Assault/Domestic Violence Treatment Centres

35 hospital-based centres that provide 24/7 emergency care to women. To locate the Sexual Assault/Domestic Violence Treatment Centre nearest you, follow this link.

Local

Alliston, Barrie, Collingwood, Midland and Orillia

Huronia Transition Homes operates La Maison Rosewood Shelter (Midland) & Athena’s Sexual Assault Counselling and Advocacy Centre

24-Hour Crisis Line:
Barrie: 705-737-2008 or 1-800-987-0799
Midland: 705-526-4211 or 1-800-461-175
Office: 705-526-3221
www.huroniatransitionhomes.ca

Belleville

Sexual Assault Centre for Quinte and District
Toll-Free: 1-877-544-6424
Office: 613-967-6300
www.sacqd.com

Bracebridge

Muskoka/Parry Sound Sexual Assault Services
Parry Sound District Office
Office: (705) 774-9083 or 1-877-851-6662
www.daphnewymn.com

Muskoka District Office
Office: (705) 646-2122 or 1-877-406-1268
www.daphnewymn.com

Brantford
Sexual Assault Centre of Brantford
Crisis: 519-751-3471
Office: 519-751-1164
sexualassaultcentre@sacbrant.ca
http://sacbrant.ca/

Brockville
Assault Response & Care Centre
Office: (613) 345-3881 or 1-800-567-7415
arcc@bgv-on.ca
www.arcc.ca

Chatham
Chatham-Kent Sexual Assault Crisis Centre
24-Hour Crisis Line: 519-354-8688
Office/TTY: 519-354-8908
http://cksacc.org/

Cornwall
Sexual Assault Support Services for Women
Office: 613-932-1755
http://sassforwomen.ca/

Iethinisten:ha Women’s Shelter
Akwasasne Family Violence Program
24-Hour Crisis: 1-800-480-4208
Phone: 613-937-4322
www.akwasasne.ca/iethinistenha-women’s-shelter

Durham Region
Durham Rape Crisis Centre
Crisis: 905-668-9200
Office: 905-444.9672
info@drcc.ca
www.drcc.ca

Eganville
Women's Sexual Assault Centre of Renfrew County
24-Hour Crisis: 1-800-663-3060
Office: 613-735-5551
www.wsac.ca

Guelph

Guelph-Wellington Women in Crisis
Crisis: 519-836-5710
1-800-265-7233
Office: 519-823-5806
www.gwwomenincrisis.org

Hamilton

Sexual Assault Centre (Hamilton and Area)
Crisis: (905) 525-4162
Office (905) 525-4573
TTY: 905-525-4592
www.sacha.ca

Kenora

Kenora Sexual Assault Centre
Crisis: (807) 468-7233 or 1-800-565-6161
Office: (807) 468-7958
www.kenorasesexualassaultcentre.com

Kingston

Sexual Assault Centre Kingston
Crisis: 613-544-6424 or 1-877-544-6424
Office: 613-545-0762
sack@sackkingston.com
www.sackkingston.com

Kitchener-Waterloo

Sexual Assault Support Centre of Waterloo Region
Crisis: 519.741.8633
Office: 519.571.0121
info@sascwr.org
www.kwsasc.org

London

Sexual Assault Centre London
Crisis: 519-438-2272
Office 519-439-0844
TTY: 519-439-0690
sacI@sacl.ca
www.sacl.ca

London Abused Women’s Centre
Office: 519-432-2204
E-Mail: info@lawc.on.ca
http://lawc.on.ca
Peel Region

Hope 24/7 (formerly the Sexual Assault/Rape Crisis Centre of Peel)
Crisis: 1-800-810-0180
Office: (905) 792-0821
http://hope247.ca

Newmarket

Women’s Support Network of York Region
Crisis: 1-800-263-6734 or 905-895-6734
Office: (905) 895-3646
www.womenssupportnetwork.ca

North Bay

Amelia Rising Women’s Sexual Assault Centre of Nipissing/centre d’aggressions sexuelles de Nipissing
Crisis: 705-476-3355
Office: 705-840-2403
TTY: (705) 840-5877
info@ameliarising.ca
www.ameliarising.ca

Oakville

Sexual Assault & Violence Intervention Services of Halton
Crisis: 905-875-1555 or 1-877-268-8416
Office: 905-825-3622
www.savishalton.org

Orangeville

Family Transition Place
Crisis: 1-800-265-9178
Office: 519-942-4122
www.familytransitionplace.ca

Ottawa

Sexual Assault Support Centre
Crisis: 613-234-2266
Phone: 613-725-2160
TTY: 613-725-1657
info@sascottawa.com
http://sascottawa.com

Ottawa Rape Crisis Centre

Crisis: 613-562-2333
Office: 613-562-2334
http://orcc.net

Peterborough & Kawarthas

Kawartha Sexual Assault Centre
Crisis: (705) 741-0260 or 1-866-298-7778
Office/TTY: (705) 741-0260
www.kawarthasexualassaultcentre.com

YWCA Peterborough Haliburton
Crisis: 1-800-461-7656
Office: 705.743.3526 x 130
www.ywcapeterborough.org

Sault Ste Marie

Women in Crisis (Algoma) Inc.
Crisis: 705-759-1230 or 1-877-759-1230
www.womenincrisis.ca

Sarnia-Lambton

Sexual Assault Survivors Centre Sarnia-Lambton
Crisis: 519 337-3320 or 1-888-231-0536
Office: (519) 337-3154
www.sexualassaultsarnia.on.ca

Simcoe

Haldimand & Norfolk Women's Service
Crisis: 1-800-265-8076
TTY: 1-800-815-6419
Office: 519-426-8048
hnws@hnws.on.ca
www.hnws.on.ca

St. Catherines

Niagara Region Sexual Assault Centre
Crisis: (905) 682-4584
Office: (905) 682-7258
carsa@sexualassaultniagara.org
http://sexualassaultniagara.org/

Thunder Bay

Thunder Bay Sexual Assault and Sexual Abuse Crisis and Counselling Centre
Office: (807) 345-0894 or 1-866-311-5927
tbcounselling@tbsasa.org
www.tbsasa.org

Timmins

Timmins and Area Women in Crisis
Crisis: 1-877-268-8380 (sexual assault)
Crisis: 1-855-827-7233 (shelter)
Office: (705) 268-8381
info@tawc.ca
http://www.tawc.ca/
Toronto

Oasis Centre des Femmes
Telephone: 416-591-6565
Courriel: services@oasisfemmes.org
http://oasisfemmes.org/

Toronto Rape Crisis Centre: Multicultural Women Against Rape

Crisis: 416-597-8808
Office: 416-597-1171
info@trccmwar.ca
crisis@trccmwar.ca
www.trccmwar.ca

Windsor

Sexual Assault Crisis Centre of Essex County

Crisis: 519-253-9667
www.saccwindsor.net

Woodstock

Domestic Abuse Services Oxford
Crisis: 519 539-4811 or 1-800-265-1938
info@daso.ca
www.daso.ca

Canada

BullyingCanada.ca
Email General Information: Info@BullyingCanada.ca
Email Support Services: Support@BullyingCanada.ca
Phone Toll-Free: 1-877-352-4497