

Automotive Training Centre

Name of Institution

00745

Institution Number

**Dispute Resolution Policy and sexual
harassment**

Name of Policy

01/01/2024

Effective Date

01/01/2025

Revision Date

Scope of Policy:

It is the goal of this policy to ensure fair and equitable treatment of all parties in matters of disputes. A grievance can be made by any staff member, Instructor or student of ATC. Grievance procedures and policies described in this document are available to staff and students regardless of the location this grievance has arisen or mode of study.

Definition:

1. A grievance is a problem, concern or complaint which relates to procedure matters of an academic, nonacademic, behavioral or administrative nature.
2. Matters which are covered under written policy of ATC, and for which specific procedures are not covered under this policy.

General Principles:

1. This policy does not limit the right of staff or students to seek the assistance of an external person or agency for the resolution of a grievance.
2. A grievance will be treated seriously, expeditiously, impartially and sensitively for due regard for procedural fairness, equality and privacy.
3. A grievance should be raised as early as possible after the incident relating to the complaint occurred.
4. Wherever possible a grievance should be resolved by a process of discussion, cooperation and conciliation.
5. Grievances that appear to be frivolous in nature or maliciously made, will not be investigated.
6. The Director will receive a grievance in confidence and provide assistance and support in resolving it and if a solution cannot be found, will expeditiously refer the matter to the President for review.
7. At all stages of the process, the complaint and actions taken must be documented in writing.
8. Confidentiality MUST be observed by all parties at all stages of the grievance process.

Procedures:**Stage 1 (Preliminary Action):**

1. Before initiating a grievance, the complainant should attempt to resolve the problem directly with the person/s concerned if appropriate.
2. Any student or staff member approached with a problem that relates to he or she in relation to a grievance must aim to resolve the complaint within 15 days.

Stage 2 (Initiating a grievance):

1. Where the complainant following their preliminary action has not been able to solve the problem, the matter should be taken up with the Director in written form.
2. The Director will determine if the subject matter of the complaint constitutes a genuine grievance. This will involve a face to face meeting with the complainant to hear full details of the grievance.
3. If the grievance is considered frivolous or malicious in nature, the Director will advise the complaint that no further investigation will be conducted and this will be documented in writing, citing the reasons for this decision.
4. If a grievance is deemed as substantive, the person against whom the allegations are made will be informed in writing and provided an opportunity to respond.
5. The Director will continue to work on resolving the grievance until a satisfactory solution has been reached.
The resolution found will be documented. This stage will normally take 10 business days.
6. If the grievance is not resolved, the matter will be referred to the President.
7. All meetings and discussions involving a grievance or complaint will be attended by two members of administration, including the Director.

Stage 3 (Referring the Complaint)

1. If the grievance cannot be resolved, it will be referred in writing to the President. If necessary, a meeting will be held between the President and the Director to obtain the scope of the grievance process that had taken place.
2. The President will review the grievance and conduct a secondary interview with the complainant in effort to further mediate the problem.
3. The complainant will receive in writing the final resolution sought by the President and the Director. The decision is final and any further complaints will be referred to an outside agency.

Dismissal:

If a grievance is serious enough in nature, the Director may choose to dismiss the offender. This dismissal will be put in writing.

Stage 4 (Referral for External Review)

1. If a grievance cannot be resolved internally, and the offender has not been dismissed, the President or the Director will advise the complainant in writing that he or she may pursue further dispute resolution by contacting the appropriate outside agency.
2. ATC is prepared to provide all written information recorded relating to the grievance at the request of such external agencies and will fully participate in a dispute resolution procedure.

Student Behavior Policy Covering Disputes and Dismissal

It is the goal of this policy to ensure that all students receive fair and equitable treatment when their behavior requires correction. Behaviors that will not be tolerated while attending school:

- Consumption of alcohol or drugs
- Fighting with any other students or school staff
- Aggressive language or behavior that creates a disruption
- Theft of school or student property
- Poor attendance to class or shop
- Unsafe practices in class or shop
- Uncooperative behavior towards other students or school staff
- If a student has problems that require attention their Instructor will first give them a verbal warning in order to correct the situation. If this does not correct the problem a written warning will be given to the student outlining the problem and what must be done to correct the matter.
- If the problem persists after the written warning then the school Director will review the situation with the student and dismissal may result. The decision of the Director will be final.
- The school may dismiss a student without following the above procedure if the situation is

serious enough to warrant immediate dismissal.

Harassment Prevention Policy: Automotive Training Centre

The Automotive Training Centre, is committed to a healthy, harassment-free work environment for all our employees. Automotive Training Centre has developed a school-wide policy intended to prevent harassment of any type, including sexual harassment, of its employees, customers and clients and to deal quickly and effectively with any incident that might occur.

Definition of harassment

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. British Columbia human rights law prohibits workplace harassment based on these grounds. Harassment that is not linked to one of these protected grounds is not covered under the Act. The behavior need not be intentional in order to be considered harassment.

Examples of harassment that will not be tolerated in Automotive Training Centre are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to any employee's race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. Automotive Training Centre also will not tolerate the display of pornographic, racist or offensive signs or images; offensive jokes based on race, gender or other grounds protected under the Act that result in awkwardness or embarrassment; and unwelcome invitations or requests, whether indirect or explicit.

Definition of sexual harassment

The British Columbia Human Rights Act prohibits discrimination based on the ground of gender. Protection from sexual harassment is included under the ground of gender. Unwanted sexual advances, unwanted requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. All harassment is offensive and in many cases, it intimidates others. It will not be tolerated within our school.

A) How to proceed if you are being harassed

1. If it is possible, tell the harasser that their behaviour is unwelcome and ask them to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to make a complaint, but a record can strengthen your case and help you remember details over time.
3. Make a complaint. If, after asking the harasser to stop their behaviour, the harassment continues, report the problem to one of the following individuals:
 - a. Instructor
 - b. Campus Director

You also have the right to British Columbia Human Rights Commission to make a complaint of harassment that is based on any of the grounds protected from discrimination under the British

Columbia Human Rights Act. The protected grounds are: race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status and sexual orientation. You can also report any incident of assault that has occurred to the police.

B) Internal harassment complaint process

1. Once an internal complaint is received by Automotive Training Centre school, it will be kept strictly confidential. Appropriate action will be undertaken immediately to deal with the allegations. Action taken may include mediation. If a grievance is filed through the union, the union will advise you of the steps they will be taking.
2. The Instructor or Campus Director will interview you as well as the alleged harasser and any individuals who may be able to provide relevant information related to your allegations. All information collected will be kept in confidence.
3. If appropriate, Automotive Training Centre will attempt to resolve the complaint by mediation. If mediation is not successful, an investigation will be undertaken by an investigator designated by Automotive Training Centre.
4. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser's file. No documentation will be placed on the complainant's file when the complaint has been made in good faith, whether or not there was a finding of harassment.
5. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
6. Regardless of the outcome of a harassment complaint made in good faith, the employee lodging the complaint as well as anyone providing information will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion,

unwanted transfer, denial of opportunities within the school or harassment for having made a complaint or having provided evidence regarding the complaint.

C) Responsibility of management

It is the responsibility of an Instructor, Manager, Campus Director or any other person within the school who supervises students or employees to take immediate and appropriate action to report or deal with incidents of harassment of any type, whether brought to their attention or personally observed. Under no circumstances should a complaint be dismissed or downplayed, nor should the complainant be told to deal with it personally.

Automotive Training Centre seeks to provide a safe, healthy and rewarding work environment for its employees, clients and customers. Harassment will not be tolerated within our school. If you feel that you are being harassed, contact us at info@autotrainingcentre.com

The school may dismiss a student without following the above procedure if the situation is serious enough to warrant immediate dismissal.