



# Student Anti-violence, Harassment, and Sexual Harassment Policy

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Please Note: This policy has been written to comply with the changes to the Private Career 2005 Act January 1, 2017.

## Intent

Willis College is committed to building and preserving a safe, productive, and healthy college environment for its students based on mutual respect. In pursuit of this goal, Willis College does not condone and will not tolerate acts of sexual violence, harassment, or bullying against or by any Willis College student.

Willis College's Anti-violence, Harassment, and Sexual Harassment Policy is not meant to stop free speech or to interfere with everyday interactions. However, what one person finds inoffensive, another may not. Usually, harassment can easily be distinguished from normal, mutually acceptable socializing. It is important to remember that it is the perception of the receiver that determines whether the potentially offensive message is acceptable or not, be it spoken, gestural, pictorial, or some other form of communication which may be deemed objectionable or unwelcome.

## Definitions

Student sexual violence or bullying: sexual violence or bullying is the exercise, statement, or behavior of physical force by a person against another person at Willis College that causes or could cause physical injury to the student, such as:

- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault, throwing an object at a student, kicking an object the student is standing on (such as a ladder), or trying to run down a student using a vehicle).
- Any threat, behavior, or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property.
- Disruptive behavior that is not appropriate to the learning environment (e.g., yelling or swearing).

Domestic violence: a person who has a personal relationship with a student (a friend or former friend, current or former intimate partner, or a family member) who may physically harm, or attempt or threaten to physically harm, that student at Willis College. In these situations, domestic violence is considered violence at Willis College.

Personal harassment: any unsolicited, unwelcome, disrespectful, or offensive behavior that has an underlying sexual, bigoted, ethnic, or racial connotation and can be typified as:



- Behavior that is hostile in nature, or intends to degrade an individual based on personal attributes, including age, race, nationality, disability, family status, religion, gender, sexual orientation, gender identity, gender expression, or any other protected ground under human rights legislation.
- Sexual solicitation or advances made by a person in a position to confer, grant, or deny a benefit or advancement to the person, where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome.
- Reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant, or deny a benefit or advancement to the person.
- Unwelcome remarks, jokes, innuendos, propositions, or taunting about a person's body, attire, sex or sexual orientation, or religion.
- Suggestive or offensive remarks.
- Bragging about sexual prowess.
- Offensive jokes or comments of a sexual nature about a student.
- Unwelcome language related to gender.
- Displaying of pornographic or sexist pictures or materials.
- Leering (suggestive persistent staring).
- Physical contact such as touching, patting, or pinching, with an underlying sexual connotation.
- Sexual assault.
- For the most part, victims of sexual harassment are female; however, conduct directed by female students towards males or between persons of the same sex can also be held to constitute sexual harassment.
- Any actions that create a hostile, intimidating, or offensive workplace, which may include physical, verbal, written, graphic, or electronic means.
- Any threats of physical violence that endanger the health and safety of the student.

Racial/ethnic harassment: any conduct or comment which causes humiliation to a student because of their racial or ethnic background, their colour, place of birth, citizenship, or ancestry.

Examples of conduct which may be racial or ethnic harassment include:

- Unwelcome remarks, jokes, or innuendos about a person's racial or ethnic origin.
- Colour, place of birth, citizenship, or ancestry.
- Displaying racist or derogatory pictures or other offensive material.
- Insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment.
- Refusing to speak to or work with someone or treating someone differently because of their ethnic or racial background.



## **Guidelines**

Willis College is committed to providing a safe and healthy learning environment, free from violence, threats of violence, discrimination, harassment, sexual harassment, intimidation, and any other misconduct. Similarly, weapons are strictly prohibited from the company's premises. Violators will be subject to disciplinary action, and the incident will be reported to the police.

It is also a violation of the Anti-violence, Harassment, and Sexual Harassment Policy of Willis College for anyone to knowingly make a false complaint of sexual violence or harassment or to provide false information about a complaint. Individuals who violate this policy are subject to disciplinary and corrective action, up to and including dismissal from Willis College.

This policy prohibits reprisals against individuals acting in good faith who report incidents of student violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence. Reprisal is defined as any act of retaliation, either direct or indirect.

Willis College will ensure that all students are educated on sexual violence and harassment and that they are clear about their roles and responsibilities, this policy, the corresponding program, and all student procedures. In addition, a copy of this policy will be made available to all students.

### **Application of this Policy**

This policy applies to all Individuals of Willis College, including full time students, and students enrolled in a certificate program. The organization will not tolerate sexual violence or harassment, whether engaged in by fellow students, managers, Instructors, directors, or contract service providers of the organization.

Willis College will not tolerate any form of harassment or discrimination against potential candidates and students on any grounds listed in the definitions for sexual violence and harassment. This commitment applies to such areas as training, and co-op placements. All Willis College staff and students are personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination or harassing behavior and to intervene immediately if they observe a problem or if a problem is reported to them.

For the purposes of this policy, harassment and bullying can occur:

- At Willis College;
- At student-related social functions;
- In the course of co-op assignments outside of Willis College; and
- Elsewhere, if the person is there as a result of college-related responsibilities or a college-related relationship.



## **Violence Risk Assessment**

Willis College will conduct a risk assessment of the learning environment to identify any issues related to potential sexual violence that may affect the operation, and will institute measures to control any identified risks to student safety. This information will be provided to the Management Team. The risk assessment may include review of records and reports: e.g. student incident reports, or other related records. Specific areas that may contribute to risk of sexual violence may include, but are not limited to, contact with the public and Willis College alone or at night. Research may also include a review of our other campuses with respect to their history of violence.

Willis College will communicate information relating to a person with a history of violence where:

- Students may reasonably be expected to come into contact with the person in the classroom of their program.
- There is a potential risk of violence as a result of interactions with the person with a history of violence.

The company will only disclose personal information that is deemed reasonably necessary to protect the student from sexual and physical harm.

## **Reporting Violence or Bullying**

If you are either directly affected by, or witness to, any violence in Willis College, it is imperative for the safety of all of Willis College that the incident be reported without delay. Any violence or potentially violent situations should be immediately reported to management.

## **Investigating Reports of Violence or Bullying**

The company shall:

- Investigate all reported acts and incidents of violence, and consult with other parties (e.g., legal counsel and local police services).
- Take all reasonable measures to eliminate or mitigate risks identified by the incident.
- Document the incident, its investigation, and corrective action taken.
- Review this policy and hazard assessment annually, or as changes to environments, and revise the assessment as needed.
- Review annually, in conjunction with review of the hazard assessment, the effectiveness of actions taken to minimize or eliminate student violence and make improvements to procedures, as required.

## **Reporting Discrimination or Harassment**

### Informal Procedure

If you believe you have been personally harassed you may:

- Confront the harasser personally or in writing to point out the unwelcome behavior and request that it stop.



- Discuss the situation with the harasser, your Instructor, or management. Any student who feels discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the facts directly to Student Services, or to another member of management, if the complaint relates to your Instructor or the management team.

### Formal Procedure

If you believe you have been personally harassed, you may make a written complaint. The written complaint must be delivered to the Management Team. Your complaint should include:

- The approximate date and time of each incident you wish to report.
- The name of the person or persons involved in each incident.
- The name of any person or persons who witnessed each incident.
- A full description of what occurred in each incident.

### **Investigating Reports of Discrimination or Harassment**

Once a written complaint has been received, Willis College will complete a thorough investigation. Harassment should not be ignored, as silence can and often is interpreted as acceptance. Students will not be dismissed, disciplined, or denied a co-op placement, because they rejected sexual advances or because they lodged a complaint when they honestly believed they were being harassed or discriminated against.

Willis College will ensure that all information obtained during the course of an investigation is kept confidential, unless the disclosure is necessary for the purposes of an investigation or corrective action, or is otherwise required by law.

For the purposes of this section the following definitions apply:

**Complainant** – The person who has made a complaint about another individual whom they believe committed an act of violence, discrimination, or harassment against them.

**Respondent** – The person whom another individual has accused of committing an act of violence, discrimination, or harassment.

### The investigation will include:

- Informing the respondent of the complaint.
- Interviewing the complainant, any person involved in the incident, and any identified witnesses.
- Interviewing any other person(s) who may have knowledge of the incidents related to the complaint or any other similar incidents.

A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent.

- The respondent is invited to reply in writing to the complainant's allegations. The reply will be made known to the complainant before the investigation proceeds further.



- The company will protect from unnecessary disclosure the details of the incident being investigated and the identities of the complainant and the respondent.
- During the investigation, the complainant and the respondent will be interviewed, as will any possible witnesses. Statements from all parties involved will be taken and documented, and a decision will be made.
- If necessary, the company may employ outside assistance or request the use of legal counsel.
- Students will not be demoted, dismissed, disciplined, or denied a co-op placement because they rejected the sexual advances of another student or because they lodged a harassment complaint when they honestly believed they were being harassed.
- Upon completion of the investigation, Willis College will inform both the complainant and respondent in writing of the findings of the investigation and any corrective action that has been, or will be taken, as a result of the investigation.

If the complainant decides not to lay a formal complaint, the Regional Manager may decide that a formal complaint is required (based on the investigation of the incident), and will file such documents with the person against whom the complaint is laid (the respondent).

If it is determined that harassment in any form has occurred, appropriate disciplinary measures will be taken as soon as possible.

### **Seeking Immediate Assistance**

Canada's *Criminal Code* addresses violent acts, threats, and behaviors, such as stalking. The police should be contacted immediately when an act of violence has occurred in Willis College or when a student is threatened with violence. If a student feels threatened by another student, volunteer, Instructor, potential student, or visitor, an immediate call to "911" is required.

### **Special Circumstances**

Should a student have a legal court order (e.g., a restraining order or "no-contact" order) against another individual, the student is encouraged to notify his or her Instructor, and to supply a copy of that order to Willis Management. This will be required in instances where the student strongly feels that the aggressor may attempt to contact that student at Willis College, in direct violation of the court order, so that Willis College may take all reasonable actions to protect the student. Such information shall be kept confidential and protected in accordance with all applicable legislation.

If any visitor to the Willis College workplace is seen with a weapon (or is known to possess one), or makes a verbal threat or assault against an student or another individual, student witnesses are required to immediately contact the police, emergency response services, and Willis Management.

All records of harassment and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.



In cases where criminal proceedings are forthcoming, Willis College will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

### **Fraudulent or Malicious Complaints**

This Anti-violence, Harassment, and Sexual Harassment Policy must never be used to bring fraudulent or malicious complaints against students. It is important to realize that unfounded or frivolous allegations of personal harassment may cause both the accused person and the company significant damage. If the company determines that any student has knowingly made false statements regarding an allegation of personal harassment, immediate disciplinary action will be taken.

### **Disciplinary Measures**

If the company determines that any student has been involved in violent behavior, unacceptable conduct, or harassment of another student, immediate disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning, or dismissal.

### **Confidentiality**

Willis College will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Willis College will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law. Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation or disciplinary action. Any disciplinary action will be determined by the company and will be proportional to the seriousness of the behavior concerned.

Willis College will also provide appropriate assistance to any student who is the victim of violence, discrimination, or harassment.

### **Brockville**

Assault Response & Care Centre  
Office (613) 345-3881 1-800-567-7415  
Email [arcc@bgh-on.ca](mailto:arcc@bgh-on.ca)  
[www.arc-c.ca](http://www.arc-c.ca)

### **Cornwall**

Sexual Assault Support Services for Women  
Office 613-932-1755  
<http://sassforwomen.ca/>  
24 hour crisis 1-800-480-4208

### **Ottawa**

Sexual Assault Support Center  
Crisis 613-234-2266  
613-725-2160  
TTY: 613-725-1657



Ottawa Rape Crisis Centre  
Crisis 613-562-2333  
Office 613-562-2334  
<http://orcc.net/>

## Acknowledgment and Agreement

I, \_\_\_\_\_ acknowledge that I have read and understand the Student Anti-violence, Harassment, and Sexual Harassment Policy of Willis College. I agree to adhere to this policy. I understand that if I violate the rules set forth by this policy, I may face disciplinary action up to and including dismissal from Willis College.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_