

# VOCATIONAL PROGRAM ENROLLMENT CONTRACT

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## SCHEDULE K: SEXUAL VIOLENCE & SEXUAL HARASSMENT POLICY Career College Sexual Violence Policy (June 2023)

### 1. Sexual Violence Policy

- (a) PHS Truck & Training Services is committed to providing its students with an educational environment free from sexual violence and treating its students who report incidents of sexual violence with dignity and respect.
- (b) PHS Truck & Training Services has adopted this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints of sexual violence made by its students that have occurred on its campus, or at one of its events and involve its students.
- (c) The person accused of engaging in sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant”.

### 2. Definition of Sexual Violence

Sexual violence means 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.

### 3. Training, Reporting and Responding to Sexual Violence

- (a) PHS Truck & Training Services will include a copy of the Sexual Violence Policy in every contract made between it and its students, and provide a copy of the 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), instructors, staff, other employees and contractors and train them about the policy and its processes of reporting, investigating and responding to complaints of sexual violence involving its students. \*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 sexual violence in the workplace.
- (b) The Sexual Violence Policy shall be published on its website (or where the Career College does not have a website in a conspicuous location on each of its campuses). Career college management, instructors, staff, other employees and contractors of PHS Truck & Training Services will report incidents of or complaints of sexual violence to Kulwinder Singh at PHS Truck & Training Services (416.826.2451) upon becoming aware of them.
- (c) Students who have been affected by sexual violence or who need information about support services should contact Kulwinder Singh at PHS Truck & Training Services (416.826.2451).
- (d) Subject to Section 4 below, to the extent it is possible, PHS Truck & Training Services 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.
- (e) PHS Truck & Training Services 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.
- (f) Notwithstanding (f) above, in certain circumstances, PHS Truck & Training Services 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.
- (g) In all cases, including (f) above, PHS Truck & Training Services will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact Kulwinder Singh at 416.826.2451.
- (h) In this regard, PHS Truck & Training Services will assist students who have experienced sexual violence in obtaining counselling and medical care, and provide them with information about sexual violence supports and services available in the community as set out in Appendix 1 attached hereto. Students are not required to file a formal complaint in order to access supports and services.

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### 4. **Investigating Reports of Sexual Violence**

(a) Under this Sexual Violence Policy, any student of PHS Truck & Training Services may file a report of an incident or a complaint to Kulwinder Singh in writing.

(b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, Kulwinder Singh will respond promptly and determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation;

(i) determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;

(ii) 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, PHS Truck & Training Services may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and

(c) 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.

(d) 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, Kulwinder Singh will:

(A) review all of the evidence collected during the investigation;

(B) determine whether sexual violence occurred; and if so

(C) determine what disciplinary action, if any, should be taken as set out in Section 5 below.

### 5. **Disciplinary Measures**

If it is determined by PHS Truck & Training Services that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

(a) disciplinary action up to and including termination of employment of instructors or staff; or

(b) expulsion of a student; and /or

(c) the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or

(d) any other actions that may be appropriate in the circumstances.

### 6. **Appeal**

Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to Harwant Kaur within 10 days by submitting a letter addressed to Harwant Kaur at PHS Truck & Training Services, 2705 Slough St, Mississauga, Ontario, L4T 1G2 or by email to harry1992gill@gmail.com advising of the person's intent to appeal the decision.

### 7. **Making False Statements**

(a) It is a violation of this 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 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.

### 8. **Reprisal**

(a) It is a violation of this 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

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the complaint investigation process.

(b) Individuals who violate the 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.

### 9. **Review**

(a) PHS Truck & Training Services shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.

(b) PHS Truck & Training Services shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. The review date will be June 30, 2023.

### 10. **Collection of Student Data**

PHS Truck & Training Services 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.

### **Regulation Amendment**

As per Subsection 36.0.2 of Ontario Regulation 415/06 under the Private Career Colleges Act, 2005, the PHS Truck & Training Services Ltd Sexual Assault/Sexual Violence Policy has been updated to reflect the following two amendments, effective June 2023.

- I. 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 PHS Truck & Training Services Ltd policies relating to drug or alcohol use at the time the alleged sexual violence occurred
- II. 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 PHS Truck & Training Services Ltd staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

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### Appendix 1

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

Canadian Association of Sexual Assault Centres, Ontario Provincial

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](http://www.awhl.org)

Français

Fem'aide

Telephone Toll-Free: 1-877-336-2433

ATS: 1 866 860-7082

[www.femaide.ca](http://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.

Alliston, Barrie, Collingwood, Midland and Orillia

Huronian 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](http://www.huroniatransitionhomes.ca)

Belleville

Sexual Assault Centre for Quinte and District Toll-Free: 1-877-544-6424

Office: 613-967-6300

[www.sacqd.com](http://www.sacqd.com)

Bracebridge

Muskoka/Parry Sound Sexual Assault Services

Parry Sound District Office:

Office: (705) 774-9083 or 1-877-851-6662

Muskoka District Office:

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Office: (705) 646-2122 or 1-877-406-1268  
[www.daphnewymn.com](http://www.daphnewymn.com)

Brantford  
Sexual Assault Centre of Brantford Crisis: 519-751-3471  
Office: 519-751-1164  
[sexualassaultcentre@sacbrant.ca](mailto:sexualassaultcentre@sacbrant.ca)  
<http://sacbrant.ca/>

Brockville  
Assault Response & Care Centre  
Office: (613) 345-3881 or 1-800-567-7415  
[arcc@bgh-on.ca](mailto:arcc@bgh-on.ca)  
[www.arc-c.ca](http://www.arc-c.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](http://www.akwasasne.ca/iethinistenha-women's-shelter)

Durham Region  
Durham Rape Crisis Centre Crisis: 905-668-9200  
Office: 905-444-9672  
[info@drcc.ca](mailto:info@drcc.ca)  
[www.drcc.ca](http://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](http://www.wsac.ca)

Guelph  
Guelph-Wellington Women in Crisis Crisis: 519-836-5710  
1-800-265-7233  
Office: 519-823-5806  
[www.gwwomenincrisis.org](http://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](http://www.sacha.ca)

Kenora  
Kenora Sexual Assault Centre  
Crisis: (807) 468-7233 or 1-800-565-6161  
Office: (807) 468-7958  
[www.kenorasexualassaultcentre.com](http://www.kenorasexualassaultcentre.com)

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Kingston  
Sexual Assault Centre Kingston  
Crisis: 613-544-6424 or 1-877-544-6424  
Office: 613-545-0762  
sack@sackington.com  
www.sackington.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  
sacl@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'agressions 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.savisofhalton.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

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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 & 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 Téléphone: 416-591-6565  
Courriel: services@oasisfemmes.org

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<http://oasisfemmes.org/>

Toronto Rape Crisis Centre: Multicultural Women Against Rape Crisis: 416-597-8808

Office: 416-597-1171

[info@trccmwar.ca](mailto:info@trccmwar.ca)

[crisis@trccmwar.ca](mailto:crisis@trccmwar.ca)

[www.trccmwar.ca](http://www.trccmwar.ca)

Windsor

Sexual Assault Crisis Centre of Essex County Crisis: 519-253-9667

[www.saccwindsor.net](http://www.saccwindsor.net)

Woodstock

Domestic Abuse Services Oxford

Crisis: 519 539-4811 or 1-800-265-1938

[info@daso.ca](mailto:info@daso.ca)

[www.daso.ca](http://www.daso.ca)