



Sexual Misconduct Policy

PTIRU-BC # 03395

IHE Operator School is committed to ensuring all students enjoy learning in an environment free of sexual misconduct and/or harassment and in which all students are treated with respect. There will be zero tolerance for any acts of sexual misconduct and/or harassment at our training sites.

This policy applies to all dealings between students, instructors, suppliers, and those working in contractual relationships. Students should refer to the IHE Student Handbook for outlined policies and regulations.

Definition:

Sexual Misconduct and/or Harassment is defined as any unwelcome attention or action of a sexual nature, including verbal, visual, or physical conduct that has the intent or effect of unreasonably interfering with an individual's or group's work or performance. To constitute sexual misconduct and/or harassment, behaviours may be repeated or a single serious incident(s).

“**Complainant**” is the person who believes they are or have been harassed.

“**Respondent**” is the person who is alleged to have harassed the complainant.

“**Supervisor**” refers to supervisor, manager, executive or HR unless stated otherwise.

“**The Company**” refers to Interior Heavy Equipment Operator School. To constitute harassment, behaviors may be repeated or a single serious incident(s).

Policy:

1. Interior Heavy Equipment Operator School is committed to the prevention of and appropriate response to sexual misconduct.
2. Sexual misconduct refers to a spectrum of non-consensual sexual contact and behaviours, including the following:
 - sexual assault;
 - sexual exploitation;
 - sexual harassment;
 - stalking;
 - indecent exposure;
 - voyeurism;
 - the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video and with the intent to distress the person in the photograph or video;



- the attempt to commit an act of sexual misconduct; and
 - the threat to commit an act of sexual misconduct.
3. A **Complaint** of sexual misconduct is different from a Report of sexual misconduct. A Complaint is when the victim/survivor discloses or chooses to tell someone at the institution of an incident of sexual misconduct to seek support but may not want to make a formal report to the police or the institution. A **Report** is a formal notification of an incident of sexual misconduct to someone at the institution accompanied by a request for action. A report does not have to be made by the victim/survivor.
 4. A student making a **Complaint** will be provided with resolution options and, if appropriate, accommodation and will not be required or pressured to make a **Report**.
 5. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
If a student has experienced or witnessed any form of harassment, they should use the following procedure:
 - a) Deal with the issue immediately and report it. This may be done directly with the immediate On-Site Administrator, Site Supervisor or manager, another member of IHE management, or Human Resources.
 - b) A formal written complaint should be addressed to Human Resources at hr@iheschool.com, the Office of the Registrar at registry@iheschool.com, or the Chief Operating Officer (COO), Ms. Christine Hansen, at chansen@iheschool.com
 6. The process of responding to a **Complaint** of sexual misconduct involving a student is as follows:
Formal written complaints should be completed and include the following information: the names of the person(s) involved.
 - a) a detailed description of what happened and what was said.
 - b) dates of the incident.
 - c) names of witnesses; and
 - d) any prior attempts to resolve the situation.

Provided the complainant authorizes, the incident(s) will be promptly investigated by the HR Department or an external investigator, depending on the severity of the allegation and who is involved. Every effort will be made to have Investigations completed **within 10 days** of the complaint being reviewed.

7. The process for making a **Report** of sexual misconduct involving a student is as follows:



- a) Investigations will be conducted in an objective, fact-finding manner. Generally, and the respondent. If other people observe the incident or are involved, they, too, will be interviewed.
- b) Investigations will be conducted fairly, unbiasedly, and in a timely manner. Those being interviewed will be advised of the procedures available to them. Any person harassing another employee will receive a copy of the complaint(s). Respondents will have the opportunity to explain their interpretation of the situation.
- c) Once the HR Department or external investigator completes the investigation, a report, including recommendations, will be submitted to the Office of the Registrar at registry@iheschool.com, and the Chief Operating Officer, Ms. Christine Hansen, at chansen@iheschool.com

8. The process for responding to a **Report** of sexual misconduct involving a student is as follows:

Upon receiving the report and recommendations on the case report promptly within 5 business days, the Chief Operating Officer (COO) or Chief Executive Officer (CEO) may impose an appropriate sanction, provide a remedy for the complainant, or exonerate the respondent. The reported decision will consider the following:

- a) the facts surrounding the incident.
 - b) the severity of the incident.
 - c) whether the harassment was intentional or not.
 - d) whether the respondent expressed remorse over the incident.
 - e) whether the offence was an isolated incident or part of an overall pattern.
 - f) other mitigating circumstances.
 - g) the respondent's past work record; and
 - h) the IHE Code of Conduct.
- The COO, alternatively, the CEO, will determine any required disciplinary action and inform the complainant and respondent of the case outcome in writing.
- i) Retaliatory action directed toward the complainant will not be tolerated.
 - j) Frivolous or vexatious complaints will not be tolerated.

Responsibilities

All employees of IHE School have a role in building a healthy workplace free of harassment and bullying. To ensure that, employees must:

- Comply with the Bullying and Harassment Policy and not participate in discriminatory or inappropriate behaviours,



- Ensure they understand the Policy and ask questions of IHE Management if they are unclear on any part of the Policy,
- Attend any scheduled training sessions to educate the employees on bullying and harassment.

IHE Management will set the tone for the workplace by being role models for other employees and following these guidelines:

- Professionally conduct themselves and not participate in any discriminatory or inappropriate behaviours,
 - Follow the Bullying and Harassment Policy,
 - Ensure that employees are aware of the Policy and review it regularly for revisions and any updates to staff,
 - Treat all complaints seriously and take action, when necessary, especially if they witness harassment personally,
 - Report any incidents of harassment to another IHE Manager so determination of action can be made.
9. In all instances, the institution will:
- Ensure the safety of the victim/survivor.
 - As appropriate, provide emergency numbers for on and off-campus security (if applicable), law enforcement, medical assistance, mental health services, and other services.
 - Respect the right of the individual to choose the services they consider most appropriate.
10. It is contrary to this policy for an institution to retaliate, engage in reprisals, or threaten to retaliate in relation to a Complaint or a Report.
11. Any process undertaken to pursue this policy will be based on the principles of administrative fairness. All parties involved will be treated with dignity and respect.
12. All information related to a Complaint or Report is **confidential** and will not be shared without the written consent of the parties, subject to the following exceptions:
- If an individual is at imminent risk of severe or life-threatening self-harm.
 - If an individual is at imminent risk of harming another.
 - There are reasonable grounds to believe that others in the institutional community may be at significant risk of harm based on the information provided.
 - Where reporting is required by law.
 - Where it is necessary to ensure procedural fairness in an investigation or other response to a Complaint or Report.