

Employee Sexual Misconduct Policy

Introduction

Canadian College of Business, Health and Arts Inc. is committed to maintaining a safe and respectful learning and working environment. This policy outlines the rules and expectations regarding sexual behaviour involving employees and students at our private career college. Sexual misconduct is unacceptable and will not be tolerated.

Scope

This policy applies to all employees, including full-time, part-time, temporary, and contract staff and students enrolled at the Canadian College of Business, Health and Arts Inc. It covers any conduct considered sexual misconduct, harassment, or inappropriate behaviour.

Definitions

In this section,

“sexual misconduct” means, in relation to a student enrolled at a career college,

- (a) physical sexual relations with the student, touching of a sexual nature of the student or behaviour or remarks of a sexual nature toward the student by an employee of the career college where,
 - (i) the act constitutes an offence under the *Criminal Code* (Canada),
 - (ii) the act infringes the right of the student under clause 7 (3) (a) of the *Human Rights Code* to be free from a sexual solicitation or advance, or
 - (iii) the act constitutes sexual misconduct as defined in the career college’s employee sexual misconduct policy or contravenes the policy or any other policy, rule or other requirement of the career college respecting sexual relations between employees and students, or
- (b) any conduct by an employee of the career college that infringes the right of the student under clause 7 (3) (b) of the *Human Rights Code* to be free from a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance. (“inconduite sexuelle”) 2022, c. 22, Sched. 2, s. 1; 2023, c. 9, Sched. 29, s. 4.

Prohibited Conduct

The following actions are strictly prohibited and may result in disciplinary measures, up to and including termination of employment:

- Engaging in any form of sexual misconduct or harassment towards a student enrolled at the private career college.
- Initiating or engaging in any romantic or sexual relationship with a student, given the inherent power imbalance.
- Making inappropriate sexual comments, jokes, or gestures towards students or colleagues.

- Sharing or distributing explicit or sexually suggestive materials in the workplace or classroom.
- Using any position of authority or influence to coerce or pressure individuals into engaging in any sexual activity.
- Retaliating against any individual who reports an incident of sexual misconduct or harassment.

Reporting Procedures

Any employee who experiences or witnesses sexual misconduct or harassment is encouraged to report the incident immediately. Reports can be made to: Shirin Mandani, Campus Director. All reports will be treated with confidentiality to the extent possible, and retaliation against individuals reporting such incidents is strictly prohibited.

Investigation and Disciplinary Measures

All reports of sexual misconduct will be promptly and thoroughly investigated. The accused employee will be allowed to respond to the allegations. If the investigation determines that misconduct has occurred, disciplinary measures will be implemented, which may include but are not limited to:

- Verbal or written warning
- Suspension from work with or without pay
- Termination of employment
- Referral to law enforcement for criminal offences

Training and Awareness

Canadian College of Business, Health and Arts Inc. will conduct regular training sessions for all employees to raise awareness about sexual misconduct, harassment, and the importance of maintaining a respectful workplace. Students will also receive information about their rights and the reporting procedures.

Conclusion

Canadian College of Business, Health and Arts Inc. is committed to fostering a culture of respect, dignity, and inclusivity. By adhering to this policy, we aim to provide a safe and conducive learning and working environment for everyone associated with our institution.

This policy is subject to periodic review and may be updated as necessary to ensure its effectiveness and compliance with relevant laws and regulations.

Employee Acknowledgment

I, _____, at this moment acknowledge that I have received, read, and understood the Canadian College of Business, Health and Arts Inc. Employee Sexual Misconduct Policy. I know the rules, expectations, and guidelines outlined in the policy regarding sexual behaviour involving employees and students enrolled at the private career college.

Sexual misconduct, harassment, or inappropriate behaviour towards students or colleagues is prohibited and will not be tolerated. I am aware that engaging in such conduct may lead to

disciplinary measures, including but not limited to verbal or written warnings, suspension, or termination of my employment.

I acknowledge the importance of maintaining a safe and respectful learning and working environment and will do my part to uphold the principles of this policy. I also understand my responsibility to report any incidents of sexual misconduct or harassment that I witness or experience during my employment.

By signing this acknowledgment, I affirm my commitment to adhering to the Canadian College of Business, Health and Arts Inc. Employee Sexual Misconduct Policy and agree to participate in any training or awareness programs related to this policy, as required by the institution.

Employee's Signature: _____

Date: _____